

Worksheet
Determination of NEPA Adequacy (DNA)
U.S. Department of the Interior
Bureau of Land Management (BLM)

OFFICE: Battle Mountain District/Mount Lewis Field Office; LLNVB0100

TRACKING NUMBER: DOI-BLM-NV-B010-2016-0022-DNA

CASEFILE/PROJECT NUMBER: Barrick Cortez, Inc. (NVN-067575 (14A-1))

PROPOSED ACTION TITLE/TITLE: Proposal to Change the Oxide Ore Stockpile Shape on the Canyon Waste Rock Dump

LOCATION/LEGAL DESCRIPTION: Barrick Cortez Mine, Plan of Operations area, Mount Diablo Meridian (MDM), Township 26 North, Range 47 East, Section(s) 1; and, Township 27 North, Range 47 East, Section(s) 35 and 36.

APPLICANT (if any): Barrick Cortez, Inc. (BCI)

Description of the Proposed Action and any applicable mitigation measures

Barrick Cortez, Inc. submitted its *Proposal to Change the Oxide Ore Stockpile Shape on the Canyon Waste Rock Dump* (the Proposal) on January 21, 2016, for BLM case file NVN 067575 (14A-1). The Project is located at the Barrick Cortez Mine, Lander and Eureka Counties, Nevada, Mount Diablo Base and Meridian (MDB&M):

- Township 26 North, Range 47 East, Section(s) 1; and,
- Township 27 North, Range 47 East, Section(s) 35 and 36.

Barrick Cortez, Inc. proposes to reconfigure the Canyon Waste Rock Dump ore stockpile from a single, crescent shape approximately 163.84 acres in size, approved in Amendment 3 to the Plan of Operations (NVN-067575 (14A-1), APO#3, dated July 28, 2015), to two rough ovals totaling approximately 162.27 acres in size (Figure 1). The new northern stockpile would be 133.40 acres and the new southern stockpile 28.87 acres. The new stockpiles would contain “oxide” ore as defined in Amendment 3 to the Plan of Operations (NVN-067575 (14A-1), APO#3, dated July 28, 2015). This Proposal would make minor editorial corrections to the maps in APO#3; the value of the Reclamation Cost Estimate (RCE) would remain unchanged.

A. Land Use Plan (LUP) Conformance

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|----------|--|----------------|-------------------|
| LUP Name | NV-Shoshone-Eureka RMP | Date Approved: | February 26, 1986 |
| LUP Name | Eureka County Master Plan | Date Approved: | March 23, 2010 |
| LUP Name | Programmatic Agreement Between BLM, Nevada State Historic Preservation Office and Cortez | Date Approved: | October 20, 2005 |

| | | |
|----------|--|--------------------------------|
| LUP Name | Record of Decision and Approved Resource Management Plan Amendments for the Great Basin Region, Including Greater Sage-Grouse Sub-Regions of Idaho and Southwestern Montana, Nevada and Northeastern California, Oregon and Utah | Date Approved: September, 2015 |
| LUP Name | Barrick Nevada Sage-Grouse Bank Enabling Agreement | Date Approved: March 25, 2015 |

The Proposed Action is in conformance with the applicable LUPs because it specifically provides for in the following LUP decisions:

The BLM has the responsibility and authority to manage the surface and subsurface resources on public lands and has designated lands within the Cortez Mine as open for mineral exploration. In the BMD Record of Decision (ROD) for the Shoshone-Eureka Resource Management Plan (RMP) (1986), the BLM states in objectives 1 and 2 under Minerals that BLM will:

- “Make available and encourage development of mineral resources to meet national, regional, and local needs consistent with national objectives for an adequate supply of minerals,” and
- “Assure that mineral exploration, development, and extraction are carried out in such a way as to minimize environmental and other resource damage and to provide, where legally possible, for the rehabilitation of lands.”

The management decisions applicable to these objectives are as follows:

- Locatable minerals: “All public lands in the planning areas will be open for mining and prospecting unless withdrawn or restricted from mineral entry.”
- Current mineral production areas: “Recognize these areas as having a highest and best use for mineral production and encourage mining and minimum environmental disturbance. Make thorough examinations of all sites proposed for other Bureau programs in these areas.”

The Eureka County Master Plan (2010) goal for minerals is to “facilitate environmentally responsible exploration, development and reclamation of oil, gas, geothermal, locatable minerals, aggregate and similar resources on federal lands.”

The Programmatic Agreement Between BLM, Nevada State Historic Preservation Office and Cortez (2005) requires that if previously undocumented cultural resource sites are discovered during construction of the mine facilities, all ground-disturbing activities would be halted in the area of the discovery, and the BLM Authorized Officer would be contacted to evaluate the finding. If the site is eligible for inclusion in the National Register of Historic Places (NRHP), impacts would be mitigated through avoidance or an appropriate data recovery program developed pursuant to the Programmatic Agreement (PA) (effective September 28, 2005) among the BLM, Nevada State Historic Preservation Officer (SHPO), and BCI. The Proposed Actions are consistent with the PA.

The Record of Decision (ROD) and Approved Resource Management Plan Amendments for the Greater Basin Region, Including the Greater Sage-Grouse sub-regions of Idaho and Southwestern Montana, Nevada and northeastern California, Oregon, and Utah (ARMPA), detail the Greater Sage Grouse habitat management plan for Nevada. The Proposed Action falls partially or completely within General Habitat Management Areas (GHMA) or Other Habitat Management Areas (OHMA). In order to process this Proposed Action, the Mount Lewis Field Office requires that the intended disturbance area and vicinity be analyzed by the BLM's Nevada State Office and by the State of Nevada Department of Wildlife per 43 CFR 3809.401(c), the 2015 ROD and the 2015 ARMPA, subject to valid and existing rights and applicable law. The Proposed Action is consistent with these requirements.

