

**United States Department of the Interior  
Bureau of Land Management**

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**Decision Record**

**Environmental Assessment**

**DOI-BLM-UT-W010-2015-0024-EA**

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**April 2016**

**Gold Rush Metals LLC**

**Scheelite Mine Project**

**Location:** Township 7 South, Range 18 West, Sections 23 and 26, Salt Lake Meridian, Tooele County, UT

**Applicant/Address:** Jon Rush, Gold Rush Metals LLC, 320 East State Street, Orderville, Utah 84758

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**DECISION RECORD**  
**Environmental Assessment**  
**DOI-BLM-UT-W010-2015-0024-EA**  
**Gold Rush Metals LLC**

The Bureau of Land Management (BLM), Salt Lake Field Office (SLFO) has conducted an environmental analysis to assess the potential impacts associated with the proposed Scheelite Mining Project (Project). The environmental analysis is documented in the Gold Rush Metals LLC (U-90510) Environmental Assessment (EA) (DOI-BLM-UT-W010-2015-0024-EA).

The Project is an underground Scheelite mine situated in the Dutch Mountain area in western Tooele County, Utah. The Project will be developed on public land administered by the BLM, SLFO within two unpatented federal lode mining claims and one patented mining claim. The unpatented mining claim lands are subject to location under the mining laws of the United States. Pursuant to Federal regulations at 43 CFR Subpart 3809, which apply to operations authorized by the mining laws on public lands, Gold Rush Metals LLC (GRM) submitted a Notice of Intention (NOI) to Commence Small Mining Operations for the project to the Utah Division of Oil, Gas, and Mining and a Plan of Operations (Plan) to the BLM. The Plan essentially represents the Proposed Action in the EA.

GRM proposes an underground mine on BLM administered lands on Dutch Mountain and a processing/milling facilities located on private lands near the town of Callao, Utah, approximately 12 miles south of the project area. The area of operation will be the underground mine on Dutch Mountain. There will be associated ancillary/support facilities or components, such as haul roads, gates (on private land), and signing. Mining is predicted for two (2) years but have the duration potential for ten (10) years depending on the available ore and economics of the material. After closure of the Project, reclamation activities on public lands are expected to be completed within one (1) additional year. Therefore the life of the Project is expected to be a total of three (3) to eleven (11) years. The lands that will be disturbed within the Project area total approximately five and a half (5.5) acres, including approximately two (2) miles of access road. All of the Project land has been previously disturbed by earlier exploration and mining. For a detailed description of the Proposed Action the reader should refer to the EA (at section 2.2).

Based on the analysis in the Gold Rush Metals LLC Scheelite Mine Project EA, the Proposed Action, as it is described in Chapter 2 of the EA, to the extent that the proposal involves or impacts public land as provided for by the 43 CFR 3809 regulations is approved. The BLM is in concurrence with the use and occupancy of lands in the associated EA. GRM must continue to comply with the 43 CFR 3715 Regulations. This approval provides for use of the public land necessary for the major aspects of the Scheelite Mine Project including the following:

BLM must approve the location of additional signs, fences or structures prior to placement on the ground within the project area. The surface occupancy of the proposed Scheelite Mine Project meets the conditions specified in the applicable regulations (43 CFR 3715). The BLM is in concurrence with the occupancy of the subject lands. GRM must continue to comply with the 43 CFR 3715 Regulations.

The operator shall not knowingly disturb, alter, injure, or destroy any scientifically important paleontological remains or any historical or archaeological site, structure, building or object on Federal lands. The operator shall immediately bring to the attention of the authorized officer any cultural and/or paleontological resources that might be altered or destroyed on Federal lands by

his/her operations, and shall leave such discovery intact until told to proceed by the authorized officer. The authorized officer shall evaluate the discoveries brought to his/her attention, take action to protect or remove the resource, and allow operations to proceed within 10 working days after notification to the authorized officer of such discovery.

