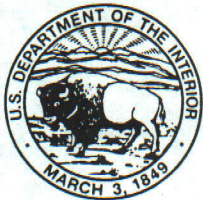


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(323) Item 54



IN REPLY REFER TO:

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Ely District Office
HC 33 Box 33500
Ely, Nevada 89301-9408



IN REPLY REFER TO:



3809 (NV-047)

NOV 9 1995

Dear Reader:

Thank you for your interest in the management of public lands within the Ely District. Enclosed for your information is the Record of Decision for the Bald Mountain Mine Expansion Project Environmental Impact Statement.

If you have any questions, please contact Dan Netcher at (702) 289-1872.

Sincerely,

Timothy B. Kolkman
Acting

Gene A. Kolkman
District Manager

Enclosure

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NBMG Information Office

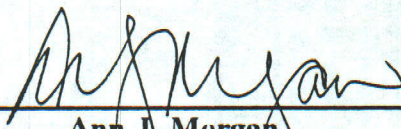
Record of Decision

Bald Mountain Mine Expansion Project

N46-89-005P/ N46-94-010P

U.S. Department of the Interior
Bureau of Land Management
Ely District Office
HC 33 Box 33500
Ely, Nevada 89301

Approved by:



Ann J. Morgan
State Director, Nevada

11-3-95

Date

COOPERATING AGENCY

Nevada Division of Wildlife

RECORD OF DECISION

BALD MOUNTAIN MINE EXPANSION PROJECT N46-89-005P/ N46-94-010P

SUMMARY

The decision of the Nevada State Director of the Bureau of Land Management is to select the Proposed Action, modified with mitigation measures and monitoring requirements, as analyzed in the Bald Mountain Expansion Project Final Environmental Impact Statement. Selection of the Proposed Action will allow the Bureau of Land Management Ely District Authorized Officer to approve the expansion of the Bald Mountain Mine and the development of the Horseshoe/Galaxy Mine by Placer Dome U.S. in the Bald Mountain Mining District.

The alternative selected in this Record of Decision consists of the actions proposed in the Plan of Operation submitted by Placer Dome U.S., with the mitigation and monitoring measures outlined below. Implementation of this decision with the mitigation measures will not cause undue or unnecessary degradation of the public lands.

The analysis of alternatives in the Draft and Final Environmental Impact Statements consisted of the Proposed Action, No Action Alternative, and other alternatives to: 1) Backfill Pits at the Horseshoe/Galaxy Mine; 2) Relocate the Haul Road and Modify the South Water Canyon Dump; 3) Relocate the Haul Road and Modify the East Sage Dump; and 4) a Reclamation Alternative consisting of two independent reclamation options. In addition, seven separate alternatives were considered and eliminated from detailed analysis.

All practicable means to avoid or minimize environmental harm from the selected alternative have been adopted. There were no measures identified to reduce or avoid environmental harm which were not selected to be part of this decision. Monitoring will be established which will allow further refinement of mitigation measures. All mitigation will be implemented and enforced.

DECISION

The decision of the Nevada State Director of the Bureau of Land Management is to select the Proposed Action, modified with mitigation measures and monitoring requirements, as analyzed in the Bald Mountain Expansion Project Final Environmental Impact Statement. Selection of the Proposed Action will allow the Bureau of Land Management Ely District Authorized Officer to approve the expansion of the Bald Mountain Mine and the development of the Horseshoe/Galaxy Mine by Placer Dome U.S. in the Bald Mountain Mining District.

The alternative selected, which is the same as that identified in the Draft and Final Environmental Impact Statements as the Agency Preferred Alternative, is the Proposed Action, modified with mitigation measures and monitoring requirements.

The decision by the Authorized Officer will allow the expansion of the Bald Mountain Mine by expanding the Top Pit and developing the Sage Flat Pit. The expansion would result in enlargement of the South Water Canyon Dump and development of the East Sage Dump. The decision would also approve the development of the carbon-in-leach facilities at the Bald Mountain Mine with tailings pond and the expansion of the heap leach facilities.

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Final reclamation of the project will be in accordance with the revegetation cover criteria, weeds criteria and vegetation diversity criteria outlined in the reclamation options in the Final Environmental Impact Statement.

