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Gold Bar Exploration Project

Resource Report 13
Historic Trails

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Preparing Office

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Resource Report 13 – Historic Trails

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List of Acronyms & Abbreviations

ARMPA	Approved Resource Management Plan Amendment
BLM	Bureau of Land Management
BMP	Best Management Practices
BMRR	Bureau of Mining Regulation and Reclamation
CEQ	Council on Environmental Quality
CESA	Cumulative Effects Study Area
DOI	Department of the Interior
EA	Environmental Assessment
EIS	Environmental Impact Statement
EPA	Environmental Protection Agency
EPO	Exploration Plan of Operations
ER	Environmental Report
FLPMA	Federal land Policy Management Act of 1976
FONSI	Finding of No Significant Impact
HUC	Hydrologic Unit Code
MBTA	Migratory Bird Treaty Act
MLFO	Mount Lewis Field Office

MMI	McEwen Mining Inc.
MMPA	Mining and Mineral Policy Act of 1970
MSHA	Mine Safety and Health Administration
NDEP	Nevada Department of Environmental Protection
NDOW	Nevada Department of Wildlife
NEPA	National Environmental Policy Act of 1969
NHT	National Historic Trails
NOI	Notice of Intent
NPS	National Park Service
NRHP	National Register of Historic Places
NST	National Scenic Trails
NTSA	National Trails Systems Act
QAP	Quality Assurance Plan
RC	Reverse Circulation
RDPC	Reclaimed Desired Plant Communities
RFFA	Reasonably Foreseeable Future Actions
RMP	Resource Management Plan
ROD	Record of Decision
SHPO	State Historic Preservation Officer
SPP	Stormwater Pollution Prevention
TD	Total Depth
USFWS	United States Fish and Wildlife Service
UUD	Unnecessary or Undue Degradation
VRM	Visual Resource Management

RESOURCE REPORT 13 – HISTORIC TRAILS

13.1 AFFECTED ENVIRONMENT

This section identifies and describes the affected environment for historic trails for the Proposed Action.

13.1.1 Area of Analysis for Direct and Indirect Effects

The area of analysis for the Proposed Action for the direct and indirect effects to Historic Trails consists of the area within the Roberts Creek Hydrologic Unit Code (HUC) 10 Watershed (1606000514) and the Coils Creek HUC 10 Watershed (1606000507), as well as the southern portion of the Upper Pine Creek watershed. A HUC watershed was chosen for the Historic Trails effects area of analysis because the limits of the watershed typically coincide with mountain crests and topographic highpoints. Beyond these crests and highpoints, topography generally begins to block views of the area within the watershed.

Roberts Creek Road and Three Bars Road, which would be used for exploration activity access, extend beyond the boundary of the Roberts Creek Watershed. However, there are no trails that are part of the National Trail System along these segments of road. Accordingly, the area of analysis for the National Trails System was not expanded to include the segment of Roberts Creek Road or Three Bars Road that extend beyond the HUC 10 watershed.

13.1.2 Data Sources and Methodology

Data sources and methodology for the Proposed Action are as described below. The primary sources of data and information that were used or consulted in order to describe the existence of any trails within the National Trails System and the existing conditions of the visual and auditory setting of such trails included:

- GIS data published by the NPS in 2011 identifying the location of NHTs that are part of the National Trails System (NPS, 2011b);
- Letter report of the results of a visual resources baseline survey for the now-permitted Gold Bar Mine project prepared by JBR Environmental Consultants, Inc., dated October 23, 2013 (JBR, 2013);
- BLM VRM Areas GIS data (BLM, 2007);
- Gold Bar Baseline Noise Report and Predicted Mining Noise Levels (Brennan, 2016); and
- Observations made during field visits associated with Class III inventory for the permitted Gold Bar Mine project.

