

Appendix J

Responses to Comments on the Draft EIS

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APPENDIX J. RESPONSES TO COMMENTS ON THE DRAFT EIS

J.1. PUBLIC COMMENT PROCESS

The Bureau of Land Management (BLM) decision-making process is conducted in accordance with the requirements of the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations, and U.S. Department of the Interior and BLM policies and procedures implementing NEPA. NEPA and the associated regulatory and policy framework require that all Federal agencies involve interested groups of the public in their decision-making, consider reasonable alternatives to proposed actions, and prepare environmental documents that disclose the potential impacts of proposed actions and alternatives. The BLM began the public comment period for the Juniper Environmental Impact Statement (EIS) with the publication of the Notice of Availability (NOA) on August 18, 2023. Comments were received by postal mail, email, and ePlanning—the BLM’s online comment platform. The public comment period ended on October 5, 2023; however, the BLM accepted several comments received after this date.

In the context of this appendix, a comment submittal refers to a unique letter, email, website entry, or comment received during the public comment period. Each comment submittal was assigned a unique identifier (e.g., S-001). The BLM documented the method of submittal and named affiliation, if any, for each comment submittal. Next, the BLM reviewed each comment submittal in full and applied a coding structure to bracket the text into individual comment excerpts. Unless none of the content was germane to this EIS, each comment submittal was bracketed into one or more comment excerpts. This enabled the BLM to group and review comment excerpts by topic or issue.

Comment excerpts were classified as “substantive” and “non-substantive.” In general, “substantive” comments are those that call into question the accuracy of specific information provided in the draft EIS; provide alternative sources of technical or resource information; suggest project alternatives beyond those presented in the draft EIS; or question, on a reasonable basis, the analytical assumptions, methodologies, or conclusions presented in the draft EIS. “Non-substantive” comments are those that merely express an opinion of opposition or support; raise issues that are beyond the scope of or irrelevant to the current project; or take the form of vague, open-ended questions. The BLM acknowledges and has summarized the content of “non-substantive” comments in Section J.2.1, but they will not receive an individual response. Comments identified as “substantive,” on the other hand, formed the basis for much of the revision that occurred between publication of the draft EIS and the final EIS. Section J.3 provides responses to substantive public comments prepared by the BLM and U.S. Fish and Wildlife Service (USFWS).

J.2. COMMENT ANALYSIS

The BLM received a total of 376 comment submittals during the public comment period, which included 69 unique submittals, 300 copies of one form letter in support of the Juniper Project, 6 copies of a second form letter in support of the Juniper Project, and 1 duplicate comment. Of the 376 submittals, 305 were received by postal mail, 47 were received by ePlanning, and 24 were received by email.

The BLM categorized commenter affiliation type based on self-identified affiliations in submittals. As shown in Table J-1, the majority of submittals were from individuals that identified as affiliated with a business, which were primarily employees, contractors, and others expressing support for the mine.

Table J-1. Number of comment submittals received by affiliation type

Commenter Affiliation	Number of Submittals
Business	305
No affiliation provided	53
Advocacy group	9
Local or regional government	5
State government	2
Federal government	1
Other	1
Total	376

The BLM bracketed 263 comment excerpts from the 69 unique submittals. Table J-2 reports the number of comments assigned to each category. Following statements of general support or opposition, the greatest number of comment excerpts were associated with special status species (34); water quality and quantity (33); wildlife and fisheries resources (25); golden eagles (24); and monitoring and mitigation (12).

Table J-2. Number of comment excerpts by category

Category	Number of Comments
General support or opposition or other non-substantive comment	55
Special status species	34
Water quality and quantity	33
Wildlife and fisheries resources	25
Golden eagles	24
Monitoring and mitigation	12
Editorial	8
Wild horses	8

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Category	Number of Comments
Air quality, greenhouse gas emissions, and climate change	7
Social and economic conditions	7
Laws, regulations, guidance	7
Visual resources	6
Proposed Action and alternatives	6
Livestock grazing	5
Environmental justice	5
Cumulative impacts	4
Cultural resources	3
Tribal consultation and Native American traditional values	2
Consistency with land use plans	2
Noxious weeds and non-native invasive plant species	2
Recreation	1
Paleontological resources	1
Analysis scope, methods, and assumptions	1
Financial assurance	1
Hazardous materials, solid wastes, sanitation, and public health and safety	1
Land use and access	1
NEPA process	1
Vegetation, special status plants, and wetlands	1
Grand Total	263
General support or opposition or other non-substantive comment	55
Total	263

J.2.1. Summary of Non-substantive Comments

The BLM received comments both in support of and opposition to the proposed project. Some commenters provided comments of support without providing justification. Others were supportive of the proposed project for specific reasons, which included the following.

- KG Mining (Bald Mountain) Inc. (KG-BM) has exemplified a commitment to safety and environmental stewardship, won multiple awards for compliance, conducted outreach to and is involved with local communities, and has partnered with other groups to provide for wildlife.
- The Bald Mountain Mine (BMM) serves the Elko, Ely, Eureka, and White Pine County communities, providing employment opportunities as well as many positive economic impacts including tax revenue, financial security, and continued business development.
- The BMM is an important player in supporting the sustained production of electronics and precious metals in the U.S.

- Delay of the project could have direct negative consequences, including financial hardships to families and community members who depend on the mine for employment.

Many commenters requested that the project be approved as expeditiously as possible.

Other commenters expressed opposition to the project or urged that the BLM proceed with the No-Action Alternative. Specific reasons cited by commenters expressing opposition to the project included the following.

- Not all voices were being heard, with only cattle ranchers and mine operators being listened to.
- KG-BM may not be required to properly perform reclamation efforts or may fail to fully implement the required reclamation, which may unfairly fall on the public to pay for.
- The existing area permitted for mining operations is sufficient as it is.
- Expanded mining would destroy wildlife and habitats; threaten or kill eagle, wild mustang, and burro populations; and jeopardize water quality.
- The environment should be prioritized and protected.
- The mine utilizes an excessive amount of water on a daily basis, a resource that is being taken away from other uses through continued operation.
- The benefits of the proposed project do not outweigh the potential negative impacts.

J.3. RESPONSES TO SUBSTANTIVE COMMENTS

Table J-3 provides BLM and USFWS responses to substantive public comments on the draft EIS.

Table J-3. BLM responses to substantive comments on the draft environmental impact statement

Name and Affiliation	Comment ID	Category	Comment Text	Comment Response
Beth Ericksen KG-BM	S-010, C-009	Proposed Action and alternatives	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 66 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Figure 2.5 Comment: It’s not clear why “Removed” is one of the status options in the legend in this figure if no HLFs have been removed.	There is a 0.35-acre area of authorized surface disturbance in the northeast corner of the South Poker Flats Heap mine component area categorized as a “process area” that, under the action alternatives, would be removed (i.e., no longer authorized). The manner in which the GIS data are symbolized on Figure 2-5 groups this process area with HLF features due to its association with the South Poker Flats Heap.
Beth Ericksen KG-BM	S-010, C-010	Proposed Action and alternatives	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 75 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ “Stockpiled growth media would be stored within the boundaries of the RDAs and interpit areas in a manner that would not compromise future use.” Comment: For clarity please rephrase this sentence to: Stockpiled growth media would continue to be stored within the boundaries of the RDAs and interpit areas in a manner that would not compromise future use.	Change was made directly as requested for clarity.
Moira Kolada Nevada Department of Wildlife	S-066, C-005	Proposed Action and alternatives	Section Number: 2.1.2.6 Page Number: 2-17 Comment: Tripling the solution applied to the BMM heap leach is very concerning as this heap leach has traditional had significant ponding issues. It will be imperative that Kinross appropriately manages blending of different types of ore to be in good standing with their Industrial Artificial Pond Permit requirements.	KG-BM prepared the following response to this comment, which the BLM has reviewed and determined to be sufficient. Section 2.7.5 of Appendix B to the EIS, <i>Detailed Description of Proposed Action and No-Action Alternative</i> , states: “Dilute sodium cyanide solution is applied to the leach ore on the pad at an average rate of approximately 0.0025 gpm per square foot and up to 0.005 gpm per square foot.” The increase in solution rate sent to the heap will provide KG-BM with the ability to increase the surface area under leach on the heap; however, the solution application rate per square foot will remain between 0.0025 gpm per square foot and up to 0.005 gpm per square foot. KG-BM will continue to manage solution application to minimize ponding through adjustments to the application rates in less-permeable material types, the

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				use of blend material that supports the flow of solution from the surface, or alternative methods that prevent wildlife from accessing the ponding areas. KG-BM will continue to operate the process solution management system in compliance with the Industrial Artificial Pond Permits for HLFs.
Moira Kolada Nevada Department of Wildlife	S-066, C-006	Proposed Action and alternatives	Section Number: 2.1.2.6 Page Number: 2-17 Comment: As previously commented to, the BMM heap leach has been in operations for several decades and several of the components of the BMM heap leach facility could use updating to minimize wildlife contact with potentially lethal solution. We would encourage Kinross to take a hard look at what components could be replaced during the expansion of the BMM heap leach. For an example: pipe in ditch for solution reporting to the process ponds.	KG-BM prepared the following response to this comment, which the BLM has reviewed and determined to be sufficient. KG-BM will review elements that are part of the BMM heap leach pad expansion/modification and identify features that could be replaced due to aging or normal wear (e.g., piping solution in lined ditches) that would minimize risk associated with wildlife contact without compromising flows. KG-BM will utilize the services of an engineering specialist if needed. As appropriate, KG-BM will continue coordination with the NDOW seeking opportunities that minimize wildlife contact.
Moira Kolada Nevada Department of Wildlife	S-066, C-012	Proposed Action and alternatives	Section Number: Figure 3.7-9 Page Number: 3-145 Comment: The timeline of the backfill Phase 1 of the Rat Pit is unclear. Is the intent to have the backfill and concurrent reclamation in place and functioning before the Redbird Pit expansion? This would maintain the 2000' minimum of the DMDMC 1 in all years.	KG-BM prepared the following response to this comment, which the BLM has reviewed and determined to be sufficient and also added to Section 2.1.3.3.1 of the final EIS: "The timing of Phase 1 of the Rat pit backfill would coincide with expansion of the Redbird pit. The DMDMC 1 width between two bounding features, the Redbird pit and the Rat mine area, would be maintained at 2,000 feet or wider at the narrowest width. As the footprint of the Redbird pit expands to the southeast, Phase 1 backfill of the Rat pit would take place in conjunction with the Redbird pit footprint expansion so that a 2,000-foot width is maintained. Phase 1 backfill of the Rat pit would be completed in approximately 3 months."
Moira Kolada Nevada Department of Wildlife	S-066, C-004	Proposed Action and alternatives	Section Number: Figure 2-2 Page Number: Figure 2-2 Comment: This map covers a very large area and it is hard to evaluate where the conceptual locations of RIBS might be placed. This is of particular interest as above ground piping might be required for transportation of mine water to the RIBs. These above ground	Added Figure 2.4 to the final EIS, which depicts the conceptual east side and west side RIB locations and conceptual conveyance routes. KG-BM indicated that, whenever possible, the conveyance piping routes would follow haul roads and other mine component disturbances. Primary infrastructure consists of conveyance piping that would not exceed 12 inches in diameter.

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			pipes can pose as an impediment to mule deer movements. Can you please provide NDOW with a better idea as to the location of the RIBs and what the infrastructure might look like to support these facilities?	
John Hadder Great Basin Resource Watch	S-062, C-001	NEPA process	The time allotted for review of the Draft EIS was much too short. BLM needs to allow for a minimum of 60 days for review of this kind of EIS due to the length and complexity. Below is all we have time to review.	We appreciate this feedback. The 45-day public comment period meets the required draft EIS review periods set forth in 40 CFR 1506.11 and outlined in BLM Handbook H-1790-1. The BLM considers this adequate time to review the draft EIS.
Jean Prijatel U.S. Environmental Protection Agency	S-051, C-001	Laws, regulations, guidance	EPA 309 Review Summary The EPA did not identify significant environmental concerns to be addressed in the Final EIS and is providing the recommendations below to improve the analysis and environmental outcome of the proposed action.	Noted. Thank you for your review and recommendations.
Scott Lake Center for Biological Diversity	S-054, C-001	Laws, regulations, guidance	The proposed expansion would add approximately 3,969 acres of surface disturbance to the current mine footprint. Further, it appears that these new and expanded mine facilities will be located on claims under the 1872 Mining Law. As the DEIS explains: “The [Bald Mountain Mine] operates on patented and unpatented Federal mining claims owned, leased, or otherwise controlled by KG-BM.” DEIS at ES-1; 1-5. However, the DEIS fails to demonstrate that BLM has made any determination as to whether KG-BM’s claims are “valid” under the Mining Law, and thus whether the purported statutory rights exist. See Ctr. for Biological Diversity v. United States Fish & Wildlife Serv., 33 F.4th 1202, 1219-20 (9th Cir. 2022). BLM cannot limit its discretion over these new and expanded waste rock dumps and ancillary facilities based on the unsupported assumption that KG-BM has valid rights under the Mining Law.	Interior Solicitor’s Opinion M-37077 (May 16, 2023) provides direction to the BLM in implementing the court decisions cited in the comment as well as more recent court decisions related to the Thacker Pass project. In accordance with the Solicitor’s Opinion, KG-BM has agreed to provide information related to mining claim status associated with locations where the plan of operations proposes to site significant waste rock or tailings on mining claims. This information will be evaluated by the BLM prior to approval of the final plan of operations and ROD.

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Scott Lake Center for Biological Diversity	S-054, C-002	Laws, regulations, guidance	“Before an operator perfects her claim, because there are no rights under the Mining Law that must be respected, BLM has wide discretion in deciding whether to approve or disapprove of a miner’s proposed plan of operations.” Mineral Policy Center v. Norton, 292 F. Supp. 2d 30, 48 (D.D.C. 2003). In Mineral Policy Center, a federal court rejected the argument that only the “unnecessary and undue degradation” (UUD) standard under FLPMA, see 43 U.S.C. § 1732(b), may properly apply to regulate hardrock mining activities performed on public land. 292 F.Supp.2d at 48, n.24. Yet that is what BLM has done here. Without inquiring, let alone knowing, whether KG-BM has valid statutory rights under the Mining Law, BLM has erroneously assumed its discretion and authority is limited to only preventing UUD.	See response to Comment S-054, C-001.
Scott Lake Center for Biological Diversity	S-054, C-003	Laws, regulations, guidance	KG-BM has no right to occupy its mining claims on public land without showing that it has discovered a “valuable mineral deposit” on each of its claims. To establish that it has discovered a valuable mineral deposit, a mining claimant must show the mineral can be “extracted, removed and marketed at a profit.” United States v. Coleman, 390 U.S. 599, 600 (1968). Each claim “must be independently supported by the discovery of a valuable mineral within the location as it is marked on the ground.” Lombardo Turquoise Mining & Milling v. Hemanes, 430 F. Supp. 429, 443 (D. Nev. 1977) aff’d 605 F.2d 562 (9th Cir. 1979).	See response to Comment S-054, C-001.
Scott Lake Center for Biological Diversity	S-054, C-004	Laws, regulations, guidance	The DEIS provides no evidence that the mining claims covering public lands for the new and expanded processing facilities, overburden dumps (i.e. waste rock and tailings), spent ore dumps, and ancillary operations are valid under	See response to Comment S-054, C-001.

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			the Mining Law. Moreover, there is no credible argument that the lands slated to be covered in overburden or tailings contain the required valuable mineral deposit.	
Scott Lake Center for Biological Diversity	S-054, C-005	Laws, regulations, guidance	Unless KG-BM provides the necessary credible evidentiary support for the assertion of occupancy rights under the Mining Law on each claim, BLM must apply its special use permitting regulations and process the proposed expansion as a discretionary action.	See response to Comment S-054, C-001.
Katie Sweeney National Mining Association	S-061, C-002	Laws, regulations, guidance	KG's Bald Mountain mine has a stellar compliance record and maintains more than 75 environmental permits to ensure natural resource protection and responsible mining. Additionally, the site has received multiple awards for reclamation and resource management. The proposed Juniper Project will allow the expansion of continued mining and related activities to be done pursuant to a carefully designed plan to address potential environmental impacts. The mining methods and practices under the proposed expansion are substantially similar to those being utilized today and are aligned with key environmental safeguards.	Acknowledged. Thank you for your comment.
Shane Bybee White Pine County Board of Commissioners	S-047, C-006	Consistency with land use plans	The County appreciates acknowledgement of its Public Lands Policy Plan and project consistency in Section 1.6.4.	Thank you. Noted.
Rich McKay Eureka County Board of Commissioners	S-053, C-002	Consistency with land use plans	Please revise the paragraph on p. 1-13 regarding consistency with Eureka County's Master Plan and County Code to read "The Proposed Action, with implementation of all mitigation measures identified including applicant committed environmental protection measures, is consistent with the Eureka County Master Plan and related sections in Title 9, Natural Resources and Land	Added "with implementation of all identified ACEPMs and mitigation measures." Language suggested in comment was slightly reworded to match conventions of the document.

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			Use, of the Eureka County Code (Eureka County 2018).”	
Jean Prijatel U.S. Environmental Protection Agency	S-051, C-006	Financial assurance	Adequate and viable funding for long-term post-closure management can be a critical factor in whether or not a project is environmentally acceptable – especially in considering long-term post closure operations, maintenance, and monitoring. Although the BLM will require the applicant to secure a bond for reclamation work (p. 3-218), it is unclear what funding mechanism would be utilized for post-closure management, including the Bald Mountain Mine water quality monitoring program (WRMP p. 23). Disclosing financial information would support the likelihood that mitigation measures will be adopted or enforced (40 CFR Part 1502.16(7)). Inclusion of this information in the Final EIS would also assist with efficient and enforceable mitigation and increase transparency to the public. The EPA recommends including a more detailed assessment of post-closure measures and identifying the financial assurance mechanism(s) in the Final EIS.	The bond amount will be determined in coordination with the NDEP and BLM after the BLM’s identification of the preferred alternative in this final EIS. NDEP and BLM review of the reclamation cost estimate and associated financial assurances are evaluated through a separate regulatory process and as a matter of practice and timing are not addressed in the EIS, but will be explained in the ROD. KG-BM has an authorized Reclamation Plan for the NOA. As explained in Section 3.10 of Appendix B, the Reclamation Plan for the Juniper Project is essentially the same, but with the inclusion of the reclamation of the Top underground mining and RIBs. No change was made to the final EIS.
Tammi M. Adams and Laura Leigh Wild Horse Education	S-050, C-001	Cumulative impacts	Given the information presented by BLM and KG Mining (KG-BM) during public Zoom meetings, and in BLM BFO Scoping and Draft EIS documents, the extent of negative cumulative impacts to water resources, the ecosystem, wildlife, aesthetic landscape, wild horses and burros, and human quality of life associated with #6 Juniper Project, it would be arbitrary and environmentally irresponsible for Nevada BLM BFO to approve this project in any format. The only environmentally responsible and sustainable decision DOI BLM can make, and comply with NEPA, WFRHBA, federal laws, and Agency policies, is the “No Action” alternative. The	The BLM’s decision regarding the authorization of the Juniper Project and the USFWS’s decision to issue an eagle take permit will be made based on consideration of relevant environmental information, as presented in this EIS, and with disclosure of relevant information to the public through the procedural requirements of NEPA. The BLM and USFWS have considered input from federally recognized tribes, cooperating agencies, and the public in developing the preferred alternative and analyzing potential effects. Requirements to fulfill ACEPMs, permit conditions, and agency-identified mitigation measures would minimize potential adverse effects on the human environment. We note that the impacts of climate change and drought, as well as cumulative effects, are discussed as

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			negative environmental destruction and anticipated/unanticipated negative cumulative impacts significantly outweigh any benefit from continued operations and additional expansion of the Bald Mountain gold mine. Specifically, the negative cumulative impacts to the entire ecosystem; all life that requires the land to survive and migrate through, and the people of Nevada and creatures who rely on surface and groundwater for their personal use and existence. Particularly considering climate change/drought and the cumulative impact concerns not provided in this Draft EIS but encompassed in the following comments.	appropriate throughout the EIS. In particular, Appendix F identifies past and present actions and trends, with specific discussion of climate change in Section F.3.5, <i>Climate, Vegetation, and Wildland Fire Trends</i> . Additionally, each issue discussed in Chapter 3 includes a cumulative impact subsection, which references the past and present actions and trends detailed in Appendix F as appropriate. No change was made to the final EIS.
Tammi M. Adams and Laura Leigh Wild Horse Education	S-050, C-008	Cumulative impacts	It is arbitrary, unsustainable, and indefensible for the DOI BLM to approve groundwater rights for this Proposed Plan, ignoring climate change/drought and the needs and wellbeing of taxpaying residents and tribes of Nevada. It is arbitrary, unsustainable, and indefensible for the DOI BLM to omit any evaluation or analysis of arsenic (and other mining contaminants) present to date in soils and forage within and surrounding Bald Mountain for this Proposed Plan. It is arbitrary, unsustainable, and indefensible for the DOI BLM to not provide historic ambient air monitoring and drift data and analysis for arsenic and other mining contaminants for this Proposed Plan and in this Draft EIS, ignoring cumulative impacts from the Bald Mountain processing plants. The most reasonable and responsible Action provided in this Draft EIS is the “No Action” alternative, specifically considering climate change/drought and cumulative impacts to water resources in the southwestern US, specifically Nevada.	The NDWR is responsible for reviewing and approving water rights. See response to Comment S-054, C-006 and Section 3.3.2.1.2 of the EIS for more information regarding water rights. See response to Comment S-050, C-006 and Section 3.3.2.1.3 of the EIS for additional discussion of arsenic in water and air. In brief, concentrations of arsenic predicted to exceed the regulatory threshold would migrate up to approximately 1,000 feet east of the Top Pit underground mine workings and would not extend outside the footprint of the Top Pit and, therefore, are not anticipated to affect downgradient water quality. Additionally, the potential emissions of arsenic are below the major HAP emission threshold of 10 tons per year per HAP. No change was made to the final EIS.

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Tammi M. Adams and Laura Leigh Wild Horse Education	S-050, C-010	Cumulative impacts	The BLM violates NEPA by failure to consider cumulative impacts to ambient air, drinking water resources, soils, groundwater availability, and any past, present, and future impacts from potential contamination to Nevada's surface and groundwater supplies. Please provide this data and analysis information prior to in any forthcoming Final EIS, Decision, and FONSI. The BLM BFO violates NEPA and Agency policies by failure to consider past, present, and future cumulative impacts from mining contaminants (i.e., arsenic) to human health and the environment. Please provide, at a minimum, past and present analyses of arsenic in soils, surface water, groundwater, rangeland forage, and game animals (mule deer) from within and surrounding the existing and proposed action areas within any forthcoming Final EIS, Decision, and FONSI.	The EIS provides analysis of cumulative impacts on each of the resources mentioned in the comment at a level commensurate with the anticipated scale and intensity of the impacts, as directed by NEPA. Please see resource-specific discussions of cumulative impacts in Section 3.15.2.4 (<i>Air Quality and Greenhouse Gas Emissions</i>), Section 3.3.2.4 (<i>Water Quality and Quantity</i>), Section 3.4.2.4 (<i>Soils</i>), Section 3.10.2.4 (<i>Livestock Grazing</i>), and Section 3.7.2.4 (<i>Wildlife and Fisheries Resources</i>). See response to Comment S-050, C-006 and Section 3.3.2.1.3 of the EIS for additional discussion of arsenic in water and air. In brief, concentrations of arsenic predicted to exceed the regulatory threshold would migrate up to approximately 1,000 feet east of the Top Pit underground mine workings and would not extend outside the footprint of the Top Pit and, therefore, are not anticipated to affect downgradient water quality. Additionally, the potential emissions of arsenic are below the major HAP emission threshold of 10 tons per year per HAP. No change was made to the final EIS.
Tammi M. Adams and Laura Leigh Wild Horse Education	S-050, C-012	Cumulative impacts	The responsibility of an EIS is to provide data and analyses of the amount of forage lost to the Triple B wild horses (specifically permanently lost forage capacity of the HMA, which also impacts livestock AUM allocations) and baseflows in the seeps and springs (i.e., water quantity and quality data). BLM BFO's anticipation of such limited cumulative impacts to the Triple B wild horses and burros, golden eagles, and Greater Sage Grouse is arbitrary, unreasonable, and out-of-date. BLM BFO violates NEPA by failure to consider and actually provide meaningful and available ENVIRONMENTAL DATA TO DISCERN ACTUAL CUMULATIVE ENVIRONMENTAL IMPACTS to forage and water resources for the Triple B wild horses and burros, golden eagles,	Section 3.11.2 of the EIS estimates that the Proposed Action would contribute an additional 3,969 acres of surface disturbance, of which 2,906 acres would be long term and 1,063 acres would be permanent, compared to the No-Action Alternative. This would reduce the availability of forage for wild horses within the Triple B HMA. However, the estimated cumulative surface disturbance in the Triple B HMA contributed by past, present, and RFFAs is 104,141 acres (updated from 104,167 acres in the draft EIS) or 8% of the total area of the CESA, and cumulative effects on wild horses are anticipated to be minor, long term, and localized. The focus of the BLM's management of wild horses is to reduce overpopulation on the range to protect the health of the animals and the land on which they depend. See response to Comment S-050, C-019 addressing the effects of drawdown on seeps and springs. The EIS also provides analysis of cumulative