Placer Dome U.S. has submitted and the Bureau of Land Management Ely District Office has accepted a bond of \$4,762,700 for the Phase One construction and operation of the Process/Top Area modifications to the Bald Mountain Mine. Before the Phase Two construction of the Horseshoe/Galaxy Mine can occur, an additional bond of \$1,835,300 will be submitted. The bond for Phase Two will be reviewed and adjusted to meet current costs before being finalized.

All required State of Nevada, local government, or other Federal permits must be in place before mining operations can occur. All Air Quality Permits to Construct will be in place before construction occurs.

ALTERNATIVES ANALYZED, INCLUDING THE PROPOSED ACTION

The analysis of alternatives in the Final Environmental Impact Statement consisted of the Proposed Action, No Action Alternative, and alternatives to: 1) Backfill Pits at the Horseshoe/Galaxy Mine; 2) Relocate the Haul Road and Modify the South Water Canyon Dump; 3) Relocate the Haul Road and Modify the East Sage Dump; and 4) a Reclamation Alternative consisting of three independent reclamation options. These are described below.

Backfill Pits at the Horseshoe/Galaxy Mine

This alternative examined the ways to place waste rock material into existing pits during mining operations. To analyze the alternative of backfilling, a potential mining sequence was determined. Based on the sequence, the Horseshoe Pit and two of the Saga Pits could be backfilled.

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Under this alternative, the haul road from the Bald Mountain Top Area to the processing facilities would be relocated from South Water Canyon to North Water Canyon. This would allow the total width of South Water Canyon to be used for waste rock deposition. Final size of the South Water Canyon Dump following mining of the Top and Sage Flats Pits would be four acres larger than the Proposed Action. This alternative would not change the area of disturbance for the East Sage Waste Rock Dump.

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some, or none of the options as deemed appropriate. All other aspects of the reclamation plan would remain the same.

Option 1--Waste rock dumps and facility side-slopes would be constructed or modified during reclamation to unbenched slopes of 3:1.

Option 2--Seed mixtures would be composed of only native species.

A range of alternatives identified that were eliminated from detailed analysis are listed below. A full description of each of the alternatives and rationale for their elimination from detailed analysis can be found in the Bald Mountain Mine Expansion Project Final Environmental Impact Statement.

1. Underground Mining
2. Processing Location for Horseshoe/Galaxy Ore
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4. Contain Process Solutions in Tanks
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7. Reduce the Pit Wall angle during Reclamation

The National Environmental Policy Act, as interpreted through the regulations promulgated by the Council on Environmental Quality, require that the Record of Decision for any federal action also identify the "environmentally preferable" alternative(s). Because mining is, by its nature, disruptive to the resources in the immediate area being mined, all of the "action" alternatives result in new disturbance. The Proposed Action would keep North Water Canyon intact and contain all disturbances in South Water Canyon, which would be reclaimed. The current disturbance for the Bald Mountain Mine is located in South Water Canyon. Therefore, the Agency Preferred Alternative is the environmentally preferable alternative and would result in the least amount of short-term disturbance to the environment.

MANAGEMENT CONSIDERATIONS

The rationale for the above decision is promulgated through the surface mining regulations (43 CFR 3809), the Federal Land Policy and Management Act of 1976, and the Mining Law of 1872. The Plan of Operations has been properly analyzed under the Council on Environmental Quality implementing regulations for the National Environmental Policy Act of 1969. Selection of the Proposed Action would allow Placer Dome U.S. to make a legitimate use of the public lands in an environmentally sound manner without causing undue or unnecessary degradation.

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Placer Dome's amended Bald Mountain Mine Plan of Operations and the Horseshoe/Galaxy Mine Plan of Operations propose mining within the Bald Mountain Mining District, an area within the Ely District where mining has been identified as an appropriate land use that is in conformance with the Egan Resource Management Plan. Past operations in the Bald Mountain Mining District have established mining as the principal land use in the area.

The mine area is not included in any areas of designated National, regional, or local significance. Mining, by law, is a valid use of the public lands, which is inherently site-specific and which does not lend itself to relocation.

Long term reclamation would result in conditions which support post-mining land uses on public lands.

The purpose of reclamation is to stabilize the soils and establish a seed bed for future revegetation. Past experience has shown that native species alone have not met these requirements. Therefore, to meet all reclamation requirements, the test plot program will also evaluate non-native species. Based on the test plot program the vegetation species that meet the goals of reclamation will be used for the mine. This program may show that both types of seeds are needed or that native species alone will be able to meet the reclamation requirements.