A National Trail Management Corridor is the area of land that is of sufficient width to encompass resources, qualities, values, and associated settings, and the primary use or uses of a particular National Trail or segment of National Trail (BLM, 2012a). Thus, the current conditions within a National Trail Management Corridor effectively comprise the existing affected environment associated with the trail.

Formal establishment of a National Trail Management Corridor is accomplished through the land use planning process at the time of development of the resource management plan (RMP) or amendment of the RMP (BLM, 2013).

National Trail Management Corridors were not designated in the Shoshone-Eureka RMP (BLM, 1984) and Shoshone-Eureka Resource Area ROD (BLM, 1986a), or any subsequent amendments to the RMP (BLM, 1987 and 2002). A National Trail study corridor previously was developed to inventory and assess impacts to National Trails in terms of resource, values, qualities, and associated settings for the Gold Bar Mine project. The trail study corridor was defined as the trail corridor depicted in the NPS GIS data (2011b), measured approximately 0.5 mile from either side of the trail centerline, for a total width of one mile. This study corridor is considered adequate to address direct, physical impacts to the NHT resulting from the Proposed Action. However, in the context of the visual setting of the trail, potential visual impacts within line of sight, and indirect impacts, the area of analysis includes the two HUCs as described in Section 13.1.1.

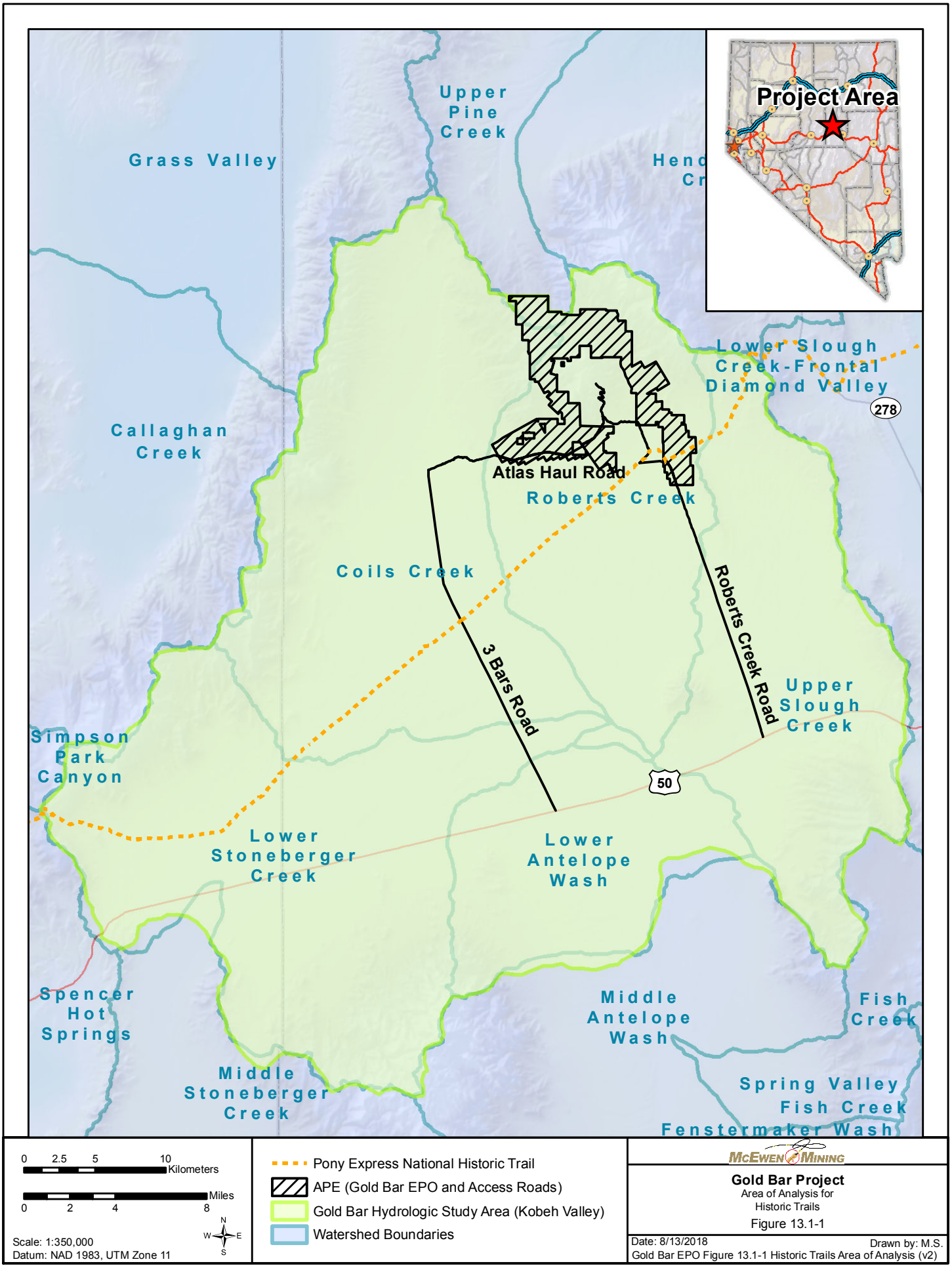
Based on the guidance provided in BLM Manual 6280 and the nature of the Proposed Action activities that would result from implementation of the Proposed Action, the visual setting and noise resources were considered in inventorying the affected environment of a National Trail within the area of analysis. The specific methodology used for the characterization of the existing conditions relating to the visual setting and noise resources is described below.