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			and Greater Sage Grouse (all required historical and present day mine permit monitoring parameters, GW contaminant migration modeling, perimeter soils contamination, etc.).	impacts on each of the resources mentioned in the comment at a level commensurate with the anticipated scale and intensity of the impacts, as directed by NEPA. Please see discussions of cumulative impacts on other resources mentioned in the comment in Section 3.3.2.4 (<i>Water Quality and Quantity</i>), Section 3.8.2.4 (<i>Special Status Species</i>), Section 3.9.2.1.1 (<i>Golden Eagles</i>), and Section 3.10.2.4 (<i>Livestock Grazing</i>). No change was made to the final EIS.
Tammi M. Adams and Laura Leigh Wild Horse Education	S-050, C-004	Analysis scope, methods, and assumptions	This EIS is arbitrarily absent of any data nor analyses of existing and potential commination impacting humans and the environment despite being in operation in Nevada for 36-years, and in spite of federal laws protecting the air we breathe (CAA), the water we drink (CWA, SDWA), and the soils where we grow food, which wildlife, livestock, and wild horses and burros graze upon.	The EIS provides salient information about the existing conditions and affected environment and potential environmental consequences of implementing the alternatives. Please see resource-specific discussions in Section 3.15 (<i>Air Quality and Greenhouse Gas Emissions</i>), Section 3.3 (<i>Water Quality and Quantity</i>), Section 3.4 (<i>Soils</i>), Section 3.7 (<i>Wildlife and Fisheries Resources</i>), Section 3.10 (<i>Livestock Grazing</i>), and Section 3.11 (<i>Wild Horses</i>). No change was made to the final EIS.
Shane Bybee White Pine County Board of Commissioners	S-047, C-008	Monitoring and mitigation	The County appreciates and supports wildlife mitigation efforts described in Sections 3.7 and 3.8.	Acknowledged. Thank you for your comment.
Tammi M. Adams and Laura Leigh Wild Horse Education	S-050, C-003	Monitoring and mitigation	This Draft EIS has not provided a Proposed Plan committed to the protection of humans and the environment, nor the limited surface and groundwater resources, ambient air quality, etc.	The purpose of an EIS is to demonstrate that “Federal agencies have considered relevant environmental information, and the public has been informed regarding the decision-making process” (40 CFR 1502.1). The EIS must also discuss means to mitigate adverse environmental impacts (40 CFR 1502.16(9)). Importantly, “[while] NEPA requires consideration of mitigation, it does not mandate the form or adoption of any mitigation” (40 CFR 1508.1(s)). A “Proposed Plan,” as stated in the comment, is not a requirement for preparing an EIS under NEPA. In fulfillment of the requirements of NEPA, the EIS evaluates the effectiveness of both ACEPMs (Appendix C) and agency-identified mitigation measures in avoiding, minimizing, or mitigating the impacts of the action alternatives. The EIS also identifies other Federal

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Name and Affiliation	Comment ID	Category	Comment Text	Comment Response
				environmental review laws and list Federal permits, licenses, and other authorizations applicable to the action alternatives. The BLM will consider the combined effect of these measures and requirements under other environmental laws in its decision regarding the authorization of the Juniper Project. No change was made to the final EIS.
Tammi M. Adams and Laura Leigh Wild Horse Education	S-050, C-014	Monitoring and mitigation	Indeed, the BLM BFO did not even provide road safety measures for the wild horses and burros and mule deer. The multiple vehicular crashes with wild horses and burros and mule deer are barely acknowledged in this Draft EIS. At a bare minimum, BLM BFO and KG Mining should provide speed limits of 40 mph or less and road sensors that illuminate and flash for animal crossing and migration areas located within and surrounding the Bald Mountain Mine. These two small caveats would create protections for all wildlife in the area and possibly save a human life. Please provide discussion on these two small actions and provide for their implementation in any forthcoming Final EIS, Decision, and FONSI.	As stated in Section 3.11.2 of the EIS, the continued implementation of KG-BM's <i>Traffic Management Plan</i> and ACEPM no. 6, which require ongoing compliance with posted speed limits and other traffic-control measures, would minimize the risks associated with potential wild horse-vehicle collisions; however, these risks would continue for an additional 11 years of mine operations under the Proposed Action. KG-BM posts speed limit signs on the county roads to and from the BMM. Posted speed limits over the unpaved portions of the county roads range from 35 to 50 miles per hour, depending on road section. The BLM does not have jurisdiction over posted speed limits on county roads. When road conditions are poor, KG-BM instructs drivers to travel at reduced speeds to ensure safe passage to and from the mine site. ACEPM no. 143 also requires road signs for safety and protection of wild horses if a project involves heavy or sustained traffic. Several existing wild horse warning/awareness signs have been installed along the unpaved county road between Jiggs, Nevada and the BMM. The signs are illuminated in areas where wild horses commonly cross the road. No change was made to the final EIS.
Scott Lake Center for Biological Diversity	S-054, C-011	Monitoring and mitigation	BLM's failure to adequately avoid, minimize, and mitigate these impacts violates the Ely RMP as amended and FLPMA. The DEIS does not demonstrate that BLM had made any effort to avoid or minimize impacts. This is most apparent in BLM's conclusions that mule deer migration corridors would not meet NDOW's minimum width and that project-related noise would exceed	DMDMCs under Alternative A would be in accordance with the NDOW's minimum recommended 2,000-foot corridor width to facilitate mule deer migration following completion of concurrent reclamation. Alternative A was specifically developed to minimize impacts of the Proposed Action on mule deer migration. The 2015 ARMPA specifically incorporates use of the Nevada CCS as a way to achieve a net conservation gain for Greater

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			the ARMPA's limits. However, there are a multitude of other wildlife impacts that could be avoided or minimized through changes in the proposed action. BLM has ignored several applicable conservation directives and apparently applied only the "unnecessary and undue degradation" standard to this project, in violation of FLPMA. Further, as explained below, the DEIS fails to demonstrate that the various proposed offsite mitigation measures will adequately compensate for the project's impacts. For instance, BLM fails to show that offsite mitigation will result in a "net conservation gain" to sage-grouse, as required under the ARMPA.	Sage-Grouse, and KG-BM has committed to, within 90 days of the ROD, transfer the credits to the SETT using the credit transfer form to offset the Juniper Project debit obligation from KG-BM's private ranches enrolled in the CCS program. No change was made to the final EIS.
Scott Lake Center for Biological Diversity	S-054, C-012	Monitoring and mitigation	BLM must present a mitigation plan for public review, as the public must have an opportunity to review and comment upon the plan. Future plans and analysis cannot be used to satisfy BLM's NEPA and FLPMA duties. "Such late analysis, 'conducted without any input from the public,' impedes NEPA's goal of giving the public a role to play in the decisionmaking process and so 'cannot cure deficiencies' in a [NEPA document]." <i>Or. Nat. Desert Ass'n v. Rose</i> , 921 F.3d 1185, 1192 (9th Cir. 2019) (quoting <i>Great Basin Res. Watch</i> , 844 F.3d at 1104). See also <i>Western Exploration</i> , 250 F. Supp. 3d at 748. As the Ninth Circuit held in rejecting BLM's EIS for the Cortez Hills Project, "[a]n essential component of a reasonably complete mitigation discussion is an assessment of whether the proposed mitigation measures can be effective." <i>South Fork Band Council v. Dept. of Interior</i> , 588 F.3d 718, 726 (9th Cir. 2009). Further, without a full evaluation of both the project's impacts and the effectiveness of the proposed mitigation measures, subject to public review, BLM's conclusions regarding compliance with	See response to Comment S-050, C-003.

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			the ARMPA and FLPMA (including the UUD standard) are unsupportable.	
Scott Lake Center for Biological Diversity	S-054, C-013	Monitoring and mitigation	As noted herein, reliance on a state permitting or mitigation system cannot substitute for BLM's independent and separate NEPA and FLPMA duties to fully review all impacts and mitigation, with full public review and comment opportunities.	The 2015 ARMPA, under management decision for mineral resources (MD MR) 18, states, "Subject to valid existing rights and applicable law, authorize locatable mineral development activity, by approving plans of operation and apply mitigation and best management practices that minimize the loss of PHMAs and GHMAs or that enhance [Greater Sage-Grouse] habitat by applying the 'avoid, minimize and compensatory mitigation' process through an applicable mitigation system, such as the Nevada Conservation Credit System and exemplified in the Barrick Nevada Sage Grouse Bank Enabling Agreement." KG-BM is using the Nevada CCS to avoid, minimize, or mitigate project impacts on Greater Sage-Grouse. The BLM has performed its own analysis of project effects and mitigation, in cooperation with the State, with full public review and comment opportunities. No change was made to the final EIS.
Scott Lake Center for Biological Diversity	S-054, C-014	Monitoring and mitigation	BLM also has a duty to fully mitigate these impacts under FLPMA's UUD mandate. Of particular relevance to this case is the Solicitor's ruling that failure to require mitigation to protect important habitat constitutes UUD. "Although mitigation may contribute in some instances to the avoidance of UUD, in other cases, the impacts to resources may be of a nature or magnitude such that they cannot be mitigated sufficiently to prevent UUD." M-37039 at 20. This applies, at a minimum, to BLM's duty to require sufficient mitigation to protect the sage-grouse's designated "priority" habitat here.	Under the action alternatives, impacts on Greater Sage-Grouse and habitat have been avoided and minimized to the extent practicable in accordance with the Ely RMP and the ARMPA. KG-BM would also continue to implement mitigation measures from the ROD for the 2016 FEIS to minimize and mitigate potential impacts on Greater Sage-Grouse. Finally, compensatory mitigation for residual impacts unable to be avoided and minimized, including surface disturbance in PHMAs, would be offset by KG-BM through the development or purchase of conservation credits through the Nevada CCS. The 2015 ARMPA specifically outlines how a mitigation program such as the Nevada CCS is used for mitigating activities that result in habitat loss and degradation of Greater Sage-Grouse habitat in Nevada. The BLM will consider the combined effect of these measures in its decision regarding the authorization of the Juniper Project. No change was made to the final EIS.

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Scott Lake Center for Biological Diversity	S-054, C-015	Monitoring and mitigation	For many resources, rather than demonstrating efforts by BLM and KG-BM to avoid or minimize impacts, the DEIS refers to—but does not describe in any specific detail—future offsite mitigation schemes.	See response to Comment S-054, C-016 regarding mitigation for water resources. See response to Comment S-054, C-017 regarding offsite mitigation for mule deer. See response to Comment S-054, C-018 regarding offsite mitigation for Greater Sage-Grouse. No change was made to the final EIS.
Scott Lake Center for Biological Diversity	S-054, C-019	Monitoring and mitigation	Thus, for many important resources, the DEIS offers only a cursory description of proposed offsite mitigation measures, and fails entirely to analyze the effectiveness of the proposed mitigation schemes, in violation of NEPA.	See response to Comment S-050, C-003.
Scott Lake Center for Biological Diversity	S-054, C-021	Monitoring and mitigation	Simply stating that transactions will occur in the future does not satisfy NEPA’s requirement to fully inform decisionmakers and the public about the environmental impacts of the proposed action, and leaves many question unanswered. For example, what actions will be conducted to mitigate this project’s impacts? Where will those actions occur? How will they be funded? Who will carry them out? How will the mitigation actions achieve a “net conservation gain”? And how will conservation or mitigation “success” be assessed? These questions must be addressed before the project is approved.	The EIS fully informs decisionmakers and the public about the environmental effects of the Proposed Action and the alternatives as detailed in Chapter 3, <i>Affected Environment and Environmental Consequences</i> , of the final EIS. Appendix C of the final EIS lists 163 specific ACEPMs that would be implemented by KG-BM to avoid, minimize, or mitigate project effects. Additional monitoring and mitigation measures required by the BLM for water and paleontological resources are described in Sections 3.3.2.5 and 3.12.2.5, respectively, of the final EIS. Section 3.9, <i>USFWS Golden Eagle Permit Decision</i> , describes the monitoring and mitigation required for the golden eagle take permit. KG-BM has previously developed Greater Sage-Grouse credits through the CCS by implementing habitat management and conservation actions on KG-BM-owned lands. As recognized in ACEPM no. 98, KG-BM would transfer 869 of those credits to offset the habitat and noise impacts of the Juniper Project. The CCS debit calculation for the Juniper Project was completed by Certified Verifiers under the oversight of the SETT. The process consisted of desktop analysis, field verification, and final calculations using the Habitat Quantification Tool. Methods used were consistent with those outlined in the CCS Manual and User’s Guide. Enrollment of credit projects is similar to the debit project analysis, with oversight of the SETT for the desktop

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				analysis, field verification, and final calculations using the Habitat Quantification Tool, and also includes development of a Management Plan and execution of a Participant Contract by the credit developer. Details about how the CCS is administered—including how credits are developed, financed, verified, and monitored and how they achieve a net benefit—are available through the website of the Sagebrush Ecosystem Council, which is the entity created under Nevada law to oversee the CCS (https://sagebrusheco.nv.gov/CCS/ConservationCreditSystem/). The ROD for the Nevada and Northeastern California ARMPA at Appendix N also described and incorporated the CCS. Added description of the CCS to Section 3.8.2.5.1 of the final EIS.
Scott Lake Center for Biological Diversity	S-054, C-029	Monitoring and mitigation	For other resources, such as migratory birds, bats, pygmy rabbits, and groundwater-dependent springs, the DEIS includes only a statement that future offsite mitigation measures will be developed. The DEIS thus fails to both analyze the specific impacts of the proposed action and adequately describe the proposed mitigation measures.	Because the intensity, location, types, and timing of impacts on these resources cannot be accurately predicted until assessed through clearance surveys and monitoring, the BLM cannot predetermine the amount and types of mitigation that would be required and wishes to maintain flexibility to identify commensurate mitigation measures that utilize the best available techniques at the time they occur. However, the existing ACEPMs and mitigation measures that would continue to be implemented with the Juniper Project provide an appropriate adaptive management framework. No change was made to the final EIS.
Scott Lake Center for Biological Diversity	S-054, C-030	Monitoring and mitigation	Critically, the DEIS fails entirely to consider, let alone analyze, the effectiveness of the chosen mitigation measures, and instead appears to assume that any future mitigation mechanism will be 100 percent effective. This is wholly inadequate under NEPA and fails to provide the information necessary for an informed decision.	See response to Comment S-050, C-003.
Beth Ericksen KG-BM	S-010, C-021	Water quality and quantity	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 171 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Note: KG-	Thank you for your comment. WR-1 has not been modified at this time; however, the BLM has added WR-2 to further clarify proposed seep and spring monitoring and mitigation requirements during implementation of the

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			BM proposes to the BLM that perennial springs are monitored 2x year for water quality and quantity for the reasons presented in the separately submitted comment 9/25/2023.	Juniper Project. As noted in WR-2, KG-BM may request changes to the list of springs to be monitored due to changes in pumping activities, the emergence of additional hydrogeological information, or other factors. Any changes to the monitoring requirements must be approved in writing by the BLM.
Beth Ericksen KG-BM	S-010, C-022	Water quality and quantity	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 171 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ The projected drawdown under Scenario 2 encompasses 4 springs within the 10-foot drawdown contour. Three are ephemeral springs and one, Mill Creek (Lower), is a perennial spring. Comment: is this the correct spring name? Please check as this should be Mill Spring (Lower). Please check globally.	Corrected spring name to “Mill Spring (Lower)” in two instances. No other instances of incorrect springs names were found in a global search.
Beth Ericksen KG-BM	S-010, C-023	Water quality and quantity	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 187 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ note: KG-BM proposes that when the water plan is updated, that the program consists of perennial springs that are located within the maximum predicted drawdown areas and within 1 mile. See written comment submitted to BLM on 9/25/2023	See response to Comment S-010, C-021.
Beth Ericksen KG-BM	S-010, C-024	Water quality and quantity	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 187 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Note: Taking the extra conservative approach for the modeling of groundwater, and having the robust data set plus the comprehensive hydrogeologic field investigation offered information to state in the analysis that “drawdown associated with water supply pumping of passive mine drainage	See response to Comment S-010, C-021.

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			would not affect the seasonal flow for ephemeral springs.” brings a high level of confidence to the analysis, and aligning the monitoring requirements to 2023 analysis that used a large robust data set, would allow consideration to modify the existing monitoring program (based on 2016 analysis) by eliminating the monitoring requirements to ephemeral springs and springs that no longer exist.	
Beth Ericksen KG-BM	S-010, C-025	Water quality and quantity	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 187 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ The 2023 analysis captures the pumping requirements for the NOA, and the monitoring of seeps and springs based on the 2016 analysis would not be carried forward and the seeps and springs that fall within the 10 foot drawn down contour plus 1 mile based on the 2023 analysis would be monitored. KG-BM has requested a revisit to the seeps and springs listed in table 3-9 because the 2023 analysis includes new and detailed spring information that resulted in perennial springs being analyzed only, because the ephemerals are not hydraulically connected to the groundwater.	See response to Comment S-010, C-021.
Beth Ericksen KG-BM	S-011, C-001	Water quality and quantity	Primary Comment on mitigation measure WR-1 brought forward from the 2016 EIS. Based on the 2016 analysis WR-1 requires monitoring of all seeps and springs regardless of type. It appears the 2023 analysis is negated because the mitigation measure WR-1 is tied to the 2016 analysis and not the 2023 analysis. KG-BM would like the BLMs consideration to use the 2023 analysis to action the seeps and springs monitoring program instead of relying on the 2016 analysis requiring the monitoring of all seeps and springs regardless of spring type that	See response to Comment S-010, C-021.

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			are located within the 10-foot drawdown contour + a one mile buffer. [See original comment submission for additional rationale and supporting information.]	
Tammi M. Adams and Laura Leigh Wild Horse Education	S-050, C-005	Water quality and quantity	Any adequate EIS would look at historical information of mining data and analyses to understand ALL possible cumulative effects to the environment and public as mandated under NEPA. This EIS is absent of any such impact analyses. Please provide this information prior to any forthcoming Final EIS, Decision, and FONSI. The BLM has violated NEPA by failure to consider cumulative impacts to drinking water resources from potential “future” contamination impacts (active mine face, heap pile, and overburden runoff, etc.) to surface and groundwater resources. Additionally, this EIS provides NO water quality nor quantity data as required under Agency policies, the Safe Drinking Water Act, and the Clean Water Act.	Section 3.3 of the EIS summarizes relevant surface and groundwater quality data and describes potential impacts on groundwater quality and quantity. Potential cumulative impacts are specifically discussed in Section 3.3.2.4. The analysis summarizes the results of numerical groundwater modeling used to simulate the transport of constituents of concern in groundwater downgradient of the Top Pit underground mine during the 100-year post-mining period as well as results of geochemical testing characterizing potentially acid-generating drainage and metal mobilization from waste rock in RDAs. No change was made to the final EIS.
Tammi M. Adams and Laura Leigh Wild Horse Education	S-050, C-006	Water quality and quantity	The occurrence, distribution, origin, and mobility of arsenic has received significant attention in recent years. The knowledge of the processes that govern the accumulation of arsenic in the environment as well as the possible toxic effects on populations in affected areas is necessary for a better understanding. The Bald Mountain Gold Mine has been in operation for 39-years, yet BLM has not provided any evaluation of arsenic analyses/detection in soil, air, food sources, nor wildlife consumed by humans and protected species within and surrounding this long-operating Bald Mountain gold mine in this Draft EIS.	The primary pathway and concern for release of arsenic into the surrounding environment from operation of the BMM relates to (1) fate and transport of arsenic from the Top Pit underground mine workings to the downgradient groundwater system and (2) potential for rainwater to leach metals from the waste rock disposal facilities (RDAs) at concentrations great enough to exceed established water quality standards. These potential impacts are described in Section 3.3.2.1.3 of the EIS. In brief, concentrations of arsenic predicted to exceed the regulatory threshold would migrate up to approximately 1,000 feet east of the Top Pit underground mine workings and would not extend outside the footprint of the Top Pit. Therefore, impacts on downgradient water quality are anticipated to be negligible to minor, long term, and localized. There are no known outflows emanating from the base of RDAs in the NOA and outflows are not anticipated in the future based on

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				<p>waste rock management practices. Should some outflow from the base of the RDA facilities occur in the future over the long term, potential measurable impacts on downgradient groundwater quality (i.e., exceedances of regulatory standards established to protect groundwater) are considered unlikely.</p> <p>The potential for arsenic emissions from the Juniper Project was evaluated as part of the estimation of HAPs in the air quality impact analysis prepared by Air Sciences Inc. and cited in the EIS as Air Sciences Inc. 2020a. As shown in the detailed emission calculations in the Air Sciences Inc. report, the Juniper Project has the potential to emit 0.31 ton per year of arsenic. Arsenic naturally occurs in minerals found in northern Nevada and is emitted as a constituent of fugitive dust. KG-BM controls fugitive dust through BMPs as presented in ACEPM nos. 1 through 8. The potential emissions of arsenic are below the major HAP emission threshold of 10 tons per year per HAP. The facility-wide total HAP emissions are also below the major HAP emission threshold of 25 tons per year for all HAP emissions in aggregate. As the USEPA has not promulgated an ambient air quality standard for arsenic, it is not included in the air quality dispersion modeling for the Juniper Project.</p> <p>No change was made to the final EIS.</p>
Tammi M. Adams and Laura Leigh Wild Horse Education	S-050, C-009	Water quality and quantity	This Draft EIS provides no data, methods, nor analysis of carcinogenic contaminants from gold mining that risk human health and the environment in ambient air, water resources, nor in private and public drinking water obtained from groundwater wells (should be part of any mining permit - environmental data available from historic monitoring and reporting).	The EIS provides a comprehensive analysis of potential contaminants from the Proposed Action in air, water, and soil. The analysis uses well-established and regulatorily accepted methodologies including numerical modeling based on extensive background monitoring data and characterization data to predict potential contaminant levels in environmental media resulting from the Proposed Action and then compares the predicted concentration to regulatory standards that are based on criteria for livestock, wildlife, aquatic life, and human health. The human health standards consider many factors including increased risk of cancer and establish thresholds below which there is no

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				statistically significant increased risk of cancer from environmental exposure. Based on the analyses provided in the EIS, regulatory standards and permit requirements for air quality and water quality that the mine is subject to, and the distances of the nearest residents from the mine, no further analysis is warranted. No change was made to the final EIS.
Tammi M. Adams and Laura Leigh Wild Horse Education	S-050, C-016	Water quality and quantity	BLM and KG-BM claim that the proposed action is “not anticipated to reduce baseflows in seeps and springs or affect water quality in water sources used by wild horses in the vicinity of the Juniper Project analysis described in Section 3.3.” Yet BLM BFO provides no data nor analyses to support this arbitrary claim.	Relevant data and analysis are summarized in Section 3.3 of the EIS, as stated in the quoted excerpt in the comment. The comment does not provide a specific rebuttal of the analysis methodology or assumptions for the BLM to review. Therefore, no change was made to the final EIS.
Tammi M. Adams and Laura Leigh Wild Horse Education	S-050, C-017	Water quality and quantity	Indeed, BLM BFO anticipates a reduction in the quality and quantity of surface and groundwater resources, and predicts unmanaged/uncontrolled water runoff from this active mining site (acid mine drainage), BUT PROVIDES NO DATA OR ANALYSES FOR THESE CUMULATIVE IMPACTS.	The comment mischaracterizes the conclusions of the analysis presented in the EIS and does not provide a specific rebuttal of the analysis methodology or assumptions. Therefore, no change was made to the final EIS. Potential impacts of the alternatives on surface and groundwater quantity and quality are presented in Section 3.3 of the EIS.
Tammi M. Adams and Laura Leigh Wild Horse Education	S-050, C-018	Water quality and quantity	Probable consequences and impacts anticipated by BLM from any type of extraction industry include surface and groundwater quality and quantity, which any qualified specialist, hydrogeologist or environmental engineer would understand, are omitted from this Draft EIS. The dire consequences and significant cumulative impacts to the wild horses and burros, wildlife, and other species dependent on the 15+ natural springs and seeps within the 10’ groundwater draw-down zone require analyses in this Draft EIS or provision within any forthcoming Final EIS, Decision, and FONSI.	Section 3.3.2 of the EIS addresses the potential impacts of the alternatives on surface and groundwater quantity and quality in detail. This analysis is referenced in discussion of potential impacts on wild horses in Section 3.11.2. In brief, the Proposed Action is not anticipated to reduce baseflows in seeps and springs or affect water quality in water sources used by wild horses in the vicinity of the Juniper Project. No change was made to the final EIS.

