

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

**Serial Number: NVN-092012
DOI-BLM-NV-B010-2015-0049-EA**

FINDING OF NO SIGNIFICANT IMPACT

I have reviewed Environmental Assessment (EA) DOI-BLM-NV-B010-2013-0049-EA, dated June 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 specifications, including minimization or mitigation measures 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 Code of Federal Regulations (CFR) 1508.7. 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-B010-2015-0049-EA has been reviewed through the interdisciplinary team process, as well as being sent to the Nevada State Clearinghouse and the public during a comment period beginning June 19, 2015, and ending July 6th, 2015.

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 Shoshone-Eureka Resource Management Plan, and is consistent with the plans and policies of neighboring local, county, state, tribal and federal agencies and governments.

Context

In April 2013, the Mount Lewis Field Office (MLFO), of the Bureau of Land Management (BLM), received an application from Barrick Cortez Inc. (BCI), for a Right-of-Way (ROW) to construct, operate, and maintain an approximately 21.8-mile-long fiber optic cable project between BCI's Lodge at Pine Valley and the southeastern boundary of BCI's Cortez Gold Mines (CGM) Operations Area.

The proposed fiber optic cable and approximately 19 vaults (for cable installation/access) would be installed parallel to and within the existing disturbance areas associated with county roads (County Road [CR] 222 and JD Ranch Road). The proposed ROW would be located on BLM administered lands primarily located in T26N R50E, portions of sections 27-30, and 34-36.

Construction activities associated with underground installation of the fiber optic cable and vaults would occur within the proposed 20-foot-wide permanent ROW. ROW access would be directly from the adjacent county roads. Construction-related activities would result in approximately 53 acres of re-disturbance. This disturbance would be located within existing disturbance areas adjacent to the running surface of the roads that would be paralleled.

Construction timing would occur, to the extent feasible, outside of bird nesting seasons (March 1 through July 31).

All construction related vehicles would be pressure washed to remove extraneous plant matter (e.g., noxious and invasive weeds) prior to entering a project site. A water truck would be on-site to control dust generated during site preparation.

Intensity

1. Impacts that may be both beneficial and adverse.

The EA considered both beneficial and adverse impacts of the ROW. The proposal would result in improved communications for the CGMs Operations Area. It will not significantly complicate or otherwise affect the management of other nearby existing ROWs and there are no other currently proposed developments at these locations.

If project-related ground disturbance should occur during the avian breeding season, defined by BLM as March 1 through July 31, clearance surveys would be conducted by a qualified biologist following BLM (2014e) wildlife survey protocols. Project-related disturbance for a specific location would be conducted within 7 days of the survey, or another survey would be conducted. If active nests are located, or if other evidence of nesting (e.g., mating pairs, territorial defense, carrying nesting material, transporting food) is observed, an appropriate avoidance buffer would be established around the nests following consultation with the BLM approved biologist. No construction would occur within the avoidance buffer until the birds are no longer actively breeding or rearing young, or until the young have fledged. To reduce potential project-related impacts to breeding greater sage-grouse, project construction would occur outside of the breeding season (March 1 through May 15), if possible. If construction during the greater sage-grouse breeding season should be required, no associated ground disturbing activities or vehicle noise in excess of normal traffic (e.g., delivery or operation of mobile equipment) would occur between 4:00 a.m. and 10:00 a.m. within 4 miles of lek sites.

If previously undocumented cultural resources are discovered during construction, construction would be halted in the area of the discovery, and the BLM Authorized Officer would be contacted immediately by phone, with written confirmation, in accordance with State Protocol Agreement Section VI.B. All operations within 100 meters (330 feet) of a discovery would be suspended and the resource protected until an evaluation of the discovery can be made by the BLM Authorized Officer. If the site is eligible to the National Register of Historic Places (NRHP), impacts would be mitigated through avoidance or an appropriate data recovery program pursuant to the 2005 Programmatic Agreement (PA) or most recent PA among the BLM, Nevada State Historic Preservation Officer (SHPO), and BCI.

If paleontological resources are discovered during the performance of any surface disturbing activities, the item(s) or condition(s) would be left intact and the BLM Authorized Officer notified immediately. If significant paleontological resources are found, appropriate measures (e.g., avoidance, recordation, data recovery) would be developed to mitigate potential adverse effects.