Visual Setting

According to BLM Manual 6280 (2012a), BLM-designated VRM classes should be used for the management of the visual setting of a National Trail Management Corridor. Accordingly, the BLM VRM system provided the basis for the methods used to assess and characterize the existing visual setting of the NHT within the area of analysis. Manual 6280 states that “to retain or improve the integrity of the associated settings and scenic values for which the National Trail was designated, the BLM should consider establishing VRM classes at the most protective level practicable to meet National Trail scenery management objectives.” The Pony Express NHT is within an area classified as VRM 4; however, VRM objectives that are more visually protective will be applied to retain or improve the existing visual setting of the NHT segment (BLM, 2012a).

Noise

A noise study for the Gold Bar Mine was prepared by J.C. Brennan and Associates, Inc. (2016). The noise study established the existing ambient noise level at several sites within and near to the area of Proposed Action, and therefore is considered appropriate for this analysis. Two of these sites, Robert’s Creek Ranch and Robert’s Creek #2 lek, are within 0.5 mile of the Pony Express NHT. The ambient noise levels reported for these two sites was used as indicators of approximate ambient noise levels within the area of analysis for the Pony Express NHT.


Project Area
Upper Pine Creek
Grass Valley
Callaghan Creek
Lower Slough Creek-Frontal Diamond Valley
278
Atlas Haul Road
Roberts Creek
Coils Creek
3 Bars Road
Roberts Creek Road
Upper Slough Creek
Simpson Park Canyon
50
Lower Stoneberger Creek
Lower Antelope Wash
Spencer Hot Springs
Middle Antelope Wash
Fish Creek
Middle Stoneberger Creek
Spring Valley
Fish Creek
Fenstermaker Wash
0 2.5 5 10 Kilometers
0 2 4 8 Miles
N
W E
S
Scale: 1:350,000
Datum: NAD 1983, UTM Zone 11
Pony Express National Historic Trail
APE (Gold Bar EPO and Access Roads)
Gold Bar Hydrologic Study Area (Kobeh Valley)
Watershed Boundaries
McEwen Mining
Gold Bar Project
Area of Analysis for Historic Trails
Figure 13.1-1
Date: 8/13/2018
Drawn by: M.S.
Gold Bar EPO Figure 13.1-1 Historic Trails Area of Analysis (v2)

13.1.3 Regulatory Framework

The National Trails System Act (NTSA), P.L. 90-543, became law October 2, 1968. The NTSA and its subsequent amendments authorized a national system of trails to provide additional outdoor recreation opportunities and to promote the preservation of access to the outdoor areas and historic resources of the nation. The four classes of trails include: National Scenic Trails (NST), those that provide outdoor recreation and the conservation and enjoyment of significant scenic, historic, natural, or cultural qualities; NHTs, those that follow travel routes of national historic significance; National Recreation Trails, those in or reasonably accessible to urban areas on federal, state, or private lands; and lastly Connecting or Side Trails that provide access to or among the other classes of trails.

