

Response

CC-045- Land Use Impacts

Letter 803, Comment 271

3.14.3.3 Page 3-425: This section on Land Use would likely be the place to discuss the connected actions of EML at the properties owned or controlled by General Moly. As an example, General Moly spent weeks processing gravel at the Romano Ranch for potential use we assume at the mine site. There will be added truck traffic on the County Sadler-Brown Road and SR 278 and potential hazards related to this increased traffic including, but not limited to, dust emissions, exhaust emissions, public safety, and impacts to an NRCS recognized and certified Centennial Ranch, the Bailey Ranch. The BLM must ensure that EML properly discloses everything that they will do in connection to the Project on their agriculture properties including the Romano Ranch, Heard Farm, and Bobcat Ranch. These connected actions need to be fully analyzed in order to weigh their contribution to the overall impacts related to the Project. Please revise analysis and EIS accordingly.

Disposition: Other (SEE RESPONSE)

Response

The BLM recognizes that additional traffic associated with Project construction is reasonably attributable to the Project and has been disclosed and analyzed in Section 3.24, Transportation and Access. EML has also included an estimate of additional traffic related to construction in the updated Plan of Operations. This information has also been added to Sections 2.1.9 and 3.24.2 in the EIS. Additionally, the following text has been added to Sections 2.1.9 and 3.24.2 of the EIS, "During construction, materials transported to the Project site would include gravel currently stockpiled at the privately owned Romano Ranch that would be used as aggregate in concrete. The Romano Ranch is located in Diamond Valley, and aggregate would be hauled by truck approximately seven miles on the Sadler Brown gravel road to the intersection of Highway 278, then north approximately three miles to the main access road."

Sources for other specific material and locations of additional traffic cannot be reasonably determined until contracts for construction work are finalized so use of this information to assess potential impacts to air quality from dust and tailpipe emissions is not practicable. In general, impacts are likely to be very similar to those identified for other traffic in the vicinity of the Project. Construction traffic impacts will also be sporadic and short term.

There are no activities at Herd Farm or the Bobcat Ranch that are related to the Project.

Letter 803, Comment 272

3.14.3 Page 3-425: As we pointed out on the ADEIS, although there is overlap with other analyzed resources, this section on Land Use must make the connection to these other land uses. The analysis needs to reference or describe other land uses including ranching, farming, grazing, hunting, fishing, other dispersed recreation (camping and day use) even if referencing analysis located in other EIS sections. Also, although there is some discussion in the mitigation about AUMs, the document does not appear address impacts to private base property grazing. Please include descriptions of these land uses while incorporating the comments that we have made regarding each specific land use (grazing, private land, recreation, etc.).

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-045- Land Use Impacts

Letter 803, Comment 273

3.14.3.3.3 Page 3-429: The conclusion reached is incorrect. Eureka County plans and policies often cover private as well as public lands. Because the land use section of the DEIS excludes private lands, it is not possible for BLM to reach the conclusion of no conflicts with land use plans and regulations currently in place to guide development in Eureka County. Previous ADEIS comments from Eureka County as a Cooperating Agency have explained how the project is in conflict with the County's land use plans and regulations. Also, the last sentence refers to land use authorizations and not land use plans and goals. Land use authorizations were addressed in 3.14.3.3.2.

Disposition: Analysis modified (SEE RESPONSE)

Response

Section 3.14.3.3.3 has been revised to read: "Plans and regulations currently in place to guide development in Eureka County include the Eureka County Master Plan (2010); Titles 8 and 9 of the Eureka County Code; and the BLM's RMP (BLM 1986a). The Proposed Action would not conflict with any federal land use plans or regulations. EML's proposed use of public lands under the proposed action is reasonably incident under the BLM's occupancy regulations at 43 CFR 3715. Some elements of the Proposed Action would be in conformance with Eureka County plans and policies while other elements of the proposed mine could prove inconsistent with these plans and policies. Potential inconsistencies identified by Eureka County are disclosed in Appendix A with an indication if each conflict has been reconciled and either the method of reconciliation if it has or the rationale of the decisionmaker where reconciliation has not been achieved. The Proposed Action would not otherwise impact land use authorizations."

