



United States Department of the Interior

BUREAU OF LAND MANAGEMENT



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<http://www.blm.gov/ca/bishop>

CA-010-100
8560/3802/3809 (P)
CA170.40

NOTICE OF PROPOSED ACTION/IMP NOTICE

Dear Interested Party:

The Bureau of Land Management (BLM) Bishop Field Office is reviewing a proposal to authorize a mineral exploration drilling project on public lands in the Bodie Hills Management Area, near the Paramount Mine site which includes areas within the surrounding Bodie Wilderness Study Area (CA-010-100). Proposed activities would also take place on nearby private lands.

As per the Interim Management Policy (IMP) for Lands Under Wilderness Review, BLM is required to inform all affected or interested publics about any proposed action occurring within a BLM Wilderness Study Area (WSA). The purpose of this letter is to provide you the opportunity to review the proposed action and to help us identify issues and concerns that should be addressed in the environmental assessment, which the Bishop Field Office will prepare during the next few months.

If you have any questions regarding this proposed action, please call Cheryl Seath, BLM Geologist at (760) 872-5024 or Diana Pietrasanta, BLM Wilderness Specialist at (760) 872-5028.

Sincerely,

/s/ Paul Bannister
Paul Bannister
Acting Bishop Field Manager

Attachments: Notice of Proposed Action and Interim Management Plan Notice for an
Exploratory Mining Proposal in the Bodie WSA (CA-010-100)
Maps (2)

NOTICE OF PROPOSED ACTION & INTERIM MANAGEMENT PLAN NOTICE FOR AN EXPLORATORY MINING PROPOSAL IN THE BODIE WSA (CA-010-100)

Purpose and Need for the Proposed Action

Cougar Gold LLC (Cougar) of Denver, Colorado has submitted a proposal to conduct mineral exploration drilling activities in the Bodie Wilderness Study Area (WSA) (CA-010-100), located in the Bodie Hills of east-central California. In compliance with the National Environmental Policy Act and in consideration of the level of disturbance proposed by the company, BLM will conduct an environmental assessment (EA) of the proposal to identify environmental impacts. BLM will also determine the project's operating terms and conditions in accordance with the BLM Surface Management Regulations 43 Code of Federal Regulations (CFR) 3802 and 3809. If approved and subsequently implemented, this proposed project would allow Cougar to evaluate and define the existence and extent of mineralized deposits within their mineral claims in the Paramount Mine area. Mining activity associated with claims in the WSA around Paramount mine are considered "grandfathered" uses.

The Federal Land Management Policy Act of 1976 (FLPMA) requires BLM to respond to requests for approval of mining activities when the proponent has legal claims to the area. FLPMA directs the BLM to recognize the rights of mining claimants on public lands, including "grandfathered" uses in Wilderness Study Areas (WSAs). Under "grandfathered" uses, mining and mineral leasing uses that existed on the date FLPMA was passed (October 21, 1976) may continue in a WSA in the same manner and degree, even if those activities would impair wilderness values and the WSA's suitability for wilderness designation. Cougar's "grandfathered" mineral uses for exploration activities in the Bodie WSA were affirmed by an Interior Board of Land Appeals Decision (IBLA #99-358, 155 IBLA 64) on May 16, 2001. The proponent is legally prohibited from creating unnecessary and undue degradation of public land resources per Section 603(c) of FLPMA. BLM will use its regulatory authority to monitor and enforce this provision.

Proposed Action

On January 17, 2009, Cougar submitted a Mining Plan of Operation to the BLM Bishop Field Office describing the proposed mineral exploration drilling project for the Paramount Mine vicinity of the Bodie Hills, Mono County, California (Sections 23, 24, 25 and 26, T.5N., R.26E., MDB&M). The proposed drill sites and operations are located on public lands both inside and outside the Bodie WSA (see attached maps). Some small portions of nearby private land would be used to stage equipment and perform operations to support the proposed exploratory drilling activities. The BLM will analyze impacts to both public and private lands because impacts to private lands would not occur without BLM's authorization of the proposal on public lands.

Access to the project exploration site is from Bridgeport, California via the Aurora Canyon, Geiger Grade, and Paramount Mine roads. The proposed project would drill 31 core holes at 27 sites. Coring within the WSA would include a combination of truck-mounted drilling at locations accessible via existing routes and helicopter supported platform based drilling at locations not accessible via existing routes within the WSA. The company proposes to construct the platforms at a private land staging area, then fly-in and install them at locations not accessible via existing routes. The platforms would be constructed so their height can be adjusted to accommodate topographic contours and site specific vegetation conditions.

