

## **Finding of No Significant Impact**

### **Western Energy Development Corporation Kings Valley Uranium Exploration Project Environmental Assessment DOI-BLM-NV-WO10-2010-0008-EA**

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Based on the interdisciplinary analysis conducted in the Kings Valley Uranium Exploration Environmental Assessment (EA) DOI-BLM-NV-WO10-2010-008-EA dated May 2010, a review of the mine plan of operations, and my consideration of the Council of Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), both with regard to the context and the intensity of impacts, I have determined that the impacts associated with the proposed action are not significant. Therefore, preparation of an environmental impact statement (EIS) pursuant to Section 102(C) of the National Environmental Policy Act (NEPA) is not required.

I have determined that the proposed action is in conformance with the approved Paradise-Denio Management Framework Plan and is consistent with the plans and policies of neighboring local, county, tribal, state and federal governments to the greatest extent practical.

The following mitigations were developed through the analysis in order to reduce impacts:

#### Rangeland Management

Avoid rangeland improvements located within the Project Area in planning for the phased drilling, and should unintentional impact occur to any range improvement by Western Energy Development Corp., they should repair or replace the improvement to meet BLM design specifications.

#### **Context**

Western Energy Development Corp. submitted a Plan of Operations (PoO) expanding their two existing Notice-level uranium exploration projects in the Kings River Valley, on the western slopes of the Montana Mountains, located approximately sixty-three miles north-northwest of Winnemucca in Humboldt County, Nevada. The project is located within portions of T.45 N., R. 34 E., Sections 4, 9 and 16; and T.46 N., R. 34 E., Sections 22, 27, 28, 33 and 34, Mount Diablo Base and Meridian (MDB&M), and covers approximately 1,383 acres of public land, of which 250 acres (including the approximately nine acres already disturbed under their current Notices) are planned to be disturbed in a multi-phased project.

The proposed Phase I surface disturbance (including approximately nine acres of existing notice level disturbances) would consist of up to 210 new drill sites accessed by approximately 44,925 linear feet of new roads on 44.65 acres on public land. Subsequent surface disturbance in future phases would be dependent upon the results of exploration in Phase I. The project is planned to

run for approximately 10 years. Reclamation would include recontouring the surface disturbances and revegetation.

## **Intensity**

### *1) Impacts that may be both beneficial and adverse.*

The EA considered possible beneficial and adverse impacts of the proposed exploration project. Benefits to the local communities through temporary increased employment, and use of local retail services, restaurants and lodging are possible throughout the approximate ten years of the project. Any adverse impacts would be classified as temporary as well, since they would either end, or through reclamation be wholly or partially mitigated after exploration has ceased. Upon completion of the exploration activities, all equipment would be removed, and surface disturbances would be recontoured and revegetated. There are no long-term impacts to the area anticipated from the exploration activities.

### *2) The degree to which the proposed action affects public health or safety.*

Exploration activities are not expected to cause adverse public health effects. The proposed action includes observing prudent vehicle speeds. Safety requirements would be required by MSHA (Mine Safety and Health Administration) and the Nevada Industrial Relations Division of Mine Safety. In addition, drill cuttings will be handled in accordance with Joint Agency Guidelines for Uranium Exploration Drilling Reclamation dated June 26, 2007, by the New Mexico Mining and Minerals Division, BLM, and USFS. No long term adverse public health or safety affects are expected from use of the reclaimed area.

### *3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.*

The project would not affect park lands, prime farmland, wetlands, wild and scenic rivers or ecologically critical areas. All areas to be disturbed by exploration activity have been surveyed and evaluated for historic and/or cultural resources. Although a sacred site was identified as nearby, it will not be affected by the exploration activities.

### *4) The degree to which the effects on the quality of the human environment are likely to be highly controversial.*

Exploration drilling projects are not new to Nevada. Very few public comments were received through scoping or the public comment period on the preliminary EA. There were no comments that were controversial in nature.

### *5) The degree to which the possible effects on the quality of the environment are likely to be highly uncertain or involve unique or unknown risks.*

The exploration techniques are all common methods employed in the mining industry and are not expected to produce uncertain or unique risks.

### *6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.*

Approval of the proposed action would not set any known precedents or establish any principles for future decisions. The proposed exploration activities have been commonly applied for several decades.

7) *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.*

Cumulative impacts to the area were assessed in the EA. Two Cumulative Effects Study Areas (CESAs) were used for the analysis. A biological CESA was used to analyze the potential effects to migratory birds, special status species and wildlife, and a hydrological CESA was used for soils, vegetation, hydrology, cultural, air quality and invasive, nonnative species. Detailed analyses of these areas were done to assess the potential cumulative impacts. Through these analyses it was determined that no significant cumulative impacts would result from the proposed action.

8) *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the NRHP or may cause loss or destruction of significant scientific, cultural, or historic resources.*

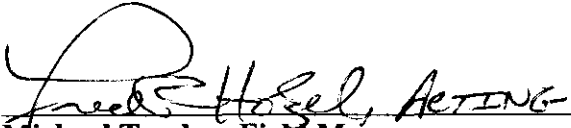
The proposed action would have no adverse affects to any of these resources, since WEDC would avoid, or mitigate impacts to, all contributing elements of the National Register eligible sites. All contributing elements would be avoided by a buffer zone of 100 feet unless mitigated through a data recovery plan approved by the BLM in consultation with the SHPO. Although a sacred site was identified as nearby, it will not be affected by the exploration activities. The BLM would provide a review of the work plan for each phase prior to WEDC initiating activities under that phase to ensure the protection of all contributing elements of eligible sites.

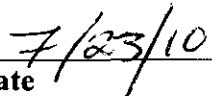
9) *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under ESA of 1973.*

These issues were examined in the EA and no adverse impacts were identified.

10) *Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.*

No threats of violation were identified in the preparation of the EA and any Decision regarding this proposed project would stipulate that the operator must obtain all necessary approvals from other federal, state, and local agencies before proceeding with the proposed action. The BLM would make at least two inspections each year to ensure compliance with the approved plan of operations. Additionally, the Nevada Division of Environmental Protection would make regular inspections pertaining to the reclamation permit.

  
Michael Truden, Field Manager,  
Humboldt River Field Office

  
Date