

**United States Department of the Interior
Bureau of Land Management**

FINDING OF NO SIGNIFICANT IMPACT

**West Pequop Project Exploration Project - Plan of Operations 2010 Amendment
DOI-BLM- NV-N030-2010-0008-EA**

I have reviewed Environmental Assessment (EA) **NV-N030-2010-0008**, prepared to analyze the 2010 Amendment to the Plan of Operations for the West Pequop Project Exploration Project (the Project), (NVN--071287) proposed by West Pequop Project, LLC (WPP). After consideration of the environmental effects as described in the EA, and incorporated herein, I have determined that the Proposed Action with the project specific environmental protection measures identified in the EA will not significantly affect the quality of the human environment and that an Environmental Impact Statement (EIS) is not required to be prepared.

I have determined the proposed action is in conformance with the approved 1985 Wells Resource Management Plan and is consistent with the plans and policies of neighboring local, county, state, tribal, and federal agencies and governments. This finding and conclusion is based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), both with regard to the context and the intensity of impacts described in the EA.

Context:

The Project is located in Elko County, Nevada, in the western Pequop Mountains and is approximately 20 miles east-southeast of the city of Wells, Nevada. WPP's existing authorized exploration activities include access road maintenance, road building including water bars, drill pad construction, exploration drilling, and concurrent reclamation. The 2010 Plan Amendment proposes to expand the area in which these activities would take place, increase the amount of surface disturbance associated with these activities, construct a lay down yard, construct drill sites and drill exploration test holes, trench construction to obtain bulk samples for metallurgical testing, construct and maintain roads for access and drill up to 11 ground water monitoring wells (Proposed Action). The Proposed Action includes the expansion of the Plan boundary by an additional 8,714 acres to bring the total Project Area to 11,967 acres of public and private land. The proposed activities in the 2010 Plan Amendment would create 300 acres of additional disturbance for a total of 400 acres of permitted surface disturbance on public lands open to location over a period of ten years.

Intensity:

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

The environmental assessment has considered both beneficial and adverse impacts of the minerals exploration project. The analysis concludes that the Proposed Action will have minimal impact on any resource, including mule deer, particularly given the environmental protection measures that are included in the 2010 Plan Amendment. The amendment includes noxious weed prevention measures, measures to avoid impacts to nesting migratory birds, and the Programmatic Agreement (PA) for cultural resources. The Project would stimulate local

economies, providing a beneficial social impact. contracted employees would obtain lodging, meals, and supplies in the nearby towns of Wells or West Wendover.

The entire Expanded West Pequop Exploration Project has been determined to constitute a single federal undertaking under the National Historic Preservation Act and environmental protection measures will apply to the entire 11,967-acre Project Area. A PA for cultural resources has been prepared for the Project and will be implemented in fulfillment of the BLM's Section 106 responsibilities.

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

The Proposed Action is an expansion of a minerals exploration project and with the environmental protection measures included for access and safety, the proposed activities will have no substantive impact on public health or safety. A spill prevention and control plan is included as part of the 2010 Plan Amendment.

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 Proposed Action is located within an area that has been subject to mineral exploration activities dating back to the 1970s. The Project Area does not contain areas designated as prime and unique farmlands, caves designated under 43CFR 37.4(b), wild and scenic rivers, designated wilderness areas or wilderness study areas (WSAs), or areas of critical environmental concern designated under 43 CFR 1610.7-2. The South Pequops WSA is approximately 20 miles south of the Project Area. In 1999, BLM acquired approximately 70,000 acres adjacent to and encompassing the Project Area through the Big Springs Ranch Land Exchange. Under Section 201 of the FLPMA, the BLM is required to maintain an inventory of public lands. Because the Project Area encompasses recently acquired public lands, an area which covers 63,235 acres of BLM lands, including the Project Area, was inventoried for resource values including wilderness characteristics. Wilderness characteristics are defined in Section 2(c) of the Wilderness Act based on size, naturalness, and outstanding opportunity for solitude or primitive recreation, and may include other supplemental values such as ecological, geological or other features of scientific, educational, scenic, or historical value. A Lands with Wilderness Characteristics file for area NV-EK-03-076 has been created and is located in the Wells Field Office. Of those 63,235 acres in the inventory, BLM found that 27,835 acres possessed wilderness characteristics and approximately 7,034 acres within Project boundary would be located in the area containing wilderness characteristics. In summary, impacts to wilderness characteristics, mostly naturalness, would occur temporarily in the immediate vicinity of the 7,034 acres of disturbance until reclamation is complete and successful. Additional environmental protection measures as outlined in the EA will prevent impairment of wilderness suitability and undue or unnecessary degradation of land and resources.

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

There is no known controversy related to the Project and the effects of the proposed exploration are commonly known and not highly controversial.

5) *The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.*

The effects of mineral exploration activities are well known, and none of the effects on any resource evaluated in the EA are considered uncertain or involve unique or unknown risks. All drilling and construction methods proposed to be employed are accepted practices.

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.*

If the proposed exploration succeeds in defining sufficient mineralization (an ore body) to make mining economically feasible, future development of a mine would be considered. At that time a complete Plan of Operations and Reclamation Plan would be submitted and the potential impacts of the mine development would be analyzed under NEPA.

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

The resources analyzed in the cumulative impacts section of the EA were those which the Proposed Action would have an impact and include the following: Air and Atmospheric Values, Cultural Resources, Migratory Birds, Noxious Weeds and Invasive Nonnative Species, Lands with Wilderness Characteristics, Range Resources, Recreation, Soils, Special Status Species (includes Greater Sage-grouse), Vegetation, Visual Resources, Water Resources, and Wildlife. Although the Proposed Action would result in impacts to Social Values and Economics, these impacts would be both minor and beneficial; therefore, this resource is not analyzed in the cumulative impacts section of the EA. The effects of the Proposed Action was evaluated in addition to identified past, present, and reasonably foreseeable actions in the various cumulative effects study areas (CESAs). Based on the analysis in the EA, no significant cumulative impacts have been identified resulting from the implementation of the Proposed Action on the resources evaluated.

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 historical resources.*

On June 1, 2010, the BLM invited Native American tribes and interested non-government groups to provide input, comment and/or consult on the proposed West Pequop Exploration Project amendment. Letters were mailed to the Duck Valley Shoshone-Paiute Tribes, Te-Moak Tribal Council, Battle Mountain Band Council, Elko Band Council, South Fork Band Council, Wells Band Council, Western Shoshone Committee, the Confederated Tribes of the Goshute Reservation, and the Western Shoshone Defense Project. To date, no locations having traditional, cultural, or spiritual importance have been identified. BLM policy and the environmental protection measures including in the 2010 Plan Amendment and EA provides for inadvertent discovery and mitigation procedures. Therefore, the Proposed Action is not expected to cause the loss or destruction of any significant scientific, cultural or historical resources.

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 the ESA of 1973.*

No threatened or endangered species are known to inhabit the Project Area and there is no potential for the action to adversely affect them or their habitat. There are known BLM Sensitive Species present within the Project Area. Impacts to these species would be avoided by pre-disturbance surveys, seasonal restrictions and the relatively small amount (400 acres) of surface disturbance over the 11,967 acre Project Area.

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

In accordance with mining regulations found at 43 CFR 3809, the operator must obtain any permits required from the Nevada Division of Environmental Protection (NDEP) for the protection of air and water resources and must be in compliance with all applicable federal, state, or local laws or requirements imposed for the protection of the environment.

/s/
Bryan K. Fuell, Field Manager

04-23-2012
Date