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Tammi M. Adams and Laura Leigh Wild Horse Education	S-050, C-020	Water quality and quantity	BLM and KG Mining understand the significant impacts to/on groundwater at the Bald Mountain mine; draw down, delayed recover of groundwater, and monitoring natural seeps and springs should be part of any mining permit, especially when BLM is noticing such significant impacts to water and forage resources on this range. If these monitoring requirements are not part of the mining permit, by law they should be. BLM has not provided any surface or groundwater quality nor quantity data in this Draft EIS.	Section 3.3 of the EIS summarizes relevant surface and groundwater quality data and describes potential impacts on groundwater quality and quantity. KG-BM has an ongoing seeps, springs, and wetlands monitoring program required by 2016 FEIS mitigation measure WR-1 and detailed in KG-BM's Water Monitoring and Management Plan, which would be updated 90 days after the ROD for the Juniper Project. The BLM has added new mitigation measure WR-2 in the final EIS to clarify seep and spring monitoring and mitigation requirements during implementation of the Juniper Project.
Tammi M. Adams and Laura Leigh Wild Horse Education	S-050, C-021	Water quality and quantity	During the September 2023 public Zoom meeting and in this Draft EIS, BLM BFO states groundwater monitor shall only occur once per year, this is irresponsible planning by BLM and fails to protect humans and the environment/ecosystem. Because negative impacts to the rangeland groundwater provided water resources (seeps and springs) and forage have been observed and reported by BLM BFO staff during rangeland surveys, it would seem logical to provide more frequent sampling episodes. Please provide all water quality and quantity data from the last 39-years to date from the Bald Mountain Mine (i.e., permit requirements). Additionally, it would be transparent, prudent, and responsible for the Agency to increase the frequency of monitoring objectives for wells on and adjacent to the mine boundaries.	Section 3.3.1 of the EIS presents relevant information about the existing condition of groundwater resources, including groundwater elevations and quality information collected from monitoring wells in and around the NOA. Section 3.3.2 of the EIS explains the groundwater modeling methods and assumptions and presents the results of the modeling study for groundwater quality and quantify. Per 40 CFR 1502.2, EISs shall not be encyclopedic, shall discuss impacts in proportion to their significance, and shall include only brief discussion of other-than-significant issues. In keeping with the NEPA implementing regulations, the EIS presents information commensurate with and relevant to the anticipated types and intensity of impacts from the alternatives. The observed degradation of seep and spring sources mentioned in the EIS is due to overutilization by wild horses. KG-BM provided the following information regarding water quality monitoring, which the BLM has reviewed and determined to be sufficient. The NOA has three active water pollution control permits, of which two are for operating facilities (BMM and Mooney Basin) and one (Casino Winrock) is for post-closure monitoring. The permits identify the fluid management systems and the monitoring locations, frequencies, and parameters for each

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				component in the system. Water quality samples are collected on a quarterly basis by trained technicians, transported under a chain of custody, and analyzed in a Nevada-certified third-party laboratory for designated Nevada constituent profiles. Leak detection points are monitored by trained technicians for average daily flows or accumulations. Mined materials are subjected to meteoric water mobility procedure tests on a quarterly basis. The solution application rates for the heaps are recorded weekly. Rock disposal facilities are monitored semi-annually for physical stability and the presence of water. Results are reported to the NDEP on a quarterly basis and in a 5-year history on an annual basis.
Tammi M. Adams and Laura Leigh Wild Horse Education	S-050, C-022	Water quality and quantity	BLM BFO and KG Mining violated NEPA by failure to consider cumulative impacts to the ecosystem and wild horse and burro water and forage resources in this Draft EIS. Without historical data and analyses of surface and groundwater quantity and quality, BLM BFO is negligent in NEPA's requirement to provide new analyses when new information and new circumstances DO exist. For the BLM to not even anticipate the cumulative impacts from the significant amount of groundwater used daily by Bald Mountain Mine and ever-occurring surface water runoff from active mine sites, heap leach and overburden piles is the definition of negligence by the Agency.	Section 3.3.2 of the EIS addresses the potential impacts of the alternatives on surface and groundwater quantity and quality in detail. This analysis is referenced in discussion of potential impacts on wild horses in Section 3.11.2. In brief, the Proposed Action is not anticipated to reduce baseflows in seeps and springs or affect water quality in water sources used by wild horses in the vicinity of the Juniper Project. KG-BM utilizes industry-standard BMPs for stormwater controls, such as culverts, diversion ditches, and settling ponds. See the discussion of watershed disturbance in Section 3.3.2.1.2 for more detailed information about stormwater controls and spill prevention. Section 3.3.2.4 discusses cumulative impacts.
Tammi M. Adams and Laura Leigh Wild Horse Education	S-050, C-023	Water quality and quantity	The Bald Mountain gold mine has been in operation for 36+-years, but strangely, BLM and KG-BM provided NO historical data or analyses for quantity and quality of surface and groundwater, nor the anticipated consequences to the humans, wild horses and burros, wildlife, range forage, reptiles, nor the plethora of endangered and special species present within the existing mine boundary. Nor did they bother to	The topics identified in the comment are precisely the types of information summarized in the EIS. See the description of the affected environment and environmental consequences for each of these topics in Chapter 3 of the EIS. See Section 3.3.2.1.3 specifically for an analysis of impacts on groundwater quality. The discussion of water quality presents the results of a modeling study conducted to simulate transport of constituents of concern, including arsenic, in groundwater over the 100-year post-mining

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			provide any water quality analyses for arsenic, cyanide, and other processing chemicals utilized by the gold mining industries as mandated under federal law and Agency policy and prior to this EIS proposed action.	period. The results predict that the concentrations of arsenic predicted to exceed the regulatory threshold would migrate up to approximately 1,000 feet east of the Top Pit underground mine workings and would not extend outside the footprint of the Top Pit.
Tammi M. Adams and Laura Leigh Wild Horse Education	S-050, C-025	Water quality and quantity	Please provide historical and present surface and groundwater quantity/flows and all water quality data, methods, and analyses in any forthcoming Final EIS, Decision, and FONSI. There are 53 monitoring wells around the NOA alone, and this same information for the SOA should be provided in any forthcoming Final EIS, Decision, and FONSI.	Section 3.3.1 of the EIS presents relevant information about the existing condition of surface and groundwater resources, including groundwater elevations and quality information collected from monitoring wells in and around the NOA. Section 3.3.2 of the EIS explains the groundwater modeling methods and assumptions and presents the results of the modeling study for groundwater quality and quantify as well as describing impacts on surface water resources. Per 40 CFR 1502.2, EISs shall not be encyclopedic, shall discuss impacts in proportion to their significance, and shall include only brief discussion of other-than-significant issues. In keeping with the NEPA implementing regulations, the EIS presents information commensurate with and relevant to the anticipated types and intensity of impacts from the alternatives. The Juniper Project would not affect authorized mining activities in the SOA and, therefore, groundwater monitoring information specific to the SOA is not addressed in this EIS. Active heap leach pads could collect dilute sodium cyanide and sump water could collect drilling fluids. Drilling fluid and cyanide management are described in ACEPM nos. 146 and 152 in Appendix C of the EIS.
Jean Prijatel U.S. Environmental Protection Agency	S-051, C-002	Water quality and quantity	The Draft EIS indicates that operational stormwater management infrastructure, including Primary Process Pond 9 and Primary Stormwater Pond, would be designed to withstand a 100-year, 24-hour storm event (p. 3-68, 3-79). While this level of design would meet the Nevada Division of Environmental Protection's minimum design criteria (NAC 445A.433, 1(c)), the infrastructure may not withstand a 500-year, 24-hour event. The west has experienced an	Upsizing stormwater management features to withstand a 500-year, 24-hour storm event is not reasonable, necessary, or warranted for several reasons. The non-contact water drains into natural vegetated drainages with no connections to waters of the U.S. Most of the drainages only carry flow from storm events or seasonal runoff, and diversions are designed to handle the 100-year, 24-hour storm event. The pond system design meets the criteria set forth by the NDEP. For example, HLFs are surrounded by containment berms or other diversion structures to prevent stormwater

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			<p>increase in 500-year events or greater in recent years, including 1.7 inches of rain in less than a day in the 2022 Death Valley flood (1,000-year event) [Footnote 1: National Park Service. August 2022. DEVA Deluge 2022. https://www.nps.gov/deva/learn/nature/deva-deluge-2022.htm#:~:text=The%20amount%20of%20water%20that,2.20%2Dinch%20annual%20average%20rainfall.] and over three inches of rain in two hours in Primm, Nevada (500-year event) in 2023. Other government agencies, like the Federal Energy Regulatory Commission and the U.S. Army Corps of Engineers, are increasingly relying on 200-year or 500-year levels to simulate rainfall amounts and intensity to standardize dam safety and levee design. The U.S. Geological Survey is testing 500-year levels on various soils to estimate infiltration/runoff rates and reduce erosion risks at hazardous waste sites. We appreciate that the project's post-mining diversions would be designed for a 500-year, 24-hour event (p. 3-69); however, we are concerned that a 500-year event could occur within the life of the mine and that the proposed stormwater management infrastructure during operations would not be adequate to support an additional 0.87 inches of rain in 24 hours. [Footnote 2: The National Oceanic and Atmospheric Administration estimates of rainfall probabilities for Spring Creek, Nevada, the closest NOAA station to the project, show that a 100-year, 24-hour event delivers 3.20 inches and a 500-year, 24-hour event delivers 4.07 inches. See https://hdsc.nws.noaa.gov/pfds/pfds_map_cont.html?bkmrk=nv.] The Draft EIS indicates that if a storm exceeds a 100-year, 24-hour event, the</p>	<p>runoff from entering the facilities. In addition, culverts and diversion ditches may be placed in and around the facilities as necessary for further stormwater control. Stormwater runoff from the surrounding areas is channeled to stormwater collection ponds with the use of culverts, diversion ditches, and piping, where necessary. The BMM has been in continuous operation for over 40 years and infrastructure has been and will be designed and built to meet these criteria as KG-BM follows obligations/requirements outlined in permits and plans such as the Stormwater Pollution Prevention Plan, Waste Rock Management Plan, and water pollution control permits. The requirements to conduct and modify features, including redesign, through the NDEP Bureau of Mining Regulation and Reclamation are complex and lengthy, requiring detailed assessments for hydrogeology; lithology; geology mapping; topographic mapping, which includes boundaries and areas of upgradient watershed; and the degree to which the 100-year, 24-hour storm will affect process components. Meteorological reports, monthly average rainfall data, engineering design reports prepared by a Nevada professional engineer, engineering plans for process components, and general specifications and calculations for process components are among a robust list of requirements. Upsizing components would not be limited to requiring redesign in pond sizing, solution piping, lined channels, and underdrain pipe sizing with increased disturbance footprints for expanded stormwater channels. Because the risk of a 500-year event occurring is 0.2% in any given year, the financial, regulatory, and operational risks far exceed the likelihood of an event occurrence. Therefore, redesign to upsize components would pose a significant risk to current and future operations from a cost, infrastructure, disturbance, and operational perspective. The level of rework to upsize features would burden the limited resources available from the NDEP, BLM, and KG-BM to review and approve modifications. On an ongoing basis, inspections of the</p>

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			applicant “would enact the measures in the authorized emergency response plan to report the release to the NDEP and BLM, control/contain the release of process solution, remove contaminated material, repair liner systems, and monitor soil and surface and groundwater” (3-69). To avoid and minimize impacts that could occur in this situation, the EPA recommends upsizing all stormwater management features to withstand 500-year, 24-hour events.	structural BMPs across the site are completed on a quarterly basis and maintained as needed. The BMM has a Stormwater Pollution Prevention Plan, which implements current BMPs in a manner that reduces stormwater-related environmental impacts.
Jane Krieser	S-052, C-001	Water quality and quantity	I am vehemently opposed to the Bald Mountain Mine Expansion due to the environmental and ecological impacts in the surrounding areas. Two supposedly federally protected species the Golden Eagle and the Wild Horse will be severely impacted by this mine expansion. The excessive water consumption used in mining in an already drought ridden area should be of the utmost importance when considering such an expansion, not to mention the poisoning of the groundwater by the chemicals used in the extraction. The mines are not held accountable for mitigation of these issues. One would think that the ranchers in the area would be opposed to this as there is a danger of the cattle reaching poisoned water.	The EIS discusses potential impacts of the alternatives on groundwater quality and quantity (Section 3.3), golden eagles (Section 3.9), and wild horses (Section 3.11). Each section discusses any proposed avoidance, minimization, and mitigation measures that have been identified, either applicant committed or agency required, for these resources. These measures will be formalized in the ROD and must be implemented as conditions of approval. As explained in Section 3.10.2, KG-BM would continue to install range and wildlife fencing in accordance with BLM requirements in areas identified as posing a risk to livestock from contact with potentially toxic fluids, such as process ponds.
Rich McKay Eureka County Board of Commissioners	S-053, C-003	Water quality and quantity	Water Rights, Section 3.3.1.2.3 - Please indicate in the text that there are likely some water rights for which claims of vested rights have not yet been filed. Vested rights (or pre-statutory rights) are protected and not to be impaired or affected (NRS 533.085) and claims are not even required to be filed until a call for proofs or before 2027. Please also note the requirement for customary access for wildlife under NRS 533.367.	This information has been added to Section 3.3.1.2.3 of the final EIS.

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Rich McKay Eureka County Board of Commissioners	S-053, C-004	Water quality and quantity	<p>The Juniper Project water analyses in grounded in a steady-state model which formed the basis of the transient model they used to predict future drawdown arising from the project's groundwater extractions. The model used cells as small as 100 feet in the mine are to allow for detailed representation of the geologic materials there. Maximum cell size was 3,000 feet in areas away from the mine. The model included 24 layers ranging in thickness from 50 to 1,000 feet. Total number of cells in the model is more than 1.5 million. Traditional modeling approaches involve the development of a calibrated steady-state model. The steady-state model served as the basis for a calibrated transient model. The transient model typically incorporates changes in groundwater withdrawals from wells, water levels, spring flow and other components of the water budget that may have changed over time. The goal is a model that re-creates the observed historical changes over time, and, if it does, the model is said to be calibrated. The calibrated transient model is then used to test future changes in the area of interest arising from new or different stresses on the aquifer. In this case it would be used to predict changes in water levels in the aquifer arising from groundwater extractions by the Juniper Project. Despite a comprehensive groundwater program to enhance understanding of groundwater conditions at Bald Mountain since at least 2016 and availability of other historical data collected by Barrick prior to the change in ownership, there appears to have been no calibrated transient model developed incorporating these data as a calibrated transient model is not discussed in the model report. Calibration outputs such as hydrographs that compare observed and simulated water levels for</p>	<p>See document cited in Section 3.3 of the EIS as "Piteau 2021a" (<i>Bald Mountain Mine Juniper Project, Hydrogeology Characterization and Groundwater Modeling Summary</i>), page 62. The groundwater system near the BMM is in a stable, quasi-steady-state condition (see Plan 3.1 [Piteau 2021]). Because groundwater levels are stable, the net change in groundwater storage over the model domain is approximately zero. Groundwater pumping for water supply has occurred for more than a decade, has resulted in stable drawdowns, and only affects a small portion of the model domain. Therefore, a transient calibration to pumping data would be of questionable value and possibly conceptually incorrect over the scale of the model. Existing data do not support transient calibration of the model at a meaningful scale. It is noted that storage is the only parameter that would be evaluated independently by a transient calibration. The potential effect of the uncertainty associated with the assigned storage parameters on model predictions was evaluated in an uncertainty analysis, which is standard modeling practice and addresses the concern regarding the reliability of model predictions. No change was made to the final EIS.</p>

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			wells provide a level of confidence in the transient model. No such transient data and simulation results were provided so that the credibility of the transient model cannot be quantitatively verified. While there may have been a reason to take this approach, it is not explained in the model report, nor is it alluded to in the DEIS. Despite this deviation from modeling norms, the modeled extent of the 10-foot drawdown contour proffered in the DEIS appears to be in the ball park, given that it is not that different from the previous modeling effort.	
Rich McKay Eureka County Board of Commissioners	S-053, C-005	Water quality and quantity	Further, the model identified a few springs located either within the maximum extent of the 10-foot drawdown contour or just beyond it, depending on modeling scenarios. Chemistry data show some of these springs are sourced from shallow, localized flow systems not connected to deeper water-bearing formations exploited by the mine as a source of water supply or which might flow into underground workings. These springs likely will not be affected by a mine's operations. Eureka County favors a "trust but verify" approach to potential impacts to water resources that potentially can be impacted by mining operations. The County has a policy of and much experience working with project proponents and agency personnel to develop monitoring programs that have a chance of recognizing changes that can be attributed to a particular stress such as pumping groundwater from a well or wells or pit dewatering. Evidence of a change might include a variation in water level in a well, a reduction in stream or spring flow, or a decrease in area of a perennially-wet meadow. In the event that a change is detected, then pre-determined mitigation is expected to be put in place to remedy the issue. As long as BLM	KG-BM and its predecessor have been monitoring seeps and springs in and near the plan area since 2005 using qualified third-party consultants. Each seep and spring in the monitoring program is visited during the spring and fall regardless of whether the spring is found to be dry or flowing. Both ephemeral and perennial springs are monitored. Monitoring involves visual observation, photo documentation, measurements of flow rates and field water quality parameters, and collection of samples for laboratory analysis. Seeps and springs included in the monitoring program are within the predicted 10-foot drawdown contour plus 1 mile. This analysis area is conservative and considered potential uncertainty associated with the modeled drawdown predictions. The current spring and seep monitoring program provides a technically based method to assess potential variations in flow rate and chemistry related to mining. KG-BM will continue the seeps and springs monitoring and reporting program.

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			requires a comprehensive monitoring, management, and mitigation program and Kinross commits to the program, Eureka County can support the project as water-resource impacts are concerned.	
Scott Lake Center for Biological Diversity	S-054, C-006	Water quality and quantity	A specific and detailed analysis of impacts to water resources is necessary here because KG-BM proposes to increase groundwater use in over-appropriated basins. According to the DEIS, “[t]hree of the basins in the study area, Huntington Valley, Newark Valley, and Ruby Valley, are designated groundwater basins in which the permitted groundwater rights approach or exceed the estimated average annual recharge.” DEIS at 3-26. On top of this existing demand, the Juniper Expansion will add 661 acre-feet annually by year six, and 1,232 acre-feet annually by year eight. Id. at 3-57. The DEIS as written fails to take the necessary “hard look” at the impacts of this increase in consumptive use.	The numerical groundwater model for the project (Piteau 2021a) presents a specific and detailed analysis of the potential impacts on water resources based on the mine plan and extensive groundwater characterization data. It is noted that the NDWR Water Rights Section is responsible for conserving, protecting, and managing the State’s water resources through the appropriation and reallocation of the public waters. In addition, the NDWR is responsible for quantifying existing water rights and monitoring water use. Existing permits require quarterly reporting of the total volume of water pumped, the maximum flow rate, pumping water level in each well, the volume of water consumptively used for mining and milling, the amount of water diverted to infiltration or injection sites, and the amount of water lost through evaporation to the NDWR. KG-BM has existing and active water rights in the three designated basins. No new water rights are being appropriated for the Juniper Project. No change was made to the final EIS.
Scott Lake Center for Biological Diversity	S-054, C-007	Water quality and quantity	First, the EIS uses a 10-foot projected drawdown, with an arbitrary one-mile buffer, to delineate the area of likely impact. See DEIS at 3-61. The DEIS thus fails to adequately analyze the likely impacts of drawdown on surface water resources and also fails to protect the affected waters, wetlands, and habitat. Desert springs may be significantly affected by drawdowns of less than 10 feet. Indeed, even a one-foot drawdown could cause small desert springs to stop flowing, or eliminate groundwater-dependent wetlands that provide essential habitat for wildlife.	The springs at Bald Mountain for which the potential for impacts were identified are high-elevation springs with discharge points between about 6,980 and 7,134 feet amsl. Discharge from these springs is supported by upgradient recharge from areas with elevations as high as about 9,250 feet amsl. Given the scale of the model, potential uncertainty associated with model predictions, topographic relief of about 1,000 feet west of the Redbird Pit where potential impacts are estimated, and the natural variability of groundwater levels, which is 20 to 80 feet (Piteau 2021, Plan 3.1), the use of the 10-foot drawdown contour with a 1-mile buffer as a benchmark for the potential for long-term groundwater level drawdowns is considered to be

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				appropriate for the assessment of potential impacts. It is noted that the 1-mile buffer is approximately the width of the predicted 10-foot drawdown area for Scenario 2. This buffer zone expands the list of potentially affected springs that will be included in the monitoring and mitigation program from a limited set of four springs predicted by the groundwater model to the entire set of springs upgradient to the east of the Redbird Pit plus the Cracker Johnson Spring No. 1 north of the NOA Plan boundary (draft EIS, Figure 3.3-10 and Table 3-9). The only other springs are inside the Redbird Pit groundwater catchment but outside the buffer zone, Bourne-Tunnel Spring and Cracker Johnson Spring No. 2. KG-BM monitors Bourne-Tunnel spring biannually and Cracker Johnson Spring No. 1 and No. 2 have been monitored sporadically.
Scott Lake Center for Biological Diversity	S-054, C-008	Water quality and quantity	Further, the DEIS fails to provide a quantified or detailed evaluation of impacts to water resources. Its analysis of impacts to springs and streams is cursory, consisting of a single paragraph stating the obvious: “effects on individual perennial springs would depend on the source of the groundwater that sustains the baseflow.” DEIS at 3-63. But BLM’s obligation under NEPA is not to simply recite general principles; rather, BLM must analyze the impacts of the specific proposed action on the specific resources that are likely to be affected. BLM fails to do that here.	The text quoted in the comment is an introductory paragraph to the discussion of drawdown effects on springs in Section 3.3.2.1.2 of the EIS. The section continues, providing detailed analysis of potential impacts on individual springs based on the various pumping scenarios.
Scott Lake Center for Biological Diversity	S-054, C-009	Water quality and quantity	The DEIS compounds this error by relying on modeling which does not take into account the actual location or rate of pumping. According to the DEIS, BLM applied the U.S. Geological Survey’s MODFLOW-USG model to “five scenarios.” Under the first two scenarios, water would be pumped from the western side of the mine area, and under the latter three, water would be pumped from the eastern side. But none of the scenarios modeled reflects the actual pumping	The comment incorrectly asserts that the numerical groundwater model does not account for the actual location or rate of pumping for the Proposed Action. The simulations include the planned locations and rates of pumping for the Proposed Action including a 10% contingency factor; the water supply pumping rates for modeled scenarios are based on the proposed mine plans. The estimates were derived from the (1) planned tons of mined material and (2) estimated water demand for processing the ore. The estimates also factor in the existing

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			that will occur under the proposed action; as the DEIS explains, “under the Proposed Action, groundwater pumping would occur concurrently in both the western and eastern sides . . . for the life of the mine.” DEIS at 3-46. Thus, the DEIS fails to evaluate the potential impacts of the proposed action under the actual proposed pumping regime.	water balance relationships between tonnages and make-up water use, as well as the projected demand for dust control and other water uses. Simulated wells are at existing well locations or at realistically targeted locations for existing and future open pits. With respect to interaction between the east and west pumping scenarios, drawdowns on the eastern and western sides of the BMM do not interact with each other (Piteau 2021a:69). This is because the two areas are separate and isolated groundwater systems. Additionally, modeled drawdown contours from the two areas do not overlap, so there is no potential model error based on not simulating concurrent pumping from the two areas. No change was made to the final EIS.
Scott Lake Center for Biological Diversity	S-054, C-010	Water quality and quantity	Modeling can be a useful tool for evaluating groundwater impacts, but it is necessary that the inputs to the model accurately reflect the anticipated conditions. BLM’s analysis here is ultimately uninformative, as it avoids the most important question—how will concurrent pumping from the western and eastern sides of the mine area affect groundwater resources? For this reason and the others discussed above, the DEIS fails to take the necessary “hard look” and impacts to ground- and surface water.	Please see the response to Comment S-054, C-009. As stated in Section 3.3.2.1.1, <i>Groundwater Modeling and Assumptions</i> , of the EIS, groundwater pumping options for the east and west sides of the NOA were evaluated independently because the two areas occur in separate and completely isolated groundwater systems. Groundwater drawdowns related to pumping on the eastern and western sides of the BMM do not interact with each other (Piteau 2021a:69). Groundwater pumping would occur concurrently in both the western and eastern sides of the NOA for the life of the mine. Additionally, modeled drawdown contours from the two areas do not overlap, so there is no potential model error based on not simulating simultaneous pumping from the two areas.
Scott Lake Center for Biological Diversity	S-054, C-016	Water quality and quantity	For instance, while the DEIS does not describe the likely impacts to groundwater resources from the actual pumping regime that will be implemented under the proposed action (see above), it states that if water resources are affected, KG-BM “will develop a mitigation plan” that will “define offsite mitigation to restore or reclaim natural spring and wetland areas.” DEIS at 3-81. However, no mitigation plan is provided with the DEIS.	See response to Comment S-054, C-010 regarding the effects of groundwater pumping. As explained in Section 3.3.2.5 of the EIS, the text quoted in the comment is from mitigation measure WR-1, which was effective with issuance of the ROD from the 2016 FEIS. The BLM has added new mitigation measure WR-2 in the final EIS to clarify seep and spring monitoring and mitigation requirements during implementation of the Juniper Project. ACEPM no. 137 commits KG-BM to expanding the network of groundwater wells to further characterize the

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				groundwater quality and to monitor groundwater elevations within the NOA. The monitoring program and mitigation requirements are formalized in KG-BM's Water Monitoring and Management Plan. Based on monitoring conducted to date, no mitigation actions have been required. Based on the analysis presented in Section 3.3 of the EIS, the need for mitigation from the Juniper Project is not anticipated, but any corrective or remedial actions would be approved by the BLM or NDEP.
Brendon Grant Nevada Division of Environmental Protection (NDEP)	S-055, C-001	Water quality and quantity	The public water system shall submit plans and specifications to the Bureau of Safe Drinking Water for review and approval prior to the initial construction, or any renovation, modification, or expansion of the public water system.	The BLM reviewed the following response provided by KG-BM and determined it to be sufficient. Because KG-BM serves an average of at least 25 people for at least 60 days each year, a non-transient non-community water system (ID #NV0000982) is operated under the purview of the NDEP Bureau of Safe Drinking Water. This bureau approved the original plans for the systems and monitors water quality on a regular basis. The system is managed by a certified operator.
Katie Sweeney National Mining Association	S-061, C-006	Water quality and quantity	In reviewing the August 2022 Juniper Project Final Public Scoping Report, the NMA notes that most of the comments related to water quality and quantity. As the DEIS explains, there are adequate protections in place to protect these important water resources. For example, the DEIS indicates that all of the authorized, proposed new, expanded or modified open pit development would be above the bedrock groundwater elevations.	Acknowledged. Thank you for your comment.
John Hadder Great Basin Resource Watch	S-062, C-007	Water quality and quantity	The effects of drawdown on surface water resources are commonly shown as a risk to resources within a certain drawdown. In this DEIS, that is the ten-foot drawdown. Once the water table is drawn beneath a surface water resource dependent on the water table, it does not affect the surface resource any more to draw the water table down further. Therefore, it is reasonable to consider that a small drawdown can	Please see the previous response to Comment S-054, C-007. We assume that the reference to Horse Creek in the comment is an error because there is no creek by that name in the analysis area. Regardless of the drawdown delineation approaches that have been used for other EISs that have different hydrogeologic settings and environmental concerns, the use of the 10-foot drawdown contour with a 1-mile buffer is considered to be appropriate for the Proposed Action because of the scale of