Federal agencies must consider the effects of their actions on National Trails under NEPA and the NTSA (16 U.S.C. 1246). The NTSA states that other uses along a National Trail that will not substantially interfere with the nature and purpose of the trail may be permitted by the Secretary charged with the administration of the trail. Reasonable efforts shall be made to provide sufficient access opportunities to such trails and, to the extent practicable, efforts shall be made to avoid activities incompatible with the purposes for which such trails were established (16 U.S.C. 1246). Section 5 of the NTSA requires “a protection plan for any high-potential historic sites or high-potential route segments.”

BLM implementation of the requirements established by the NTSA are found within BLM manuals 6280, 6250, and 8353 (BLM, 2012a; 2012b; 2012c). For the purposes of NEPA and the analysis addressed in this resource report, BLM Manual 6280 served as the primary regulatory guidance. This manual provides policy direction regarding the BLM management approach and NEPA analysis requirements for National Trails. Under Manual 6280, “Management of National Scenic and Historic Trails and Trails Under Study or Recommended as Suitable for Congressional Designation (Public),” the purpose of a NHT designation is the identification and protection of the historic route and the historic remnants and artifacts for public use and enjoyment. A NHT is managed to recognize the nationally significant resources, qualities, values, and associated settings of the areas through which such trails may pass, including the primary use or uses of the trail. Federal Protection Components associated with the NHT, including high potential historic sites, high potential route segments, and auto tour routes are identified by the National Trail administering agency through the trail-wide Comprehensive Plan. Properties eligible for the NRHP, which may also be Federal Protection Components, may be identified along the NHT, including segments of the NHT itself.

13.1.4 Existing Conditions

According to GIS data available published by the NPS (2011), the Pony Express NHT crosses through the southern portion of the EPO Area. The Pony Express is a designated NHT. To adhere to BLM guidance for trails either designated as or under consideration for designation as a NHT or NST, indirect effects must be analyzed.

The Pony Express was a mail and package delivery service between St. Joseph, Missouri and Sacramento, California. The delivery service consisted of men on horseback operating as a relay team along the trail. Operation of the Pony Express lasted only 19 months and was officially terminated in October 1861 with the advent of the telegraph (BLM, 2011).

This segment of the NHT was determined non-contributing to the overall significance of the Pony Express by BLM in 2009 (Malinky, 2009). Blading and motor vehicle use have altered the trail segment, which has impacted its integrity of workmanship, design, and materials. SHPO concurrence on that determination was received in July 2009. Therefore, it is currently considered not eligible for inclusion on the NRHP.

The NPS has designated this segment of the Pony Express NHT (designated as Overland Canyon to Simpson Park Station) as a high-potential segment. High potential segments are "*those segments of a trail which would afford a high quality recreational experience in a portion of the route having greater than average scenic values or affording an opportunity to vicariously share the experience of the original users of a historic route*" (NPS, 1999).

The NHT Condition Categories are federal standard classifications designed to assess the comparative character of visible trail remnants observed at the time of mapping for all NHTs. NHT Condition Categories are applicable to the heritage resource component of the NHT and not to the recreation or interpretive components. NHT Condition Categories do not reflect the character or integrity of the NHT setting or surrounding landscape. This segment is categorized as NHT Condition Category IV as outlined in the Federal Trail Data Standards (Malinky, 2009). The definition of NHT Condition Category IV is "Location Verified and Permanently Altered" (NPS, 2011a).