Section 1.5.4 of the FEIS has also been revised to include the following sentence, "The BLM acknowledges that EML would have to comply with any applicable Eureka County codes."

Letter 803, Comment 274

3.14.3.3.3 Page 3-429: First, this section fails to acknowledge or describe the County Code which carries force of law, much more so than county planning documents. As previously requested many times over the past few years, we ask BLM to fully review our County Code, County Plans and various County Resolutions and meet with us to discuss the policies of Eureka County before making consistency determinations. Second, we asked BLM to revise this section on both ADEIS. We again asked that there be an inclusion of language to read, "Some elements of the Proposed Action would be in conformance with these plans and policies while other elements of the proposed mine could prove inconsistent with these plans and policies." BLM's response was that "Based on a review of the County Plan, no specific instances of non-conformance were identified." BLM inaccurately cites general County policy support of mining and economic development in a vacuum without taking into account all other plans, goals, and policies as a whole related to impacts on air quality, wildlife, water resources, private property, grazing, etc. Again, we highlight the following policies, word-for-word, that components of the Proposed Action are in conflict with including, "use of the best available science and technology to ensure adequate protection of land, air, and water resources" including "adequate and proper mitigation; maintaining water resources in a condition that will render it useable by future generations for the full range of beneficial uses that further a viable and stable economic and social base for its citizens; maintain or improve soil, vegetation and watershed resources in a manner that perpetuates and sustains a diversity of uses while fully supporting the custom, culture, economic stability and viability of Eureka County and our individual citizens; mitigation of mining activities that may impair the economic future of Eureka County citizens; prevention of significant deterioration of the superior air quality found in Eureka County; and maintain, improve or mitigate...impacts to habitat in order to sustain viable and harvestable populations of...species as well as wetland/riparian habitat for...other game and non-game species." BLM can only say that the EIS is in compliance when the maximum effort has been taken by BLM to work with Eureka County, the guardian of its own policies, to reconcile these conflicts.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-025-Eureka County Plan Consistency

Letter 803, Comment 275

3.14.3.3.4 Page 3-429: It is inappropriate for BLM to continue to assert, as highlighted in BLM's response to our previous ADEIS comment (see 1961 among others) that "it is speculative to assert that the physical arrangement of Eureka would be disrupted or divided due to the project and the need for mine employee housing in Eureka." First of all, it is not just Eureka that we are concerned about disrupting and dividing; it is also Diamond Valley. Second, EML's failure to come to grips with the lack of housing availability and land availability to cover both temporary construction worker housing (nearly 500 people) as well as permanent employees (roughly 400 people not including secondary employment) magnifies our concern about potential ramshackle development and fragmentation of our agricultural valley in addition to bifurcation of the Town of Eureka. The DEIS must be revised to speak to the possibility of this actually happening and outline what will be done to minimize these impacts. This again is at direct odds with our Master Plan that calls for "orderly and common-sense development."

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-131- NEPA Compliance with Eureka County

Letter 803, Comment 276

3.14.3.7 Page 3-434: Again, the tone of the language used for the Slower, Longer Alternative works to bias the reader that this Alternative, in all cases, creates more impacts than the Proposed Action because impacts "occur over a period...twice as long." This analysis needs to be re-done in an objective manner to highlight the pure common sense that a Project half as big will have less impact, even if the impacts are not cut in half. "Although impacts from the Slower, Longer Project Alternative would occur over a period twice as long in duration compared to the Proposed Action, the day-to-day impacts would be less."

Disposition: Factual correction made (SEE RESPONSE)

Response

CC-046- Slower, Longer Alternative Analysis

Letter 803, Comment 277

3.15.2.2.1 Page 3-442: It should also be disclosed that there is a limited availability of recreational water resources in Eureka County. Perennial streams in southern Eureka County are found primarily in the Roberts Mountain area. Major recreational surveys suggest that a vast majority (66%) of users travel less than 1 hour to outdoor recreation destinations (Outdoor Foundation, 2010). The Roberts Mountain area is within one hour of most locations in southern Eureka County. It provides a unique recreational opportunity that is not otherwise readily available to residents of southern Eureka County. Acknowledgement of this would highlight that and impacts to these extremely important, treasured, and rare resources must be avoided at all costs.