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			<p>affect surface resources. A spring or seep that depends on the water table will go dry if the water table drops below that intersection of the water table with the surface. Therefore, it is unreasonable for the DEIS to only consider the ten-foot drawdown for its consideration of effects; a spring is just as dry for a one-foot drawdown as for a ten-foot drawdown. Additionally, the discharge from a spring would be reduced if the gradient controlling the discharge reduces without regard to there being any actual drawdown at the spring. This would occur at Horse Creek, as simulated above. The one-mile buffer zone around the 10-foot drawdown is meaningless without knowing what drawdown occurs in that area. The DEIS claims that “Changes in groundwater levels of fewer than 10 feet are typically difficult to distinguish from natural seasonal and annual fluctuations but flows from perennial springs can be affected by smaller drawdowns” (DEIS 3-61). While the DEIS is correct that there are natural fluctuations, drawdown caused by dewatering is simply imposed on top of the natural water table and its fluctuations. In areas with significant natural fluctuation, drawdown may simply increase the time that the stream or spring is dry, which is just as important as causing a perennial source to go dry. Many other EISs for mining projects have used a much lower drawdown for the consideration of impacts. The following is a small sample of those documents drawn from different states: Copper Flat Copper Mine: Draft Environmental Impact Statement, Sierra County, New Mexico, BLM/NM/ES-16-02-1793 – 2015. The DEIS considers drawdown to 1 foot. https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?</p>	<p>the model, high topographic relief west of the Redbird Pit where potential impacts are estimated, the natural variability of groundwater levels, and uncertainty related to model predictions. It is noted that the 1-mile buffer is approximately the width of the predicted 10-foot drawdown area for Scenario 2. This buffer zone expands the list of potentially affected springs that will be included in the monitoring and mitigation program from a limited set of four springs predicted by the groundwater model to the entire set of springs upgradient to the east of the Redbird Pit plus the Cracker Johnson Spring No. 1 north of the NOA Plan boundary (draft EIS, Figure 3.3-10 and Table 3-9).</p>

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			<p>methodName=dispatchToPatternPage&currentPageId=112704 Donlin Gold Project, Final Environmental Impact Statement, Alaska, 2015. This EIS considers drawdown to 0.1 feet due to the nearby wetlands that could be dried. https://cdxnodengn.epa.gov/cdx-enepa-II/public/action/eis/details?eisId=247774 Haile Gold Mine Project, Final Environmental Impact Statement, 2014, SAC 1992-24122- 41A The FEIS considers drawdown to 1 foot. https://docplayer.net/54614426-Volume-i-final-eis-final-environmental-impact-statement-for-the-haile-gold-mine-project-sac-ia-july-2014.html The DEIS therefore errs in not considering drawdown less than ten feet. Consideration of drawdown to one-foot would account for some variability in the estimate intended to be accommodated by the one-mile buffer zone. The DEIS clearly underestimates the potential effects of drawdown on surface water resources.</p>	
None provided	S-065, C-001	Water quality and quantity	<p>Where are you getting all that water in the driest state in the nation and who and what will be impacted by that loss? The proposed expansion of the Bald Mountain Mine (Juniper Project) has already negatively impacted the HMA. You - BLM- already approved increased fencing and deny water availability to wild horses & wildlife. You approved this without my consent on how my taxes are to be used. Water contamination. You and your extractive friends certainly do not care about water contamination as a result of mining processes.</p>	<p>Sections 3.3.2.1.1 and 3.3.2.1.2 of the EIS describe the five water supply scenarios evaluated for the Juniper Project. Section 3.3.2.1.3 then explains water quantity impacts and Section 3.3.2.1.3 explains water quality impacts. In brief, under all pumping scenarios, springs within 1 mile of the maximum extent of the projected 10-foot groundwater drawdown contour are not likely to be controlled by discharge from the deeper groundwater system either because the springs are ephemeral or due to the difference between the elevation of the groundwater system and the higher-elevation perennial springs. Therefore, drawdown is not anticipated to affect seeps or springs used by wild horses. The discussion of water quality in Section 3.3.2.1.3 of the EIS presents the results of a modeling study conducted to simulate transport of constituents of concern, including arsenic, in groundwater over the 100-year post-mining period. The results predict that the concentrations</p>

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				of arsenic predicted to exceed the regulatory threshold would migrate up to approximately 1,000 feet east of the Top Pit underground mine workings and would not extend outside the footprint of the Top Pit and potential measurable impacts on downgradient groundwater quality (i.e., exceedances of regulatory standards established to protect groundwater) are considered unlikely.
Moira Kolada Nevada Department of Wildlife	S-066, C-008	Water quality and quantity	Section Number: 3.3.2.1.2 Page Number: 3-65 Comment: Is it correct to glean that Mill Creek(lower) will be impacted by Scenario 2? If this is true NDOW would request an offset to the impacts of this spring source.	Although Mill Spring (Lower) is perennial, it issues from a point that is about 1,000 feet higher than the elevation of the groundwater system in the Redbird bedrock block, which supports the analysis by Piteau (2021a) that the spring is not sourced from the deeper groundwater system (Piteau 2021a). Therefore, the predicted impact on flows from Mill Spring (Lower) by pumping from Scenario 2 is expected to be negligible. The statement on page 3-65 has been revised to better reflect that impacts on the spring are not expected. However, the spring will be included as part of the monitoring and mitigation program and impacts, if detected, will be mitigated by the proponent.
Beth Ericksen KG-BM	S-010, C-026	Vegetation, special status plants, and wetlands	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 219 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ “Continued implementation of mitigation measures V-1 and V-2 would help maintain and re-establish sagebrush communities in the NOA.” Comment: implementation of mitigation measures V-1 and V-2 would help maintain and re-establish sagebrush communities in the NOA and ACEPM nos: 108-123”	Revised to state: “Continued implementation of mitigation measures V-1 and V-2, and related commitments made in ACEPM nos. 108–115, would help maintain and re-establish sagebrush communities in the NOA.” ACEPM nos. 116–123 are related to visual resources and are not cited in the vegetation section.
Beth Ericksen KG-BM	S-010, C-027	Noxious weeds and non-native invasive plant species	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 224 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ “Regardless of the BLM’s decision on the Juniper Project, KG-BM would continue to monitor and manage noxious weeds and	Text revised as requested to acknowledge applicable ACEPMs.

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			nonnative invasive plant species in accordance with the Integrated Weed Management Plan for the BMM” Comment: Please slightly modify the statement to read: “Regardless of the BLM’s decision on the Juniper Project, KG-BM would continue to monitor and manage noxious weeds and nonnative invasive plant species in accordance with the Integrated Weed Management Plan for the BMM and the implementation of ACEPM Nos 57-69.”	
Shane Bybee White Pine County Board of Commissioners	S-047, C-007	Noxious weeds and non-native invasive plant species	The County appreciates KG-BM’s commitment to implementing its “ Integrated Weed Management Plan” in Section 3.6.2.1. The County appreciates coordination with the BLM and Tri-County Weed District and encourages active treatment and monitoring of noxious weeds along County Roads.	KG-BM would continue to coordinate with the Tri-County Weed District, the Newark Valley/Long Valley Cooperative Weed Management Group, and the BLM as needed for the implementation of weed management actions.
Beth Ericksen KG-BM	S-010, C-028	Wildlife and fisheries resources	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 244 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ In situations where displaced big game move into other habitats and away from disturbance resulting from the Juniper Project, competition with individual game mammals in other habitats may occur for limited resources such as forage or water. Comment: KG-BM will fund a new wildlife guzzler, ACEPM 151. Please consider including this as it is a water source aid.	Added the following text to Section 3.7.2.1.1 of the final EIS: “As stated in ACEPM no. 151, KG-BM would fund installation of a wildlife guzzler at a location selected by the NDOW and near the BMM within 2 years of the Record of Decision being issued for the Juniper Project. Although the results of the groundwater modeling indicate that seeps and springs in the vicinity of the mine are unlikely to be affected by the Juniper Project, the wildlife guzzler would provide an alternative water source in the event changes in the mine layout and operations limit big game’s access to or increase competition for existing water sources.”
Beth Ericksen KG-BM	S-010, C-029	Wildlife and fisheries resources	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 253 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ add sentence if possible that captures ACEPM 151: A wildlife guzzler will be installed at a location determined by the NDOW in coordination with KG-BM. This location will be proximal to the	Added the following text to Section 3.7.2.1.2 of the final EIS: “Additionally, as stated in ACEPM no. 151, KG-BM would fund installation of a wildlife guzzler at a location selected by the NDOW and near the BMM within 2 years of the Record of Decision being issued for the Juniper Project. Installation of the wildlife guzzler would provide an additional, long-term source of freshwater for big game.”

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			mine area to support local wildlife populations. Within two years of the issuance of the BLM Record of Decision for the Juniper Project, KG-BM will provide the funding to cover the cost of materials and the installation to NDOW and will have meetings with the NDOW as needed to establish funding specifics, timing of installation, and other pertinent factors to achieve success.	
Beth Ericksen KG-BM	S-010, C-031	Wildlife and fisheries resources	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 256 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Implementation of CM-8 (see CM descriptions in Appendix G, Section G.2.1) would minimize ground disturbance where possible and reclaim a portion of lost habitat to post-mining land use based on the BMM Reclamation Plan approved by the BLM and NDEP and ecological considerations described under CM-9. Comment: the CMs are associated with the BBCS, would it make sense to introduce the BBCS here?	The <i>Bird and Bat Conservation Strategy</i> is introduced in Section 3.7.2.1 and identified as the source for CMs. No change made.
Beth Ericksen KG-BM	S-010, C-032	Wildlife and fisheries resources	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 256 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Consumption of contaminated water is a potential source of injury to or mortality of big game species. Active heap leach pads could collect dilute sodium cyanide and sump water could collect drilling fluids, both of which could cause injury or mortality if ingested. Drilling fluid and cyanide management described in CM-10 and CM-21 developed as part of the Bird and Bat Conservation Strategy (Nexus Environmental Consultants, Inc. and KG-BM 2022) reduce risk of contaminated water consumption by big game Comment: KG-BM would not use the BBCS to	Replaced with equivalent ACEPM nos. 146 and 152 in the final EIS for the reason stated in the comment.

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			manage big game, and it would be preferred to remove the link to the BBCE and replace with ACEPMs 152 & 153	
Beth Ericksen KG-BM	S-010, C-033	Wildlife and fisheries resources	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 257 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Where necessary to exclude the public, cattle, or wild horses, proposed Juniper Project mine components and facilities would be fenced with a three-strand smooth-wire style fence. Comment: this would be a range fence, and is a four strand fence, three strands of smooth and one strand barbed. Change sentence to read: “Where necessary to exclude livestock or wild horses, new HLFs, new process facilities and new freshwater ponds would be fenced using a range style that requires four-strand (three-strand barbed wire and a smooth bottom strand)” Please note range fences are not installed to exclude the public.	Revised sentence to state: “Where necessary to exclude livestock or wild horses, new HLFs, new process facilities, and new freshwater ponds would be fenced with a four-strand range-style fence (three-strand barbed wire and a smooth bottom strand) in accordance with specifications in ACEPM no. 140.” This more accurately represents the Proposed Action.
Beth Ericksen KG-BM	S-010, C-034	Wildlife and fisheries resources	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 257 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Access and haul roads and individual mine components (e.g., pits) would not be fenced to reduce potential impediments to big game movement. Although fencing would not be installed along haul and access roads, other physical features of these components (safety berms) may present potential obstacles to big game movement within the study area. Comment: can refer to ACEPM 140 here	Added mention of ACEPM no. 140 in the final EIS because it provides additional information about fencing specifications.
Beth Ericksen KG-BM	S-010, C-035	Wildlife and fisheries resources	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 257 of Draft EIS PDF file named	Changed text of the final EIS to refer to ACEPMs for the reason stated in the comment.

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			‘_Juniper_DEIS_Main-Text-508.pdf.’ With the application of CMs, impacts on big game resulting from exposure to contaminated water or mine components other than vehicles are expected to be negligible, long term, and localized. Comment: change CMs to ACEPMs, they are the same, it is just the CM are part of the avian related commitments.	
Beth Ericksen KG-BM	S-010, C-036	Wildlife and fisheries resources	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 257 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ The application of ACEPMs and CMs described above for big game and implementation of the Traffic Management Plan would also reduce the risk of injury to or mortality of small game species, resulting in minor, long-term, and localized impacts. Comment: big game would have ACEPMs only. CMs are under the BBCS and ECP. Please remove CMs and keep the ACEPMs. CMs are focused on avian.	Removed reference to CMs in the final EIS for the reason stated in the comment.
Beth Ericksen KG-BM	S-010, C-037	Wildlife and fisheries resources	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 257 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ ACEPM no. 149, and CMs outlined for Greater Sage-Grouse, power poles, fences, and electric lines would be designed to minimize predation risk and strike potential for game birds. Impacts on game birds resulting from collisions or electrocution are expected to be minor, long term, and localized. Comment: add ACEPM 71 and 105 here - in addition to 149	Added reference to ACEPM no. 105 in the final EIS because it relates to minimization of fence collision risk. Did not add reference to ACEPM no. 71 here, because the sentence is specific to predation risk and strike potential for game birds.
Beth Ericksen KG-BM	S-010, C-038	Wildlife and fisheries resources	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 258 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ It would	The <i>Bird and Bat Conservation Strategy</i> is introduced in Section 3.7.2.1 and identified as the source for CMs. No change made.

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			be useful to introduce the BBCS followed by the CMs since that is where the CMs are located.	
Beth Ericksen KG-BM	S-010, C-039	Wildlife and fisheries resources	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 258 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Speed limits would be maintained to reduce potential vehicle/bird collisions. Comment: proposed sentence change: Speed limits would be maintained to reduce potential vehicle/bird collisions as presented in the Traffic Management Plan and ACEPM No. 6.	Change was made directly as requested to acknowledge the source of speed limits.
Beth Ericksen KG-BM	S-010, C-040	Wildlife and fisheries resources	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 263 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ “With implementation of KG-BM’s ongoing and proposed commitments to mule deer conservation and mule deer mitigation requirements anticipated for most RFFAs, cumulative impacts are expected to remain at the moderate intensity forecasted for the Proposed Action.” Comment: Almost all of the impacts are projected to be minor. Only impacts to big game are characterized as moderate. So this should say “minor to moderate.”	The previous sentence states that impacts on most wildlife species would be minor in intensity. The quoted sentence pertains specifically to mule deer and correctly characterizes the BLM’s characterization of impacts on mule deer as moderate in intensity. For clarification, revised quoted sentence to specify “impacts on mule deer.”
Shane Bybee White Pine County Board of Commissioners	S-047, C-003	Wildlife and fisheries resources	In the Executive Summary, Wildlife Including Special Status Species Section, the DEIS discusses monitoring efforts on mule deer passing through the NOA from 2016 to 2021. Given the severity of the winter of 2022 - 2023, the EIS should be updated to include a summary of observations and data from the 2023 winter. Again, the County supports implementation of the additional mule deer mitigation strategies proposed in Alternative A given the importance	Section 3.7.1.2.1, <i>Mule Deer</i> , within Section 3.7, <i>Wildlife and Fisheries Resources</i> , was updated to include a summary of the mule deer migration telemetry data through the spring of 2023, including the winter of 2022–2023 period. The Executive Summary, <i>Wildlife Including Special Status Species</i> section, also was updated to include the more recent telemetry period.

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			of the Area 10 herd to the County, its sportsmen, businesses, and visitors.	
Scott Lake Center for Biological Diversity	S-054, C-017	Wildlife and fisheries resources	For mule deer and related species, the DEIS states that KG-BM would “offset the loss of mule deer crucial winter range” by providing funding for unspecified offsite restoration projects. DEIS at 3-147; see also id. at 3-158.	The EIS specifies that KG-BM would continue to offset the permanent loss of mule deer crucial winter range by providing up to \$600 per acre at a 1:1 ratio to the NDOW to restore and enhance important mule deer range on public land managed by the BLM or the State of Nevada in the vicinity of the BMM. Because the use of the funding would be at the discretion of the BLM and NDOW and applied in consideration of specific needs at the time the funding is received, the EIS does not seek to constrain use of these future funds to specific mitigation sites.
Katie Sweeney National Mining Association	S-061, C-005	Wildlife and fisheries resources	While the DEIS contains an Alternative A that is specifically intended to improve mule deer migration, the NMA believes the proposed action alternative is sufficient to allow successful passage of mule deer. This conclusion is based on two primary factors. First, as indicated in the DEIS, deer migration telemetry data from 2016-2021 shows that mule deer are successfully migrating through the affected area in a manner that achieves the objectives of the ongoing Mule Deer Monitoring and Adaptive Management Program. Second, in recognition of potential impacts of the Juniper Project that could impede migration in the event of severe seasonal events such as extremely cold winters with heavy snowfall, KG has committed to additional measures to help facilitate mule deer migration. These measures include a new Designated Mule Deer Migration Corridor (DMDMC); additional concurrent reclamation in DMDMCs; and a new ACEPM to create deer mule habitat.	Acknowledged. Thank you for your comment.
John Hadder Great Basin Resource Watch	S-062, C-006	Wildlife and fisheries resources	Mule deer migration impacts continue to be a concern with Bald Mountain mine operations. A recently published report prepared for the Nevada Department of Wildlife clearly shows the high	The impacts of the alternatives are assessed relative to the existing condition and the No-Action Alternative, including past and ongoing activities at the BMM, which has been in nearly continuous operation for more than 40

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			degree of migration by mule deer through the Bald Mountain mine. ^{xvi} The report also delineates stopover locations, which serve a very important purpose, “From a biological perspective stopovers are important because they allow mule deer to migrate in concert with changes in vegetation phenology, which in turn improve their ability to maximize energy intake and improve body condition (Sawyer and Kauffman 2011). Because mule deer tend to use the same stopovers across years and seasons (Sawyer and Kauffman 2011), the conservation of these areas should have long-term benefits for mule deer.” ^{xvii} The wetland areas along migration routes are vital stopover sites, and must be preserved. Although this report is stated as a baseline study, it is really not baseline, since it does not represent mule deer migrations prior to the existence of the Bald Mountain mine. Thus, it is not clear the full extent of impacts that have already occurred to the mule deer populations. GBRW views each expansion of the Bald Mountain operations as undermining this most important deer migration route. GBRW cannot sufficiently emphasize the need for wide corridors that are free of sound, light, and impediments such as walls, buildings, or steep rock piles.	years. As described in Sections 3.3.2 and 3.5.2 of the EIS, seeps, springs, and wetlands would not be physically disturbed, nor are they anticipated to be affected by groundwater pumping under the action alternatives. As described in Section 3.7, data from the mule deer monitoring program show that mule deer have been successfully moving through the NOA. The mule deer monitoring program, ACEPMs, and mule deer design features to help facilitate mule deer movement through the DMDMCs in the NOA would continue for the Juniper Project. Alternative A was developed specifically to reduce the potential impacts on the important mule deer migration corridors through the NOA.
Moira Kolada Nevada Department of Wildlife	S-066, C-002	Wildlife and fisheries resources	Although the Juniper Project isn’t beneficial to migrating mule deer, the Department appreciates the cooperation, time, and effort that Kinross invested in developing Alternative A. We are very appreciative that Kinross plans on continuing the existing Mule Deer Monitoring Plan and the Adaptive Management Program; these plans are the details that will continue to facilitate the Area 10 Mule Deer Herd migration.	Acknowledged. Thank you for your comment.

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Moira Kolada Nevada Department of Wildlife	S-066, C-003	Wildlife and fisheries resources	Section Number: ES Page Number: 8 Comment: For the mule deer crucial winter range compensation bullet, BLM should be replaced with Federal Land Management Agencies. There is a likelihood that the mitigation will be spent on USFS land.	Revised globally as suggested.
Moira Kolada Nevada Department of Wildlife	S-066, C-007	Wildlife and fisheries resources	Section Number: 2.1.2.9.1 Page Number: 2-26 Comment: NDOW would request that all exploration activities occur outside of designated mule deer migration corridors, if this cannot be achieved we would ask that seasonal timing stipulations be applied to minimize impacts to migrating mule deer.	There are presently three DMDMCs within the NOA: one on the western side and two on the eastern side. The suite of mule deer measures includes a list of mule deer design features presented in Appendix G, <i>Supporting Information for Wildlife and Special Status Species</i> , specifically Section G.1.2, <i>Mule Deer Design Features</i> . The mule deer design features are considered standard operating procedures and were developed by the BLM and NDOW for site-specific application. In summary, the design features include cover berm management, fencing, RDAs, timing of exploration activities, and reclamation. One of the mule deer design features addresses exploration activities within the DMDMCs, which have seasonal timing stipulations during the fall (November 30 to January 5) and spring (March 15 to April 30) migration seasons. The mule deer design features would be implemented for the Juniper Project.
Moira Kolada Nevada Department of Wildlife	S-066, C-009	Wildlife and fisheries resources	Section Number: Page Number: Comment: We understand this document has been in development for a while, however the Department recommends updating the mule deer data, given the especially after the heavy winter Northern Nevada had and the impacts of that winter on the Area 10 mule deer herd?	Section 3.7.1.2.1, <i>Mule Deer</i> , within Section 3.7, <i>Wildlife and Fisheries Resources</i> , was updated to include a summary of the mule deer migration telemetry data through the spring of 2023, including the winter of 2022–2023 period.
Moira Kolada Nevada Department of Wildlife	S-066, C-010	Wildlife and fisheries resources	Section Number: 3.7.2.1.1 Page Number: 3-140 Comment: The identification of the new DMDMC is in response to Red Bird pit being expanded within the mule deer migration corridor. Mule deer will have to choose which way to go around the Red Bird Pit. The benefit of a new designated mule deer migration corridor is	Added the following text to Section 3.7.2.1.1 of the final EIS: “NDOW’s identification of DMDMC 2 is in response to the proposed expansion of the Redbird Pit within the natural mule deer migration corridor, which will require mule deer to choose an eastern (DMDMC 1) or western

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			that certain stipulations apply to maintain a passable route but it is worth noting that this corridor had to be developed based off of the expansion to the Red Bird Pit and the fact that the Red Bird Pit is situated right in the middle of the natural corridor	(DMDMC 2) route around the Redbird Pit when passing through the NOA.”
Moira Kolada Nevada Department of Wildlife	S-066, C-011	Wildlife and fisheries resources	Section Number: 3.7.2.1.1 Page Number: 3-140 Comment: It should be noted that under the proposed action and Alternative A, the new DMDMC does not meet the minimum 2000’ width.	Although previously stated, added text to Sections 3.7.2.1.1 and 3.7.2.2 of the final EIS to further clarify that DMDMC 2 would not meet the NDOW’s minimum recommended width under the Proposed Action and Alternative A prior to reclamation. However, note that the narrowest point of DMDMC 2 would be widened to 2,003 feet under Alternative A after completion of concurrent reclamation.
Moira Kolada Nevada Department of Wildlife	S-066, C-013	Wildlife and fisheries resources	Section Number: 3.7.2.1.1 Page Number: 3-147 Comment: It is correct to state that the data telemetry data indicates that mule deer are able to move through the mine area but it is unclear how past data in conjunction with the proposed expansion should rely on this data to inform the impact analysis.	Revised Section 3.7.2.1.1 of the final EIS to further explain rationale for the “moderate” intensity impact conclusion for mule deer from the Proposed Action. Also acknowledged the uncertainty inherent in estimating the effects of the Proposed Action on the success of mule deer migration.
Moira Kolada Nevada Department of Wildlife	S-066, C-015	Wildlife and fisheries resources	Section Number: 3.7.2.4 Page Number: 3-156 Comment: The cumulative impacts analysis for mule deer is severely lacking. None of the past disturbance at BMM was considered within cumulative impacts and how those actions in combination with the proposed will impact migrating mule deer. Please include past and future impacts and an adequate analysis to paint a full picture of what the deer herd has to navigate for successful passage through the mine site.	Added paragraph in Section 3.7, <i>Wildlife and Fisheries Resources</i> , on mule deer past, present, and future impacts and acknowledged stressors of mine expansion, fires, and climate change on mule deer herds.
Moira Kolada Nevada Department of Wildlife	S-066, C-014	Wildlife and fisheries resources	Section Number: 3.7.2.4 Page Number: 3-156 Comment: Although not a reflection of mine impacts, both the Corta and Cherry fire impacts should be included within the cumulative impact analysis. Both of these fires have removed	Incorporated information into Sections 3.7.1.2.1 and 3.7.2.4 of the final EIS recognizing the changes to the affected environment and cumulative effects from these wildland fires on mule deer migration through the southern Ruby Mountains.

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			essential mule deer habitats from use and further increase the severity of any additional impacts on the landscape. It is important to include these impacts in the cumulative analysis as it paints a full picture of what other stressors are impacting the mule deer herd and their important habitats.	
Moira Kolada Nevada Department of Wildlife	S-066, C-001	Special status species	Overall, the Draft EIS fails to appropriately analyze existing impacts on the nearby sage grouse populations. The document fails to mention the significant reduction in lek attendance at both West Chrome Lek and Blue Jay Road Lek. Both leks are at risk of being lost and the department continues to have concerns about indirect and cumulative impacts to these leks. Appropriate minimization efforts should be identified for meaningful reduction of impacts to the sage grouse resource.	Added most recent lek attendance data and additional discussion highlighting the concerns about these leks to Section 3.8.2.1.3 and Appendix G, Section G.2.3.2.1, of the final EIS. Because the BLM determined that the Juniper Project would be consistent with the requirements established by the 2016 FEIS and the ARMPA, the BLM has not proposed to apply additional mitigation measures; however, KG-BM has voluntarily committed to implement select measures detailed in ACEPM no. 163 in response to the NDOW's suggestions to reduce impacts on Greater Sage-Grouse.
Beth Ericksen KG-BM	S-010, C-030	Special status species	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 255 of Draft EIS PDF file named '_Juniper_DEIS_Main-Text-508.pdf.' Implementation of ACEPM no. 144 and CMs for Greater Sage-Grouse (CM-18 through CM-21) would also reduce, avoid, or mitigate impacts on game birds potentially occurring in the study area, given the overlap of habitat preferences for these species. Impacts on game birds resulting from surface disturbance are expected to be minor, long term, and localized. Comment: the sage grouse noise plan can identified here and a reference to ACEPM 100	Added the following statement to the small game discussion in Section 3.7.2.1.3, which more specifically addressed the impacts of human presence and noise: "For small game species with overlapping habitat preferences with Greater Sage-Grouse, potential noise impacts would be minimized with continued implementation of existing mitigation measure SSS-1 from the 2016 FEIS and KG-BM's Greater Sage-grouse Noise Mitigation Plan."
Beth Ericksen KG-BM	S-010, C-041	Special status species	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 273 of Draft EIS PDF file named '_Juniper_DEIS_Main-Text-508.pdf.' CMs are avian related.	Replaced with equivalent ACEPMs in the final EIS for the reason stated in the comment.