The Plan of Operations and the Mitigation Measures outlined below will minimize the adverse environmental impacts identified in the Final Environmental Impact Statement. The

monitoring requirements of the Plan of Operations and Final Environmental Impact Statement will assist Placer Dome U.S., Bureau of Land Management, and others in identifying and mitigating or avoiding any unforeseen environmental impacts that may occur. The monitoring shall provide periodic opportunities for the Bureau of Land Management to refine and modify mitigation measures.

MITIGATION AND MONITORING

All practicable means to avoid or minimize environmental harm from the selected alternative have been adopted. There were no measures identified to reduce or avoid environmental harm which were not selected to be part of this decision. All mitigation will be implemented and enforced.

The operation will be monitored under the inspection and enforcement procedures according to 43 Code of Federal Regulations 3809. This will require monthly compliance exams by the Bureau of Land Management during construction and quarterly mine plan compliance exams by the Bureau of Land Management during operation of the project.

The operator will have a quality assurance/quality control program established for the construction of the mill and heap leach facilities as outlined in the water pollution control permits. The final reports will be submitted to the Bureau of Land Management after construction is completed.

This Record of Decision expressly incorporates each of the following mitigation measures and monitoring requirements. It is important for the reviewer of this decision to note that the Bureau of Land Management, Placer Dome U.S., and the Nevada Division of Wildlife, as a Cooperating Agency, have worked together to limit and/or mitigate resource and social impacts that may result from the project. In addition to mitigation and monitoring included in the Plan of Operations, the following mitigation and monitoring will apply.

Mitigation

Measure 1: Removal of pinon-juniper, mixed shrub and mountain mahogany vegetation on previously undisturbed lands in the Proposed Action area will be prohibited between May 1 and July 31 to protect nesting birds, particularly neotropical migrants. As an option to this construction constraint period, breeding bird surveys, approved by the Authorized Officer, could be conducted during the breeding season prior to site disturbance to identify if any occupied territories or active nest sites occur within the areas to be disturbed.

Measure 2: Wildlife snag trees will be created by girdling one 12-inch diameter or greater tree per acre over 50 acres in areas selected by a Bureau of Land Management, Ely District, Wildlife Biologist, within the Buck and Bald Mountain Area. To prevent cutting of these trees for firewood they will be located a minimum of 0.5 miles away from vehicle access and marked with appropriate signs provided by the Bureau of Land Management.

Measure 3: Bald Mountain Mine Properties will provide monies, equipment, and/or personnel for conversion of vegetation to improve deer winter range. Areas for vegetation conversion have been identified in the Buck, Bald, Maverick and Diamond Mountain Habitat Management Plans. The authorized officer will select those areas on which vegetation conversion will be implemented, and the appropriate environmental documentation will be prepared.

Measure 4: The South Water Canyon Waste Rock Dump will be designed during active mining to reach approximately to the southern edge of the existing South Water Canyon Haul Road. During reclamation, the haul road will be covered with waste rock to levels of the existing terrain.

Measure 5: Two springs within the Warm Springs grazing allotment will be improved through installing a head box, pipe, and water trough at the spring head. These springs will be fenced. Additional storage capacity could be provided by construction of a small reservoir.

Measure 6: Mitigation of indirect impacts to cultural resources will be accomplished by continuing to restrict employee access to known archeological sites, education of Bald Mountain Properties employees as to the significance of cultural resources and their vulnerability to disturbance and destruction, and implementing a strict Bald Mountain Mine Properties management policy prohibiting collection of artifacts.

Measure 7: As allowable by safety regulations, and in consultation with the Authorized Officer, project components will be painted with a neutral, nonreflective paint that would not contrast with the surrounding landscape setting. This will be particularly important for mine processing facilities because of their scale and concentration.

Measure 8: Approximately 1,400 acres of the remaining area in the Julian/West Bald Seeding will be maintained by chemical application, disking, interseeding, and/or drilling as determined by the Authorized Officer.

Measure 9: Within appropriate habitat for the Nachlinger Catchfly (limestone outcrops with mountain mahogany in the Top Area), a presence/absence survey will be conducted prior to site disturbance. This survey would be conducted by a qualified botanist, using standard

survey techniques. If found, Bald Mountain Mine Properties will coordinate with the Authorized Officer to avoid impacts to these plants from mine development.