The Barrick Nevada Sage-Grouse Bank Enabling Agreement (2015) facilitates Greater Sage-Grouse habitat Conservation Actions by BCI through the establishment, use, operation, and maintenance of the Barrick Nevada Sage-Grouse Bank, while providing for incorporation of these Conservation Actions into subsequent decisions by BLM and U.S. Fish and Wildlife Service (FWS). The Proposed Action is consistent with these requirements.

B. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the Proposed Action.

Environmental Assessment, Barrick Cortez, Inc. (NVN067575 [14-1A]) Amendment 3 to Plan of Operations and Reclamation Permit Application (DOI-BLM-NV-B010-2015-055-EA) (APO#3) dated July 28, 2015

Record of Decision (ROD) and Approved Resource Management Plan Amendments for the Greater Basin Region, Including the Greater Sage-Grouse sub-regions of Idaho and Southwestern Montana, Nevada and northeastern California, Oregon, and Utah dated September 2015

Barrick Nevada Sage-Grouse Bank Enabling Agreement dated March 25, 2015

C. NEPA Adequacy Criteria

- 1. Is the new Proposed Action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?**

Documentation of answer and explanation:

Yes. The Proposed Action is a reconfiguration of an already approved oxide ore stockpile for the top of the (existing) Canyon Waste Rock Facility. The original configuration was analyzed in DOI-BLM-NV-B010-2015-055-EA (pages 2-8 and 2-9). The total surface disturbance of 162.27 acres is less than that approved in the EA (163.84 acres). The proposed reconfiguration is

designed to use construction methods and environmental protection measures consistent with those identified in the EA.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new Proposed Action, given current environmental concerns, interests, and resource values?

Documentation of answer and explanation:

Yes. The current environmental concerns, interests and resource values are the same as previously analyzed. Development of an oxide ore stockpile on top of the Canyon Waste Rock Facility was analyzed in DOI-BLM-NV-B010-2015-055-EA (pages 2-8 and 2-9). The range of alternatives analyzed in the existing NEPA document for oxide ore stockpile development at this location remain appropriate with respect to the Proposed Action. Since the completion of DOI-BLM-NV-B010-2015-055-EA in July 2015, there are no new environmental concerns, interests, resource values or circumstances that have been introduced that would require additional analysis to be conducted in the area.

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new Proposed Action?

Documentation of answer and explanation:

Yes. The existing analysis covers existing site conditions that have been documented. Development of an oxide ore stockpile on top of the Canyon Waste Rock Facility was analyzed in DOI-BLM-NV-B010-2015-055-EA (pages 2-8 and 2-9).

Impacts to Greater Sage-Grouse were analyzed in DOI-BLM-NV-B010-2015-0005-EA and those analyses remain valid and sufficient given the issuance of the Greater Sage-Grouse ROD and ARMPA (September 2015), and the signing of the Barrick Nevada Sage-Grouse Bank Enabling Agreement (BEA, March 2015). The Greater Sage-Grouse habitat mitigation measures and Required Design Features analyzed in DOI-BLM-NV-B010-2015-0005-EA, and covered under the Greater Sage-Grouse ROD and ARMP, and the BEA, are sufficient to ensure a Net Conservation Gain to the Greater Sage-Grouse.

Given the oxide ore stockpile reconfiguration as proposed and current trends in site conditions, the BLM can reasonably conclude that new information and new circumstances would not substantially change the analysis of the potential impacts of the Proposed Action.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new Proposed Action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

Documentation of answer and explanation:

Yes, the public involvement and interagency review associated with DOI-BLM-NV-B010-2015-0005-EA is adequate for the Proposed Action. The EA sufficiently analyzed all affected resources related to the oxide ore stockpile reconfiguration as proposed.

5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current Proposed Action?

Documentation of answer and explanation:

Yes. The public involvement and interagency review associated with DOI-BLM-NV-B010-2015-0005-EA is adequate for the Proposed Action.

D. Persons/Agencies/BLM Staff Consulted

| Name/Title | Resource | Signature |
|--|---------------------|--|
| J. Gant Massey, Ph.D. Environmental Protection Specialist | Minerals Specialist |  |
| <i>Juanes Martinez</i> <i>J Gant Massey AAFTM</i> | Wildlife Biologist |   |
| Justin Demaio | Archeologist |  |
| J. Gant Massey, Ph.D. Acting Assistant Field Manager | Renewable Resources |  |

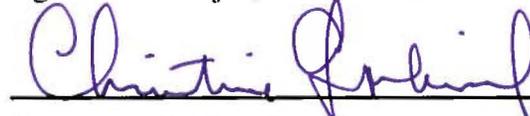
Note: Refer to the EIS for a complete list of the team members participating in the preparation of the original environmental analysis or planning documents.

Conclusion

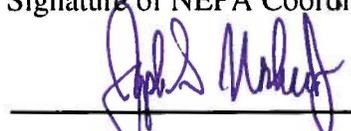
Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the Proposed Action and constitutes BLM's compliance with the requirements of the NEPA.



Signature of Project Lead



Signature of NEPA Coordinator

 FOR
Jan D. Sherve

Signature of Responsible Official:

3-23-2016
Date

Note: The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.