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Beth Ericksen KG-BM	S-010, C-042	Special status species	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 274 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Figure 3.8-5 depicts the locations of sensitive raptor nests in the vicinity of the BMM. Comment: The intent of the figure is to show the location of sensitive raptor nests, but the figure includes occupied/unoccupied status which changes from year to year. Suggest removing the nest status information from the figure. Also, the nests can change from year to year, does the figure show the location of the nests for 2018 only?	Removed nest status information from Figure 3.8-5 in the final EIS. As noted in the comment, occupancy status changes from year to year. Added a statement noting this in Section 3.8.2.1.1 of the final EIS.
Beth Ericksen KG-BM	S-010, C-043	Special status species	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 280 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Potential impacts on Greater Sage-Grouse from surface disturbance would be minor, long term to permanent, and localized.” Comment: mentioning the CCS credits here, not just in the mitigation section, would help here.	Added discussion of CCS to Section 3.8.2.1.1 of the final EIS. Although a form of compensatory mitigation, it is an ACEPM and therefore also part of the Proposed Action.
Beth Ericksen KG-BM	S-010, C-044	Special status species	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 288 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ I wanted to check here because the CMs are linked to the BBGS and ECP, and they are listed in the mouse and rabbit paragraph. I would propose replacing the CM 10 and CM 21 with the following ACEPM nos.152 & 153. They are the same, it is just the CMS are for avian.	Replaced with equivalent ACEPM nos. 146 and 152 in the final EIS for the reason stated in the comment.
Beth Ericksen KG-BM	S-010, C-045	Special status species	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 288 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ With the application of CMs and other avoidance and	Although the cited CMs are the same as ACEPMs in this instance, change was made directly as requested due to applicant preference that ACEPMs be referenced outside the context of avian species.

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			minimization measures, impacts on these species are expected to be minor, long term, and localized. Comment: “With the application of ACEPMs and other avoidance and minimization measures, impacts on these species are expected to be minor, long term, and localized.” - word change	
Beth Ericksen KG-BM	S-010, C-046	Special status species	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 290 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Active heap leach pads could collect dilute sodium cyanide, and sump water could collect drilling fluids, both of which could cause injury or mortality if ingested. As outlined in CM-21, cyanide ponding would be managed at leach pads to minimize the potential for ponding. CM-10 describes the measures that would be implemented to reduce the hazard to wildlife posed by drilling fluids in sumps. Comments: CMs are associated with the BBCS and ECP (avian). Please replace CMs in this section since reptiles are not covered in the BBCS, with ACEPMs 152 and 153. They are the same.	Replaced with equivalent ACEPM nos. 146 and 152 in the final EIS for the reason stated in the comment.
Beth Ericksen KG-BM	S-010, C-047	Special status species	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 291 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Impacts resulting from collisions with vehicles or mine equipment are likely to be negligible to minor, long term, and localized. Individuals and pupae may also be killed as a result of vegetation removal, if present in construction areas. These impacts are likely to be minor, long term, and localized. Comment: can you add the traffic management plan reference here stating that the commitments outlined in the Traffic	Added the following statement to Section 3.8.2.1.2 of the final EIS: “Enforcement of speed limits, as required by ACEPM no. 6, may reduce the potential for monarchs to be struck by vehicles.”

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			Management Plan would result in collision reduction?	
Beth Ericksen KG-BM	S-010, C-048	Special status species	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 291 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Under the Bats: Comment: KG-BM has an existing BBCS that could be mentioned here	Added reference to the <i>Bird and Bat Conservation Strategy</i> in Section 3.7.2.1.2 of the final EIS, which discusses potential for injury and mortality of mammals.
Beth Ericksen KG-BM	S-010, C-049	Special status species	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 292 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Per CM-4, occupied raptor nests in undisturbed areas within 0.25 mile of proposed surface disturbance would be protected with species-specific protection measures. Comment: could mention the BBCS here in the section which is ACEPM No. 144.	Added text to the final EIS clarifying that CMs are from the <i>Bird and Bat Conservation Strategy</i> . Specific CMs most relevant to impacts on migratory birds and raptors from increased human presence and noise are cited in the text.
Beth Ericksen KG-BM	S-010, C-062	Special status species	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 316 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ the western yellow-billed cuckoo (threatened) and Monarch butterfly (candidate) are the only species listed or candidates for listing under the ESA with potential to occur in the study area. Neither species has been documented from surveys conducted in the study area and both have a low likelihood of occurrence based on habitat characteristics and nearest observed occurrences. Therefore, authorizing incidental eagle take is not expected to affect species protected by the ESA. Comment: The possible presence of the yellow-billed cuckoo raises the issue of what BLM intends to do for ESA Section 7 compliance. There is no discussion in the DEIS as to whether BLM has made a “no effect” determination for the cuckoo (the quoted	The BLM has made a <i>no effect</i> determination for the western yellow-billed cuckoo based on the small and therefore unsuitable patch size of modeled habitat in the study area, which makes occurrence of the species highly unlikely; the lack of incidental observations of this species; and non-occurrence of the species on the USFWS IPaC list (i.e., habitat is not within the current range of the species).

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			language is from the section on the impacts of the eagle take permit). If it makes a no-effect call, it does not need concurrence from USFWS. If it concludes the Juniper Project is not likely to adversely affect the cuckoo, USFWS concurrence is required.	
Justin Lambert Sagebrush Ecosystem Technical Team	S-048, C-001	Special status species	[Comment applies to Draft EIS page 3-194, 4th paragraph, line 7-9.] Please ensure that you adhere to seasonal timing restrictions to minimize impacts (including noise).	As stated in the EIS and detailed in Appendix D, KG-BM has committed to limiting noise levels to 10 dBA above the ambient noise conditions within 0.25 mile of active and pending leks per the Bald Mountain Mine Greater Sage-grouse Noise Mitigation Plan.
Justin Lambert Sagebrush Ecosystem Technical Team	S-048, C-002	Special status species	[Comment applies to Draft EIS page ES-9, 4th paragraph, line 7-9.] While noise impacts may impact nearby leks, indirect impacts from anthropogenic disturbance is likely to occur as well. This disturbance is not solely related to noise.	Revised to state: "...potential increases in noise levels and other indirect effects of anthropogenic disturbance may cause impacts on leks in the area."
Rich McKay Eureka County Board of Commissioners	S-053, C-006	Special status species	Greater Sage Grouse, State of Nevada, Section 3.8.1.1.2 and Environmental Consequences, Section 3.8.2.1 – The DEIS only discusses the Nevada Conservation Credit System (CCS) and leaves out discussion of the entire Nevada Sage Grouse Conservation Plan with the CCS regulations as a sub-element of the overall State Plan. The State Plan is much more than just the CCS and the state mitigation regulations requiring mitigation through the CCS. There are many other policies, actions, and components of the State Plan not included in the CCS. The State Plan is built on the mantra of "avoid, minimize, mitigate." The CCS kicks in on habitat only when the actions of "avoid" and "minimize" have not ameliorated all impacts to sage grouse and mitigation is then required. Compliance with the sage grouse mitigation regulations does not necessarily equal consistency with the State Plan. Analysis regarding consistency with the State	Under the action alternatives, impacts on Greater Sage-Grouse and habitat have been avoided and minimized to the extent practicable in accordance with the ARMPA. Compensatory mitigation for residual impacts unable to be avoided and minimized, including surface disturbance in PHMAs, would be offset by KG-BM through the development or purchase of conservation credits through the Nevada CCS. Added the following statement to Section 3.8.2.5.1 of the final EIS linking the CCS to the Greater-Sage Grouse Conservation Plan: "The use of these credits and transactions [through the CCS] supports the goals of the 2019 Nevada Greater Sage-grouse Conservation Plan and supports the State's policy to 'avoid, minimize, and mitigate' (Sagebrush Ecosystem Program 2019)."

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			Plan is separate from use of the CCS and this analysis is required under NEPA.	
Scott Lake Center for Biological Diversity	S-054, C-018	Special status species	And for sage-grouse, the DEIS explains that “KG-BM would transfer credits developed through the CCS program from conservation actions on KG-BM-owned lands in Nevada.” DEIS at 3-194. Although the DEIS includes a short description of CCS processes, it contains no description of what offsite mitigation for sage-grouse would entail (i.e., the specific activities through which “credits” would be generated). The DEIS also states that offsite mitigation might be utilized for birds, bats, and pygmy rabbits.	Added information to Section 3.8.2.5.1 of the final EIS explaining that credits may be developed through habitat stewardship or habitat uplift activities, and provided examples. The specific credits sites and activities that would be used to offset debits from the Juniper Project would be determined at the time the transactions are completed. See response to Comment S-054, C-029 regarding mitigation for other species.
Scott Lake Center for Biological Diversity	S-054, C-020	Special status species	To illustrate, consider the DEIS’s reliance on the State of Nevada’s CCS system which, fails to show that BLM will achieve the “net conservation gain” required under the ARMPA. The process by which conservation “credits” and “debits” are developed and exchanged under the CCS is opaque and unclear. Consequently, any assurances that the project will rely on the CCS for mitigation must be accompanied by a detailed description of the actions that will be taken to achieve the ARMPA’s “net conservation gain” standard and other requirements.	Added further description of the CCS to Section 3.8.2.5.1 of the final EIS, including the process for exchanging credits. The 2015 ARMPA specifically incorporates use of the Nevada CCS as a way to achieve a net conservation gain for Greater Sage-Grouse. KG-BM has previously developed Greater Sage-Grouse credits through the CCS by implementing habitat management and conservation actions on KG-BM-owned lands. As recognized in ACEPM no. 98 (Appendix C of the EIS), KG-BM will transfer 869 of those credits to offset the habitat and noise impacts of the Juniper Project. Details about how the CCS is administered—including how credits are developed, financed, verified, and monitored and how they achieve a net benefit—are available through the website of the Sagebrush Ecosystem Council, which is the entity created under Nevada law to oversee the CCS (https://sagebrusheco.nv.gov/CCS/ConservationCreditSystem/).
Scott Lake Center for Biological Diversity	S-054, C-022	Special status species	Relatedly, there are numerous and apparent ways in which reliance on the CCS system alone does not provide a “net conservation gain.” For instance, the CCS relies heavily on “stewardship” actions to protect existing areas of habitat. State of Nevada, Conservation Credit System Manual,	The 2015 ARMPA incorporates use of the Nevada CCS as a way to achieve a net conservation gain for Greater Sage-Grouse (see Appendix N, “State of Nevada Conservation Credit System,” to the ARMPA and discussion of “Nevada and Northeastern California” on pages 1-31 and 1-32 of the September 2015 ROD). The organization structure,

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			Version 1.6.21 (Jan. 2021), p. 14.1 While proper land stewardship can and does result in localized improvements in habitat function, it cannot fully compensate for the complete loss of habitat elsewhere, or the connectivity and population impacts that result from such losses.	policies, and operations of the Nevada CCS are based on the current state of the science. It is beyond the scope of this EIS to evaluate the policies and practices of the Nevada CCS program.
Scott Lake Center for Biological Diversity	S-054, C-023	Special status species	Restoration actions under the CCS likewise fail to fully compensate for the loss of functional sage-grouse habitat. As is often the case with natural systems, sagebrush restoration can be extremely difficult in practice, and many techniques do not consistently produce the intended results. It is also a long-term process, meaning success can only be ascertained after a considerable amount of time has passed—often decades. As such, the conservation outcomes of restoration actions taken pursuant to CCS mitigation transactions cannot be objectively measured at the time of the transaction. And, at this early stage, it is unclear whether the system is equipped to compensate for restoration failures or restoration actions that do not prove durable over time.	The entity that sells the credits maintains the lands as necessary to ensure that actual, on-the-ground conditions support the credits documented in the site management plan. In years when an onsite verification is not required, the credit seller submits an annual monitoring report to the SETT. This process is designed to ensure that the credits are still valid. Otherwise, the credits will be invalidated. The CCS also creates a reserve account of credits and requires credit projects to provide financial assurances so that the SETT can ensure the CCS generates a net benefit even if specific credit projects do not fulfill performance standards throughout the duration of each credit project. Please refer to the State of Nevada’s webpage about the CCS program for additional information: https://sagebrushhco.nv.gov/CCS/ConservationCreditSystem/ .
Scott Lake Center for Biological Diversity	S-054, C-024	Special status species	The inadequacies of the CCS are most apparent when one considers the actual population-level impacts of anthropogenic disturbance on greater sage-grouse in Nevada. By the State of Nevada’s own admission, the CCS does not adequately account for the population impacts of anthropogenic disturbance, and does nothing to compensate for the permanent loss or abandonment of sage-grouse breeding grounds, or “leks.”	See response to Comment S-062, C-003.
Scott Lake	S-054, C-025	Special status species	Sage-grouse populations across the State have continued to decline, despite the BLM’s “net conservation gain” requirement, and new science	The EIS presents reasonable measures to avoid, minimize, and mitigate impacts from the alternatives on Greater Sage-Grouse.

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Center for Biological Diversity			has shown that anthropogenic disturbances are driving population declines.	
Scott Lake Center for Biological Diversity	S-054, C-026	Special status species	Although the State has acknowledged that “proper interpretation of surface disturbance impacts is paramount to obtain the appropriate mitigation and conservation for sage-grouse,” id., it has yet to adopt tools that would better account for population impacts, in part because of the perceived burden this would cause to regulated industries.	The organization structure, policies, and operations of the Nevada CCS are based on the current state of the science. The BLM cannot unreasonably postpone a decision to approve the mine plan while awaiting mitigation and conservation tools that may be developed in the future but are unavailable at this time. Additionally, the Nevada CCS is one of multiple strategies proposed to avoid, minimize, or mitigation impacts on Greater Sage-Grouse and is incorrectly construed as the only required measure.
Scott Lake Center for Biological Diversity	S-054, C-027	Special status species	Moreover, NDOW has warned that even if the new tools were adopted, the system would not compensate for the loss of leks, and no mitigation exists for the loss of critical “source leks.”	See response to Comment S-062, C-003.
Scott Lake Center for Biological Diversity	S-054, C-028	Special status species	Given that extensive population impacts are currently not accounted for in CCS mitigation transactions, it is difficult to envision how this system achieves the “net conservation gain” required under BLM’s own land management plans. And, because sage-grouse populations and lek attendance continue to decline, it is likely that the system is failing to achieve even “no net loss.” This demonstrates the peril in over-reliance on compensatory mitigation, and should inform the BLM’s revised analysis for this project.	See response to Comment S-062, C-003.
John Hadder Great Basin Resource Watch	S-062, C-002	Special status species	The BLM states in their Executive Summary for the project that no active Greater Sage-Grouse leks would be directly disturbed by proposed activities; however, loss of sagebrush habitat and increased noise levels and physical operations will certainly impact these populations, especially considering that there is a significant amount of priority and general habitat management areas within the NOA boundary for	Added the following text to Section 3.8.2.1.3 of the final EIS: “ACEPM no. 71 requires establishment of a 600-foot buffer zone around any active Greater Sage-Grouse lek discovered during ground clearance surveys. Manier et al. (2013) estimated that nest failure as a direct impact from energy development could occur at distances up to 203 feet. The BLM and NDOW consider the 600-foot buffer as sufficient to minimize potential impacts.”

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			the species, and active leks are described within 3.1 miles of proposed surface disturbance. KG-BM describes in their ACEPMs for the Project that a 600-foot buffer for active sagegrouse nests will be implemented if their presence is noted during surveys prior to land clearing. This proposed 600-foot buffer seems an insufficient boundary to prevent impacts to the local nesting Greater Sage-Grouse population, considering the increased level of human activity anticipated from the project and any additional construction that will be necessary. In other similar kinds of extraction projects in the Great Basin region, additional facilities and increased activity have had strong correlations with decreases in lek performance and reproductive success of the species. Though the particular methods involved in this mine may vary, the operation of trucks and other heavy equipment at a buffer distance as small as 600 feet seems that it would cause undue degradation to species success in the area.	
John Hadder Great Basin Resource Watch	S-062, C-003	Special status species	KG-BM utilizes Nevada's Conservation Credit System to offset impacts of authorized project surface disturbance within Priority Habitat Management Area and General Habitat Management Area of Greater Sage-Grouse. In theory, KG-BM can transfer earned credits through habitat protection and restoration for sage-grouse. Historically, credits for the Bald Mountain Mine have been earned through habitat protections at the company's privately owned Tumbling JR Ranch. While these protections are being conducted at areas adjacent to the proposed project surface disturbance, the CCS only pertains to habitat management rather than the presence of any active populations or their resilience. Without any connection to species resilience and lek attendance rates in the	The 2015 ARMPA incorporates use of the Nevada CCS (see Appendix N, "State of Nevada Conservation Credit System," to the ARMPA and discussion of "Nevada and Northeastern California" on pages 1-31 and 1-32 of the September 2015 ROD). The Nevada CCS also provides a means to meet regulatory requirements established by Nevada Revised Statute 232.162. The organization structure, policies, and operations of the Nevada CCS, including studies about effectiveness or analysis of similar programs at other mine sites, are outside the scope of this EIS. The comment is correct in that the Nevada CCS system is intended to be used as a mechanism to mitigate adverse impacts on Greater Sage-Grouse leks. As explained in Section 3.8.2.1.3 of the final EIS, impacts of noise on Greater Sage-Grouse leks would be minimized through application of mitigation measure SSS-1 from the 2016 FEIS and KG-BM's Greater Sage-grouse Noise

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			proposed protection area, how can these credits for disturbance elsewhere actually be authentic? Are there any studies conducted on this (or other) credit areas under the CCS that indicate that this style of habitat management is an effective trade-off for surface disturbance at mine sites elsewhere?	Mitigation Plan. An analysis of whether the CCS program is an effective trade-off for surface disturbance at mine sites elsewhere is outside the scope of this EIS.
John Hadder Great Basin Resource Watch	S-062, C-004	Special status species	The DEIS fails to specifically describe any proposed compensatory mitigation measures for achieving a “net conservation gain.” With regard to sage-grouse impacts, it simply states: “The State of Nevada Conservation Credit System would continue to be utilized to offset the impacts on Greater SageGrouse resulting from the Juniper Project.” DEIS at 2-34. But little to no details are provided. There is no discussion as to whether the CCS potential mitigation offsets the Project’s impacts, including groundwater drawdown that will affect riparian and wet meadow habitat and waters used by sage-grouse for decades and centuries. Further, there is no assurance that the conservation credits will offset effects to other resources, or impacts from noise. Nor does BLM discuss how the credits may only apply to impacts near the Project’s footprint, and not more distant, but still significant impacts from the dewatering.	Under the action alternatives, impacts on Greater Sage-Grouse and habitat have been avoided and minimized to the extent practicable. Compensatory mitigation for residual impacts unable to be avoided and minimized, including surface disturbance in PHMAs, would be offset by KG-BM through the development or purchase of conservation credits through the Nevada CCS. As described in Sections 3.3.2 and 3.5.2 of the EIS, seeps, springs, and wetlands would not be physically disturbed, nor are they anticipated to be affected by groundwater pumping under the action alternatives. Additionally, under the action alternatives, the pit floors would not intersect groundwater and dewatering would not be required.
John Hadder Great Basin Resource Watch	S-062, C-005	Special status species	The process by which conservation “credits” and “debits” are developed and exchanged under the CCS is opaque and unclear. Consequently, any assurances that the project will rely on the CCS for mitigation must be accompanied by a detailed description of the actions that will be taken to achieve the 2015 ARMPA’s requirement of a “net conservation gain” and other requirements. Simply stating that transactions will occur in the future does not satisfy NEPA’s requirement to	Added information to Section 3.8.2.5.1 of the final EIS explaining that credits may be developed through habitat stewardship or habitat uplift activities, and provided examples. The added text also provides more detail on the procedural requirements of the CCS. Please refer to the State of Nevada’s webpage about the CCS program for additional information: https://sagebrushneco.nv.gov/CCS/ConservationCreditSystem/ . Although the SETT performs a quality assurance review of the calculated debits in advance, the specific credits sites and activities that would

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			fully inform decision makers and the public about the environmental impacts of the proposed action, and leaves many questions unanswered. For example, what actions will be conducted to mitigate this project's impacts? Where will those actions occur? How will they be funded? Who will carry them out? How will the mitigation actions achieve a "net conservation gain"? And how will conservation or mitigation "success" be assessed? Please address these questions in the revised DEIS and eventual FEIS. The DEIS provides "credit" and "debit" estimates for the Project, indicating that BLM currently has the information necessary to provide an informed and detailed response. DEIS at 2-34.	be used to offset debits from the Juniper Project would be determined at the time the transactions are completed.
Moira Kolada Nevada Department of Wildlife	S-066, C-016	Special status species	Section Number: 3.8.2.1.1 Page Number: 3-168 Comment: conservation measures should be developed to reduce direct impacts to pygmy rabbits. This could be a commitment to mowing potential habitat 72 hours prior to disturbance to allow individuals to disperse prior to disturbance.	ACEPM 106 in Appendix C of the EIS presents KG-BM's commitment to pre-construction clearance surveys for pygmy rabbits. If avoidance or BLM-determined setback distance could not be achieved, KG-BM would be required to implement mitigation techniques in coordination with the BLM. To date, required mitigation has consisted of mowing, as recommended in the comment. This has been an ongoing practice since it was established as mitigation measure SSS-4 in the 2016 FEIS. The BLM prefers to maintain flexibility to apply other mitigation techniques (i.e., other than mowing) in the future should they become available and are determined to be more effective.
Moira Kolada Nevada Department of Wildlife	S-066, C-017	Special status species	Section Number: 3.8.2.1.1 Page Number: 3-167 Comment: The dark kangaroo mouse and pale kangaroo mouse are State protected mammals (NAC 503.030) and BLM-Nevada Sensitive Species. With dark kangaroo mouse and pale kangaroo mouse global distributions almost entirely restricted to Nevada, the NDOW and Nevada BLM have a high stewardship responsibility. These species occur in valley-bottom habitats primarily on public lands	The BLM independently reviewed this request for compensatory mitigation and requested information from KG-BM regarding any surveys or studies performed for dark kangaroo mouse. Based on the limited information available at this time regarding the distribution of dark kangaroo mouse, the broad scale of USGS SWReGAP modeled habitat, and the limited success rate of trapping and ability to infer species presence, the BLM has not proposed the suggested compensatory mitigation in the

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			<p>managed by BLM. Under BLM Manual 6840, sensitive species are given a level of protection that will “conserve these species and their habitats ... and reduce the likelihood and need for such species to be listed pursuant to the Endangered Species Act (ESA).” The BLM under the National Environmental Protection Act (NEPA) and the Federal Land Policy and Management Act is mandated to manage public lands for multiple uses and “to promote efforts which will prevent or eliminate damage to the environment.” Mitigation options under NEPA are measures that could reduce or avoid adverse impacts and have not been incorporated into the proposed action or an alternative and include; 1) avoiding the impact altogether by not taking a certain action or parts of an action, 2) minimizing impacts by limiting the degree or magnitude of the action and its implementation, 3) rectifying the impact by repairing, rehabilitating, or restoring the affected environment, 4) reducing or eliminating the impact over time by preservation or Maintenance operations during the of the action, and 5) compensating for the impact by replacing or providing substitute resources or environments (40 CFR 1508.20) The following options outline potential actions to minimize impacts to dark kangaroo mouse caused by the development of the Juniper Project. These options were developed for the pale kangaroo mouse on another development project in Nevada on public lands managed by BLM. Option 1: avoidance of dark kangaroo mice and identified habitat; Option 2: create suitable replacement habitat at a 2 to 1 ration; Option 3: create a “preserve”; Option 4: Translocation; Option 5: Dark Kangaroo mouse research. NDOW recommends estimating the cost of Option 2 and</p>	<p>final EIS. The BLM will make a final determination on required mitigation measures in the ROD.</p> <p>The following information has been incorporated into Section G.2.3.1.16 of Appendix G of the final EIS: “The USGS Gap Analysis Project habitat model (USGS 2017a) includes 16,044 acres of potential habitat within the study area. Given the coarse scale of this habitat model and the species’ preference for gravelly soils, KG-BM engaged Stantec to compare Natural Resources Conservation Service soil map units and ecological sites within the NOA as compared to the known dark kangaroo mouse occurrence locations approximately 11 miles north of the NOA. The report determined that the soil map units and ecological sites present at the known occurrence sites are not present in the NOA (Stantec 2020d). Specifically, the known dark kangaroo mouse occurrences 11 miles north of the NOA were in NRCS soil map units 1623 (Kolda-water association) and 582 (Sheffit Katelana association) and ecological sites R028BY044NV (Wetland) and R028AY025NV (Dry Floodplain), which are not present within the NOA. Based on a review of available habitat and documented presence within the region, this species has a moderate likelihood of occurrence in the study area (Stantec 2020a).”</p>

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			applying the cost estimate to fund Option 5. Currently, information regarding the dark kangaroo mouse's geographic distribution, habitat use, and dietary needs is limited. Conservation activities by state and federal agencies are hampered by our current lack of knowledge about distribution, range, and habitat associations. Option 5 addresses these shortcomings by providing information that will allow the BLM and NDOW to make informed management and land use decisions related to long-term management and conservation of the dark kangaroo mouse.	
Moira Kolada Nevada Department of Wildlife	S-066, C-018	Special status species	Section Number: 3.8.2.1.1 Page Number: 3-173 Comment: "No undisturbed PHMA habitat would be removed permanently from the implementation of the proposed action." Can you confirm that no undisturbed PHMA will be impacted from the proposed? It is misleading to make this comment as reclamation of the sagebrush habitats that sage grouse needs will take decades before the vegetation is function as habitat for sage grouse.	Surface disturbance would occur in PHMAs, but would be subject to reclamation. Clarified text in the final EIS reads: "No undisturbed PHMA habitat in the study area would be removed permanently (i.e., open pits not backfilled or backfilled below the pit rim) from implementation of the Proposed Action. However, reseeding of recontoured mine areas and re-establishment of mature shrub species is anticipated to require between 15 and 50 years depending upon site-specific conditions. For example, reclamation of climax stage sagebrush vegetation communities may require up to 40 years to become dominant after fire (Miller et al. 2013)."
Moira Kolada Nevada Department of Wildlife	S-066, C-019	Special status species	Section Number: Page Number: 3-174 Comment: The Department believes that a combination of direct and indirect impacts from the BMM has had a significant impact on the West Chrome and Blue Jay Road leks. Baseline lek count conditions (2015) for West Chrome had 7 males noted at the lek and Blue Jay Road had a lek count of 26 males. The most recent lek counts for West Chrome was 1 male, and Blue Jay Road lek had 0 birds. This reduction and potential loss of 2 leks have not been addressed in this document. Furthermore, the proposed Royale Area is closer	Added most recent lek attendance data and additional discussion highlighting the concerns about these leks to Section 3.8.2.1.3 and Appendix G, Section G.2.3.2.1, of the final EIS. Included the NDOW's assertion that declining lek attendance is most likely the result of activities at the BMM, as well as KG-BM's response.