Disposition: Comment acknowledged; does not provide new information

Response

The survey conducted for Outdoor Foundation 2010 is not representative of the project area or rural Nevada and has not been used as a referenced source in the EIS. Section 3.15.2.2.1 accurately discloses the specific recreational opportunities in the vicinity of the Project Area. No changes the FEIS have been made as a result of this comment.

Letter 803, Comment 278

3.15.2.2.1 Page 3-442: We believe that the reported fishing on Roberts Creek of 17 anglers per year is very low. We have personal knowledge of many local families, composed of 4-6 people, fishing on Roberts Creek throughout the season. This would be on top of those non-local fishermen that use the area. Focusing on an average gives too much value to years where angler survey response was low or data was incomplete. Please revise to read, "Between 2000 and 2009, estimated fishing on Roberts Creek and Tonkin Reservoir included 17 and ...fish respectively. It was estimated by NDOW that the yearly high between 2000 and 2009 was 35 anglers at Roberts Creek and 250 at Tonkin Reservoir." We gathered these numbers from the same NDOW statistics summaries used in the DEIS.

Disposition: Factual correction made (SEE RESPONSE)

Response

The text in the FEIS has been revised to read, "... fishing use on Roberts Creek and Tonkin Reservoir averaged 17 and ...".

Letter 803, Comment 279

3.15.2.2.1 Page 3-443: We are pleased to see that Table 3.15-2 cites more recent numbers (2010 rather than 2006). The text on p. 3-442 still cites "...groups provided in the NDOW data (NDOW 2006)." Please revise to include most recent data in all cases and correct citations to be consistent with data used.

Disposition: Factual correction made (SEE RESPONSE)

Response

The reference citation has been revised to read "(NDOW 2010)".

Letter 803, Comment 280

3.15.2.2.1 Page 3-443: Please change "Eureka County Rodeo Grounds and Fair Building" to "Eureka County Fairgrounds." Also, the text describes this facility as being "located on the west side of Eureka" but is actually north of Eureka but contained within the townsite boundaries. Please revise accordingly.

Disposition: Factual correction made (SEE RESPONSE)

Response

The text has been revised to read, "The Eureka County Fairgrounds, located at the north end of the Town of Eureka, provides ..."

Letter 803, Comment 281

Table 3.15.2 Page 3-443: Table 3.15-2 includes hunting units outside the project area presumably because there is a relationship between the Hunt areas and the drawdown, however there is no analysis in the impact section 3.15.3. Page 3-442 hunting paragraph 2 talks about the study area, but the analysis is limited to the Project area. This is confusing. Please rewrite to clarify what is meant.

Disposition: Comment acknowledged; does not provide new information

Response

Section 3.15.2.1 discusses the study area for recreation, which is not the Project Area. The text in Section 3.15.2.2.1 is consistent with the information in Table 3.14-2. The text in the FEIS has not been revised in response to this comment.

Letter 803, Comment 282

3.15.2.2.1 Page 3-444: We thank BLM for recognizing the importance of Roberts Creek as a unique and treasured local recreational resource. However, we are still concerned that the DEIS lacks specific impacts analysis and mitigation framed for Roberts Creek. Instead the DEIS describes in general language the potential impacts to Roberts Creek. It is necessary for BLM to follow through with specific analysis for Roberts Creek because a) it falls within the predicted water drawdown area; b) it is easily accessible and is the closest area to the mine and the main population base of Eureka; and c) the predicted impacts to Roberts Creek exactly meet at least one of the significance criterion. Further, although the DEIS cites previous sections to address impacts to Roberts Creek, BLM must apply our comments and requests for these individual sections to apply here. Eureka County does not want to see any impact to Roberts Creek. Impacts to Roberts Creek would be directly inconsistent with our Master Plan and County Code (see quoted text on p. 3-437). However, if impacted, at a minimum, mitigation must consist of 1) continued water flow to Roberts Creek; 2) comprehensive restoration activities to ensure habitat for fishing, hunting, wildlife viewing, and camping including re-vegetation, fishery stabilization, stocking of fish, and improvement of camping areas and access.

