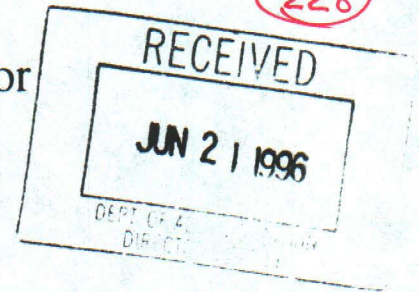




# United States Department of the Interior

Bureau of Land Management  
Tonopah Field Station  
P.O. Box 911  
Tonopah, Nevada 89049



In Reply Refer To:  
N65-95-001P  
3809  
(NV065.31)

ITEM 65

JUN 19 1996

Dear Interested Party:

The following documents are enclosed for your information:

- Signed Finding of No Significant Impact and Decision Record (FONSI/DR)
- Plan of Operation Approval Decision

Approximately one month ago, you were sent a copy of the Environmental Assessment for the Rayrock Mines Inc. Daisy Project for your review and comment. Several letters were received and your interest and responses are appreciated. The Bureau of Land Management (BLM) has reviewed the letters and determined that interested parties had concerns regarding protection of wildlife, reclamation, impacts to groundwater levels, and the use of primary rather than secondary, drinking water standards for analysis.

The wildlife, reclamation and groundwater concerns were considered and addressed in the Conditions and Mitigating Measures of the FONSI/DR. The concerns regarding use of primary versus secondary drinking water standards did not change the decision, therefore, the text and FONSI/DR were not changed.

The BLM has made additions to the Conditions and Mitigating Measures of the FONSI/DR. The BLM has concluded that with these additions, the level of analysis contained in the Environmental Assessment is appropriate and the document does not require rewriting. The Environmental Assessment, with the additions to the Conditions and Mitigating Measures, is accepted as complete and the FONSI/DR, Bond Determination Decision and Plan of Operation Decision have been executed. You have the right to appeal the Bond Determination Decision and Plan of Operation Decision using the appeal procedures identified in 43 CFR 3809.4.

If you have any questions, please contact Gordon Pine at (702) 482-7800.

Sincerely,

Ron Huntsinger  
Tonopah Field Station Manager

2 Enclosures: As listed above



Finding of No Significant Impact  
and  
Decision Record  
for  
Daisy Project  
Nye County

Environmental Assessment NV65-EA96-022  
Casefile N65-95-001P  
May 1996

Decision I have reviewed the environmental assessment for the Daisy Project proposed by Rayrock Mining, Inc., located in the area administered by the Tonopah Field Station. It is my decision to authorize this activity, with mitigating measures. I have determined that the proposed action, with the mitigating measures described in the Plan of Operation and those listed below, will not have significant impacts on the human environment. Analysis indicate that implementation of the proposed action will have no disproportional high and adverse human health or environmental effects on minority or low income populations.

Finding of No Significant Impact Based on the analysis of the potential impacts contained in the attached environmental assessment, I have determined that impacts are not expected to be significant and that an Environmental Impact Statement is not required.

Rationale for Decision The decision to allow the proposed action does not result in any unnecessary environmental degradation and is in compliance with the Esmeralda-Southern Nye Management Plan which states, "All public land is open to mineral entry and development unless previously withdrawn. Mineral exploration and development on public land will be regulated under 43 CFR 3809 to prevent unnecessary or undue degradation of the land".

Conditions and Mitigation Measures

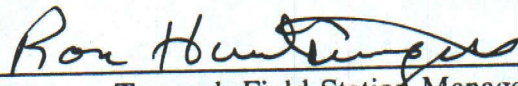
1. Rayrock Mines, Inc. must obtain and comply with all federal, state and local permits, laws and requirements that are applicable to this operation.
2. A reclamation bond of \$1,249,441.00 must be approved and on file with the Bureau of Land Management (BLM) Nevada State Office (NSO) prior to commencing any mining related activities.
3. The Plan of Operation (PoO) (N65-95-001P) and related Reclamation Plan are considered an integral part of the Environmental Assessment and all conditions and statements in the PoO must be met.



