

**U.S. Department of the Interior  
Bureau of Land Management**

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**Categorical Exclusion  
Swales AML District Closures**

**PREPARING OFFICE**

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Bureau of Land Management  
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# **Categorical Exclusion**

## **Swales AML District Closures**

**Prepared by**  
**U.S. Department of the Interior**  
**Bureau of Land Management**  
**Elko District, Tuscarora Field Office**

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# **Chapter 1. Categorical Exclusion Worksheet**

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## A. Background

**NEPA ID No:** DOI-BLM-NV-E020–2015–CX

**BLM Office:** Tuscarora Field Office

LLNVE0200

**Prepared by:** Nycole Burton

**Lease/Serial/Case File No.:**

**Type of Action (Subject Code):**

**Location of Proposed Action:** MDM, T.33N., R. 53E., Section 18, and T.35N., R.53E., Sections 6, 8.

**Applicant:**

**Description of Proposed Action:** BLM is proposing to close 15 historic mining adits, declines, and shafts in Northeast Elko County, NV. The project would consist of closing openings by either foaming the openings closed with a poly-urethane mixture, by placing steel gating over the openings, or by backfilling (see project maps and Chapter 3 for details). The work would be scheduled to begin August 2015.

## B. Land Use Plan Conformance

**Land Use Plan Name:** Elko Resource Management Plan (RMP)

**Date Approved/Amended:** 1987

**The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):**

Elko RMP Record of Decision, signed in 1987, page 35:

“Minerals Objective: Maintain public lands open for exploration, development, and production of mineral resources while mitigating conflicts with wildlife, wild horses, recreation, and wilderness resources.”

Closures of Abandoned Mine Lands (AML) address the unsafe conditions left by historic mining activities; these unsafe conditions conflict with other uses of public lands.

## C. Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with BLM Categorical Exclusion pursuant to 516 DM 11.9.

J. Other: #10 Removal of structures and materials of no historical value, such as abandoned automobiles, fences, and buildings, including those built in trespass and reclamation of the site when little or no surface disturbance is involved.

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2 apply.

## **D. Conclusion and Signature**

Based upon this review, I have determined that the Proposed Action, as described, is in conformance with the land use plan and meets the criteria for the selected CX. There is no potential for significant impacts. Therefore, the action is excluded from further environmental analysis and documentation.

/s/ Richard E. Adams 5/15/2015

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Richard E. Adams  
Manager, Tuscarora Field Office

Date

### **Contact Information**

For additional information concerning this CX review, contact:

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\* NOTE A separate decision document must be prepared for the action covered by the CX.

# **Chapter 2. Screening for Extraordinary Circumstances**

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Each of the following questions must be answered negatively, with concurrence from all resource specialists participating on the interdisciplinary team (IDT), before this CX may be approved (516 DM).

**Table 2.1. Screening for Extraordinary Circumstances**

Resource Concerns	Yes	No
1. Will this project have significant adverse effects on public health or safety?		X
2. Will this project adversely affect such unique geographic characteristics as: (a) historic or cultural resources; (b) park, recreation or refuge lands, wilderness areas, wild or scenic rivers; (c) sole or principal drinking water aquifers; (d) prime farmlands, wetlands, flood plains, or (e) ecologically significant or critical areas, including those listed on the Department of the Interior's National Register of Natural Landmarks?		(a) X (b) X (c) X (d) X (e) X
3. Will this project have highly controversial environmental effects?		X
4. Will this project have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?		X
5. Will this project establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?		X
6. Will this project be related to other actions with individually insignificant but cumulatively significant environmental effects?		X
7. Will this project have adverse effects on properties listed or eligible for listing on the National Register of Historic Places?		X
8. Will this project have adverse effects on species listed or proposed for listing on the Threatened or Endangered Species List, or have adverse effects on designated Critical Habitat for these species?		X
9. Will this project require compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act?		X
10. Will this project threaten to violate a Federal, State, local or tribal law or requirement imposed for the protection of the environment?		X
11. Will this project limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites? (Executive Order 13007— Sacred Sites)		X
12. Will this project contribute to the introduction, continued existence, or spread of noxious weeds or non-native species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species?		X