Disposition: Comment acknowledged; does not provide new information

Response

The EIS takes a hard look at potential impacts from groundwater consumption by the proposed project. Monitoring to provide advance warning of impacts would be required as part of project approval. Table 3.2-9 has been revised to make clear that mitigation may be required for Project-caused reductions, rather than "cessation" of flows for Roberts Creek. Enhancement or replacement of surface flows with ground water is one of the potential mitigation options, should impacts occur, as described in the EIS. The BLM may select other options from that list or identify other effective mitigation options, should impacts occur or be deemed imminent.

Letter 803, Comment 283

3.15.2.2.2 Page 3-444: The text describing the WSAs should describe the findings of BLM regarding the recommendation and rationale that was performed to determine whether these WSAs should be wilderness.

Disposition: Analysis modified (SEE RESPONSE)

Response

The following text has been added to the first paragraph under Roberts Mountain WSA, "The BLM recommends 15,090 acres as suitable for wilderness designation." The following text has been added to the first paragraph under Simpson Park WSA, "The BLM recommends zero acres as suitable for wilderness designation."

Letter 803, Comment 284

3.15.3.1 Page 3-444: Please define the terms "formally established" and "unique" recreational resource in the significance criteria. Why does a site have to be formally established to be a recreational resource? Please explain. Nevada has numerous and highly popular areas that have no formal designation but are heavily utilized nonetheless.

Disposition: Comment acknowledged; does not provide new information

Response

Formally established recreation areas can be consistently and accurately monitored to determine impacts. Dispersed recreation, due to its intermittence and geographic extent, would support only speculative quantification. No changes to the text of the FEIS have been made in response to this comment.

Letter 803, Comment 285

3.15.3.3.1 Page 3-445: Impacts 3.15.3.3-1, 3.15.3.3-2, and 3.15.3.3-3 have no mitigation proposed because "The impact does not meet the significance criteria listed." As we have pointed out earlier, mitigation should have nothing to do with significance. If anything can be implemented to minimize the impact, regardless of significance, BLM must prescribe it in the DEIS. Although we are generally opposed to off-site mitigation, in this specific circumstance on-site mitigation may likely not be available. We request that BLM revise the text and include a mitigation measure to read, "EML will mitigate the loss of acreage available for recreation within the Project Area (due to fencing or the development of the open pit) and the increased use and demand due to population growth attributable to the Project by providing funding to improve recreational opportunities in Kobeh Valley and on the Roberts Mountains. EML could satisfy this mitigation by providing funding, determined in coordination with BLM and Eureka County, for ongoing habitat restoration activities in the area (e.g., Roberts Mountain Wildlife Habitat Enhancement Project, Sulphur Springs Hazardous Fuels Reduction Project, and Southern Eureka County Wildlife Habitat Enhancement Project) that would promote enhanced fishing, hunting, wildlife viewing, and camping.

Disposition: Comment acknowledged; does not provide new information

Response

CC-134- NEPA Significance Threshold and Mitigation

Letter 803, Comment 286

3.15.3.2 Page 3-445: Assessment methodology mentions that the Proposed Action and alternatives were compared to the recreational planning information obtained from various sources, but the impact analysis really doesn't talk about such conflicts. Potential impacts to Roberts Creek and other streams in the Roberts Mountain would conflict with the 2010 SCORP and its emphasis on water resources. Although resource impacts related to this section are summarized in other sections, they should be summarized and discussed in this section for their relevance to recreational resources.

Disposition: Comment acknowledged; does not provide new information

Response

Section 3.15.3 accurately discloses impacts to recreational uses that are existing or planned. No change has been made to the FEIS in response to this comment.

Letter 803, Comment 287

3.15.3.3.5 Page 3-446: If groundwater pumping activities decrease the flows to Roberts Creek, the effects would be direct, and the significance criteria would be met. Please acknowledge this and frame mitigation as we have previously outlined.