Measure 10: Bald Mountain Mine Properties will meet with the White Pine County Sheriff's Department to discuss compensation for services to company projects in the Buck and Bald Mountain area.

Monitoring

Measure A: Monthly water quality and flow rate monitoring at Cherry Springs will be initiated and maintained during all months for which there is flow. All recorded data will be reported to the Bureau of Land Management and the Nevada Division of Wildlife. Water quality will be analyzed for all metals specified by the Nevada Division of Environmental Protection for meteoric water mobility procedure tests. If any metal values are determined to exceed the standards set by the Nevada Division of Environmental Protection, both the Bureau of Land Management and the Nevada Division of Wildlife will be consulted and site-specific mitigation measures will be developed as deemed satisfactory to the Nevada Division of Environmental Protection.

Measure B: A Bureau of Land Management, Ely District, Wildlife Biologist, will monitor a sample of the created snag trees each year for 10 years to identify variables that improve the effectiveness of this mitigation.

Measure C: Copies of annual reports submitted to state and federal regulatory agencies will be given to the Ely District, Bureau of Land Management. The reports will provide current information on compliance status and environmental problems associated with the project on public land. The annual reports submitted to the Nevada Division of Environmental Protection by February 28th of each year will contain the following information:

- a. An evaluation of the monitoring data (air, wildlife, water and the vegetation test plot program) which includes a summary of statistical analyses along with tabular results of the generated statistical data, a summary of trends analysis along with graphical depictions of any apparent trends, and comparison of analytical data, and an evaluation of ground water movements.
- b. An evaluation of waste rock, overburden and spent ore analysis with respect to stabilization and closure.
- c. Anticipated quality of water which will be impounded in the pits upon closure of the facility.

- d. Potential of the impoundment to degrade waters of the State or to adversely affect human, terrestrial or avian life.
- e. Necessary stabilization procedures, and plans for permanent closure of the pits.
- f. Current status of the project as outlined in the Plan of Operations. The activity that occurred the past year and what will occur the next year.
- g. A monitoring and compliance schedule will be implemented by Placer Dome U.S.. The schedule will be specified in the Air Quality Permits issued by the Nevada Division of Environmental Protection. All required air quality reports provided to the Nevada Division of Environmental Protection will be submitted to the Bureau of Land Management.

Standard Operating Procedures

Water

Any violation of the water pollution control permit, Bureau of Land Management cyanide management plan, or an emergency release will be reported to the Bureau of Land Management and the Nevada Division of Environmental Protection. The minimum requirements outlined by Nevada Division of Environmental Protection for reporting known violations and releases will be followed. These reports will be sent to the Bureau of Land Management, as well.

The operator shall inspect all control devices, systems and facilities weekly, as outlined below, or as specified in the final water pollution control permit. Drainage and containment systems shall also be inspected after storms, and when possible, during storms. These inspections are performed to detect evidence of:

1. Deterioration, malfunction, or improper operation of control systems,
2. Sudden changes in the level of the contents of any monitoring device,
3. The presence of liquids in leak detection systems, and
4. Severe erosion or other signs of deterioration in dikes or other containment devices.

All solid, toxic or hazardous wastes shall be disposed of pursuant to applicable laws and regulations.

Air

The operator will, during construction activities, maintain proper maintenance of the construction equipment and follow good construction practices, such as watering of the construction areas for dust suppression.

Dust generation from disturbed areas will be reduced through interim and final reclamation, which includes revegetation of disturbed areas.

Cultural Resources

The procedures for evaluation and mitigation of impacts to cultural resources documented in the project area have been determined in consultation among the Bureau of Land Management, Placer Dome U.S., the State Historic Preservation Office, and the Advisory Council on Historic Places, and are outlined in the Programmatic Agreement, which is on file at the Bureau of Land Management, Ely District Office. The Programmatic Agreement allows the Bureau of Land Management to determine effect based upon the mutually agreed upon guarantee of identification, evaluation, and mitigation of cultural resources in the proposed project area pursuant to Section 106 of the National Historic Preservation Act and implementing regulations (36 Code of Federal Regulations 800).

