

Nevada State Clearinghouse

Department of Administration
Planning Division
Blasdel Bldg, Rm. 204
Carson City, Nv. 89710
687-4065

Nye Co.
General File
Department of Administration
Training Division
Hotel Bldg., Rm. 204
Las Vegas City, Nv. 89710
Item 60

FROM: John B. Walker, Coordinator

DATE: September 17, 1990

TO:

- ☐ Governor's Office
- ☐ Agriculture
- ☐ Colorado River Cmsn.
- ☐ Communications Bd.
- ☐ Community Services
- ☐ Economic Development
- ☐ Fire Marshal
- ☐ Human Resources
- ☐ Aging Services
- ☐ Health Division
- ☐ Consumer Health

- Legislative Counsel Bureau
- xxx Minerals
- Nuclear Projects Ofc.
- PSC
- Tourism
- Transportation
- xxx UNR Mines Bureau
- UNR Library
- Wild Horse Commission
- xxx Wildlife

Conservation-Natural
Resources:

_____	Director's Office
<u>XXX</u>	State Lands
_____	Environmental Protection
_____	Forestry
<u>XXX</u>	Historic Preservation
_____	Conservation Districts
<u>XXX</u>	State Parks
_____	Water Resources
_____	Water Planning

Nevada SAI #89300039
Proposal

Project: Interim decision -- South Twin Lode Mining

CLEARINGHOUSE NOTES:

FYI only

Attached, for your review and comment, is a copy of the above mentioned project. Please evaluate it with respect to its effect on your plans and programs; the importance of its contribution to state and/or local areawide goals and objectives; and its accord with any applicable laws, orders or regulations with which you are familiar.

Please submit your comments no later than N/A. Use the box below for short comments. If significant comments are provided, please use agency letterhead and include the Nevada SAI number and comment due date for our reference.

THIS SECTION TO BE COMPLETED BY REVIEWING AGENCY:

☐ No Comment on this project
☒ Proposal supported as written
☐ Additional information below

☐ Conference desired (See below)
☐ Conditional support (See below)
☐ Disapproval (Explain below) /

AGENCY COMMENTS:[illegible]



United States
Department of
Agriculture

Forest
Service

Toiyabe National Forest
1200 Franklin Way
Sparks, NV 89431

RECEIVED

SEP 13 1990

BUDGET DIRECTOR

Reply to: 2810

Date: September 10, 1990

Dear Interested Party:

Enclosed is a copy of an interim decision based on the "South Twin Lode Mining and Development Proposal" final environmental impact statement. If you have any questions please call Maureen Joplin at (702) 331-6444.

Sincerely,

for R.M. "JIM" NELSON
Forest Supervisor

SEP 13 1990
09300039



RECORD OF DECISION

USDA FOREST SERVICE

South Twin Lode Mining and Development Proposal
Final Environmental Impact Statement
Tonopah Ranger District, Toiyabe National Forest, Nevada

Based on the final environmental impact statement (FEIS), it is my decision to implement an alternative which modifies the preferred alternative. The selected alternative will allow the following for a period ending September 31, 1991: 1) use of a four-wheel-drive vehicle road for access to the South Twin Mine within the Arc Dome Wilderness, and, 2) re-exposing the discovery points in the three existing adits of the South Twin Mine. Both of these actions are in preparation for a validity examination to be conducted in 1991. This instant decision does not cover development should the validity examination show the claims to be valid. Mineral development would require issuance of another Record of Decision based on this FEIS.

