

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

DOI-BLM-NV-B020-2015-0029-EA

FINDING OF NO SIGNIFICANT IMPACT

I have reviewed the Environmental Assessment (EA) DOI-BLM-NV-B020-2015-0029-EA dated May 2015. After consideration of the environmental effects as described in the EA (and incorporated herein), I have determined that the Proposed Action, with the project design features identified in the EA, will not significantly affect 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 per section 102(2)(c) of the National Environmental Policy Act (NEPA).

DOI-BLM-NV-B020-2015-0029-EA has been reviewed through the interdisciplinary team process, as well as being sent to the Nevada State Clearinghouse and the public for a 30-day comment period.

After consideration of the environmental effects of the Bureau of Land Management's (BLM) preferred alternative (the Proposed Action) described in the EA, and the supporting baseline 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 the human environment.

It has been determined that the Proposed Action is in conformance with the approved Tonopah Resource Management Plan, and is consistent with the plans and policies of neighboring local, county, state, tribal, and federal agencies and governments.

Context

The BLM, Tonopah Field Office (TFO), has prepared an EA to analyze the impacts of conducting exploration-related activities at the Cordex Eastside Exploration Project (Project) by Cordex Exploratioin Company (Cordex). To perform the exploration, Cordex submitted to the BLM, the Plan of Operations (Plan). The Plan was initially submitted in September 2014, then most recently in January 2015, to the BLM in accordance with the BLM Surface Management Regulations 43 Code of Federal Regulations (CFR) 3809, as amended. It has been assigned BLM case file number NVN-093181. The Project is located in part or all of Sections 7, 8, 16, 17, and 18, unsurveyed Township 4 North, Range 39 East, Mount Diablo Base and Meridian (Project Area), Esmeralda County, Nevada. The Project can be accessed by traveling west from Tonopah for 19 miles on United States (U.S.) Highway 95, then turning north on the Gilbert/Crow Springs road (between mile markers 38 and 39) and traveling north for 4.5 miles to the Project boundary.

Cordex is currently authorized (Notice-level) to disturb 4.5 acres within the Project Area. The total proposed disturbance for the Project is 40.2 acres.

For a complete description of the proposed Project, please refer to the EA, Section 2.0, Proposed Action and Alternatives.

Pursuant to the 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 concurrent reclamation during the life of the project and by meeting all reclamation requirements prior to closure 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; and potential release of hazardous materials and drilling fluids. Many of these impacts would be minimized by the applicant committed Environmental Protection Measures (EPMs) included in Section 2.2.10 of the EA as well as by the concurrent reclamation and other measures required in the Plan.

The area of potential effect consists of approximately 618 acres. This block was subjected to a Class III cultural resources inventory, which was conducted in May of 2014 by GC Environmental, Inc. Although several small lithic scatters, trash scatters and historic road segments were identified and recorded, as were eighteen isolated occurrences including thirteen claim cairn features, no historic properties were identified to be present within the area of potential effect. Based on the 2009 BLM and State Historic Preservation Office protocol agreement, isolated finds are categorically excluded from inclusion on the NRHP. Inadvertent discoveries of previously undetected cultural resources would be treated as required under 43 CFR 10.4 and 43 CFR 3908.420(8)(b). Any such discovery would be immediately reported to the authorized BLM officer. All operations in the immediate area of the discovery would be suspended, and the site would be protected until the authorized officer may develop an appropriate plan for management of the resource.

Travel on dirt roads and drilling within the Project Area have the potential to create fugitive dust and vehicle emissions. Fugitive dust would be controlled by minimizing surface disturbance and utilization of other EPMs described in Chapters 2 and 3 of the EA. The potential impacts would be temporary and would cease upon completion of the Project and successful revegetation of the surface disturbance.

The EA addresses visual resources in Chapters 3 and 4. The impacts to visual resources by the Proposed Action would be short-term. Successful reclamation of the site would minimize the linear contrasts with the natural landscapes caused by drill roads. 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.

Impacts that would be avoided or minimized by operating and reclamation measures committed to by Cordex are presented in Chapter 2 and by the required regulatory performance standards. Reclamation and revegetation of the Project disturbance would gradually re-establish 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 3809.420 and Nevada Administrative Code (NAC) 519A. Reclamation would meet the objectives as outlined in the United States Department of the Interior Solid Minerals Reclamation Handbook #H-3042-1, Surface Management of Mining Operations Handbook H-3809-1, and revegetation success standards per BLM/Nevada Division of Environmental Protection (NDEP) "Revised Guidelines for Successful Mining and Exploration Revegetation."

The No Action Alternative represents no change to the current management direction. Under the No Action Alternative, exploration activities in the Project Area would continue for disturbance up to five acres under Notice-level activity (NVN-88808).

