

PROPOSED “MARGARET DEPOSIT” FINDING OF NO SIGNIFICANT IMPACT

Proposed Action

In accordance with authority at 43 Code of Federal Regulations (CFR), Part 3500 – Leasing of Solid Minerals other than Coal and Oil Shale, Subpart 3509, the BLM’s proposed action (*i.e.*, preferred alternative) is to issue a 20-year renewable non-competitive *fractional interest hardrock mineral lease* with a *contingent right stipulation*. The lease would be issued to the sole applicant, Idaho General Mines, Inc. (IGMI), for the United States’ 50 percent undivided mineral interests in approximately 217.3 acres within Mineral Survey (MS) 708. The parcel is situated in northern Skamania County, Washington (WA), on Goat Mountain (T10N, R6E, in portions of Sec. 7, 8, 17, and 18, W.M.) in the Gifford Pinchot National Forest administered by the U.S. Forest Service (USFS).

Idaho General Mines, Inc., is incorporated under laws of the State of Idaho with offices at North 10 Post Street, Suite 610, Spokane, WA 99201. Via quit claim deed from the previous owner dated September 28, 2004, IGMI holds title to the other 50 percent of the undivided mineral interests on the land within MS-708. As stated above, the U.S. owns the other 50 percent of the mineral estate and the entire surface estate.

The status of the subject lands is *acquired* which removes them from provisions for hardrock mineral location (*i.e.*, staking mining claims) pursuant to 1872 Mining Law. Acquired Federal minerals, including hardrock minerals, are available only under the authority of the Mineral Leasing Act for Acquired Lands of 1947.

BLM has authority to issue a hardrock mineral lease only with the written consent of the USFS. In granting consent, the USFS must determine whether leasing is compatible with the purposes for which the lands were acquired, as well as with the 1990 Gifford Pinchot Forest Land and Resource Management Plan as amended by the Northwest Forest Plan of 1994.

The other alternatives considered in reaching this finding were: 1) issuing a *fractional interest lease* for lands within *Mineral Survey* (MS) 708 and a *fringe acreage lease* on adjoining lands included in MS-774, 1329, 1330, and 779 (approximately 900 acres) pursuant to Idaho General Mines, Inc., (IGMI) lease application of March 24, 2005 (assigned Bureau of Land Management (BLM) Serial Number WAOR-61215); and 2) taking *no action*.

The decision to issue a *fractional interest lease* with the *contingent right stipulation* described below would result in no change or direct/indirect impact to the existing environment. Although BLM may issue noncompetitive *fringe acreage leases* for “...known deposits of leasable minerals in Federal lands adjacent to existing deposits, when the Federal deposits can be mined only as a part of an adjacent operation,” it is the Bureau preferred alternative is to address the *fringe acreage* portion of IGMI’s

application when more substantive information becomes available with which to judge the criteria at 43 CFR §3510.15. The *no action* alternative would result in the absence of any consequences to the existing environment.

Contingent Right Stipulation

On May 2, 2006, the USFS provided BLM with a determination of written consent together with a *contingent right stipulation* that would limit leasing only to issuance of a right subject to subsequent National Environmental Policy Act (NEPA) based review and determination of approvability of any plans for exploration and/or resource development consistent with applicable regulations. More specifically the USFS stated:

“In summary, our [USFS’] determination is that issuance of a hardrock mineral lease to Idaho General Mines, Inc. for the subject lands (MS 708), with the following contingent right stipulation, is compatible with both the purposes of the acquisition, and the Forest Plan [see Proposed Action]. The specific text of the contingent right stipulation is:

Notwithstanding any language to the contrary in Sections 2 and 14¹ or any other provision of this lease, the lessee is not entitled to any exploration or development rights. Any plan to explore, develop, or in any other manner use the lands described herein, is subject to BLM’s approval following environmental analysis and public disclosure required by the National Environmental Policy Act, or any other analysis undertaken by the Department of the Interior or the Department of Agriculture for any reason. The BLM has absolute discretion to deny any exploration or development operations. No operations may commence until BLM has issued a specific permit subject to prior USFS consent covering those operations.”