Most visitors and persons interested in seeing or visiting the Pony Express NHT within the area of analysis will utilize either Three Bars Road or Roberts Creek Road. Both of these roads cross the trail and are the easiest and most direct means of access to the trail within the area of analysis. These roads are also used for exploratory activity access, with most traffic occurring at shift changes. BLM visitor use data indicates the Pony Express NHT segment in this area is used for mountain biking, hiking/walking/running, horseback riding, off-highway vehicle (OHV) all-terrain vehicle, and OHV-cars/trucks/sport utility vehicles (BLM 2017). Visits and visitor days for historical sites in the Mount Lewis resource management area is 3,519 visitors and 974 visitor days from October 2009 thru 2016 (BLM 2017b), which is less than one percent of the recreational use in the management area.

Visual Setting

Within the area of analysis, the Pony Express NHT crosses Kobeh Valley, which has a wide, flat form. Nearly the entire valley floor within view of the trail is vegetated. Vegetation cover consists mostly of sagebrush and is fairly uniform. In general, there are large expanses of undisturbed land with native vegetation.

There are several unpaved roads that cross the Pony Express NHT, including Three Bars Road and Roberts Creek Road. The surfaces of these roads are native soils and have a bold and flat form with a distinct finely-stippled surface. The edges of the road surfaces create strong curvilinear lines. The Pony Express NHT also looks much like an unpaved dirt road and has similar line, form, and color elements as the other unpaved roads visible from the Pony Express NHT.

There are several buildings associated with ranching activities located within view of the Pony Express NHT. One building is dark brown with a silver roof. The other buildings are muted colors that are pale and close to white. The silver and pale colors on the buildings are unlike the otherwise natural colors within the study area, and for this reason, the buildings are readily apparent. Wood fence posts near the buildings are also visible. These buildings are part of the privately-owned Roberts Creek Ranch, which began as a station on the Pony Express NHT.

Existing disturbance at the Gold Bar Mine approximately two miles from the NHT segment is visible from the Pony Express NHT. The existing mining disturbance is blend of light gray, light tan, and light orange colors. Surrounded by darker vegetation cover, the light-colored disturbances are apparent.

Ambient Noise Levels

The baseline noise assessment prepared by J.C. Brennan & Associates, Inc. (2016) did not specify the sources of ambient noise within the area of analysis, including the National Trail study corridor. However, considering that there are ranch buildings and unpaved roads within the National Trail study corridor, it can be assumed that activities associated with ranching operations and vehicle travel on roads contribute to ambient noise levels within the National Trail study corridor. The NHT is approximately two miles from the Gold Bar Mine, and activities associated with mine development likely also contribute to ambient noise levels. The most constant source of ambient noise within the National Trail study corridor is likely wind. Wind speed was recorded as part of the baseline noise assessment, indicating that it was a source of noise in the area. Ambient noise levels were consistently higher on days that wind speeds were greatest (Brennan, 2016).

According to the baseline noise assessment, ambient noise levels over a 24-hour period average between 32 and 51 dBA within the National Trail study corridor, depending on proximity to Roberts Creek Road and the ranching facilities along Roberts Creek Road. In general, day-time noise levels are louder than night-time noise levels throughout the entire National Trail study corridor (Brennan, 2016).

13.2 ENVIRONMENTAL CONSEQUENCES

The following indicators were considered when analyzing the potential direct and indirect effects that the Proposed Action would have on the National Trails System:

- Change in the accessibility of the National Trail study corridor;
- Degree of contrast or conflicts with established BLM VRM class objectives for the National Trail study corridor;
- Change in the scenic quality of the existing landscape visible within and from the National Trail study corridor that conflict with the intended purpose(s) or use(s), or the setting of the Pony Express NHT; and
- Change in ambient noise level measuring more than five dBA.