Drilling Operations Methods

Eight drill sites (with 11 drill holes) would be along existing routes and would be drilled with a truck supported coring rig. Nineteen drill sites (one site with two holes, for a total of 20 holes) would be off of existing routes and drilled from the elevated platforms flown in by helicopter from private land.

The drilling period for the exploration would occur from mid-July through October or November 2009, weather permitting, approximately 94 days. In order to complete the project in one season, three separate active drilling site operations would run simultaneously in the proposed project area. Drilling operations would be conducted 24-hours per day using two shifts during the entire drilling period. During the proposed project, one truck-mounted drill rig with a support truck would conduct drilling operations along routes in the WSA while two helicopter supported platform based drilling operations would occur simultaneously in the WSA.

The truck-mounted drill rig and a support truck would be mobilized and demobilized to the drill sites along existing routes. Public access along routes would be temporarily blocked when a truck mounted drill rig is active. Drilling supplies and service materials would be delivered and core and cuttings removed from drill sites either by truck or ATVs on existing routes.

For the platform based operations, a helicopter would fly materials into the site for assembly, drilling activity and removal of core and cuttings.

After drilling is completed, equipment, platforms and any debris which may have fallen from any vehicle or drill platforms onto the ground would be removed. Project termination activities would also include rehabilitation of surface disturbance impacts at the drill holes, platform anchor points and drill platform supporting legs as well as impacts created from mining personnel foot traffic while accessing and working around the platforms.

Conformance with Applicable Regulations

The Interim Management Policy for Lands Under Wilderness Review (IMP) dated July, 1995 provides direction to manage proposed uses in WSAs. The IMP requires overriding consideration be given to protect wilderness values in WSAs so as not to impair an area's suitability for wilderness designation. This non-impairment standard governs all proposed uses in WSAs including activities associated with mining claims located after the passage of FLPMA. The exception to the non-impairment standard is mining uses which occurred prior to the passage of FLPMA. According to the IMP, these uses may continue in the same manner and degree as occurred on the date FLPMA was enacted, even if the use would impair wilderness suitability. Such "grandfathered" uses must have been taking place on the lands as of October 21, 1976 in the same manner and degree, but a "grandfathered" mining use cannot cause unnecessary and undue degradation to public lands. Title 43 of the Code of Federal Regulations, Part 3802 provides statute authority to manage mining activities in WSAs.

Timeline

Following is the expected timeline for the BLM to complete the environmental assessment (EA) process for Cougar's proposed exploratory drilling project in the Bodie WSA:

ACTION	DATE
Cougar files Plan of Operations (PoO)	January 17, 2009
Notice of Proposed Action distributed	February 11, 2009
Public Scoping <ul style="list-style-type: none"><li data-bbox="284 1377 527 1415">• Public Meeting	30 day time period from release of NOPA February 25, 2009, 06:00 PM Community Center, Bridgeport, CA
Environmental Assessment (EA) available	April 1, 2009
Public Review period for EA	30 days following the release of the EA
Decision Record preparation	May 29, 2009

ACTION	DATE
Appeal Period	30 days following release of the Decision
Project Implementation	The day after the end of the appeal period if there are no appeals or requests for stay of the decision.

Public Comment

Public comments are welcome at any time during the environmental assessment (EA) process. Additionally, a public scoping meeting will be held in Bridgeport, California at the Community Center on February 25, 2009 at 6:00 pm. The purpose of the meeting will be to respond to questions about the proposal, to take written public comments about specific and relevant resource values that may be affected by the proposal, and to seek input to help improve the project's operation and reduce potential impacts to wilderness and other resource values. A copy of the proponent's proposed Plan of Operation is available by request from BLM Bishop Field Office.