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			to these leks locations and will likely lead to the loss of these two leks.	
Moira Kolada Nevada Department of Wildlife	S-066, C-020	Special status species	Section Number: Page Number: Comment: The USGS Targeted Annual Warning System (TAWS) indicates that the Blue Jay Road lek and West Chrome leks have both hit hard and soft triggers and the lek cluster these leks are associated with hit a hard trigger in 2022. Per the 2015 BLM Nevada and Northeastern California Greater Sage-Grouse Approved Resource Management Plan Amendment (ARMPA) hard triggers represent a threshold indicating that immediate action is necessary to stop a severe deviation from greater sage-grouse population conservation goals. This information should be included within the Juniper EIS to provide an adequate picture of the current state of the sage grouse resource associated with the impacts of the Juniper Project.	Added most recent lek attendance data, information regarding applicable triggers and warnings, and additional discussion highlighting the concerns about these leks to Section 3.8.2.1.3 and Appendix G, Section G.2.3.2.1, of the final EIS.
Moira Kolada Nevada Department of Wildlife	S-066, C-021	Special status species	Section Number: 3.8.2.5.1 Page Number: 3-194 Comment: KG-BM will continue to implement all identified Sage Grouse minimization efforts identified within the 2016 EIS but the cumulative analysis is lacking in the cumulative impacts that the past approval has had on some of the leks. NDOW believes that the minimization efforts identified should be enacted at the Royale area and shouldn't be a wait and see what happens as the data is currently reflecting past impacts and a reduction in lek attendance.	Added most recent lek attendance data and additional discussion highlighting the concerns about these leks to Section 3.8.2.1.3 and Appendix G, Section G.2.3.2.1, of the final EIS, then reiterated these potential past and ongoing impacts in the cumulative impact discussion in Section 3.8.2.4. Because the BLM determined that the Juniper Project would be consistent with the requirements established by the 2016 FEIS and the ARMPA, the BLM has not proposed to apply additional mitigation measures; however, KG-BM has voluntarily committed to implement select measures detailed in ACEPM no. 163 in response to the NDOW's suggestions to reduce impacts on Greater Sage-Grouse. These measures include restriction of mine-related traffic on road segments proximal to the Blue Jay Road, West Chrome, Long Valley North Central, Long Valley North Central West, Warm Springs, and Warm Springs South leks, as well as application of the existing noise tool to limit noise generated by construction

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				activities (in addition to mining activities) in the Royale area.
Beth Ericksen KG-BM	S-010, C-001	Golden eagles	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 5 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ “As a cooperating agency for this EIS, the USFWS’s purpose for this Federal action is to evaluate and respond to KG-BM’s proposed nest removal and incidental take permit application in accordance with applicable laws, regulations, and policies.” Comment: Please conduct a global search of this document to ensure all references are to eagle take permit applications, rather than application, since KG-BM submitted two different applications for the two types of permit. Please modify the sentence and others as needed.	Reviewed globally and updated to “applications” as appropriate for consistency and accuracy.
Beth Ericksen KG-BM	S-010, C-002	Golden eagles	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 8 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Table ES-2 [No Action Alternative, avoidance and minimization, conservation measures]: Please add “implement nest buffers” as they are captured in the ECP, specifically stated in CM-19.	Revised the No-Action Alternative row to be the same as the ECP Proposed Action for avoidance, minimization, and conservation measures.
Beth Ericksen KG-BM	S-010, C-003	Golden eagles	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 8 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Table ES-2 [ECP Proposed Action, nest removal mitigation]: this doesn’t match the current version of the ECP - see Section 7.2 of the ECP and my comment in the eagle section of this document.	Revised to clarify that experimental nest site creation may be considered under the ECP Proposed Action but would be required under the USFWS Preferred Alternative.

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Beth Ericksen KG-BM	S-010, C-011	Golden eagles	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 100 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ KG-BM ground and aerial monitoring will continue within the 10-mile radius of the NOA and South Operations Area (SOA) boundaries for the duration of the mine life, including any areas where experimental nest site creation has occurred. Comment: any and all nests are within the 10-mile radius. Propose removal of “including any areas where experimental nest site creation has occurred “	No change. As written, the quoted language mirrors Section 6.1 of the ECP, which states: “KG-BM will continue aerial and ground surveys of the eagle population within the 10-mile radius of the NOA and SOA Projects Plan boundaries for the duration of the mine life. This monitoring will include those areas where nest site creation has occurred.”
Beth Ericksen KG-BM	S-010, C-012	Golden eagles	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 100 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ “The USFWS will update fatality predictions, authorized take levels, and compensatory mitigation, as needed, for future years of the permit.” Comment: This language could be interpreted as suggesting that eagle fatalities are expected (mortality take) at the mine. The text should clarify that no fatalities are predicted and that no mortality take has been applied for.	Deleted “fatality predictions” from sentence. The comment is correct; no fatalities are predicted.
Beth Ericksen KG-BM	S-010, C-013	Golden eagles	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 100 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ As described in the above section, during each 5-year review process, the USFWS will assess how much take has occurred. Comment: will the issued USFWS permit define the 5-year review process?	Yes, the USFWS permit will specify procedures for the 5-year review period in the permit conditions. Bald and Golden Eagle Act implementing regulations at 50 CFR 22.80 (c)(7), “Additional conditions for permits with durations longer than 5 years,” describe requirements including monitoring, adaptive management, permit reviews, and actions to be taken based on the permit review (see https://www.ecfr.gov/current/title-50/chapter-I/subchapter-B/part-22/subpart-C/section-22.80). No change made in EIS.

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Beth Ericksen KG-BM	S-010, C-014	Golden eagles	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 100 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Should the USFWS determine that the expected take rates are higher than analyzed here, or that KG-BM may exceed its authorized take thresholds, KG-BM would be required to implement adaptive management measures such as implementing nest-protection buffers to prevent causing additional disturbance resulting in take. Comment: what is the meaning of take rate?	Take rate is the number of takes that occur over a period of time and has implications for adaptive management. For example, under the ECP Proposed Action, the USFWS would authorize 15 incidents of disturbance over 19 years. We would expect that approximately three to four incidents of take from disturbance would occur during each 5-year review period. Should the number of take incidents be twice as high, that could trigger adaptive management considerations to ensure take does not exceed what has been authorized.
Beth Ericksen KG-BM	S-010, C-015	Golden eagles	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 100 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ For example, should nest disturbance occur within 1 mile of a golden eagle nest during the courtship phase, or egg-laying period of the breeding season (January 15-April 7), the USFWS would assume KG-BM’s activities prevented eagles from breeding and a take incident occurred.” Comment: This should clarify that if the nest is successful despite potentially disturbing activities occurring in the buffer, no take will be deemed to have occurred.	Added the following sentence for clarification: “However, if the USFWS determines based on nest monitoring that young successfully fledge from a nest where disturbance occurred within the nest buffer, no take will be deemed to have occurred.”
Beth Ericksen KG-BM	S-010, C-016	Golden eagles	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 101 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Comment: This language suggests that an applicant needs a disturbance take permit under § 22.80 for nest removal, but nest removal is permitted under § 22.75. the applications were under § 22.75 (§22.26 at the time of the application submittal) § 22.75: ...a permit authorizing any person to take alternate golden eagle nests during a resource	Comment noted. The USFWS regulatory codes have been updated: 50 CFR 22.26 is now 22.80 (Permits for eagle take that is associated with, but not the purpose of, an activity), 22.25 is now 22.75 (Golden eagle nest take permits), and 22.27 is now 22.85 (Removal of eagle nests). The applicant applied for Bald and Golden Eagle Act permits both to remove golden eagle nests and for the incidental take of eagles.

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			development or recovery operation if the taking is compatible with the preservation of golden eagles.	
Beth Ericksen KG-BM	S-010, C-017	Golden eagles	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 101 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Under this alternative, nest removal mitigation would consist of providing additional power-pole retrofits beyond those described under the compensatory mitigation section (Section 2.2.2.1.3) above to provide for a net benefit to eagle populations, potential experimental nest site creation or a KG-BM selected alternative mitigation approach. Comment: Please restate to: Under this alternative, nest removal mitigation would consist of potential experimental nest site creation based on KG-BMs assessment, if not possible, a KG-BM would select as alternative mitigation approach. Please refer to section 7.2 of the ECP, Experimental nest site creation as to the rationale to restate the sentence.	Revised text to align with ECP and USFWS requirements: “Under this alternative, nest removal mitigation would consist of providing additional power-pole retrofits beyond those described under the compensatory mitigation section (Section 2.2.2.1.3) above to provide for a net benefit to eagle populations, potential experimental nest site creation, or an alternative mitigation approach approved by the USFWS.”
Beth Ericksen KG-BM	S-010, C-018	Golden eagles	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 102 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Nest Site Enhancement Research: KG-BM would contribute to nest site enhancement within the Pacific Flyway Eagle Management Unit for nest removal mitigation. The USFWS would request KG-BM contribute funds to an ongoing study on treating golden eagle nests for Mexican chicken bugs or other nest parasites that are identified as occupying nest(s). The Comment: would like the chance to discuss this with the service. Costs, disposition of funds (conservation bank) etc. Alternatively, if the USFWS can provide a	The USFWS has reached out and discussed this topic with the applicant.

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			USFWS general guidance document that includes these details it would be helpful.	
Beth Ericksen KG-BM	S-010, C-050	Golden eagles	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 304 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Stantec Consulting Services, Inc. conducts eagle nest surveys of the BMM area for KG-BM. Comment: Nexus Environmental Consultants now conducts these surveys, so the reference should be changed.	Change was made directly as requested.
Beth Ericksen KG-BM	S-010, C-051	Golden eagles	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 305 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ A total of 44 golden eagle nests and 27 territories have been documented between 2010 and 2021 within the 10-mile-radius survey area for the BMM as shown on Figure 3.9-1. Comment: Since nests beyond two miles are not shown to protect the resource, this should clarify that the 10-mile survey area is shown on Figure 3.9-1 but the 44 nests or the 27 territories are not.	Revised to read: “A total of 44 golden eagle nests and 27 territories have been documented between 2010 and 2021 within the 10-mile-radius survey area for the BMM. Figure 3.9-1 depicts the locations of golden eagle nests that are within 2 miles of the mine operation areas; other nest locations are not disclosed to protect sensitive resources.”
Beth Ericksen KG-BM	S-010, C-052	Golden eagles	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 306 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Table 3-26 summarizes 2015 to 2021 occupancy status of golden eagle territories within 10 miles of the BMM. Comment: Table 3-26 is titled “Status of golden eagle nests and territories in the study area population (2010-2021).” So the text should be revised to refer to “2010 to 2021” rather than “2015 to 2021.	Revised as suggested. Year range in table title now matches range of data (2010 to 2021).
Beth Ericksen KG-BM	S-010, C-053	Golden eagles	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS.	Nest removals may or may not result in loss of a territory. Therefore, depending on the details and data available (i.e.,

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			Applies to page 311 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ To provide flexibilities for future operations, the USFWS would authorize up to two additional nest removals. Should there be any associated disturbance to golden eagles from nest removals, take would be deducted from the 15 incidents of take authorized under the permit under this alternative Comment: It’s not clear when USFWS would determine there is disturbance from nest removals (which will occur in the non-breeding season). Please modify this sentence or remove it because nest removals would occur between April 8 and Jan 14 outside of the breeding season and therefore no eagle nests/pairs would be impacted. Other golden eagle nests would not be affected because nest removal is outside of the breeding season, thus no disturbance take would occur.	number of alternate nest sites or habitat lost), the USFWS would determine on a case-by-case basis if take from disturbance is likely to occur. At each 5-year review period, the USFWS will review the monitoring data and determine how much take occurred and assess mitigation requirements. As eagle populations are dynamic, the USFWS has made this statement to allow for flexibility.
Beth Ericksen KG-BM	S-010, C-054	Golden eagles	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 311 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Implementation of BMPs and monitoring of ponds and HLFs would be required by the NDOW and USFWS as a condition of any eagle permit issued. These measures are expected to avoid and minimize the likelihood of eagle take due to cyanide or other chemical exposure in the future. No net loss of golden eagle populations is anticipated under the ECP Proposed Action, although individual golden eagles would be affected. Comment: The placement of the last statement suggests that the DEIS is saying individual eagles would be affected by chemical exposure. But it is not clear if that is what is intended or if that statement is instead an overall conclusion for the proposed action. Since no	Moved the sentence beginning “No net loss...” to the next paragraph and revised for clarification as shown: “No net loss of golden eagle populations is anticipated under the ECP Proposed Action, although individual golden eagles would be affected by nest removal and disturbance.” The reference to monitoring of ponds is referring to the NDOW’s authority under the Industrial Artificial Pond Permits. Revised sentence for clarity: “Implementation of BMPs and monitoring of ponds and HLFs would continue to be required by the NDOW per requirements of the Industrial Artificial Pond Permits; these existing requirements would be referenced by the USFWS as a condition of any eagle permit issued.”

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			authorization of take of eagles from chemical exposure has been requested, it seems like it should be the latter. Clarification would be useful. Next, the statement indicates that NDOW would be required to monitor ponds and HLFs. Does this statement mean as outlined in the NDOW permit? Clarification would be useful.	
Beth Ericksen KG-BM	S-010, C-055	Golden eagles	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 311 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ This section “other potential effects” Comment: based on issues brought forward in the past, KG-BM committed to managing golden eagle electrocutions with the following ACEPMS: 93, 145, and 149. There have been no golden eagle electrocutions on KG-BM owed power poles.	Added new paragraph to characterize the potential for golden eagle electrocution risk and referenced avoidance and minimization measures in place to reduce risk.
Beth Ericksen KG-BM	S-010, C-056	Golden eagles	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 312 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Under the ECP Proposed Action, KG-BM would provide additional retrofits of electric utility poles as nest removal mitigation. KG-BM has not proposed how many additional poles they would retrofit beyond those required for territory loss in their ECP. Comment: please refer to the ECP regarding nest removal mitigation, section 7.2	Revised first sentence of following paragraph to more accurately characterize the ECP Proposed Action and distinguish from the USFWS Preferred Alternative: “The ECP Proposed Action differs from the USFWS Preferred Alternative in that KG-BM would provide additional retrofits of electric utility poles as nest removal mitigation, and the ECP Proposed Action may consider conducting experimental nest creation, whereas experimental nest creation or nest site enhancement research is a requirement under the USFWS Preferred Alternative.”
Beth Ericksen KG-BM	S-010, C-057	Golden eagles	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 313 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Under the ECP Proposed Action, KG-BM would provide additional retrofits of electric utility poles as nest removal mitigation. KG-BM has not proposed how many additional poles they would retrofit beyond those required for territory loss in their	It is the USFWS’s policy to apply the nest net benefit mitigation requirement that is in the newer 50 CFR 22.85 eagle nest removal regulations to the older 22.75 golden eagle nest removal regulations for consistency and to ensure there is a net benefit to eagle populations when authorizing nest removals.

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			ECP. As the USFWS regulations and policy requires that eagle nest removals result in a net benefit to eagle populations, under this alternative, the USFWS would require an additional 10-24 poles per nest removal, depending on the type and poles per nest removal, depending on the type and duration of the retrofit implemented. Comment: Clarification needed as the USFWS's mitigation policy only requires no net loss. And the BGEPA compatibility standard is met though the 1.2:1 mitigation. The net-gain requirement appears in the 22.85 nest removal regulations but not the 22.75 nest-removal regulations.	
Beth Ericksen KG-BM	S-010, C-058	Golden eagles	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 313 of Draft EIS PDF file named '_Juniper_DEIS_Main-Text-508.pdf.' "The ECP Proposed Action differs from the USFWS Preferred Alternative in that KG-BM would provide additional retrofits of electric utility poles as nest removal mitigation, as opposed to the implementation of experimental nest mitigation under the USFWS Preferred Alternative. " comment: Please refer to the ECP. This power pole retrofit could have been in an older version of the ECP, but the 9/2022 ECP as shown in the DEIS, also proposed potential nest site creation or an alternate approach such as KG-BM owned power pole retrofits, contributions to a study that benefits golden eagle which would be at KG-BMs discretion. Please modify to align with the commitments in the ECP (section 7.2)	Revised sentence for clarification as follows: "The ECP Proposed Action differs from the USFWS Preferred Alternative in that KG-BM would provide additional retrofits of electric utility poles as nest removal mitigation, and the ECP Proposed Action may consider conducting experimental nest creation, whereas experimental nest creation or nest site enhancement research is a requirement under the USFWS Preferred Alternative."
Beth Ericksen KG-BM	S-010, C-059	Golden eagles	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 313 of Draft EIS PDF file named '_Juniper_DEIS_Main-Text-508.pdf.' "KG-BM	No change. As written, the quoted language mirrors Section 6.1 of the ECP, which states: "KG-BM will continue aerial and ground surveys of the eagle population within the 10-mile radius of the NOA and SOA Projects

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			ground and aerial monitoring will continue within the 10-mile radius of the NOA and SOA boundaries for the duration of the mine life, including any areas where nest site creation has occurred. “ Comment: Monitoring is limited to the 10-mile radius of the NOA and SOA and not additional areas where nest site creation occurs as that would already be included as part of the 10 mile radius, request to remove the portion of the sentence: “any areas where nest site creation has occurred” as it is confusing.	Plan boundaries for the duration of the mine life. This monitoring will include those areas where nest site creation has occurred.”
Beth Ericksen KG-BM	S-010, C-060	Golden eagles	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 315 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Multiple eagle territories would be affected under the ECP Proposed Action and USFWS No-Action alternatives, which would result in major, permanent, and regional impacts on golden eagles. Comment: Please consider replacing the word “multiple eagle territories with the number 2 since there are two territories lost due to take.	“Multiple” is used intentionally in this context to encompass all territory loss and disturbance take authorizations. The USFWS has determined that while two territories would be lost, multiple other territories will also be affected by disturbance under the Proposed Action and not offset if an Eagle Permit is not issued.
Beth Ericksen KG-BM	S-010, C-061	Golden eagles	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 315 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Conclusion Multiple eagle territories would be affected under the ECP Proposed Action and USFWS No-Action alternatives, which would result in major, permanent, and regional impacts on golden eagles. However, should the USFWS issue an eagle take permit, required avoidance and minimization measures and compensatory mitigation would ensure impacts on golden eagles would be minor. No net loss of golden eagle populations is anticipated under this ECP Proposed Action, although individual golden	Sentence revised as follows to more fully characterize impacts: “However, should the USFWS issue an eagle take permit, required avoidance and minimization measures and compensatory mitigation would ensure population-level impacts on golden eagles would be minor, permanent, and regional.”

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			eagles would be affected. A potential residual impact of displaced territorial pairs may be territory disputes resulting in golden eagle mortality. KG-BM shall provide compensatory mitigation for all authorized eagles take at a 1.2:1 ratio, and additional mitigation for nest removals. No residual impacts are anticipated from implementation of the nest removal mitigation or from compensatory mitigation of retrofitting poles within the Pacific Flyway EMU. comment: what is the level of impact under the permit issuance, without it, it states the impact would be major, permanent and regional.	
Beth Ericksen KG-BM	S-010, C-064	Golden eagles	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 317 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ “The USFWS Preferred Alternative differs from the ECP Proposed Action in that KG-BM would provide additional nest mitigation through experimental measures. There are two options for KG-BM to fulfil this obligation. The mine may experimentally create artificial nest ledges on high walls within the concurrent mining reclamation areas and monitor to evaluate if eagles utilize the newly created potential nest sites Alternatively, KG-BM may contribute to research projects aimed at increasing the survivorship of nestling eagles.” Comment: There is no indication of the magnitude of the expected contribution for option 2.	The USFWS met with the applicant and referred it to the Hycroft Mine as an example. Contributions would be equal to or less than estimates for experimental nest site creation activity estimates.
Beth Ericksen KG-BM	S-010, C-065	Livestock grazing	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 329 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ LG-2: If spring flow at JBR #14 and South Water Canyon is reduced or eliminated, water will be provided	Mitigation measure LG-2 was included in the ROD for the 2016 FEIS. The BLM acknowledges that the analysis in the 2016 FEIS did not anticipate effects on these springs. However, no notation was included in either the 2016 FEIS or ROD, indicating that this mitigation measure would not

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			for livestock use in an alternative location to be determined by the BLM. Comment: Under WR-1, the risk to JBR#14 and South water canyon was under the proposed action and the reconfiguration alternative from 2016. The WRMA was selected. Propose to remove LG-2 from this DEIS.	apply under the selected alternative: the Western Redbird Modifications Alternative. No change made.
Shane Bybee White Pine County Board of Commissioners	S-047, C-004	Livestock grazing	In the Executive Summary, Livestock Grazing Section, the DEIS discusses the loss of approximately 300 animal unit months (AUMs) due to the loss of forage associated with the proposed action. The section goes on to state that “... the BLM does not anticipate changing the amount of animal unit months permitted within the affected Warm Springs and Maverick Springs allotments based on the allotment capacities and herd sizes”. While the BLM may not “anticipate” changing permitted AUMs, the County requests that the project proponent work with permittees to ensure no loss or additional suspension of AUMs due to this project. Keeping AUMs active is important to maintaining the County’s future customs, culture, and economy.	KG-BM leases the base property and associated grazing permit for the Warm Springs allotment to the permittee and they are in regular communication with each other. KG-BM and the Maverick Springs allotment permittee also maintain some communication with each other. KG-BM offered the following response: “As appropriate, KG-BM works with the operators holding grazing permits who are associated with KG-BM-owned ranches to manage AUMs to, among other things, avoid loss or suspension within the Warm Springs and Maverick Springs allotments located in White Pine County. The permittees are required to follow general grazing permit terms and conditions as well as terms and conditions specific to the different allotments and pastures. The lease between the ranch owner and permittees outlines the adherence to the grazing permits.”
Shane Bybee White Pine County Board of Commissioners	S-047, C-009	Livestock grazing	In Section 3.10. 1.1, page 3-215, the DEIS states that “The BLM has noted potential reductions in livestock grazing use in certain areas of the NOA within the Warm Springs allotment due to mining activities”. This seems to conflict with the information presented in the Livestock Grazing Section of the Executive Summary and should be clarified. The County is interested in whether or not permitted AUMs will be lost and would advocate for implementing range improvement projects and reclamation to offset any losses in order to result in no net loss or suspension of currently active AUMs as a result of this Project.	Revised the sentence quoted in the comment to better reflect its meaning. Section 3.10.1 of the final EIS now states: “The BLM has noted minor changes in livestock management in certain areas of the NOA within the Warm Springs allotment due to mining activities for reasons explained in Section 3.10.1.3.” The original wording was not meant to imply reduction or loss of AUMs associated with grazing use and mining activities. Most of the proposed areas of new surface disturbance are adjacent to previously authorized mining activities, which are most often already precluding livestock grazing. As stated in the EIS, the proposed new surface disturbance accounts for 1% or less of the total allotment acreages. Furthermore, over 70% of the potentially lost AUMs

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				would be in areas that would be reclaimed and made available to grazing again, in the long term. The estimate for loss of AUMs is an inflated number because 16,286 suspended AUMs are included in the assessment of acres per AUM for the Warm Springs allotment. These suspended AUMs are unlikely to be returned in their entirety and they are more so related to preference. 43 CFR 4100.0-5 defines <i>suspension</i> as the temporary withholding from active use, through a decision issued by the authorized officer or by agreement, of part or all of the permitted use in a grazing permit or lease. <i>Preference</i> is defined as a superior or priority position against others for the purpose of receiving a grazing permit or lease. This priority is attached to base property owned or controlled by the permittee or lessee.
Rich McKay Eureka County Board of Commissioners	S-053, C-007	Livestock grazing	Grazing, Environmental Consequences, Section 3.10.2.1 – We support and agree with the statement in the DEIS where “BLM does not anticipate changing the amount of animal unit months permitted within the affected Warm Springs or Maverick Springs allotments based on the allotment capacities and herd sizes.” Even so, we continue to argue it is inappropriate and unfounded to determine AUM impacts based on a simple math exercise of acres per AUM and instead must be based on the actual forage lost in the context of the entire allotment’s carrying capacity, the actual use of allocated forage in the allotment, and grounded in the current state and potential of the ecological sites (i.e., resource conditions) being affected and the accessibility by livestock. The concern we have is if BLM were to determine that changes in permitted AUMs would be necessary. BLM argued in another Nevada BLM district, with the support of the BLM solicitor, that the analysis in a mining EIS (Phoenix and Greater Phoenix EISs) of AUM loss could be used to support an AUM	The potentially affected AUMs are an estimate of the potential loss due to the proposed mining activities. Reductions of permitted AUMs are not being proposed at this time, and any reduction to AUMs would require a separate and subsequent decision.