No visual simulation was performed for the Proposed Action. The assessment of potential effects on the visual setting of the National Trail study corridor resulting from the Proposed Action was completed using the BLM Visual Contrast Rating System. Under the BLM Visual Contrast Rating System, the extent of an undertaking's effect is dependent on the degree of visual contrast the Proposed Action would have with the existing landscape features in terms of form, line, color, and texture. A detailed description of the BLM Visual Contrast Rating System is provided in BLM Manual H-8431, *Visual Resource Contrast Rating* (BLM, 1986b).

The amount of difference among the form, line, color, and texture elements of the Proposed Action and the existing visual setting determines the degree of contrast the Proposed Action would be expected to have. The results of this comparison and expected degree of contrast were applied to the effect indicators

listed above to determine the potential for the Proposed Action to effect visual resources, and thus the visual setting of National Trail study corridor.

Although the VRM Class designation of the BLM-administered public lands within the National Trail study corridor located within the area of analysis is currently Class IV, BLM Manual 6280 states that VRM Class IV should not be considered for use within a National Trail Management Corridor. Thus, proposed activities located within an anticipated future National Trail Management Corridor for the Pony Express NHT were also assessed for compliance with the visual objectives of BLM VRM Class III. The objective of VRM Class III is to partially retain the existing character of the landscape. The level of change to the characteristic landscape should be moderate. Management activities may attract attention but should not dominate the view of the casual observer. Changes should repeat the basic elements found in the predominant natural features of the characteristic landscape (BLM, 1986b).

A five dBA change in the ambient noise level was used as an indicator because an increase of five decibels is generally required before the human ear detects a meaningful change. Changes in noise levels were evaluated for their effects on the setting of Pony Express NHT. Noise levels associated with drilling were predicted using the CadnaA Noise Prediction Model (Brennan, 2018). The CadnaA Noise Prediction Model predicts overall noise levels for multiple noise sources, while also accounting for topography, air temperature, humidity, wind speed, and wind direction.

Effect Context for Historic Trails

Localized: Effects would occur at a small scale, such as along a small section of a NHT.

Regional: Effects would occur along a large portion of a NHT, and the region surrounding the NHT.

Duration of Effects Definitions for Historic Trails

Short-term: Effects would last for the duration of the Proposed Action

Long-term: Effects would last beyond the duration of the Proposed Action.

Intensity of Effects Definitions for Historic Trails

Negligible: Effects to historic trails would not affect the cultural, visual, and recreational integrity and character of the NHT, effects occur to portions of the NHT that is not considered eligible, or the effects would be small and not readily discernable

Minor: Effects to historic trails would be discernable but small, localized, and of little consequence. Applicant-committed EPMs and BMPs would minimize the potential for adverse effects on the cultural, visual, and recreational integrity and character of the NHT.

Moderate: Effects to historic trails would be readily apparent, measurable, large and of consequence, but localized. Effects would affect the cultural, visual, and recreational integrity and character of the NHT. Applicant-committed EPMs and BMPs would minimize the potential for adverse effects on the cultural, visual, and recreational integrity of the NHT, but additional mitigation measures may be required, but mitigation would likely be successful.

Major: Effects to historic trails would substantially change the cultural, visual, and recreational integrity and character of the NHT. These changes may have permanent consequences for the resource. Mitigation may be necessary to reduce or rectify adverse effects, and these measures would need to be monitored to determine their effectiveness.

13.2.1 Proposed Action

The Pony Express NHT crosses the EPO Area. Public and recreational access to the trail would be not affected by the Proposed Action. However, there would be a small increase in traffic due to exploration activities, typically two or three trucks per day. Although the increased vehicle use on the road would not be consistent with the traditional and intended setting of the trail, effects would be short-term, localized, and negligible because the trail crosses numerous roads with vehicle travel, and because there are already vehicles travelling on Roberts Creek Road.

While exploration activities would be located outside of the National Trail study corridor, surface disturbance resulting from drilling may be visible from within the corridor. Exploration activities would require surface disturbance that removes existing vegetation cover from within the EPO Area.