This decision shall be implemented in the following manner:

1. Use of the road in its current condition, with the addition of the following repairs (a backhoe and a bulldozer may be brought in to complete these repairs on a case-by-case basis upon notification to and approval by the Tonopah Ranger District):
 - a. Reclaim the failed road attempt on the talus slope below the cabin by recontouring with a backhoe and reseeding.
 - b. Establish drainage by 1) removing berms on road portions of 5% gradient or less, 2) providing drainage through berms on the steeper access route between crossings 8 and 9 defined in the road log appended to the EIS, and 3) placing rolling dips near the Summit to prevent erosion of the roadway.
 - c. Complete the road to the lower adit of the South Twin Mine.
 - d. If the access road has to be used as a haulage road because of acid drainage/contamination or material accumulations in excess of 4,000 cubic yards, the operator will bring the road to a standard of safety approved by the Forest Supervisor.
2. Use of the following equipment to clear the underground workings:
 - 1 All Terrain Vehicle
 - 1 Four wheel drive pick-up truck
 - 1 Mucking machine
 - 2 Drum slushers
 - 1 Chemical Toilet
 - 2 Air compressors
 - 2 Generators
 - 1 Fuel storage container
 - 1 Fuel pump
 - 2 Ore carts (and track)
 - Hand and power tools as needed
 - Material and equipment to secure portal from public access

3. Material will be removed only for the purpose of gaining safe access to the underground workings (no removal of dump or other surface material will be allowed). All removed material will be handled in the following manner:

Material will be tested for acid drainage/metal contamination potential at the operator's expense by a laboratory approved by the Forest Service. If significant potential for acid drainage/contamination is indicated, all material will be removed from National Forest System lands. If potential for acid drainage/contamination is not indicated, material may be placed above the high water mark of the South Twin River and outside of the zone of riparian vegetation. Accumulated material in excess of 4000 cubic yards (1/2 acre covered 5 feet deep) will be removed from the National Forest by the operator. Haulage of material will be accomplished by means which require only minimal improvements for safe use of the road by haulage equipment. If required, a loader and haulage vehicle capable of safely transporting mineral material will be approved by the Forest Supervisor.

4. Any timber cut on the claim for use in the workings will be subject to prior approval as to location, method of cutting, and method of transportation by the District Ranger.
5. Claimant has submitted plans of operation for vehicle access since 1983. Underground mapping by the Bureau of Mines (1984) and by CR Exploration (1983) documents the extent of the workings existing at that time; therefore claimant will be allowed to reopen workings to the same extent for the purpose of re-exposing the former discovery so that a validity examination can be completed. The workings in the lower adit were open up to 150' beyond the ore chute in the east drift, and up to 60' beyond the ore chute in the main tunnel. The middle adit was open to a total length of 180'. The upper adit was open to a total length of 40'.
6. Approval of the reclamation plan as modified for the proposed action in the "South Twin Lode Mining and Development Proposal" environmental impact statement. Recommendations resulting from the road station-by-station measurements performed on August 14, 1990 shall also be included.
7. Approval of a reclamation and performance bond in the amount of \$8000.00.

The alternatives considered included: 1) No Action, 2) Proposed Plan of Operation, 3) Alternate Roaded Access, and 4) Low-impact Vehicle Access. The No Action alternative was considered the most environmentally preferable since it presents no surface disturbance.

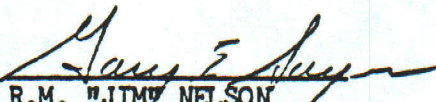
This decision is a balance of two conflicting management goals: 1) to manage the Arc Dome Wilderness in a manner that preserves wilderness characteristics, and 2) to recognize and respond to claimant's statutory right to develop the mineral resources as provided by the General Mining Law of 1872. At this time, it is not possible to determine the valid existing rights which may be attached to the mining claims. My decision is designed to allow a limited period during which the claimant may perform limited activities to ready the claims for a

validity examination. All practical means will be taken to avoid or minimize environmental damage; mitigating measures and reclamation planning presented in the final EIS have been adapted to and included in this decision (refer to Attachment: Mitigating Measures).

This decision will be implemented no sooner than 30 days from the date of publication of the legal notice.