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			<p>cancellation decision and serve as the required two-year notice to graziers. But, any reduction in active use must be done “based on livestock carrying capacity and resource conditions.”</p> <p>Active use is defined in 43 CFR 4100.0-5 as “that portion of the grazing preference that is: (1) Available for livestock grazing use under a permit or lease based on livestock carrying capacity and resource conditions in an allotment” (emphasis added). AUMs were established following a carrying capacity analysis. Carrying capacity is defined in 43 CFR 4100.0-5 as “the maximum stocking rate possible without inducing damage to vegetation or related resources. It may vary from year to year on the same area due to fluctuating forage production.”</p> <p>Again, carrying capacity is a direct function of forage availability in the entire allotment, not some acreage calculation.</p>	
Rich McKay Eureka County Board of Commissioners	S-053, C-008	Livestock grazing	<p>The DEIS should be clear that the AUMs estimated and calculated to be impacted by the Project are not reflective of actual accessible forage when taking into account topography, distance to water, slope, etc. We support language similar to what was included in the Phoenix Project EIS (page 3.6-6) that stated “Based on an overall average without regard to proximity to water or physical barriers (which are typically taken into account when setting stocking rates), the average existing use is...”</p> <p>Also on page 3.6-3 the Phoenix EIS also states “Typically, stocking rates are adjusted to reflect physical factors and distance to water that limit grazing of certain areas. Adjustment of grazing capacity to levels below that indicated by forage production estimates is necessary to reflect limitations imposed by landscape features.” As a solution, we suggest the language read something</p>	<p>The estimate in the EIS of potential AUMs lost does not consider topography, slope, forage availability, or the distance to available water. The estimated number of AUMs lost in this EIS is likely to be considerably greater than the actual AUM loss because the calculation was not adjusted to account for suspended AUMs. Even with this conservative estimate, the estimated AUM loss represents less than 1% of the total AUMs in each allotment. As a result, the BLM determined that refinement of the AUM calculation methodology would not change the conclusions of the analysis.</p> <p>Any reduction to AUMs would require a separate and subsequent decision. The justification for that reduction would be made at that time.</p>

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			like “Any actual reduction in permitted grazing would be done through a subsequent BLM decision ‘based on livestock carrying capacity and resource conditions’ (see 43 CFR 4100.0-5, Active use), accounting for actual forage unavailable for grazing and taking into account topography and physical barriers and distance to water.”	
Tammi M. Adams and Laura Leigh Wild Horse Education	S-050, C-011	Wild horses	With so much anecdotal and missing information in this Draft EIS in regards to cumulative impacts from this proposed plan, it is not a surprise to find the most egregious misinformation is in regards to the wild horses and burros in and around the Tripe B herd management area (HMA). For example, the BLM and KG-BM presented information (provided via PowerPoint for the Zoom) that this Bald Mountain Gold Mine proposed “extension of the NOA Plan boundary in five areas resulting in an increase of 3,425 acres,” and that “expansion, elimination, and/or creation of mine areas and mine components resulting in net disturbance increase totaling 3,969 acres.” Additionally proposed is “new and realigned infrastructure (such as powerlines, buildings, fencing, and wells).” This includes 2,158 acres of heap leach piles, leaving what the BLM and KG Mining claim as a total disturbance of 14,752 acres for the live of the mine (including the 11-year proposed extension for the gold mine). Noteworthy is during the September Zoom meeting, not one BLM nor KG-BM representative knew the amount of land being stolen from the wild horse and burro federally designated HMA for the Proposed project. After excusing themselves and finding the answer of 104,167 acres removed from the Triple B HMA, it was clear that not one person on this EIS team had any idea of the significant	To clarify, authorization of the Juniper Project would extend the NOA boundary in five areas shown on Figure 1.2, which have a combined area of 3,425 acres. Mining operations would result in surface disturbance within some but not all areas within the mine boundary. With authorization of the Juniper Project, life-of-mine surface disturbance in the NOA would increase from 10,782 acres to 14,752 acres, resulting in a net surface disturbance increase of about 3,969 acres within the extended NOA boundary. As explained in Section 3.11.2.4 of the final EIS, 104,141 acres (updated from 104,167 acres in the draft EIS) is the estimated total area of surface disturbance from past, present, and reasonably foreseeable actions within the Triple B HMA. Approximately 3,969 acres or less than 4% of this total disturbance would result from the proposed Juniper Project and, due to the timing of mine operations and concurrent reclamation, the entire acreage would not be disturbed at a single point and time. Although the Juniper Project would result in localized loss of forage in the immediate vicinity of the existing mine, the BLM anticipates that suitable forage will be available in other areas within the HMA and that the estimated forage loss would be a negligible factor in determining the carrying capacity of the HMA.

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			<p>cumulative impact to the wild horses and burros from this proposed project. In fact, the BLM representative minimized the loss of federally protected rangeland taken from the wild horses, without ANY necessity conveyed for mitigation of the loss. Indeed, despite our concerns and comments conveyed during Scoping for this EIS, BLM BFO refused to acknowledge and address mitigation for the significant acreage lost to wild horses and burros. BLM BFO did not provide methods, data, nor analysis of the cumulative impact from this loss of rangeland to the Triple B wild horses and burros HMA. So if the total disturbance of 14,752 acres for the live of the mine, WHY ARE 104,752 ACRES BEING TAKEN FROM THE TRIPLE B WILD HORSE AND BURRO HMA? Please provide clarification of the lost acreage and its cumulative impact to wild horses and burros, which was not provided by BLM BFO nor KG Mining in this Draft EIS, nor any public meeting nor any other provided NEPA document. Indeed, the BLM and KG -BM representatives minimalized this significant removal of 104,752 acres from the Triple B Herd Management Area, which is overlapped by the extended NOA Plan boundary and shown on Figure 3.11-1 of this Draft EIS (provided [in comment submission]). The flippant disregard of BLM BFO for the welfare and management of the legendary and federally protected wild horses and burros of the Triple B HMA is palatable and egregious; evident by the lack of up-to-date wild horse and burro management plans (HMAPs) that should provide provisions and plans for monitoring HMAs (lacking in this Draft EIS).</p>	

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Tammi M. Adams and Laura Leigh Wild Horse Education	S-050, C-013	Wild horses	Regarding the environmental consequences of the proposed action on wild horses, the BLM violates NEPA and the WFRHBA by not providing mitigation of acreage lost (104,752 acres this time) to the Triple B HMA as this “range” is devoted principally for their use and any loss of rangeland must be mitigated. The BLM BFO and KG Mining provided mule deer mitigation for the loss of their seasonal migration path, but federally protected wild horses and burros receive no such provision of mitigation in this Proposed Plan.	The Triple B HMA is not a designated range and therefore is not managed principally for wild horses. As explained in Section 3.11.2.4 of the final EIS, 104,141 acres (updated from 104,167 acres in the draft EIS) is the estimated total area of surface disturbance from past, present, and reasonably foreseeable actions within the Triple B HMA. Approximately 3,969 acres or less than 4% of this total disturbance would result from the proposed Juniper Project and, due to the timing of mine operations and concurrent reclamation, the entire acreage would not be disturbed at a single point and time. Although the Juniper Project would result in localized loss of forage in the immediate vicinity of the existing mine, the BLM anticipates that suitable forage will be available in other areas within the HMA and that the estimated forage loss would be a negligible factor in determining the carrying capacity of the HMA.
Tammi M. Adams and Laura Leigh Wild Horse Education	S-050, C-015	Wild horses	KG-BM claims it will reclaim and revegetate forage for the wild horses, but that could take over a decade to begin, which then requires significant time and prayers to establish on barren rock heap piles and open pits, especially with climate change and drought. Therefore, KG-BM promises of revegetation of the HMAs are moot in wild horse and burro forage availability as they are over 11 years down the road if this Proposed Plan is approved.	Although stated in other sections of the document, added the following statement to the description of effects from the Proposed Action on wild horses in Section 3.11.2.1 for completeness: “Grasses and forbs may establish within 3 to 5 years, while mature shrub species are anticipated to require between 15 and 50 years.” Please note that the Proposed Action includes concurrent reclamation during mine operations and final reclamation after mine closure, which includes revegetation, meaning that the maximum area for mine expansion would not all be disturbed at the same time; some areas of existing surface disturbance would be reclaimed concurrently with ongoing mine operations. Additionally, as stated in Section 3.11.2.1, the 3,969 acres of new surface disturbance from the Proposed Action within the portion of the Triple B HMA overlapping the extended NOA Plan boundary represents approximately 0.3% of the total area of the HMA.
Tammi M. Adams and Laura Leigh	S-050, C-019	Wild horses	For the Bald Mountain Mine Juniper Project EIS, BLM BFO and KG Mining provided Water Resources information including pumping rates (8 production wells) and the 10-foot modeled	See Section 3.3, <i>Water Quality and Quantity</i> , for information about the potential effects of the Proposed Action on natural water sources and water-related range improvements that may be used by wild horses. Although

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Wild Horse Education			groundwater draw down zone map. The 10' groundwater draw down zone projected from this BLM provided map travels deeply into the HMA. Yet, no one in BLM anticipated any cumulative impact to the wild horses and burros and rangeland health? At least 5 years ago, BLM BFO "observed during surveys" limited water resource impacting forage area and reducing vegetative cover. Yet, instead of actually studying and collecting data as to why the water resources were limited, or presenting trail-cam footage of "actual use traffic" causing the damages, BLM BFO condemned and attributed the wild horses and burros for all the water resource impact (administrative convenience and laziness). At least one BLM professional on the range survey team should have at least anticipated cumulative impacts from drought/climate change as well. In fact, the extensive amount of groundwater being pulled every day by Bald Mountain Mine was completely disregarded and not "anticipated" by BLM BFO to have cumulative impacts to the wild horses' and burros' water resources, forage availability, nor rangeland health.	the maximum extent of the projected 10-foot groundwater drawdown contour shows apparent spatial overlap with the springs within the Triple B HMA when viewed in one plane (the ground surface) without accounting for elevations of the associated systems, the Proposed Action is not anticipated to reduce baseflows in seeps and springs or affect water quality in water sources used by wild horses in the vicinity of the Juniper Project based on the analysis described in Section 3.3. As explained in Section 3.3, under all pumping scenarios, springs within 1 mile of the maximum extent of the projected 10-foot groundwater drawdown contour are not likely to be controlled by discharge from the deeper groundwater system either because the springs are ephemeral or due to the difference between the elevation of the groundwater system and the higher-elevation perennial springs. Added the following statement to Section 3.11.2.4, which describes cumulative effects on wild horses: "As summarized in Appendix F, Section F.3.5, the effects of climate change may result in higher than normal growing season temperatures, contraction or expansion of some existing vegetation communities, expansion of existing noxious weed populations, and introduction of noxious weed species previously undocumented. These effects may reduce forage availability over time." Similar statements were previously provided for vegetation and livestock grazing, but were added to the wild horses section for completeness.
Tammi M. Adams and Laura Leigh Wild Horse Education	S-050, C-024	Wild horses	Please provide data, methods, and analyses for the wild horse and burro HMA environmental consequences and impacts in any forthcoming Final EIS, Decision, and FONSI for: why 104,167 acres is being removed from the wild horse and burro HMAs; what mitigation shall be immediately provided for the loss of wild horse and burro habitat and forage, and the fragmentation on the HMAs; and what mitigations/management plans shall be	Section 3.11.2 of the EIS discusses potential environmental consequences of the Proposed Action on wild horses in detail. As explained in Section 3.11.2.4 of the final EIS, 104,141 acres (updated from 104,167 acres in the draft EIS) is the estimated total area of surface disturbance from past, present, and reasonably foreseeable actions within the Triple B HMA. Approximately 3,969 acres or less than 4% of this total disturbance would result from the proposed Juniper Project and, due to the timing of mine operations and concurrent reclamation, the entire

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			immediately provided to guarantee water resource and forage availability for the federally protected wild horses and burros on the HMAs.	acreage would not be disturbed at a single point and time. Although the Juniper Project would result in localized loss of forage in the immediate vicinity of the existing mine, the BLM anticipates that suitable forage will be available in other areas within the HMA and that the estimated forage loss would be a negligible factor in determining the carrying capacity of the HMA. See response to Comment S-050, C-019 addressing the effects of drawdown on seeps and springs.
Tammi M. Adams and Laura Leigh Wild Horse Education	S-050, C-026	Wild horses	The BLM BFO violates NEPA by failure to consider that new circumstances and new information exists, and cumulative impacts from environmental consequences to wild horses and burros in the impacted HMAs from this proposed action and past, present, and projected actions.	Section 3.11.1 of the EIS describes the affected environment for wild horses, including effects from past and ongoing management. Next, Section 3.11.2 of the EIS discusses potential effects of the Proposed Action and alternatives on wild horses in detail. Finally, Section 3.11.2.4 of the EIS discusses anticipated cumulative effects on wild horses resulting from the action alternatives in combination with other reasonably foreseeable actions. These sections were prepared using the best available information known to the BLM.
Jane Krieser	S-052, C-002	Wild horses	The Triple B HMA is to be managed principally but not exclusively for wild horses, however, the excessive traffic this will create resulting in more animal collisions and the extra fencing required to prevent wildlife, livestock and horses from being poisoned steals wild horse territory and creates barriers to water sources and prevents their natural migratory patterns. 10,000 wild horses have been removed from this area alone since 2017 which are now in holding costing taxpayers hundreds of thousands of dollars, while the mine expansion merely lines the pockets of CEO's of greedy corporations. The HMA comprises of an area of the size of Rhode Island and Connecticut combined but BLM states only 1000 horses can live in the area covered by the environmental analysis. BLM should use science	The Triple B HMA is not a designated range and therefore is not managed principally for wild horses. Section 3.11.2 of the EIS acknowledges the risks of wild horse-vehicle collisions and the requirement to install range and wildlife fencing in areas posing a risk to wild horses from either physical injury or contact with potentially toxic fluids. Various measures have been identified to reduce potential adverse impacts on wild horses, including posted speed limits and traffic control measures described in KG-BM's <i>Traffic Management Plan</i> , marking of fencing for visibility to wild horses, and installation of road signs for the protection of wild horses as determined necessary (ACEPM no. 143). The BLM anticipates impacts on wild horses would be minor, long-term, and localized with continued implementation of these measures. The EIS does not make decisions regarding carrying capacity or management of wild horse population levels.

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			rather than politics to determine the correct carrying capacity for the area.	
Lorna Torrey Palermo Advocates for Equines National Lobby Coalition	S-059, C-001	Wild horses	The Bureau of Land Management seems to apologize to the mine that wild horses are in the way of road and leach pit construction: “Wild horse gathers conducted by the Bureau of Land Management has reduced the wild horse population in this area, but the population is still estimated to be double the appropriate management level established by the Bureau of Land Management to maintain a thriving ecological balance.” One section on water contamination: “KG-BM (the mine) would continue to use fencing and other exclusion measures to prevent ingestion of diluted cyanide solution or entrapment of wildlife, which would also be effective for wild horses. “The Bureau of Land Management does NOT track the number of collisions, but they are increasing each year: “To reduce risk of wild horse-mine vehicle collisions, KG-BM employs ACEPM no. 143 that marks new fencing and installs road signs for safety of wild horses under situations where there is heavy or sustained traffic. Risk of wild horse-vehicle collisions would continue for an additional 11 years under the action alternatives.	The BLM does not agree with the characterization made in the first sentence of the comment. The comment quotes a passage in the EIS discussing the status and management of wild horse populations, potential impacts on wild horses from the alternatives, and measures in place to avoid or minimize impacts. However, the comment does not provide any specific recommendation or additional information for the BLM to consider in preparing the final EIS.
Beth Ericksen KG-BM	S-010, C-066	Paleontological resources	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 342 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ PR-1: A qualified paleontologist will conduct spot-checking, as directed by the BLM, during surface-disturbing activities for the Juniper Project within sedimentary geologic units ranked as PFYC 4. Comment: It is unclear what this spot-checking will entail and why it is believed to be necessary in light of previous lack of	The BLM’s latest PFYC mapping classifies some geologic units with the NOA as PFYC 4. BLM Instruction Memorandum No. 2016-124, Potential Fossil Yield Classification (PFYC) System for Paleontological Resources on Public Lands, indicates that detailed field assessment is normally required and spot-checking may be necessary during land-disturbing activities. In the absence of a detailed field assessment accepted by the BLM demonstrating that local conditions do not support the assigned PFYC, the BLM must take a cautionary approach to ensure significant paleontological resources are not

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			resources discovered at BMM. As directed by the BLM, will BLM send the qualified paleontologist?	adversely affected. Any required paleontological work will need to be conducted by a third-party contractor hired by KG-BM as currently occurs with required archaeological work at the BMM.
Beth Ericksen KG-BM	S-010, C-006	Cultural resources	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 14 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ “If the resource is deemed eligible for the National Register of Historic Places, implementation of a required treatment plan in accordance with the existing Programmatic Agreement between the BLM, Nevada State Historic Preservation Office, and KG-BM would record significant historical information in a manner that could be retrieved for future study.” Comment: Please modify this sentence to read: If the resource is deemed eligible for the National Register of Historic Places, implementation of a required treatment plan in accordance with the State of Nevada Protocol Agreement (NPA) between the Bureau of Land Management, Nevada and The Nevada State Historic Preservation Officer (SHPO) and KG-BM’s ACEPM No. 9 would record significant historical information in a manner that could be retrieved for future study	Change was made similar to requested. KG-BM has indicated its preference to operate under the State of Nevada Protocol rather than the former Programmatic Agreement for the BMM.
Beth Ericksen KG-BM	S-010, C-067	Cultural resources	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 348 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ In accordance with the Programmatic Agreement for the Bald Mountain Mining District, adverse effects on historic properties that cannot be practicably avoided would be minimized and mitigated through data recovery or other appropriate treatments decided upon in a treatment plan developed in coordination with the	Updated references to reflect use of State Protocol Agreement, unless specifically referring to past mitigation performed under the Programmatic Agreement for the Bald Mountain Mining District.

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			BLM and State Historic Preservation Office (BLM and Nevada State Historic Preservation Office 2013). Comment: All references to the 2013 PA need to be updated to the State Protocol Agreement which is available through Elizabeth Seymour (BLM).	
Beth Ericksen KG-BM	S-010, C-068	Cultural resources	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 353 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Regardless of the BLM’s decision on the Juniper Project, monitoring and mitigation requirements for cultural resources specified in the Programmatic Agreement among the Bureau of Land Management, Egan [Bristlecone] Field Office, and the Nevada State Historic Preservation Officer Regarding the Bald Mountain Mining District Project (BLM and Nevada State Historic Preservation Office 2013) would continue to apply to all activities conducted at the BMM. Additionally, Federal agencies are required to consult with American Indian tribes as part of the Advisory Council on Historic Preservation regulations, Protection of Historic Properties (36 CFR 800), implementing Section 106 of the National Historic Preservation Act. Comment: Please modify to include “and the continued application of ACEPM nos. 9-13.” Also, the governing agreement is titled: State of Nevada Protocol Agreement (NPA) between the Bureau of Land Management, Nevada and The Nevada State Historic Preservation Officer (SHPO) - the Programmatic agreement has been replaced with this one.	Updated references to reflect use of State Protocol Agreement, unless specifically referring to past mitigation performed under the Programmatic Agreement for the Bald Mountain Mining District. Added reference to ACEPMs as suggested to acknowledge other KG-BM commitments that would apply to cultural resource management.
Jean Prijatel U.S. Environmental	S-051, C-003	Tribal consultation and Native	The Duckwater Shoshone Tribe of the Duckwater Reservation requested a site visit in response to the BLM’s November 26, 2019,	No concerns regarding the Juniper Project were raised by the Ely Shoshone Tribe and Duckwater Shoshone Tribe during the site visit, nor subsequent to it. This statement

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Protection Agency		American traditional values	government-to-government consultation letter (p. 4-3). Although members of the Duckwater Shoshone Tribe attended the site visit on August 13, 2020, the Draft EIS does not disclose if the Tribe had any concerns or how the BLM addressed those concerns in the EIS. In addition, the U.S. Fish and Wildlife Service consulted separately with Tribes regarding the Eagle Permit and received a response letter with questions from the Moapa Band of Paiutes (p. 4-4). Although the “USFWS responded to each inquiry, providing information about the golden eagle populations and take limits, enforcement mechanisms and fines, and compensatory mitigation” (p. 4-4), the Tribe’s questions and USFWS’s answers were not included in the Draft EIS. We recommend addressing both issues in the Final EIS.	was added to the EIS text in Section 4.3, <i>Consultation with Tribes</i> . Text was added to Section 4.3 that describes the Chair of the Moapa Band of Paiutes questions and USFWS responses.
Jean Prijatel U.S. Environmental Protection Agency	S-051, C-004	Tribal consultation and Native American traditional values	The BLM also sent letters to 15 additional tribes to inform them of the project and invite them to engage in government-to-government consultation, although no responses were received (p. 4-3). We encourage the BLM to further engage with these tribes prior to the Record of Decision. If new tribal consultation occurs, identify the main concerns expressed by tribes (if any) and how those concerns were addressed.	No additional tribes have responded to or expressed interest in the Juniper Project and all will receive notification of the availability of the final EIS. If new tribal consultation occurs, any concerns expressed are considered confidential unless the tribe explicitly states otherwise.
Elizabeth Huelson Air Sciences	S-005, C-001	Air quality, greenhouse gas emissions, and climate change	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. References the following text on page Draft EIS page 3-248: “Elko, Eureka, and White Pine Counties.”] I don’t see an issue with this and it’s used consistently within the DEIS, just noting that it’s different than previously stated. The AQ Fact Sheet and SER established the air quality CESA as: the four airsheds in which the project	The CESA for air quality was intentionally modified to be Elko, Eureka, and White Pine Counties during preparation of the EIS to adequately encompass the regional nature of air pollution while facilitating comparison to county air quality data. The airshed concept used in the pre-NEPA resource report was not carried forward to the EIS because topography and meteorology of the hydrographic areas are unlikely to notably constrain the movement of air masses

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			is located: Huntington Valley (Hydrographic Area 47); Newark Valley (Hydrographic Area 154); Long Valley (Hydrographic Area 175); and Ruby Valley (Hydrographic Area 76) hydrographic areas. For the cumulative analysis for air dispersion modeling we included sources of significant air emissions located within 50 km of the NOA (the range of the model).	and pollutants, and do not provide the convenience and familiarity of a county-based study area.
Elizabeth Huelson Air Sciences	S-005, C-002	Air quality, greenhouse gas emissions, and climate change	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies strikeout to three instances of the citation “NDEP 2017” in Table 3-42 on Draft EIS page 3-251.] Incorrect citation. Suggest leaving without citation.	Corrected source year in Table 3-42 citation and added full reference to Appendix A.
Beth Ericksen KG-BM	S-010, C-069	Air quality, greenhouse gas emissions, and climate change	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 365 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ The total on- and offsite GHG emissions for the NOA with the Juniper Project would be 253,351 U.S. tons per year of CO ₂ e, or 0.23 million metric tons CO ₂ e per year. Table 3-47 summarizes the project GHG emissions. The GHG emissions associated with the Proposed Action would represent about 0.5% of the Nevada statewide GHG emissions of 46.337 million metric tons per year (Table 3-44) and about 0.004% of 2020 U.S GHG emissions of 5,981 million metric tons per year (USEPA 2022f). Comment: The first statement implies that the emissions represent all NOA operations plus the Juniper Project. The second sentence appears to attribute all the GHG emissions to the Proposed Action. This needs to be clarified. Similarly, the EIS should explain that the social costs of GHG estimates in Table 3-48 are not just for the Juniper Project alone; they include the NOA plus Juniper.	Text clarified as necessary to refer to the “NOA with the Juniper Project.” Emissions specific to the Juniper Project cannot be accounted for separately from emissions from the NOA as a whole.

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Beth Ericksen KG-BM	S-010, C-070	Air quality, greenhouse gas emissions, and climate change	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 366 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ “The Council on Environmental Quality (CEQ) is currently updating its 2016 guidance document (CEQ 2016) on consideration of GHGs and climate change under NEPA. While the CEQ works on updated guidance, it has instructed agencies to consider and use all tools and resources available to them in assessing GHG emissions and climate change effects including its 2016 GHG guidance document. The 2016 CEQ guidance noted that NEPA does not require monetizing costs and benefits but allows the use of the social cost of carbon, SC-GHG, or other monetized costs and benefits of GHGs in weighing the merits and drawbacks of alternative actions. SC-GHG estimates are presented below for purposes of information and disclosure.” Comment: The discussion of the CEQ 2016 guidance is inaccurate as the DEIS suggests that CEQ is updating that document. The 2016 guidance was withdrawn in 2017. CEQ issued interim guidance in January 2023 that updated that 2016 guidance. The interim guidance should be discussed.	Updated text in Section 3.15.2.1.4 of the final EIS to align with the 2023 Council on Environmental Quality guidance.
Beth Ericksen KG-BM	S-010, C-071	Air quality, greenhouse gas emissions, and climate change	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 367 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Table 3-48 presents the SC-GHG associated with estimated emissions from the Proposed Action. These estimates represent the present value of future market and nonmarket costs associated with CO2, CH4, and N2O emissions. Comment: the EIS should explain that the social costs of GHG	Text clarified to refer to the “NOA with the Juniper Project.” Emissions specific to the Juniper Project cannot be accounted for separately from emissions from the NOA as a whole.