Removal of vegetation cover would introduce form, line, color, and texture elements that contrast with the existing landscape. Exploration activities would also require grading or reshaping of soils and landforms for the construction of roads, trenches, and exploration drill sites. The removal of vegetation cover and mass movement of soils and landforms would contrast with the surrounding landscape.

At any given time within the 17,316-acre EPO Area, a maximum of 100 acres of unreleased Proposed Action-related disturbance would exist. Of this, up to 25 acres would consist of active surface disturbance associated with exploration activities. The remaining acres (up to 75 acres) would be concurrently reclaimed for subsequent release by the BLM. The maximum total area of disturbance over the 10-year life of the Proposed Action would not exceed 200 acres. Therefore, effects on the visual setting of the National Trail study corridor would be localized, short-term, and negligible to minor.

According to the noise study, the noise levels associated with the Proposed Action would increase by as much as five dBA (Brennan, 2018). Therefore, additional noise contributions resulting from the Proposed Action would be localized, short-term, and negligible.

13.2.1.1 Environmental Consequences

The Proposed Action would result in no significant effects to historic trails, as adverse changes to the visual and auditory setting of the Pony Express NHT and increases in vehicular traffic would be localized, short-term, and negligible to minor.

13.2.2 No Action Alternative

Under the No Action Alterative, no significant effects to historic trails would occur. As described **Resource Report 2 – Proposed Action**, there are five Notices of Intent currently authorized within general area of the Proposed Action. While most of these areas have been reclaimed and released by the BLM, there is a total of 2.3 acres of unreleased lands in the Afgan and HP NOI areas. These would be reclaimed under the existing authorization. In addition to the NOI authorized disturbance areas, the EPO Area contains approximately 332 acres of existing disturbance from the old Atlas mining operations, meaning that surface, and possibly subsurface, soil horizons have been previously disturbed. These areas would not be reclaimed under the No Action Alternative.

13.2.3 Cumulative Effects

Proposed Action

The CESA for Historic Trails is presented in **Figure 13.1-1**. **Table 2.4.1** in Resource Report 2 provides the cumulative effects from past, present, and RFFA's in combination with the Proposed Action. The CESA for historic trails includes the viewshed of the Proposed Action. The rationale for selecting this as the CESA was based on the results of the visual analysis of facilities within the EPO Area that would be visible from some areas within the EPO Area. This CESA includes the area of potential cumulative effects to historic trails. The only historic trail within the CESA is the Pony Express NHT. The total area of the CESA encompasses approximately 1,284,958 acres of both public and private land.

Past and present disturbance within the historic trails CESA includes mineral exploration and development (4,644 acres), sand and gravel operations (1,591 acres), roads (3,975 acres), and wildland fire (1,222 acres). Consideration of effects to historic trails would have occurred for past and present projects on public land, or requiring a federal permit, to determine potential effects to National Historic trail systems.

RFFAs within the historic trails CESA would include mineral exploration and development (8,837 acres) and sand and gravel operations (265 acres). These activities would lead to similar effects as stated for past and present actions.

Of the 1,284,958 acres covered by the historic trails CESA, approximately 20,534 acres of disturbance are associated with past, present, and RFFAs, which is a disturbance of approximately 1.6 percent of the CESA. The Proposed Action would increase the disturbance within the CESA by 200 acres, which is less than 0.02 percent of the total CESA.

Past, present, and RFFAs could result in moderate to major cumulative effects to historic trails. With implementation of the applicant-committed environmental protection of avoidance of historic properties and on-going reclamation activities, adverse effects to historic trails resulting from the Proposed Action are anticipated to be negligible.

No Action Alternative

Adverse cumulative effects from past, present, and RFFAs would be similar to the Proposed Action except that adverse effects from the Proposed Action activities would not occur and up to 50 acres of existing disturbance within the CESA would not result in beneficial long-term effects from reclamation.

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