Paleontology

If potentially significant fossils, such as vertebrate fossils, are discovered during mine development, operations, or reclamation, Placer Dome U.S. will contact the Bureau of Land Management Ely District Office to determine the measures necessary for the evaluation of the importance of any vertebrate fossils that may be discovered and provide adequate time for their preservation or data recovery.

PUBLIC INVOLVEMENT

The scoping period was initiated by publication of a Notice of Intent on May 11, 1994, and comments were accepted until June 17, 1994. The Notice of Intent summarized the Proposed Action and the Bureau of Land Management's determination that an Environmental Impact Statement was necessary for analysis of the proposal. The public and all appropriate local and regional news media were notified in writing of the periods available for comment. On May 11, 1994, 300 copies of the news release, "Public Invited to Comment on the Bald Mountain Mine-Alligator Ridge Project," were issued statewide to all newspapers, radio and

television stations, and major interest groups. The Bureau of Land Management also mailed individual notifications to 325 interested persons, agencies, or groups. Public meetings were held in Ely, Elko and Reno. Four members of the public attended the Ely meeting held on May 31, 1994. Eleven participants registered at the Elko meeting on June 1, 1994, and 15 individuals attended the Reno meeting on June 2, 1994. As a result of the Environmental Impact Statement scoping process, 13 comment letters were received by the Bureau of Land Management. The major issues raised were cumulative impacts, water resources, and wildlife.

On December 19, 1994, an update for the Environmental Impact Statement was mailed to everyone on the project mailing list. This update informed the public of a change in the project name and inclusion of an additional 161 acres of disturbance in the Proposed Action. This notice also requested assistance in updating the mailing list for the Draft and Final Environmental Impact Statement. Responses were requested by January 23, 1995.

Based upon the public comments received and the issues and concerns identified by the Bureau of Land Management, a Draft Environmental Impact Statement was prepared. The Draft Environmental Impact Statement was filed with the Environmental Protection Agency on April 17, 1995, and the Notice of Availability was published in the Federal Register on April 28, 1995. The 45-day comment period extended through June 16, 1995. The public, including interested parties, and all appropriate local and regional news media were notified in writing of the periods available for comment. Approximately 350 copies of the Draft Environmental Impact Statement were distributed to various individuals, organizations, and government agencies. Public meetings were held in Ely, Elko and Reno, Nevada, on May 8, 9, and 10, 1995, respectively, and were attended by approximately 63 individuals, five of whom presented oral statements. The Bureau of Land Management received 12 comment letters addressing the Draft Environmental Impact statement. The major issues and concerns raised during the comment period were water quality, reclamation, wildlife and vegetation issues.

A Final Environmental Impact Statement was prepared and mailed to the public on September 29, 1995. The Notice of Availability was published in the Federal Register on September 29, 1995. The public, including interested parties, and all appropriate local and regional news media were notified. Approximately 350 copies of the Final Environmental Impact Statement were distributed to various individuals, organizations, and government agencies.

APPEALS

This Decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 Code of Federal Regulations, Part 4. If an appeal is taken, a notice of appeal must be filed at the Bureau of Land Management, Nevada State Office, 850 Harvard Way, P.O. Box 12000, Reno Nevada 89520-0006 within 30 days after the date that this decision has been issued. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition (request) (pursuant to regulation 43 Code of Federal Regulations 4.21) for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to the appropriate Office of the Solicitor (see 43 Code of Federal Regulations 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulations a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards.

1. The relative harm to the parties if the stay is granted or denied,
2. The likelihood of the appellant's success on the merits,
3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting the stay.



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United States Department of the Interior

BUREAU OF LAND MANAGEMENT

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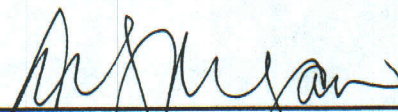
Record of Decision

Bald Mountain Mine Expansion Project

N46-89-005P/ N46-94-010P

U.S. Department of the Interior
Bureau of Land Management
Ely District Office
HC 33 Box 33500
Ely, Nevada 89301

Approved by:



Ann J. Morgan
State Director, Nevada

11-3-95

Date

COOPERATING AGENCY

Nevada Division of Wildlife

RECORD OF DECISION

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Placer Dome's amended Bald Mountain Mine Plan of Operations and the Horseshoe/Galaxy Mine Plan of Operations propose mining within the Bald Mountain Mining District, an area within the Ely District where mining has been identified as an appropriate land use that is in conformance with the Egan Resource Management Plan. Past operations in the Bald Mountain Mining District have established mining as the principal land use in the area.