The following seed mix will be used for all disturbed areas as described in the EA:

Species	Scientific Name	Lbs/acre Drilled	Lbs/acre Broadcast
Siberian Wheatgrass, Vavilov	<i>Agropyron fragile</i>	2.4	4.8
Pubescent Wheatgrass, Luna	<i>Thinopyrum intermedium</i>	1.6	3.2
Crested Wheatgrass, Hycrest	<i>Agropyron cristatum</i>	1.7	3.4
Russian Wildrye, Bozoisky	<i>Psathyrostachys juncea</i>	1.5	3.0
Forage Kochia, Immigrant	<i>Bassia Prostrata</i>	0.3	0.6
Small Burnet, Delar	<i>Sanguisorba minor</i>	0.8	1.6
Alfalfa, Ledak	<i>Medicago sativa</i>	0.8	1.6
Wyoming Big Sagebrush, Wyoming	<i>Artemisia tridentata wyomingensis</i>	0.1	0.2
<b>TOTAL</b>		9.2	18.4

**Operator Committed Environmental Protection Measures and Reclamation Plan:** These measures have been included in the Plan of Operations proposal by GRM:

Access to the mine from Gold Hill RD is by a BLM dirt road. The road will be widened by 2 feet to a total width of 10 feet from the county road to the mine-site. Two to three safety turnouts will be constructed from the county road to the mine-site. The road will also be upgraded with gravel (which may need to be purchased from an outside source to complete this requirement), ditches, waterbars and berms. The road will be constructed and maintained to handle the type of vehicles associated with the mining activities of this project on a year round basis.

A lockable gate with signage will be installed at the Tuolumene patented mining claim to prevent public access to the mine area during operations.

Two temporary structures will be erected at the mine area: 3 20' Connex storage containers and a 14'x 20' shop framed between Connexs.

Historic wooden ore bin structure and the other three isolated finds at the site will be avoided during all phases of mining activities.

There will also be two explosive magazines on site. During interim management these magazines will be removed from the site.

Prior to placing any waste rock material from this mining operation on BLM land, GRM will have a certified independent laboratory test the waste rock by EPA analytical method SW6020 (inductively coupled plasma mass spectrometry, ICP-MS) and method SW9045 (pH). Sampling will be completed prior to placing any waste rock on BLM administered lands and quarterly thereafter. The sampling frequency may be increased or decreased depending on previous

sampling results. BLM will not approve the lab, but only verify that it is a certified lab capable of the required test needed.

The operator will have and maintain a spill prevention plan.

GRM will dispose of all solid waste generated from the mining operations conducted at their mining and milling sites at an approved waste disposal facility. At no time will GRM burn, bury or dispose of solid waste on BLM land.

Water for dust suppression in the mine and on the access road will be hauled from the private mill location to the mine daily and stored in 2 - 5,000-gallon water storage tanks. GRM will use dust abatement methods (water tender) as appropriate to contain fugitive dust along the access road and other surface facilities during dry times of the year. Drinking water is provided by bottled-water systems at the mine. In the event that mine employment increases to 25 or more employees, a potable water system will be installed for bathrooms and showers, as required by state law. This system could be supplied by additional water storage tanks filled with water trucked from the Callao Mill.

All roads at the mine are pre-existing and will be reclaimed as per BLM and DOGMs requirements upon the closure of the mining operations. The requested 2 feet widening of the access road and road disturbances at the mine site will be seeded using the BLM approved seed mix. All slopes created by mining activities will be graded to achieve reclaimed slopes of 3H:1V or less steep, with the exception of the mine portals which will be graded to 2H:1V slopes. Compacted areas will be ripped on contour to a depth of 12 inches (in accordance with UAC rule R647-4-110.5(b)). Due to the existing surface disturbance from previous mining, GRM will contour any disturbed areas to a natural topography and spread any saved growth medium over the graded slopes and scarified on contour and seeded. Best management practices, such as stone check dams, silt fence straw waddles, or hay bales will be installed during reclamation to mitigate erosion until vegetation/stability has been established.

The waste rock area will be graded, ripped, covered with any available growth medium, and seeded with the BLM approved seed mix.

The ore stockpile area will be graded, ripped, covered with any available growth medium, and seeded with the BLM and DOGM approved seed mix. Care will be taken on the waste pile to limit scarification to the growth medium and not penetrate the underlying waste rock.

