

Sterling Gold Mine Plan Amendment to Expand Open Pit and Process Operations

Compliance

The Proposed Action is in conformance with the Bureau of Land Management (BLM) Las Vegas Resource Management Plan (RMP) and Final Environmental Impact Statement (FEIS), October 1998, and the Record of Decision signed October 5, 1998, under the Minerals Management section, Code MN. This particular proposed action is in accordance with Standard Operating Procedures found in Appendix M Volume II for Locatable Minerals. The proposed action is authorized by the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.)

In addition, the Proposed Action is in conformance with the following:

- Clean Air Act of 1970 (as amended in 1977 and 1990). 42 USC 7401 et seq. PL 91-604; 42 USC 1857h-7 et seq.
- Clean Water Act of 1977 (as amended). 33 USC 1251-1387. PL 92-500.
- Endangered Species Act of 1973 (as amended). 16 USC 1531 et seq. PL 93-205.
- Executive Order 13112. 1999. Invasive Species. February 3.
- Federal Land Policy and Management Act of 1976 (43 U.S.C. §§ 1701 et seq.).
- Migratory Bird Treaty Act of 1918, as amended (16 USC 703 et seq.).
- Mining Regulation and Reclamation (NRS 519A.010 – 519A.240 and 519A.260 – 519A.280; NAC 519A.010 – 519A.415)
- National Environmental Policy Act of 1969 as amended. Public Law 91-190, 42 USC 4321-4347, Public Law 94-52, July 3, 1975, Public Law 94-83, August 9, 1975, and Public Law 97-258, § 4(b), Sept. 13, 1982.
- National Historic Preservation Act of 1966 as amended. 16 USC 470a et seq. 80 Stat. 915; PL 89-665.
- Federal Noxious Weed Act of 1975. Public Law 93-629. 7 USC 2801 et seq.; 88 Stat. 2148. January 3.
- Wild Free-Roaming Horses and Burros Act of 1971. PL 92-195

Selected Action

As analyzed in the Environmental Assessment (EA) (EA# DOI-BLM-NV-S030-2014-0015-EA) and supporting documents, the Proposed Action is the Selected Alternative for amending Sterling Gold Mine plan to authorize the expansion of open pit mining and process operations. The Selected Alternative was developed taking into consideration the technical aspects of the project and facilities to minimize effects to resources.

The Selected Alternative includes expanding the open pit mine, construction and operation of a new heap leach pad and process pond, construction of a waste rock disposal facility,

construction of storm water diversion channels, ditches, and ponds, and closure/reclamation of these facilities. All additional design features described in the description of the Proposed Action, mitigation measures and stipulations as stated in the EA# DOI-BLM-NV-S030-2014-0015-EA are hereby incorporated by reference. In addition, mitigation measures and stipulations that are deemed necessary by the BLM as described in EA# DOI-BLM-NV-S030-2014-0015-EA; or deny approval of the proposed action and not authorize the proposed activities if it is found the proposed activities do not comply with 43 CFR 3809 regulations.

Mitigating and monitoring measures include, but are not limited to: BLM, NDEP and Nye County air quality mitigation measures and permits; Terms and Conditions of Biological Opinion File No. 84320-2010-F-0365; Migratory Birds Stipulations outlined in the EA; BLM, Standard Operating Procedures, Locatable Minerals and Best Management Practices; Compliance Inspections as outlined under 43 CFR 3809 Surface Management regulations.

Compliance with NEPA:

The EA# DOI-BLM-NV-S030-2014-0015-EA complies with the National Environmental Policy Act (40 CFR § 1500-1508), and all applicable regulations and laws passed subsequent to the passage of NEPA, and stipulations and format outlined in the BLM NEPA Handbook (H-1790-1).

The Bureau of Land Management, Pahrump Field Office has determined that the Selected Alternative of authorizing the Sterling Gold Mine Plan Amendment to Expand Open Pit and Process Operations, serialized N-71676, will not result in significant impact on the human environment and the action does not require the preparation of an Environmental Impact Statements, based on EA# DOI-BLM-NV-S030-2014-0015-EA and Finding of No Significant Impact completed pursuant to the National Environmental Policy Act, 42 U.S.C. 4321 et seq. Therefore, an Environmental Impact Statement is not required. Both documents are attached and hereby incorporated by reference and are available at the Pahrump Field Office.

Public Involvement:

The Proposed Action was internally scoped by BLM specialists in December 2012 and again in April 2014. The Selected Alternative and other alternatives were analyzed EA# DOI-BLM-NV-S030-2014-0015-EA with the draft EA and unsigned Finding of No Significant Impact (FONSI) posted through BLM's NEPA Register webpage https://eplanning.blm.gov/epl-front-office/eplanning/nepa/nepa_register.do for a 30 day public review and comment period from March 9, 2016 to April 10, 2016. a 30 day. All comments from tribes, agencies and the public were considered and incorporated into the EA as appropriate. Refer to Chapter 6 of the EA (DOI-BLM-NV-S030-2014-0015-EA) for a list of Tribes, Persons, Organizations, and Agencies consulted.

Rationale:

The decision to proceed with the proposed action is authorized by FLPMA, and conforms to the Las Vegas RMP. In addition, the EA evidences that the proposed action will not result in any significant impacts to the environment. Under the No Action alternative, the Sterling Gold Mine would close and there would be a loss of potentially 50 jobs in the communities of Beatty, Amargosa Valley, and Pahrump. No further mining would take place. The demand for gold would still exist and the US and world economy would have to obtain gold from another unknown or distant source. The Sterling Gold Mine Plan Amendment to Expand Open Pit and Process Operations does not cause any undue or unnecessary degradation to any resource and provides an overall economic benefit to the public.

Appeal or Protest Opportunities:

This decision may be appealed to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

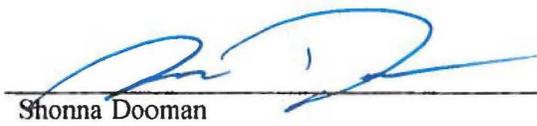
If you wish to file a petition pursuant to regulation 43 CFR 4.21, for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by IBLA, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to IBLA and to the appropriate office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof in demonstrating that a stay should be granted.

Standards for obtaining a Stay

Except as otherwise provided for by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied
2. The likelihood of the appellant's success on the merits
3. The likelihood of immediate and irreparable harm if the stay is not granted, and 4. Whether the public interest favors granting the stay.

Authorizing Official:


Shonna Dooman

5/12/2016
Date

Acting Pahrump Field Manager

Contact Person

For additional information concerning this Finding, contact.

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