The mine area is not included in any areas of designated National, regional, or local significance. Mining, by law, is a valid use of the public lands, which is inherently site-specific and which does not lend itself to relocation.

Long term reclamation would result in conditions which support post-mining land uses on public lands.

The purpose of reclamation is to stabilize the soils and establish a seed bed for future revegetation. Past experience has shown that native species alone have not met these requirements. Therefore, to meet all reclamation requirements, the test plot program will also evaluate non-native species. Based on the test plot program the vegetation species that meet the goals of reclamation will be used for the mine. This program may show that both types of seeds are needed or that native species alone will be able to meet the reclamation requirements.

The Plan of Operations and the Mitigation Measures outlined below will minimize the adverse environmental impacts identified in the Final Environmental Impact Statement. The

monitoring requirements of the Plan of Operations and Final Environmental Impact Statement will assist Placer Dome U.S., Bureau of Land Management, and others in identifying and mitigating or avoiding any unforeseen environmental impacts that may occur. The monitoring shall provide periodic opportunities for the Bureau of Land Management to refine and modify mitigation measures.

MITIGATION AND MONITORING

All practicable means to avoid or minimize environmental harm from the selected alternative have been adopted. There were no measures identified to reduce or avoid environmental harm which were not selected to be part of this decision. All mitigation will be implemented and enforced.

The operation will be monitored under the inspection and enforcement procedures according to 43 Code of Federal Regulations 3809. This will require monthly compliance exams by the Bureau of Land Management during construction and quarterly mine plan compliance exams by the Bureau of Land Management during operation of the project.

The operator will have a quality assurance/quality control program established for the construction of the mill and heap leach facilities as outlined in the water pollution control permits. The final reports will be submitted to the Bureau of Land Management after construction is completed.

This Record of Decision expressly incorporates each of the following mitigation measures and monitoring requirements. It is important for the reviewer of this decision to note that the Bureau of Land Management, Placer Dome U.S., and the Nevada Division of Wildlife, as a Cooperating Agency, have worked together to limit and/or mitigate resource and social impacts that may result from the project. In addition to mitigation and monitoring included in the Plan of Operations, the following mitigation and monitoring will apply.

Mitigation

Measure 1: Removal of pinon-juniper, mixed shrub and mountain mahogany vegetation on previously undisturbed lands in the Proposed Action area will be prohibited between May 1 and July 31 to protect nesting birds, particularly neotropical migrants. As an option to this construction constraint period, breeding bird surveys, approved by the Authorized Officer, could be conducted during the breeding season prior to site disturbance to identify if any occupied territories or active nest sites occur within the areas to be disturbed.

Measure 2: Wildlife snag trees will be created by girdling one 12-inch diameter or greater tree per acre over 50 acres in areas selected by a Bureau of Land Management, Ely District, Wildlife Biologist, within the Buck and Bald Mountain Area. To prevent cutting of these trees for firewood they will be located a minimum of 0.5 miles away from vehicle access and marked with appropriate signs provided by the Bureau of Land Management.

Measure 3: Bald Mountain Mine Properties will provide monies, equipment, and/or personnel for conversion of vegetation to improve deer winter range. Areas for vegetation conversion have been identified in the Buck, Bald, Maverick and Diamond Mountain Habitat Management Plans. The authorized officer will select those areas on which vegetation conversion will be implemented, and the appropriate environmental documentation will be prepared.

Measure 4: The South Water Canyon Waste Rock Dump will be designed during active mining to reach approximately to the southern edge of the existing South Water Canyon Haul Road. During reclamation, the haul road will be covered with waste rock to levels of the existing terrain.

Measure 5: Two springs within the Warm Springs grazing allotment will be improved through installing a head box, pipe, and water trough at the spring head. These springs will be fenced. Additional storage capacity could be provided by construction of a small reservoir.

Measure 6: Mitigation of indirect impacts to cultural resources will be accomplished by continuing to restrict employee access to known archeological sites, education of Bald Mountain Properties employees as to the significance of cultural resources and their vulnerability to disturbance and destruction, and implementing a strict Bald Mountain Mine Properties management policy prohibiting collection of artifacts.