In order for reseeded to be considered successful a minimum of 70 percent of the pre-mining vegetative ground cover shall be established.

After reclamation is completed, post-closure monitoring and maintenance is anticipated to take 3 to 5 years.

Qualified personnel will inspect the stationary equipment, mine areas and access road on a monthly basis, at a minimum, during active mine operations and post-mining for compliance with the plans and specifications. Stormwater inspections will be performed biannually or during periods of temporary closure.

When the mine is on standby, fuels and other petroleum products will be removed from the site thereby eliminating the need for monthly inspections.

GRM will maintain records of on-site and transportation-related wildlife mortality if any occur and will contact the BLM authorized officer as soon as possible to report the incident.

In the event of a temporary shut-down or closure of the mine operations six months or longer, a biological survey will be conducted by a qualified biologist prior to the mine reopening to assure there would be no conflicts with migratory birds, TECS or any other wildlife in general. Biological surveys for the areas of future disturbance(s), including future development areas that are not yet disturbed will be performed prior to construction when specific areas of future disturbance are identified.

The following preventive measures have been implemented and will be continued to prevent the spread of noxious/invasive plants during construction and future operations and maintenance activities:

- Prior to construction, GRM and its contractors will be trained on methods for cleaning equipment, identification of problem plant species in the project area, and procedures to follow when an invasive or noxious weed is located. To assist in identification, construction personnel will be supplied with a list and pictures of noxious and invasive species that may exist within the project area.
- Prior to any construction disturbance, all known noxious weed populations will be flagged so that they may be avoided.
- Prior to entering the project area, vehicles and equipment will be cleaned by manual methods or forced air of all mud, dirt, and plant parts where there is a potential to import weeds. This will be done to remove weed seed that may be attached to this equipment. Dry washing will occur at designated sites that include appropriate containment systems.
- Equipment, materials, and vehicles will be stored at specified work areas or construction yards. All personal vehicles, sanitary facilities, and staging areas will be confined to a limited number of specified weed-free locations to decrease chances of incidental disturbance and spread of noxious weeds and invasive plants.
- Disturbed areas will be promptly seeded following completion of activities to reduce the potential for the spread and establishment of noxious weeds and invasive plants. Seeding should occur as soon as possible following the disturbance activities and during the optimal time period. Only DOGM/BLM-approved mixtures of certified “weed-free” seed will be used. All other introduced materials used for the mining activities, such as straw and fill, will also be certified weed-free.
- Should problematic weed infestation areas occur on site during any phases of the mining operation, GRM will confer with the BLM and the County regarding the appropriate control measures to be implemented.

In the event that market conditions or other circumstances require a temporary closure of mine operations, GRM will provide notice to the BLM in accordance with the requirements of 43 CFR

Part 3802.4.7. During non-operating periods, GRM will maintain the project area and access road in accordance with their Interim Management Plan described in section 6 of their Plan of Operations dated April 2016.

**Authorities:** The authority for this decision is contained in the 1990 Pony Express Resource Management Plan (RMP), the General Mining Law of 1872 as amended, the 43 CFR 3809 Surface Management Regulations, the 43 CFR 3715 regulations (Use and Occupancy Under the Mining Laws), and the Federal Land Policy and Management Act (FLPMA) of 1976.

**Compliance and Monitoring:** The GRM Plan will be monitored in accordance with applicable policies for the 43 CFR 3809 regulations. The current requirement is at least two inspections per year. Additionally, the Utah Division of Oil Gas and Mining (UDOGM) would make regular inspections as required by their regulations.

**Terms/Conditions/Stipulations:** Potential impacts are mitigated through operator committed measures in GRMs Plan which are stated in section 2.2, Proposed Action and as specified in this decision.

### **Plan Conformance and Consistency:**

The proposed action and alternatives have been reviewed and found to be in conformance with the Pony Express Resource Area RMP (BLM 1990) and the associated programs: Lands, Minerals, Soil, Water and Air, Wildlife and Fisheries, and Cultural Resource,

The Project is located in part on public lands administered by the BLM which manages locatable mineral extraction under BLM Surface Management Regulations (43 CFR 3809) and Use and Occupancy Under the Mining Laws (43 CFR 3715). In addition, the Utah Division of Oil, Gas, and Mining regulates and provides oversight for mineral extraction in the state of Utah. The Project will be in compliance with part R647-4 of the Utah Mineral Reclamation Program Rule. Reclamation surety will be provided under agreement between UDOGM and the BLM.