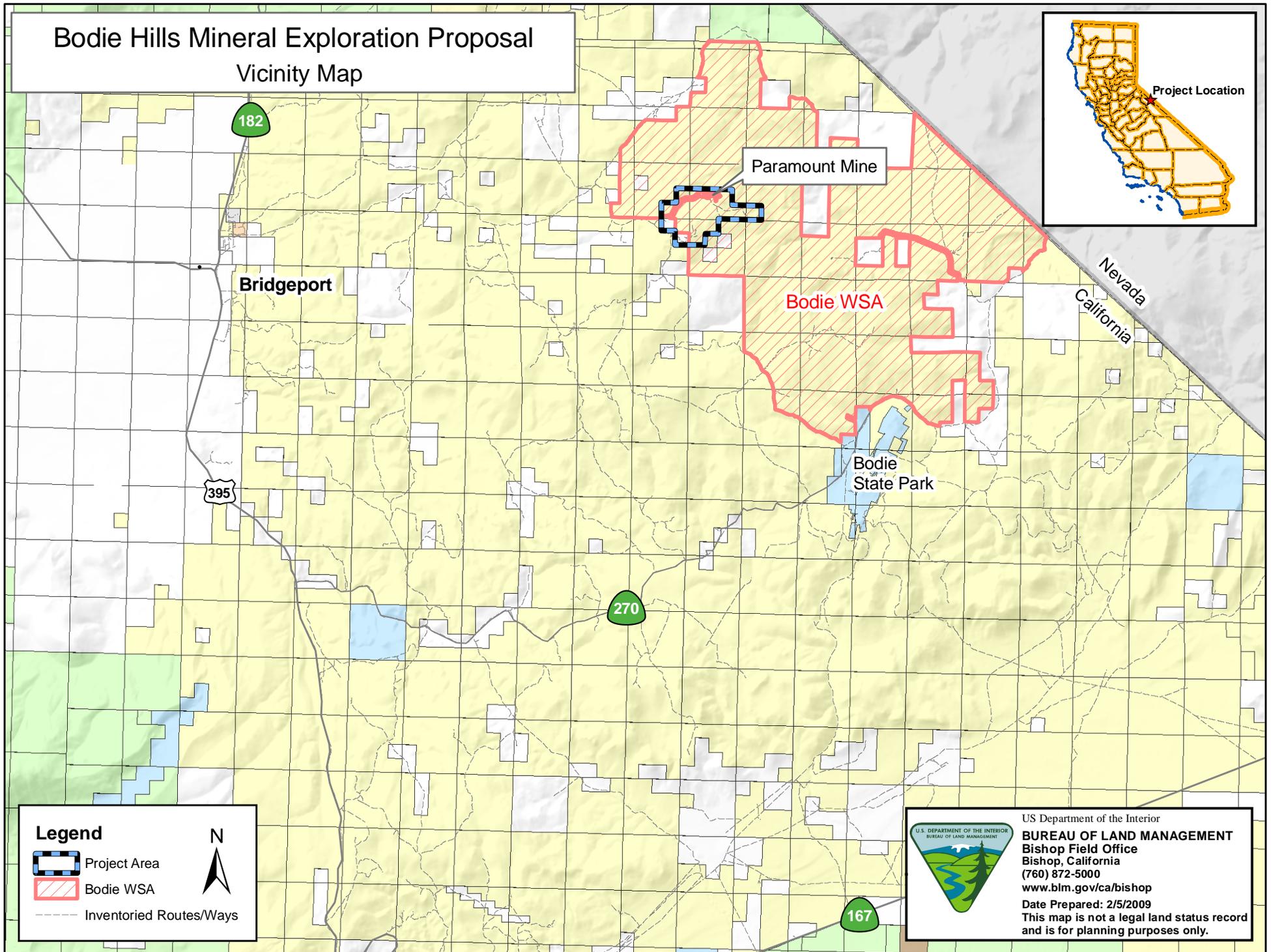
The EA developed for this proposed project will be posted on the BLM internet site for public review and comment at <http://www.blm.gov/ca/bishop>. If you would like a hard copy of the EA or have further questions please contact the following BLM staff: Cheryl Seath, BLM Geologist at (760) 872-5024 or Diana Pietrasanta, BLM Wilderness Specialist at (760) 872-5028.

Please send all written comments to:

Bureau of Land Management
Bishop Field Office
Attention: Cheryl Seath
351 Pacu Lane, Suite 100
Bishop, CA 93514

Bodie Hills Mineral Exploration Proposal

Vicinity Map



Nevada
California

Legend

-  Project Area
-  Bodie WSA
-  Inventoried Routes/Ways



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Date Prepared: 2/5/2009
This map is not a legal land status record
and is for planning purposes only.

Project Site Map

U.S. DEPARTMENT OF THE INTERIOR
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Bodie WSA
(CA-010-100)

Paramount Mine

Secondary Staging Area

Primary Staging Area

T5N

T5N

Legend

Drill Type

- ★ Helicopter Supported Drill Site
- ⬢ Truck Supported Drill Site

Project Area

- ▣ Project Area

Land Ownership

- Bureau of Land Management
- Private

Other Features

- Inventoried Routes/Ways



1:24,000