This decision is subject to administrative review pursuant to 36 CFR 217. Any appeal of this decision must be fully consistent with 36 CFR 217.9, Content of Notice of Appeal, including the reasons for appeal. The appeal must be filed with Stan Tixier, Regional Forester; 324 25th Street; Ogden, UT; 84401 within 45 days of the date of publication in the Reno Gazette-Journal. A copy of the notice of appeal must be filed simultaneously with R.M. "Jim" Nelson, Forest Supervisor, Toiyabe National Forest, 1200 Franklin Way; Sparks, NV; 89431.

This decision is also appealable under 36 CFR 251 by the claimant. If you have concerns about this decision, please contact me so I can hear and discuss those concerns with you. Any appeal of this decision must be fully consistent with 36 CFR 251.90, Content of Notice of Appeal, including the reasons for the appeal. The appeal must be filed with Stan Tixier, Regional Forester; 324 25th Street; Ogden, UT; 84401 within 45 days of the date of publication in the Reno Gazette-Journal. A copy of the notice of appeal must be filed simultaneously with R.M. "Jim" Nelson, Forest Supervisor, Toiyabe National Forest, 1200 Franklin Way, Sparks, NV, 89431.


For R.M. "JIM" NELSON
Forest Supervisor

9/7/90
Date

MITIGATING MEASURES

1. Erosion control and reclamation as proposed in the plan of operation plus the following reclamation objective and standard:

Objective: Establishment of a diverse, permanent vegetative cover similar to the plants native to the project area.

Standard: Revegetated sites will be deemed acceptable when they contain 90% of the basal cover of herbaceous plants and ground cover of similar undisturbed sites. The seed mix will contain only plants that are native to the area and that have soil stabilizing characteristics.

2. A memorandum of agreement between the Forest Service, the State Historic Preservation Officer, and the Advisory Council on Historic Preservation will be developed to handle impacts to cultural resources.
3. Equipment at the mine site will be limited to that actually being used for current operations.
4. Signing, monitoring, and citation of violators will be performed by the Forest Service as needed to control unauthorized vehicle access within the Arc Dome Wilderness Area.
5. Entrances to underground workings will be secured whenever the site is unoccupied and permanently sealed during final reclamation.
6. Wastes from the chemical toilet and other sanitary facilities will be removed from the canyon and placed in an appropriate disposal site.
7. Monitoring of stream water quality will be required of the operator in order to assure that any mining induced adverse effect on the quality of the water in South Fork of South Twin River is detected and corrective measures are taken. The monitoring will be required prior to starting operations and monthly during underground operations. Parameters to be monitored will include at a minimum selected heavy metals, arsenic, sulfate, electrical conductivity, total dissolved solids, and pH. Any noticeable increase in mine water flow will trigger additional, immediate sampling of both mine and stream water quality. Exceedences of State water quality standards in the South Fork of South Twin River attributable to the mining operation will cause an immediate suspension of activities and notification of the Nevada Division of Environmental Protection. Clean up, implementation of preventative measures and/or reclamation will be done in cooperation with NDEP.
8. Water discharge from the mine will require a permit from the Nevada Division of Environmental Protection.
9. Fuel will be stored in specified areas only after approval by the authorized officer of appropriate sites, construction/use standards, and safety standards.

10. Activities will be temporarily discontinued during periods when the Forest Service and Nevada Department of Wildlife determine that the operations are disturbing bighorn sheep lambing.
11. Mining and hauling will be temporarily shut down during weekends of deer hunting season.
12. Operator is required to contact the Mining Safety and Health Administration upon commencement or shut-down of operations.
13. Operator is required to construct a locking gate on the access road to prevent unauthorized vehicle use by the public.
14. Relative to Section 404 of the Clean Water Act and the US Army Corps of Engineers regulatory program, best management practices required of the operator include meeting all special conditions of any applicable Department of the Army Individual or Nationwide General Permit. Nationwide General Permit No. N26 (Work Above Headwaters and in Isolated Waters and Wetlands) and Nationwide General Permit No. N14 (Minor Road Crossing Fills) appear to be applicable.