The Project is in conformance with the Tooele County General Plan (Tooele County 1995), which allows for responsible use of public land resources. The Project Area and adjacent lands are designated as multiple use land under the Tooele County Land Use Ordinance (Tooele County, no date). The multiple use designation allows for, where appropriate, mining activities (Part 15-1-1).

**Alternatives Considered:** In addition to the Proposed Action, the BLM considered the No Action Alternative. The BLM has selected the Proposed Action Alternative. The No Action Alternative was not selected because the No Action Alternative does not meet the purpose and need for this project. The environmental analysis documented in the EA shows that the Proposed Action will result in minor environmental impacts and will not cause unnecessary or undue degradation of public lands, thereby precluding the need to select the No Action Alternative.

### **Rationale for Decision:**

- 1) Current policies for development and land use decisions regarding federal minerals within this area are contained in the Pony Express Resource Area RMP EIS and Record of Decision (BLM 1990). Mineral exploration and development is recognized as an appropriate use of public lands in the Pony Express RMP which provides management direction for BLM-administered lands in and surrounding the Project Area.

- 2) The decision is consistent with federal, state, and county authorizing actions, which are required to be implemented as part of the Proposed Action. All pertinent statutory requirements applicable to this proposal were considered including informal consultation with the U.S. Fish and Wildlife Service (USFWS). Cultural surveys and compliance with Section 106 of the National Historic Preservation Act has been completed.
- 3) Potential environmental impacts from the Project to surface and subsurface resources identified in the Environmental Assessment are considered minor and all deemed acceptable with the operator committed measures. The economic benefits derived from the implementation of the Proposed Action in the form of employment opportunities, equipment, services, and potential revenues when production occurs are considered.
- 4) Federal environmental protection laws, such as the Clean Air Act, and the National Historic Preservation Act, apply to all lands. The adoption of these measures provide practicable means to avoid or minimize potential environmental impacts.
- 5) Based upon the analysis contained in the EA for the Project and with the implementation of the protection measures, I have determined that the proposed action will not cause any significant impacts on the human, natural, and physical environment. Therefore, an environmental impact statement is not required.
- 6) During preparation of the EA, the public was notified of the Proposed Action by posting on the Utah BLM Environmental Notification Bulletin Board (ENBB) on July 1, 2015. The process used to involve the public included a public scoping period when the proposed project was first posted on the ENBB. No comments or inquiries were received by the July 31, 2015 end of scoping period.

## **Appeal Provisions**

### Appeal of a Decision under 43 CFR 3809

If you are adversely affected by this decision, you may request that the BLM Utah State Director review this decision. If you request a State Director Review, the request must be received in the BLM Utah State Office at 440 West 200 South, Salt Lake City, Utah 84101, no later than 30 calendar days after you receive or have been notified of this decision. The request for State Director Review must be filed in accordance with the provisions in 43 CFR 3809.805. This decision will remain in effect while the State Director Review is pending, unless a stay is granted by the State Director. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

If the State Director does not make a decision on your request for review of this decision within 21 days of receipt of the request, you should consider the request declined and you may appeal this decision to the Interior Board of Land Appeals (IBLA). You may contact the BLM Utah State Office to determine when the BLM received the request for State Director Review. You have 30 days from the end of the 21-day period in which to file your Notice of Appeal with the Salt Lake Field Office, located at 2370 South Decker Lake Blvd., West Valley City, Utah, 84119 which we will forward to IBLA.

If you wish to bypass a State Director Review, this decision may be appealed directly to the IBLA in accordance with the regulations at 43 CFR 3809.801(a)(1). Your Notice of Appeal must be filed in this office at 2370 South Decker Lake Blvd., West Valley City, Utah, 84119 within 30 days from receipt of this decision. As the appellant you have the burden of showing that the