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

The effects of the Proposed Action on both employees and public health and safety are considered to be positive. Compliance by Cordex with both BLM and NDEP mining regulations, along with compliance with the Mine Safety and Health Administration's regulations would ensure employee and public safety.

Through adherence to applicant-committed EPMS, and Best Management Practices, the Proposed Action would not result in potentially substantial or adverse impacts to public health and safety. Cordex would commit to the following EPMS to insure public health and safety:

- Public safety would be maintained throughout the duration of the Project. All equipment and other facilities would be maintained in a safe and orderly manner. Signage would be placed warning the public that the area is an active exploration site and heavy equipment traffic may be present. A temporary sign would also be placed warning the public and project personnel of possible flash floods. Cordex would monitor weather conditions for the possibility of flash floods and warn Project personnel as conditions warrant. Speed would be limited to 25 miles per hour (mph) on County roads and 15 mph on exploration roads.
- All unattended sumps would be adequately fenced or bermed to preclude access. To ensure wildlife and livestock safety, sumps would be designed to have egress for climb out.
- Any survey monuments, witness corners, or reference monuments would be protected to the extent economically and technically feasible.

- All solid wastes would be disposed of in a state, federal, or local designated site. Pursuant to 43 CFR 8365.1-1(b) (3), no sewage, petroleum products, or refuse would be dumped from any trailer or vehicle.
- If a spill of a petroleum constituent is considered to meet the reportable quantity per the NDEP's guidelines (greater than 25 gallons or greater than three cubic yards of impacted material or any quantity if a water body is impacted), or a reportable quantity for hazardous waste is released based on the Federal Environmental Protection Agency guidelines established under Title III List of Lists (40 CFR Part 302), the NDEP would be notified within 24 hours, and the appropriate remedial actions and confirmation sampling would be conducted under direction of the NDEP. No solid waste would be permitted in sumps.
- Cordex would comply with all applicable state and federal fire laws and regulations. All reasonable measures would be taken to prevent and suppress fires in the Project Area.
- Any identified public hazards such as open historic mine workings would be secured per Nevada Division of Minerals standards.

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 Esmeralda County, 25 miles west of Tonopah, Nevada. There are no park lands, prime farmlands, or wild and scenic rivers in the vicinity.

Based on the results of a Class III cultural resources inventory conducted by GC Environmental, Inc., there were no historic or prehistoric sites eligible for inclusion on the National Register of Historic Places (NRHP) located within the Project Area.

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 parameters of the exploration activities, along with associated reclamation of the drill holes, drill pads and sumps, and roads are well established. The Project Area is isolated from human habitations. Except for mineral exploration and recreation uses, the Project Area is typically uninhabited.

The reclamation would return the land to its pre-exploration 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. Exploration activities similar to what has been included in the Proposed Action have been conducted numerous times over many years on BLM-administered land and the effects are 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 exploration projects including additional actions in the Project Area. 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 (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 the affected resources that had potential impacts from the Proposed Action, 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.

As outlined under Item 1, the entire area of potential effect (APE) consists of 618 acres and includes the entire Project Area. Based on the results of a Class III cultural resources inventory conducted by GC Environmental, Inc., there were no historic or prehistoric sites eligible for inclusion on the National Register of Historic Places (NRHP) located within the Project Area.

Cordex has committed to avoid all known eligible sites, as described in Chapter 3 of the EA. Inadvertent discoveries of previously undetected cultural resources would be treated as required under 43 CFR 10.4 and 43 CFR 3908.420(8)(b). Any such discovery would be immediately reported to the authorized BLM officer. All operations in the immediate area of the discovery would be suspended, and the site would be protected until the authorized officer could develop an appropriate plan for management of the resource.

Cordex would not knowingly disturb, alter, injure, or destroy any scientifically important paleontological deposits. In the event that previously undiscovered paleontological resources are discovered by Cordex in the performance of any surface disturbing activities, the item(s) or condition(s) would be left intact and immediately brought to the attention of the authorized officer of the BLM. If significant paleontological resources are found, avoidance, recordation, and/or data recovery would be required.

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, the Nevada Natural Heritage Program (NNHP), and the Nevada Department of Wildlife were contacted to obtain a list of threatened, endangered, and sensitive species that have the potential to occur within the Project Area. In addition, the BLM Sensitive Species List and Special Status Species lists for the Battle Mountain District were evaluated.

The NNHP database was queried to determine the presence or absence of special status wildlife species in the area of the Proposed Action. Information from the NNHP indicates that no federally threatened or endangered plant or animal species have the potential to occur within the Project Area.

Impacts to 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 EPMs outlined in Chapter 2, and mitigation measures described in Chapter 3.

The action complies with the Endangered Species Act, in that potential effects of the Decision approving the Plan on listed species have been analyzed and documented. The action will not adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the ESA of 1973, as amended.

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.



Timothy J. Coward
Tonopah Field Manager
Tonopah Field Office

5/26/15
Date