4. During the first three years of operation, Rayrock Mines, Inc. must conduct neutralization tests on treated heap leach ore. Rayrock Mines, Inc. must provide the BLM with the actual cost (\$/ton) to rinse the ore to meet closure specifications. This value will be used to adjust the rinsing/neutralization costs that are associated with the reclamation bond.
5. Analysis indicate that this project should not have any cumulative effects on groundwater levels. However, Rayrock Mines Inc. must have a water monitoring program approved by the State of Nevada, Department of Conservation and Natural Resources, Division of Water Resources (DWR), prior to commencing operations. If the monitoring reveals any unexpected effects to groundwater levels, then DWR must be notified.
6. All topsoil and growth medium stockpiles that will not be moved or disturbed for more than 18 months must be seeded with an approved seed mixture.
7. If terrestrial wildlife is attracted to the heap, then Rayrock Mines, Inc. must consult with the Bureau of Land Management (BLM) and Nevada Division of Wildlife (NDOW) to modify the fence around the heap.
8. In lieu of a "circle" of boulders around the waste dumps, as indicated in the Reclamation Plan, Rayrock Mines, Inc. must place clusters of boulders on the waste dumps to create a wildlife habitat.
9. The Nevada Division of Wildlife (NDOW) will monitor the bighorn sheep in the area. If it appears that the bighorn sheep health or distribution is impacted by the Rayrock Mines, Inc. operation, then Rayrock Mines, Inc., BLM and NDOW will implement a detailed monitoring system. This program would include such items as radio collars and tracking equipment.
10. To prevent access by ravens and rodents, all putrescibles must be placed in covered containers. The Class III landfill must be maintained so that ravens are not attracted to the area.
11. Review of the desert tortoise survey indicates that there should be no impact to the desert tortoise. However, if during operations, a live desert tortoise or signs are discovered, all activities in the immediate area must cease and the authorized officer of the BL must be notified.
12. Pursuant to 43 CFR 10.4(g), the holder of this Plan of Operation must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony (as defined at 43 CFR 10.2). Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until



13. No surface disturbing activities are allowed outside the boundaries of the area that has been surveyed for cultural resources. The cultural resources site (#64-4882) must be flagged to ensure avoidance during construction activities. If cultural resources are discovered during activities, operations in the immediate vicinity must cease and the authorized officer of the Bureau of Land Management must be notified.
14. Because of the proximity to bighorn sheep habitat Rayrock Mines, Inc. must inform all employees about State of Nevada hunting regulations, with emphasis on poaching and its consequences.



Tonopah Field Station Manager

6/19/96

Date



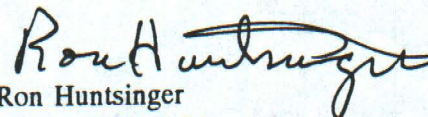
All operators must comply with applicable Federal and State laws dealing with the storage and disposal of chemicals, petroleum, petroleum products, Resource Conservation Recovery Act (RCRA) Subtitle C hazardous wastes, and RCRA Subtitle D solid wastes. Under no circumstances can chemicals, petroleum, petroleum products or RCRA Subtitle C hazardous wastes be disposed in solid waste disposal areas at the mine without the written approval of the Nevada Division of Environmental Protection.



The operator must identify what waste products will be produced, whether the waste streams are hazardous or solid, and the disposal method and location. If hazardous wastes are generated, the operator must obtain an Environmental Protection Agency generator identification number from the State of Nevada Division of Environmental Protection and must manifest all shipments off-site. Copies of the manifests must be available for the Authorized Officer's inspection.

You have the right to appeal this decision to the Nevada State Director, Bureau of Land Management, in accordance with 43 CFR 3809.4. If you exercise this right, your appeal must be filed in writing, accompanied by a statement of reasons and any arguments you wish to present, which would justify reversal of or modification of the decision. Your appeal must be file at the Bureau of Land Management, Battle Mountain District Office, P.O, Box 1420, Battle Mountain, NV 89820, within 30 days after the date of the receipt of this decision. This decision will remain in effect during appeal unless a written request for a stay is granted.

If you have any questions, please contact Gordon Pine at (702) 482-7800.

A handwritten signature in dark ink, appearing to read "Ron Huntsinger", with a stylized flourish at the end.

Ron Huntsinger  
for the District Manager

cc: Judy Moffitt, NV943  
Connie Davis, NDEP