Disposition: Comment acknowledged; does not provide new information

Response

CC-044- Impacts to Roberts Creek

Letter 803, Comment 288

3.15.3.3.5 Page 3-446: Indirect effects is not consistently used throughout the DEIS. The potential decline in stream flows in Roberts Creek is directly related to water use at the mine. Impacts to the recreational fishery need to be monitored and appropriate mitigation established in the event the historic or existing levels of the use cannot be maintained. The DEIS lacks analysis of potential impacts to other recreational game species that may be affected by changes to water resources. The cross reference to related resource impacts such as hydrology is good, but there also needs to be a discussion on how it relates to recreation.

Disposition: Comment acknowledged; does not provide new information

Response

CC-044- Impacts to Roberts Creek

Letter 803, Comment 289

The analysis must be redone to incorporate the sensitive receptors placed at residences that are much closer to the mine site than Alpha Ranch. Although p. 3-455 speaks of "Diamond Valley residences" as being sensitive receptors, there was no analysis to defend the conclusions about noise impacts to these residences. The bulk of Diamond Valley residences are much closer to Mt. Hope than the Alpha Ranch and the Risi Ranch. In fact, the bulk of Diamond Valley residences are as close to Mt. Hope as the Alpha Ranch. The large majority of all residences outside of the town of Eureka—dozens—are as close to Mt. Hope as Alpha Ranch. This includes the Romano Ranch, the Sadler-Brown Ranch, and the Bailey Ranch which are less than 10 miles to the mine compared to Alpha Ranch and Risi Ranch which are approximately 15 miles from the mine. Please re-analyze and disclose the results so that area residents will understand what the anticipated noise levels will be where the bulk of the population lives.

Disposition: Already addressed in planning documents

Response

CC-095-Noise Impacts to Residents

Letter 803, Comment 290

3.16.2.1 Page 3-455: Please revise language to clarify that all sage grouse leks near the Project Area and area of impacts, both direct and indirect, as sensitive receptors for consistency with further described analysis regarding specific impacts to sage grouse. Sage grouse leks match the definition of sensitive receptors as used in the DEIS.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-133-Greater Sage-grouse Lek Sensitive Receptors

Letter 803, Comment 291

3.16.2.1 Page 3-455: We appreciate that there is now inclusion of language speaking to the constancy and duration of noise rather than just the level. However, there is no analysis, just these two sentences that fall short in providing adequate impacts analysis. The long term constancy of the noise more than justifies some type of analysis that takes this into account as well as the level of the noise. This would prompt another significance criterion and different possible impacts throughout all alternatives analyzed. See previous ADEIS comments regarding the same issue.

Disposition: Comment acknowledged; does not provide new information

Response

The noise analysis in the DEIS includes a discussion of the qualitative characteristics of consistency and duration. The existing significance criteria for noise are sufficiently broad to incorporate these two qualitative characteristics. No changes have been made in the FEIS in response to this comment.

Letter 803, Comment 292

3.16.3.3 Page 3-461: Under Mitigation Measure 3.16.3.3-4, please ensure that this mitigation measure is consistent with BLM's recent interim guidance on sage grouse habitat conservation. We believe that the mitigation framed is too contingent and broad to evaluate the impact and reduction of impact on sage grouse. Please provide more detail on what constitutes "best available...noise control equipment." Further, there must be limitation of noise not just during lekking but also during nesting.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-133-Greater Sage-grouse Lek Sensitive Receptors

Letter 803, Comment 293

3.16.3.3.1 Page 3-466: Leks is misspelled "leaks"

Disposition: Factual correction made (SEE RESPONSE)

Response

The text has been revised to read "leaks".