Measure 7: As allowable by safety regulations, and in consultation with the Authorized Officer, project components will be painted with a neutral, nonreflective paint that would not contrast with the surrounding landscape setting. This will be particularly important for mine processing facilities because of their scale and concentration.

Measure 8: Approximately 1,400 acres of the remaining area in the Julian/West Bald Seeding will be maintained by chemical application, disking, interseeding, and/or drilling as determined by the Authorized Officer.

Measure 9: Within appropriate habitat for the Nachlinger Catchfly (limestone outcrops with mountain mahogany in the Top Area), a presence/absence survey will be conducted prior to site disturbance. This survey would be conducted by a qualified botanist, using standard

survey techniques. If found, Bald Mountain Mine Properties will coordinate with the Authorized Officer to avoid impacts to these plants from mine development.

Measure 10: Bald Mountain Mine Properties will meet with the White Pine County Sheriff's Department to discuss compensation for services to company projects in the Buck and Bald Mountain area.

Monitoring

Measure A: Monthly water quality and flow rate monitoring at Cherry Springs will be initiated and maintained during all months for which there is flow. All recorded data will be reported to the Bureau of Land Management and the Nevada Division of Wildlife. Water quality will be analyzed for all metals specified by the Nevada Division of Environmental Protection for meteoric water mobility procedure tests. If any metal values are determined to exceed the standards set by the Nevada Division of Environmental Protection, both the Bureau of Land Management and the Nevada Division of Wildlife will be consulted and site-specific mitigation measures will be developed as deemed satisfactory to the Nevada Division of Environmental Protection.

Measure B: A Bureau of Land Management, Ely District, Wildlife Biologist, will monitor a sample of the created snag trees each year for 10 years to identify variables that improve the effectiveness of this mitigation.

Measure C: Copies of annual reports submitted to state and federal regulatory agencies will be given to the Ely District, Bureau of Land Management. The reports will provide current information on compliance status and environmental problems associated with the project on public land. The annual reports submitted to the Nevada Division of Environmental Protection by February 28th of each year will contain the following information:

- a. An evaluation of the monitoring data (air, wildlife, water and the vegetation test plot program) which includes a summary of statistical analyses along with tabular results of the generated statistical data, a summary of trends analysis along with graphical depictions of any apparent trends, and comparison of analytical data, and an evaluation of ground water movements.
- b. An evaluation of waste rock, overburden and spent ore analysis with respect to stabilization and closure.
- c. Anticipated quality of water which will be impounded in the pits upon closure of the facility.

- d. Potential of the impoundment to degrade waters of the State or to adversely affect human, terrestrial or avian life.
- e. Necessary stabilization procedures, and plans for permanent closure of the pits.
- f. Current status of the project as outlined in the Plan of Operations. The activity that occurred the past year and what will occur the next year.
- g. A monitoring and compliance schedule will be implemented by Placer Dome U.S.. The schedule will be specified in the Air Quality Permits issued by the Nevada Division of Environmental Protection. All required air quality reports provided to the Nevada Division of Environmental Protection will be submitted to the Bureau of Land Management.

Standard Operating Procedures

Water

Any violation of the water pollution control permit, Bureau of Land Management cyanide management plan, or an emergency release will be reported to the Bureau of Land Management and the Nevada Division of Environmental Protection. The minimum requirements outlined by Nevada Division of Environmental Protection for reporting known violations and releases will be followed. These reports will be sent to the Bureau of Land Management, as well.

The operator shall inspect all control devices, systems and facilities weekly, as outlined below, or as specified in the final water pollution control permit. Drainage and containment systems shall also be inspected after storms, and when possible, during storms. These inspections are performed to detect evidence of:

1. Deterioration, malfunction, or improper operation of control systems,
2. Sudden changes in the level of the contents of any monitoring device,
3. The presence of liquids in leak detection systems, and
4. Severe erosion or other signs of deterioration in dikes or other containment devices.

All solid, toxic or hazardous wastes shall be disposed of pursuant to applicable laws and regulations.

Air

The operator will, during construction activities, maintain proper maintenance of the construction equipment and follow good construction practices, such as watering of the construction areas for dust suppression.