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			estimates in Table 3-48 are not just for the Juniper Project alone; they include the NOA plus Juniper. Can you modify the sentence to match table 3-48 “north operations area with the Juniper project”	
Beth Ericksen KG-BM	S-010, C-072	Air quality, greenhouse gas emissions, and climate change	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 370 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ “Regardless of the BLM’s decision on the Juniper Project, pollutant emissions and air quality will continue to be regulated and monitored in accordance with applicable air quality permits administered by the NDEP, Bureau of Air Pollution Control.” Comment: Please add to the sentence: Regardless of the BLM’s decision on the Juniper Project, pollutant emissions and air quality will continue to be regulated and monitored in accordance with applicable air quality permits administered by the NDEP, Bureau of Air Pollution Control and ACEPM No. 1 through 8 will continue to be implemented.	Revised to read, “Regardless of the BLM’s decision on the Juniper Project, ACEPM nos. 1–8 would continue to be implemented and pollutant emissions and air quality would continue to be regulated and monitored in accordance with applicable air quality permits administered by the NDEP, Bureau of Air Pollution Control.”
Tammi M. Adams and Laura Leigh Wild Horse Education	S-050, C-007	Air quality, greenhouse gas emissions, and climate change	Indeed, BLM BFO states in this Draft EIS that there will be NO IMPACT to ambient air quality, and KG Mining has not been required to provide environmental and human protection with ambient air quality monitoring for arsenic, nor PM2.5, nor PM10 (PM: particulate matter respirable to deep parts of lungs in humans and mammals).	The NDEP has the authority to require air quality monitoring as a condition of permit issuance or if the agency determines that pollutant concentrations outside of the project site boundary potentially could exceed the NAAQS. The NDEP has not required KG-BM to monitor air quality in the vicinity of the project. KG-BM performed air quality modeling of the NOA with the Juniper Project. All predicted concentrations were much less than the NAAQS (see Table 3-46). As indicated in Table 3-46, the maximum modeled particulate matter concentrations were 59% of the standard for 24-hour PM _{2.5} , 23% of the standard for annual PM _{2.5} , and 18% of the standard for 24-hour PM ₁₀ .

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Shane Bybee White Pine County Board of Commissioners	S-047, C-010	Land use and access	In Section 3.16.2.1, the County would ask that the Final EIS make it clear that no County Roads will be closed or access limited as a result of the Juniper Project.	KG-BM prepared the following response to this comment, which the BLM has reviewed and determined to be sufficient. No county roads would be closed or have limited access due to the Juniper Project that would preclude the public. Under the Juniper Project, no county road used by the mine is subject to redesign, realignment, or a new traffic pattern that would cause a road closure or limited access. For any mine-used county roads, there would be no restrictions caused by direct mine usage unless warranted. Certain safety restrictions would continue to be employed such as KG-BM installing speed limit signs and other warning signs (e.g., wildlife or human presence) along segments of county roads, which are requirements outlined in the two county road maintenance agreements between KG-BM and White Pine County and Elko County. Additionally, common county road requirements regarding ongoing care and maintenance, which could impose restrictions, would continue as outlined in the two aforementioned road maintenance agreements. These agreements include the requirement for periodic maintenance by KG-BM and also ensure a working relationship between KG-BM and the counties in regard to road maintenance (including emergency) on county roads used for mine access. An example of a road restriction due to road maintenance would be a time-based restriction that prevents traffic flow on one side of a road segment. There may be situations where required road work may restrict, but not prevent, public access for limited durations. Any road restrictions for purposes such as safety, repair, upgrades, improvements, and maintenance are temporary and will continue to be implemented as part of the Juniper Project. KG-BM's <i>Traffic Management Plan</i> provides information about standard construction and operational and maintenance practices for light vehicle and mine equipment traffic patterns that involve county roads used by the public.

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				Added text to Section 3.16.2.1 of the final EIS for clarification.
Shane Bybee White Pine County Board of Commissioners	S-047, C-005	Recreation	In the Executive Summary, Recreation and Access Section, the DEIS discloses the closure of approximately 3,425 additional acres of BLM-administered surface lands to public access. The County understands this restriction due to safety requirements but asks that KG-BM implement programs and projects to re-open any closed areas to public access as soon as practicable. This section should also reaffirm KG-BM's commitment to providing open access to County Roads (WP 3, WP 4, WP 6 and County Road 1000) as well as maintaining public safety as a result of increased traffic, including strictly enforced speed limits.	See response to Comment S-047, C-010. Added text to the <i>Recreation and Access</i> section of the Executive Summary for clarification.
Tammi M. Adams and Laura Leigh Wild Horse Education	S-050, C-002	Social and economic conditions	There is no benefit, financial or otherwise, to the people of Nevada should BLM BFO approve this proposed expansion plan for Bald Mountain. There is no socioeconomic analyses provided by BLM BFO nor KG Mining in the Draft EIS to refute the previously presented information and data. The people of Nevada can be assured that present day figures of the financial loss to Nevadans under the archaic 1872 Mining law are significant and egregious. Please provide socioeconomic analyses so the people of Nevada can review the socioeconomic information of financial gains by KG Mining (Canadian Company) and tax revenue lost to Nevada to date and for the Proposed 11-year extended life of the Bald Mountain Mine prior to any forthcoming Final EIS, Decision, or FONSI.	The anticipated impacts of the Juniper Project on social and economic conditions are discussed in Section 3.18 of the EIS. As discussed in Section 3.18.2.1.6, the Proposed Action would extend the generation of public revenues from sales and use taxes, net proceeds of mine taxes, and ad valorem property taxes by 11 years.
Rich McKay	S-053, C-009	Social and economic conditions	Socioeconomics – Eureka County requested of BLM and Kinross in our scoping comments for the Juniper Project EIS to “square up” the previous analysis related to employees living in	The place of residence estimates provided in Section 3.18.2.1.1 of the EIS are considered accurate. KG-BM conducted an employee residency check during October 2023. Currently, 24 BMM employees have a Eureka

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Eureka County Board of Commissioners			Eureka and their impact on southern Eureka County including the schools. Frankly, we struggle to find the information in the DEIS useful or reliable for our planning purposes. As an example, the prior EIS calculated a number of 22 employees, or 5%, expected to live in Eureka. But we know that this number is currently between 30 and 40 (36% to 82%+ higher than analyzed in prior EIS) and has been higher at times. A few people added to southern Eureka County that was not planned for or anticipated carries a scale of impacts similar to many hundreds or thousands of people added to more urban areas.	County home address on file. This equates to 4% of the total number of employees. The following statement has been added to Section 3.18.2.1.1 of the Final EIS: “The BLM acknowledges that Eureka County estimates 8 to 18 more employees live in Eureka County than are reported by KG-BM estimates.”
Rich McKay Eureka County Board of Commissioners	S-053, C-010	Social and economic conditions	On the prior EIS, we noted the second-to-most recent Bald Mountain EIS reported 14% of employees were living in Eureka. We had previously requested of BLM, but BLM rejected, a range of 5% to 15% of employees living in Eureka be used in the analysis so we could plan for a range of impacts. Eureka County is currently working with many entities, including local mines including KG Mining, to address the stark housing shortages facing southern Eureka County and the strain on public services, including schools. Yet, the DEIS gives the impression that there is plenty of housing available in the study area, which is certainly not the case in Eureka County.	The place of residence estimates provided in Section 3.18.2.1.1 of the EIS are considered accurate. KG-BM conducted an employee residency check during October 2023. Currently, 24 BMM employees have a Eureka County home address on file. This equates to 4% of the total number of employees. The following statement has been added to Section 3.18.1.3 of the final EIS: “The BLM acknowledges Eureka County’s comment on the Draft EIS indicating that there is a housing shortage in southern Eureka County. Although Table 3-58 indicates 489 of 1,150 total housing units in Eureka County were vacant in 2020, vacant units may be unavailable for sale or rent due to condition, affordability, or other factors.”
Rich McKay Eureka County Board of Commissioners	S-053, C-011	Social and economic conditions	We simply ask for some qualifying sentences in Section 3.18.2.5, Monitoring and Mitigation Measures, to note regardless of the analyses and the fact that none of the Project tax revenues accrue to Eureka County, as that is not stated in the DEIS, Eureka County has reported strains on affordable housing, schools, and community services and requests Kinross continue to be a	The following statement has been added to Section 3.18.2.1.6 of the final EIS: “Although all three counties in the study area receive distributions of mining tax revenue, only White Pine County would receive net proceeds tax revenue originating specifically from the BMM.” The following statement has been added to Section 3.18.2.5 of the Final EIS: “Although not required or monitored by the BLM, the BLM notes that Eureka County has expressed a

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			good partner in working with Eureka County to address these locally known and identified issues. Kinross has been a great partner and we value this relationship. We also appreciate the employment opportunities provided to Eureka County residents. But this positive relationship does not justify overlooking or diminishing known socioeconomic issues facing our community.	cumulative strain to affordable housing, schools, and community services and requests continued coordination between KG-BM and Eureka County to address these locally known and identified issues.”
Katie Sweeney National Mining Association	S-061, C-001	Social and economic conditions	Over the past 40 years, KG (and predecessor owners) of the Bald Mountain mine have proven that mining gold and silver in Nevada can be done sustainably and responsibly. Gold production is a major economic driver for the state of Nevada and for the U.S. In 2022, the U.S Geological Survey (USGS) estimated the value of U.S. metal mine production was \$34.7 billion, of which gold production represented 28 percent. Nevada is the leading gold-producing state, accounting for approximately 72 percent of total domestic production last year. The Bald Mountain mine has also been a notable source of domestically produced silver at a time when reliance on foreign sources has continued to rise. In fact, according to the USGS, the U.S. was nearly 70 percent import reliant for silver in 2022. As the nation moves forward to meet the Biden-Harris Administration’s renewable energy goals, it is important to acknowledge the vital role silver plays in the production of solar cells to produce electricity.	Thank you for your comment. The EIS recognizes the important social and economic impacts of mining on local communities in Section 3.18, <i>Social and Economic Conditions</i> . Silver production is not proposed at the BMM and therefore is not addressed in the EIS.
Katie Sweeney National Mining Association	S-061, C-003	Social and economic conditions	The current Bald Mountain mine life only extends into the latter part of 2024. The proposed Juniper Project expansion would provide the opportunity for KG to continue operations for approximately 11 additional years, with all the commensurate benefits to the state and local	Thank you for your comment. Section 3.18.1.1 of the EIS acknowledges the higher than average earning per mine worker.

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			economy. Continued operations are critically important to both the state and local economies. Among the significant benefits are: -Employment of 600 employees and 200 contractors that receive \$87.2 million in wages; -Sustaining local government services through \$13.2 million in payments to White Pine County, constituting 73 percent of the county's property tax and 33 percent of its total revenue; -\$1.2 billion cumulative community benefit footprint in Nevada since 2010; -\$204 million spent on Nevada community benefits in 2021 alone; and -In excess of 100,000 beneficiaries of community programs. The importance of the high wage jobs that would be continued through the Juniper Project merit specific mention. As acknowledged in the DEIS, mining earnings per worker in Nevada averaged \$121,597 in 2021 or 79 percent higher than the statewide average of \$68,050 for all industries (University of Nevada, Reno 2022).	
Curtis Moore Elko County	S-063, C-001	Social and economic conditions	Elko County is a county in northeastern Nevada. Nearly 73% of Elko County is administered by Federal Agencies. The land managed by the US Forest Service is on the Humboldt-Toiyabe National Forest, and the rest is managed by the Bureau of Land Management or by local tribes. Elko County's economy is heavily dependent on extractive industries, as well as livestock grazing and outdoor recreation. Socio-Economic Analysis 40 CFR 1508.14 provides that, "[w]hen an environmental impact statement is prepared and economic or social and natural or physical environmental effects are interrelated, then the environmental impact statement will discuss all of these effects on the human environment." 5,400 people in Elko County were employed in extractive industries according to the 2020 American Community Survey. In 2019 these jobs	Acknowledged. Thank you for your comment.

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			provided an average salary of \$112,509, nearly twice the average Elko County salary of \$61,752. Most of these workers reside in Elko County, but work in mines in other counties like Bald Mountain in White Pine. This part of the socio-economic analysis in the draft EIS satisfies Elko County's concerns and we do not have any suggested changes.	
Beth Ericksen KG-BM	S-010, C-074	Environmental justice	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 413 of Draft EIS PDF file named '_Juniper_DEIS_Main-Text-508.pdf.' The 10% meaningfully greater definition is the BLM-provided standard for minority populations (BLM 2022). For low-income populations, "meaningfully greater" is defined as any group where the percentage of the population is at or above the percentage of low-income populations in the comparison area (BLM 2022). Comment: The second sentence in this footnote should be deleted as it was moved to the text (as discussed further below). More importantly, the "BLM 2022" reference is "Draft Working Copy. Prepared by Matt Fockler, PhD (BLM Great Basin Zoned Socioeconomic Specialist)." But BLM issued an Instruction Memorandum (IM2022-059) in September 2022 regarding EJ implementation. That agency-level guidance should be referenced instead of a draft working paper.	Updated reference to the final agency guidance document in Appendix A of the final EIS. Deleted the repetitive sentence.
Beth Ericksen KG-BM	S-010, C-075	Environmental justice	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 414 of Draft EIS PDF file named '_Juniper_DEIS_Main-Text-508.pdf.' Based on analysis of demographic data for the study area and the State of Nevada, census block groups . . . 2 and 4 of tract 9702 . . . were identified as	The comment is correct. Census block group 3 of tract 9702 has been identified as a low-income population in the final EIS.

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			minority or low-income populations.... Comment: Based on Table 3-68, census block group 3 of tract 9702 should also be included.	
Beth Ericksen KG-BM	S-010, C-076	Environmental justice	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 418 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Elko and White Pine Counties in the study area are generally more ethnically and racially diverse than the State of Nevada as a whole (Table 3-68). The study area’s total minority population makes up approximately 32% of the population, compared to 27.6% for non-metropolitan Nevada. Comment: It is not clear from the references to State of Nevada as a whole and non-metropolitan Nevada which is the reference area for the comparison.	Revised sentence in the final EIS to clarify that the reference area for comparison is the non-metropolitan area of Nevada.
Beth Ericksen KG-BM	S-010, C-077	Environmental justice	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 421 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ These environmental risk factors are associated with each potential environmental justice community, and not with the BMM. The BMM is within 25 miles of three environmental justice communities (block group 1 of tract 9502, block group 2 of tract 9512.02, and block group 1 of tract 9701) and over 50 miles from the nearest tribal community, the South Fork Indian Colony; therefore, these risk factors are not related to the mine. Comment: The fact that BMM is within 25 miles of the three EJ communities does not demonstrate that the risk factors are not related to the mine, especially since the mine is located within one of the block groups at issue. This sentence needs to be revised.	The following sentence has been added to distinguish the environmental risk factors identified by EJSCREEN from discussion of impacts from the BMM. “Although the BMM is within an environmental justice community, the NOA is 5 miles from the nearest resident. The specific environmental risk factors being discussed in this section are wastewater discharge, lead paint, and proximity to a Superfund site. These environmental risk factors are not related to past, ongoing, or proposed future operations at the BMM because (1) no portion of the BMM has been designated as a Superfund site, (2) the mine does not discharge wastewater from a publicly owned treatment works, and (3) the mine does not manage residential housing units that may contain lead-based paint.”

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Jean Prijatel U.S. Environmental Protection Agency	S-051, C-005	Environmental justice	The Draft EIS's environmental justice methodology does not include Executive Order 14096, Revitalizing Our Nation's Commitment to Environmental Justice for All (April 26, 2023), which supplements E.O. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (February 16, 1994). E.O. 14096 directs federal agencies to identify and address disproportionate and adverse human health or environmental burdens and risks, including those related to climate change and cumulative impacts, on communities with environmental justice concerns. It further directs agencies to provide opportunities in the NEPA process for early and meaningful involvement for communities with environmental justice concerns that may be potentially affected by a proposed action. We appreciate the efforts of the BLM in addressing these topics in the Draft EIS and recommend including E.O. 14096 as part of the methodology in Section 3.19.1.1 of the Final EIS.	The BLM Bristlecone Field Office has been directed to await formal guidance from the Council on Environmental Quality and Department of the Interior before implementing Executive Order 14096 to ensure the order is implemented consistently and appropriately. The BLM will monitor for forthcoming guidance and prepare to implement to the extent feasible for this EIS depending on the timing of the guidance relative to the NEPA process.
Carrie Dean SRK Consulting	S-001, C-001	Visual resources	3.20.1.1 Visual Resource Management, last paragraph of this chapter on page 3-324. The visual resource Applicant Committed Environmental Protection Measures (ACEPMs) 116 through 123, provided in Appendix C of the DEIS, are mentioned here for the first time. I would remove them from this sub-chapter since its focus is on the Visual Resource Management (VRM) system and VRM classes. For this document, they may be more appropriately separated into two groups, those which address vegetation/reclamation, buildings, and landforms (116-119 and 122), and those which address nighttime lighting (120, 121, and 123). Furthermore, do they need to be separated into	Moved first ACEPM reference to the last paragraph of Section 3.20.1.2 (<i>Visual Contrast from Key Observation Points</i>) and revised to focus on 116–119 and 122. Additional clarifications were made in Sections 3.20.1.3, 3.20.2.1.2, and 3.20.2.1.3 to better separate ACEPMs into their focus area of the chapter.

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			existing and proposed ACEPMs? I am not certain which are which. I would suggest that ACEPMs 116-119 and 122 be first addressed in the last paragraph of chapter 3.20.1.2 Visual Contrast from Key Observation Points (if they are existing ACEPMs) and that they be mentioned again for environmental consequences in chapter 3.20.2.1.2 Visual Contrast from Key Observation Points since their implementation may affect the contrast ratings. Likewise, for ACEPMs 120, 121, and 123, I would suggest that they first be addressed under chapter 3.20.1.3 Nighttime Lighting (if they are existing ACEPMs) and that they be addressed again for environmental consequences under chapter 3.20.2.1.3 Nighttime Lighting.	
Carrie Dean SRK Consulting	S-001, C-002	Visual resources	3.20.1.3.1 Stationary Light Sources and 3.20.1.3.2 Mobile Light Sources, general comment The SRK 2020 memorandum Juniper Project – Nighttime Lighting Description (SRK Consulting 2020c), should be referenced in these sections. The information provided in these sections comes directly from that document, and while it is mentioned once in chapter 3.20.1.3 in reference to background lighting levels, and as a reference to Table 3-17, it is not referenced for any of the lighting descriptions provided.	Added citations to SRK Consulting 2020c to Sections 3.20.1.3.1 and 3.20.1.3.2.
Carrie Dean SRK Consulting	S-001, C-002	Visual resources	3.20.2.1.2 Visual Contrast from Key Observation Points, first sentence of the first paragraph of this chapter on page 3-344 A reference should be added to the revised contrast rating sheets (SRK Consulting 2022). The July 2022 contrast rating sheets had been corrected to reflect the VRM classes listed “at project location”.	Reference to SRK Consulting 2022 added to the end of the paragraph. Confirm appropriate placement of reference.
Carrie Dean SRK Consulting	S-001, C-003	Visual resources	3.20.2.1.2 Visual Contrast from Key Observation Points, last paragraph before the KOP-1 heading on page 3-345. This paragraph addresses	Revised ACEPM references to accord with specific visual impacts discussed in this section.

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			ACEPMs related to visual resources and dust mitigation. Referring to the first comment, I think the references to ACEPMs should be reorganized. Visual impacts related to dust may affect both contrast ratings during daylight hours as well as nighttime lighting.	
Carrie Dean SRK Consulting	S-001, C-004	Visual resources	3.20.2.1.2 Visual Contrast from Key Observation Points, KOP-3, Proposed Action Post-Mining Scenario, first paragraph under this heading on page 3-347. This sentence should be edited to read, “The greatest changes to visual resources from KOP-3 would result from the addition of the South Duke RDA 2, and expansion of the Winrock West RDA, and the height increase of the South Poker Flats Heap.	Text revised as requested in the comment to include the height increase of the South Poker Flats Heap, which comports with the results of the visual simulations.
Carrie Dean SRK Consulting	S-001, C-005	Visual resources	Figure 3.20-3c Photograph 2: KOP-10 No Action Alternative, facing south This figure shows a label for the Royale East RDA which is proposed. The image is fine but the label should be removed. An edited figure was submitted with the revised Visual Simulation Report for the Juniper Project report from March 16, 2022. Also, the reference section in Appendix A has the Visual Simulation Report for the Juniper Project dated as October, 2020. Was the revised report accepted into the supporting documents? If so, the reference date should be changed throughout to 2022. I believe the photo edit was the only change. The contrast rating sheet revisions were done separately in July 2022 and have their own reference.	Replaced Figure 3.20-3c, Photograph 2: KOP-10 No-Action Alternative, facing south, with the revised figure. Updated citations to the revised Visual Simulation Report from 2022.
Beth Ericksen KG-BM	S-010, C-078	Hazardous materials, solid wastes, sanitation, and public	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 465 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Sound levels decrease by 6 dBA with each doubling of distance from the source; therefore, a 90-dBA	Revised and corrected for clarity as follows: “Sound levels decrease by 6 dBA with each doubling of distance from the source; therefore, a 90-dBA sound level at a distance of 5 feet will decrease to 45 dBA at a distance of 37.5 feet. A 45 dBA level is equivalent to the sound level of conversational speech at a 3-foot distance.”

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		health and safety	sound level at a distance of 375 feet will decrease to 45 dBA (the sound level of conversational speech at a 3-foot distance). Comment: The way this is written implies that a sound source will be quieter three feet away than it will be at 375 feet. This should be revised for clarity. And it does not appear that the math works for the example provided.	
Beth Ericksen KG-BM	S-010, C-004	Editorial	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 8 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Table ES-2 table 2-18 appears to be an incorrect reference. Table 2-19 is the correct one.	Table ES-2 incorrectly referenced Table 2-18, rather than Table 2-19, in referring to KG-BM proposed CMs. The footnote was corrected accordingly.
Beth Ericksen KG-BM	S-010, C-005	Editorial	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 10 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ “Surface disturbance and vegetation clearing from the action alternatives would irretrievably affect 2,890 acres (Alternative A) or 2,907 acres (Proposed Action) of vegetation and irreversibly affect 1,061 acres (Alternative A) or 1,063 acres (Proposed Action) of vegetation.” Comment: The reference to 1,063 vs. 1,061 acres on ES-7 appears to be inconsistent with the 1.1 acres referenced on ES-14. There are other examples of this elsewhere in the DEIS. It’s unclear if this is an issue of rounding. From page ES-14: “Approximately 1.1 fewer acres would be irreversibly modified by Alternative A.”	The apparent discrepancy is due to rounding. There are an estimated 1,062.5 acres of permanent disturbance for the Proposed Action, which rounds up to 1,063 as the nearest whole number. Subtracting 1.1 acres for Alternative A yields 1,061.4, which rounds down to 1,061. No changes were made.
Beth Ericksen KG-BM	S-010, C-007	Editorial	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 46 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ “if the taking is compatible with the preservation of	Change was made directly as requested to correct error.

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			golden eagles (CFR 50 22.75)” - Comment: typo, please correct to: Should be 50 CFR 22.75.	
Beth Ericksen KG-BM	S-010, C-008	Editorial	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 49 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Section 2.1.1.1. Comment: can’t locate this figure #. Could it be incorrect?	The section references two figures, Figure 1.2 on page 37 of the draft EIS and Figure 2.1 on page 50 of the draft EIS. Because both figures are in the document, no change was made.
Beth Ericksen KG-BM	S-010, C-019	Editorial	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 137 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Table note 4 is about Spring 16, and table note 5 is about Spring 17. Comment: There is no discussion of these springs in the table and no corresponding references to notes 4 and 5 in the table. Should these notes be removed?	Moved footnotes to correspond to related springs JBR No. 12 and JBR No. 15, and renumbered table notes accordingly.
Beth Ericksen KG-BM	S-010, C-020	Editorial	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 163 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ Water demand: the total number is 5 production wells. Table 3-7 lists 5. Please change to 5.	As confirmed with follow-up communication with KG-BM, added the following text to Section 3.3.2.1.1 of the final EIS for clarification: “As shown in Table 3-7, six potential new production wells (RBTW-1, North Poker, South Poker, CW-2, CW-3, and MWW-7) have been identified, but no more than four new production wells would be required to meet the water demand for any combination of the five pumping scenarios.”
Beth Ericksen KG-BM	S-010, C-063	Editorial	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 317 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ The USFWS Preferred Alternative differs from the ECP Proposed Action in that KG-BM would provide additional nest mitigation through experimental measures. There are two options for KG-BM to fulfil this obligation Comment: is the word fulfill spelled correctly? I believe there’s been spelling changes to some words, and	Revised to “fulfill” for consistency with other instances in the document and because fulfill is the more commonly used spelling in American English.

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			perhaps this is one of those words. I am familiar with the spelling “fulfill” not fulfil.	
Beth Ericksen KG-BM	S-010, C-073	Editorial	[Comment originally submitted using Adobe Acrobat comment tools in PDF file of Draft EIS. Applies to page 384 of Draft EIS PDF file named ‘_Juniper_DEIS_Main-Text-508.pdf.’ table 3-55 Comment: The table lists job numbers as 153,0871” and 11,2754 and are typos.	Change was made directly as requested (numbers were not changed, just the placement of the commas).

2016 FEIS = *Bald Mountain Mine North and South Operations Area Projects Final Environmental Impact Statement*; ACEPM = applicant-committed Environmental Protection Measure; amsl = above mean sea level; ARMPA = *Nevada and Northeastern California Greater Sage-Grouse Approved Resource Management Plan Amendment*; AUM = animal unit month; BMP = best management practice; CCS = Conservation Credit System; CESA = cumulative effect study area; CFR = Code of Federal Regulations; CM = conservation measure; dBA = A-weighted decibel; DMDMC = designated mule deer migration corridor; ECP = Eagle Conservation Plan; EJSCREEN = Environmental Justice Screening and Mapping Tool; GHMA = general habitat management area; GIS = geographic information system; gpm = gallon per minute; HAP = hazardous air pollutant; HLF = heap leach facility; HMA = Herd Management Area; IPaC = Information for Planning and Consultation; KG-BM = KG Mining (Bald Mountain) Inc.; NAAQS = National Ambient Air Quality Standards; NDEP = Nevada Division of Environmental Protection; NDOW = Nevada Department of Wildlife; NDWR = Nevada Division of Water Resources; NOA = North Operations Area; PFYC = Potential Fossil Yield Classification; PHMA = priority habitat management area; PM₁₀ = particulate matter equal to or less than 10 microns in diameter; PM_{2.5} = particulate matter equal to or less than 2.5 microns in diameter; RDA = rock disposal area; RFFA = reasonably foreseeable future action; RIB = rapid infiltration basin; RMP = Resource Management Plan; ROD = Record of Decision; SETT = Sagebrush Ecosystem Technical Team; SOA = South Operations Area; SWReGAP = Southwest Regional Gap Analysis Project; USEPA = U.S. Environmental Protection Agency; USGS = U.S. Geological Survey