Letter 803, Comment 294

3.17 Page 3-467: In general, the socioeconomics section fails to recognize the social aspects of socioeconomics. Very important social issues such as custom and culture, perceptions of safety, social blight, and increased domestic issues can be overwhelmingly negative even when economics (i.e., local tax revenues) are positive. The actual impacts related to both economic and social aspects of the Project vary considerably within demographic groups. Please revise analysis to give more weight to the social aspects of Eureka County that may be impacted.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-002-Socioeconomics General Disruption

Letter 803, Comment 295

3.17.1 Page 3-467: 43 CFR 1506.2 does not require consideration but integration and where inconsistency exists, the EIS should describe the extent to which the agency would reconcile its proposed action with the local plan or policy.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-131- NEPA compliance with Eureka County

Letter 803, Comment 296

3.17.2.1.1 Page 3-468: The study area should make specific reference to Kobeh Valley.

Disposition: Analysis modified (SEE RESPONSE)

Response

The first sentence in section 3.17.2.1.1 has been changed as follows: "...focusing on southern Eureka County, particularly the community of Eureka and the nearby 3rd Street/Devil's Gate, Diamond Valley, and Kobeh Valley rural areas."

Letter 803, Comment 297

3.17.2.1.1, Table 3.17-1 Page 3-471: Eureka is 73 miles from Austin, not 93.

Disposition: Factual correction made (SEE RESPONSE)

Response

The mileage has been changed to "73".

Letter 803, Comment 298

3.17.2.2.2 Page 3-473: Census information on housing counts should now be available for 2010. Please update with most recent data and information.

Disposition: Other (SEE RESPONSE)

Response

The best available data was used in the DEIS, and the 2010 Census does not provide a breakdown on the specific types of housing units. No change has been made in the FEIS in response to this comment.

Letter 803, Comment 299

3.17.2.2.3 Page 3-477: The EIS should disclose how much private land is used or provides pasture and water for grazing and is base property to support public lands grazing permits.

Disposition: Analysis modified (SEE RESPONSE)

Response

Section 3.17.2.2.3 (first paragraph on DEIS page 3-477) has been changed as follows: "Farm employment has experienced some volatility in recent times, declining for several years at the beginning of the decade, but increasing thereafter. As a consequence, farm employment in 2009 was reported at 159, a net loss of three farm jobs as compared to 2000. The National Agricultural Statistics Service (NASS) reported 86 farms in Eureka County in 2007, up from 73 in 2002 and 84 in 1997 (NASS 2009). Eureka County farmers and ranchers reported just over \$25 million in agricultural product sales in 2007 and out of 17 counties in Nevada, Eureka

County was ranked fourth in the state in terms of crop sales and eighth in terms of sales of livestock, poultry, and their products. Aggregate sales rose to \$32.5 million in 2008, declining to \$26.5 million in 2009 (U.S. BEA 2010a; 2010b) Revenue derived from livestock sales generally account for 60 percent to 70 percent of the aggregate sales by local farms and ranches. Cattle account for most of the livestock raised in Eureka County with sheep and horses accounting for most of the remainder. In 2007, 48 out of the 86 Eureka County farms had cattle; 43 with beef cattle (NASS 2009). The seven BLM grazing allotments identified in Section 3.12.2.2 consist of approximately 545,000 acres of public land. In Eureka County as a whole, the BLM manages 1,880,486 public acres in allotments under term grazing permits. Approximately 40 ranching operators are permitted to use these public acres for livestock grazing (Rangeland Administration System [RAS]) (BLM 2012). The 2007 Census of Agriculture indicates that the 86 Eureka County farms cover 783,440 acres (of which approximately 727,000 acres are pastureland dedicated solely to grazing) up from 266,427 acres in 2002 and 201,077 acres in 1997. These land areas should not include public lands used by farms for grazing. Given that total non-Federally owned land in Eureka County is 564,557 acres, it appears that 2007 Census of Agriculture data on private farm acreage were inaccurate. The 1997 and 2002 figures (approximately 200,000 to 250,000 acres) may better reflect private farmland in the county."

Letter 803, Comment 300

3.17.2.2.3 Page 3-483: Much of the increase in public expenditures is attributed to outlays required to accommodate future growth associated with the Mt. Hope project. The DEIS largely overlooks the fact that Eureka County has allocated substantial financial resources to provide adequate facilities and services for the Mt. Hope population.