Dust generation from disturbed areas will be reduced through interim and final reclamation, which includes revegetation of disturbed areas.

Cultural Resources

The procedures for evaluation and mitigation of impacts to cultural resources documented in the project area have been determined in consultation among the Bureau of Land Management, Placer Dome U.S., the State Historic Preservation Office, and the Advisory Council on Historic Places, and are outlined in the Programmatic Agreement, which is on file at the Bureau of Land Management, Ely District Office. The Programmatic Agreement allows the Bureau of Land Management to determine effect based upon the mutually agreed upon guarantee of identification, evaluation, and mitigation of cultural resources in the proposed project area pursuant to Section 106 of the National Historic Preservation Act and implementing regulations (36 Code of Federal Regulations 800).

Paleontology

If potentially significant fossils, such as vertebrate fossils, are discovered during mine development, operations, or reclamation, Placer Dome U.S. will contact the Bureau of Land Management Ely District Office to determine the measures necessary for the evaluation of the importance of any vertebrate fossils that may be discovered and provide adequate time for their preservation or data recovery.

PUBLIC INVOLVEMENT

The scoping period was initiated by publication of a Notice of Intent on May 11, 1994, and comments were accepted until June 17, 1994. The Notice of Intent summarized the Proposed Action and the Bureau of Land Management's determination that an Environmental Impact Statement was necessary for analysis of the proposal. The public and all appropriate local and regional news media were notified in writing of the periods available for comment. On May 11, 1994, 300 copies of the news release, "Public Invited to Comment on the Bald Mountain Mine-Alligator Ridge Project," were issued statewide to all newspapers, radio and

television stations, and major interest groups. The Bureau of Land Management also mailed individual notifications to 325 interested persons, agencies, or groups. Public meetings were held in Ely, Elko and Reno. Four members of the public attended the Ely meeting held on May 31, 1994. Eleven participants registered at the Elko meeting on June 1, 1994, and 15 individuals attended the Reno meeting on June 2, 1994. As a result of the Environmental Impact Statement scoping process, 13 comment letters were received by the Bureau of Land Management. The major issues raised were cumulative impacts, water resources, and wildlife.

On December 19, 1994, an update for the Environmental Impact Statement was mailed to everyone on the project mailing list. This update informed the public of a change in the project name and inclusion of an additional 161 acres of disturbance in the Proposed Action. This notice also requested assistance in updating the mailing list for the Draft and Final Environmental Impact Statement. Responses were requested by January 23, 1995.

Based upon the public comments received and the issues and concerns identified by the Bureau of Land Management, a Draft Environmental Impact Statement was prepared. The Draft Environmental Impact Statement was filed with the Environmental Protection Agency on April 17, 1995, and the Notice of Availability was published in the Federal Register on April 28, 1995. The 45-day comment period extended through June 16, 1995. The public, including interested parties, and all appropriate local and regional news media were notified in writing of the periods available for comment. Approximately 350 copies of the Draft Environmental Impact Statement were distributed to various individuals, organizations, and government agencies. Public meetings were held in Ely, Elko and Reno, Nevada, on May 8, 9, and 10, 1995, respectively, and were attended by approximately 63 individuals, five of whom presented oral statements. The Bureau of Land Management received 12 comment letters addressing the Draft Environmental Impact statement. The major issues and concerns raised during the comment period were water quality, reclamation, wildlife and vegetation issues.

A Final Environmental Impact Statement was prepared and mailed to the public on September 29, 1995. The Notice of Availability was published in the Federal Register on September 29, 1995. The public, including interested parties, and all appropriate local and regional news media were notified. Approximately 350 copies of the Final Environmental Impact Statement were distributed to various individuals, organizations, and government agencies.

APPEALS

This Decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 Code of Federal Regulations, Part 4. If an appeal is taken, a notice of appeal must be filed at the Bureau of Land Management, Nevada State Office, 850 Harvard Way, P.O. Box 12000, Reno Nevada 89520-0006 within 30 days after the date that this decision has been issued. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition (request) (pursuant to regulation 43 Code of Federal Regulations 4.21) for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to the appropriate Office of the Solicitor (see 43 Code of Federal Regulations 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulations a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards.

1. The relative harm to the parties if the stay is granted or denied,
2. The likelihood of the appellant's success on the merits,
3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting the stay.