Mobile equipment would be washed and inspected prior to entering the project area so that noxious weeds and invasive and non-native species would not be spread to new locations.

During Project construction, the disturbed soil would be wetted, chemically treated, or treated by other means satisfactory to the BLM Authorized Officer, in order to reduce fugitive dust. Additionally, prudent vehicle speeds would be maintained to minimize fugitive dust created by travel.

BCI would coordinate with Eureka County relative to the county's weed management control program.

Adverse impacts of the proposed ROW are minimal, as described in the EA.

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

The effects of the proposed action on public health and safety are considered to be positive. Improved communication capabilities for the CGMs Operation Area would result in increased operational efficiencies which may contribute to greater economic benefit to the local economies and installation of the fiber optic cable would not adversely affect public health and safety.

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 Proposed Action would not result in new surface disturbance based on the proposed ROW alignment within an existing disturbance area. However, installation of the fiber optic cable and vaults potentially would result in new disturbance to subsurface sediments to a depth of 3 to 5 feet. Therefore, direct adverse effects could occur if historic properties are encountered during project construction. To help minimize adverse effects, a qualified archaeological monitor would be present on site during all ground disturbing construction activities to ensure identification of previously undiscovered subsurface cultural resources as discussed in Section 2.2.4, Applicant-Committed Environmental Protection Measures. Also as discussed in Section 2.2.4, and as provided for in the 2005 PA, construction activities would be halted in the area of an unanticipated discovery, and the BLM Authorized Officer would be contacted immediately. All operations within 100 meters (330 feet) of a discovery would be suspended and the resource protected until an evaluation of the discovery can be made by the BLM Authorized Officer. If the site is eligible for the NRHP, impacts would be mitigated through avoidance or an appropriate treatment plan pursuant to the 2005 PA or most recent PA developed among the BLM, Nevada State Historic Preservation Officer (SHPO), and BCI. Construction would not

resume in the area of the discovery until the BLM Authorized Officer has issued a notice to proceed.

The proposed action is not located near any park lands, prime or unique farmlands, wetlands, wild and scenic rivers or Areas of Critical Environmental Concern (ACECs).

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 be controversial because it would be located within areas of existing disturbance and no significant affects were identified during the environmental analysis.

The EA was made available for public comment beginning June 19, 2015, and ending on July 6, 2015. Notifications of the availability of the EA were sent to persons and agencies on the Project mailing list and the EA was posted on the Battle Mountain District ePlanning webpage. Additionally, the BLM issued a press release the same day providing a link to the EA and instructions on how to comment. Substantive comments were evaluated and considered by the BLM during the decision making process. However, the BLM reviewed and considered these comments and determined that they did not identify or present any significant new information or changed circumstances that would warrant additional NEPA analysis.

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 which are considered to be uncertain or involve unique or unknown risks.

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 has been found to cause no significant effects to the environment when appropriate mitigation measures are applied and does not represent a decision in principle. Any future actions on public lands within the surrounding area would be analyzed on their own merits and carried out, or not, independently of the action currently proposed.

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

Past, present and reasonably foreseeable future actions have been considered in the Cumulative Impacts analysis in the EA (Section 2.5). The Cumulative Impacts analysis examined all of the other appropriate actions and determined that the proposed action would not have significant cumulative impacts or incrementally contribute to significant cumulative impacts.

There are no known future actions in the area however, for any actions that might be proposed in the future, further environmental analysis, including assessment of cumulative impacts, would be required prior to authorizing surface disturbing activities.

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.*

There are no adverse effects on the districts, sites, highways, structures or objects listed in or eligible for listing in the National Register of Historic Places.

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 of 1973.*

The United States Fish and Wildlife Service, the Nevada Natural Heritage Program (NNHP), and Nevada Department of Wildlife (NDOW) 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 Chapter 3 of the EA. These impacts are expected to not be significant, based on the implementation of the design features and EPMs outlined in Chapter 2.

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.



Jon D/Sherve
Acting Field Manager
Mount Lewis Field Office

7/10/2015
Date