Inventoried Roadless Area

For the purpose of compliance with the Order(s) of the District Court for the Northern District of California issued in *People of the State of California ex rel. Bill Lockyer, v. United States Department of Agriculture*, No. C05-03508 EDL consolidated with *The Wilderness Society v. United States Forest Service*, No. C05-04038 EDL (reinstating 36 CFR 294, Subpart B (2001) (Protection of Inventoried Roadless Areas) (hereinafter the “2001 Rule”)), surface occupancy or use of the lands described below is subject to the following special operating constraints:

No new temporary roads, permanent roads, road construction or

¹ OMB approved lease form (No. 1004-0121), Section 2 of Part I (land description), and Section 14 of Part II (special stipulations).

reconstruction (as defined in 36 CFR 294.11) may occur within the lands described below:

Generally less than the northern one-third of MS-708

This stipulation may change in accordance with applicable provisions. It will cease to apply in the event the District Court's Order reinstating the 2001 Rule is reversed, the 2001 Rule is set aside, or if the Forest Service determines that other events have caused the 2001 Rule to no longer be in effect or applicable to the lands within the leasehold.

Finding of No Significant Impact

Available information indicates that issuance of the proposed *fractional interest lease* with a *contingent right stipulation* would result in no direct, indirect, or cumulative change, nor impact to any of the following critical elements and aspects, or related tangible/intangible environmental factors because:

- No physical on-the-ground and/or surface disturbing activity would be authorized; and
- Only a lease right would be authorized.

Critical Elements	Affected (Yes)	Affected (No)
Air Quality		No
Areas of Critical Environmental Concern		No
Cultural, Scientific & Historic Features/Resources		No
Farmlands (Prime/Unique)		No
Floodplains		No
Invasive Species		No
Migratory Birds		No
Multiple Use-Sustained Yield		No
Survey & Manage Species		No
Threatened & Endangered Species		No
Wastes, Hazardous/Solid		No
Water Quality		No
Wetlands/Riparian Zones		No

Critical Aspects	Effects
American Indian Religious Freedom	None – existing human activities; tangible or intangible features; and regional or local social institutions or societal interaction would be unchanged
American Indian Sacred Sites	None – existing human activities; tangible

Critical Aspects	Effects
	or intangible features; and regional or local social institutions or societal interaction would be unchanged
Archeological Resources	None – no on-the-ground actions would be authorized
Beneficial or Adverse Impacts	None – existing environs would be unchanged
Effects on Districts, Sites, Highways, Structures, or Objects Listed or Eligible for the National Register of Historic Places	None – no on-the-ground actions would be authorized
Environmental Justice	None – existing human activities; tangible or intangible features; and regional or local social institutions or societal interaction would be unchanged
Forest and Rangeland Renewable Resources Planning	None – no on-the-ground actions would be authorized
Irreversible & Irrecoverable Resources	None – existing environs would be unchanged
Loss or Destruction of Significant Scientific, Cultural, or Historical Resources	None – no on-the-ground actions would be authorized
Precedence for Future Actions	None – any future actions could only occur in accordance with specific authorization based on NEPA analysis of detailed exploration and/or mine development plans
Public Health or Safety	None – no on-the-ground actions would be authorized
Quality of the Human Environment	None – existing human activities; tangible or intangible features; and regional or local social institutions or societal interaction would be unchanged
Relation to Other Cumulative Significant Actions	None – no other application for new resource use authorization is pending within the geographic area of the proposed lease
Unique Characteristics of the Geographic Area	None – proximity of the proposed lease area to the Mt. St. Helens National Volcanic Monument is well described in the foregoing section on “Location of the Proposed Action”
Unique or Unknown Risks	None – no on-the-ground actions would be authorized
Violation of Federal, State, or Local Law	None

Therefore, I have determined, based on review of the environmental analysis (No. EA-OR-936-06-001, dated March 8, 2007), including the explanation of the absence of any

potentially significant environmental impacts, that the Proposed Action, as limited by the above stated *contingent right stipulation*, will have no significant impact on the human environment and that preparation of an Environmental Impact Statement is not required.

Signature: _____

Title: _____

Date: _____