**Table 2.2. Reviewer Comments and Concurrence**

Resource	Specialist Name	Comments	Initials	Date
AFM- Non-Renewables	Deb McFarlane	No Comments	/s/ DNM	5/14/15
Air/Hydrology/Soils	John Daniel	No Issues	/s/ JD	4/22/15
Archaeology	Tom Milter		/s/TM	4/22/15
Cultural Resources	Rich Adkins	None	/s/ RA	5/4/15
Environmental Justice	Terri Dobis	No Comment	/s/ TKD	5/13/15
Health and Safety	Tom Schmidt		/s/ TS	4/22/2015
Native American Concerns	Rich Adkins	No Issues	/s/ RA	5/4/15
NEPA	Terri Dobis	No Issues	/s/ TKD	5/13/15

Range Management/ Grazing	Josh Robbins	None	/s/ JB for JR	5/8/15
Recreation	Jason Dobis	See comment below.	/s/ JJD	5/13/15
Weeds	Sam Cisney	*see below	/s/ SC	5/4/15
Wildlife	Nycole Burton	None	/s/ NB	5/14/15

Weeds comments: Ensure equipment is cleaned prior to on-site arrival.

Recreation: Public health and safety outweighs the need to wait for updated LWC surveys.  
LWCs: NV-EK-02-177.

# **Chapter 3.**

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### Swales AML District Closures Support Documentation

Starting in April of 2014, the BLM and the Nevada Department of Wildlife (NDOW) surveyed the Swales AML District on Swales Mountain and 3 miles NE of the town of Carlin NV, for safety hazards related to historic mining operations. The goal was to ascertain the potential of each opening as habitat for bat species and also its relative danger to recreationists, other public land users, and residents in the vicinity. As part of this process, ten (10) of the hazards were surveyed internally by NDOW to discern the potential of the opening for quality habitat.

The findings and recommendations for addressing the fifteen (15) hazards identified during the Merrimac AML District surveys are as follows: Five (5) of the hazards in the area were determined to be bat species habitat and would be closed by the construction of a bat gate. One (1) of the hazards was deemed not to have biological resources, but would require foaming with polyurethane foam in order to protect significant archeological resources. Nine (9) of the hazards were found to be neither bat habitat or have cultural resources and would be permanently closed by backfilling with waste rock, tailings, or other material adjacent to the hazards.

Hazards that would be closed by bat gates would require material to be transported to the site. Hazards that would be closed by backfilling would not need to have material be brought in from off-site, but would be closed by utilizing material either at or near the site.

These closures would address the safety concerns of all recreationists, mining personnel, other users of public lands, members of the ranching community and the residents of the town of Carlin, NV that utilize the area. Six (6) of the hazards are only 3 miles from the town of Carlin and have been used frequently as party spots or garbage dumps. These hazards were constructed in diatomaceous earth, meaning the stability of the holes is tenuous. Internal surveys noted numerous ceiling failures over the years.

**Table 3.1.**

Number	ID	Type	Easting	Northing	Land Status	Closure Recommendation
1	EL 367	Decline	581655	4532114	BLM	Gate
2	EL 779	Decline	581621	4532132	BLM	Gate
3	EL 229	Decline	581117	4532431	BLM	Foam
4	EL 780	Adit	581385	4532876	BLM	Doze
5	EL 361	Decline	581384	4532845	BLM	Doze
6	EL 304	Decline	579371	4511359	BLM	Gate
7	EL 302	Decline	579409	4511288	BLM	Gate
8	EL 781	Shaft	579434	4511285	BLM	Doze
9	EL 303	Adit	579439	4511242	BLM	Doze
10	EL 782	Decline	579677	4511031	BLM	Doze
11	EL 233	Shaft	581619	4531921	BLM	Doze
12	EL 365	Shaft	581501	4532791	BLM	Doze
13	EL 363	Shaft	581510	4532798	BLM	Doze
14	EL 369	Adit	579938	4533054	BLM	Gate
15	EL 783	Adit	579945	4510454	BLM	Doze