Disposition: Other (SEE RESPONSE)

Response

The best available data was used in the EIS to disclose total outlays. No specific breakdowns of expenditures for the Mount Hope Project have been provided by the County that demonstrates individual improvements being targeted at particular segments of the population.

Letter 803, Comment 301

3.17.2.2.5 Page 3-485: Increased storage capacity and water line installation was partly made in anticipation of the mining related population and the impact they will have on services. Development of spring sources is ongoing in order to provide redundancy through a water source other than the Diamond Valley aquifer.

Disposition: Comment acknowledged; does not provide new information

Response

Comment noted.

Letter 803, Comment 302

3.17.2.2.5 Page 3-486: Please add the following to the Solid Waste Disposal description: The current landfill site cannot be expanded due to the presence of mining claims.

Disposition: Analysis modified (SEE RESPONSE)

Response

The following sentence has been added to the end of Solid Waste Disposal discussion in section 3.17.2.2.5: "Assuming rates of solid waste generation similar to the current community, the Project would decrease the expected 30-year life of the existing landfill to between ten and 20 years, accelerating the need for efforts to obtain the necessary permits for an expansion by obtaining control of existing mining claims or to secure a new location."

Letter 803, Comment 303

3.17.2.2.5 Page 3-487 and Page 3-488: The current jail contains 20 beds. Four units are reserved for pre-sentence inmates and four are reserved for females. Also, the Sheriff's office is responsible for transportation of inmates for health and medical services as well as to other courts of jurisdiction. Increasing that work load may require one full-time officer dedicated to transportation only.

Disposition: Analysis modified (SEE RESPONSE)

Response

The following sentence has been added to the end of the Sheriff's Office discussion in section 3.17.2.2.5: "Also, the Sheriff's office is responsible for the transportation of inmates for health and medical services as well as to other courts of jurisdiction. Increasing that work load may require one full-time officer dedicated to transportation only."

Letter 803, Comment 304

3.17.2.2.5, Table 3.17-18 Page 3-489: Change the year in the title of Table 3.17-18 from 2007 to 2010.

Disposition: Factual correction made (SEE RESPONSE)

Response

The year in the title of Table 3.17-18 has been changed from "2007" to "2010".

Letter 803, Comment 305

3.17.2.2.5 Page 3-490: The Emergency Medical and Ambulance Service also respond to calls in adjacent counties including southern Lander County, southwestern White Pine County, and northern Nye County, further impacting the availability of services. Please provide a thorough description of this added burden.

Disposition: Analysis modified (SEE RESPONSE)

Response

The following sentence has been added after the first sentence under the Emergency Medical/Ambulance Services subheading in section 3.17.2.2.5: "The emergency medical and ambulance service also responds to calls in adjacent counties including southern Lander County, southwestern White Pine County, and northern Nye County."

Letter 803, Comment 306

Table 3.17-19 Page 3-493: On page 3-472 the low point of the population coincides with suspension of activities at Ruby Hill Mine. During 2002-2003 the school enrollment also dropped. The population drop of approximately 260 resulted in a reduction in approximately 85 school age children comprising 32 percent of the population drop. Using the same ratio, a total long-term Project related population of 600 would potential yield about 190 students.

Disposition: Already addressed in planning documents

Response

CC-003-Socioeconomics School Enrollment

Letter 803, Comment 307

3.17.2.2.5 Page 3-496: It is not appropriate to limit impacts to grazing operators on only 2 BLM grazing allotments. Grazing and ranch operations associated with private lands will be affected in the drawdown area. BLM should not exclude from the analysis private land owners in the drawdown area or those directly affected by the Project. Please revise according to our previous comments regarding the same issue in the grazing section.

Disposition: Analysis modified (SEE RESPONSE)

Response

In the FEIS, the following sentence has been added to the first paragraph of Section 3.12.2.2 before the last sentence in the paragraph, "Associated with each of these seven allotments that are private lands used for livestock grazing and production."

Letter 803, Comment 308

3.17.3.3.1 Page 3-501: The secondary employment section lacks a discussion of in-fill jobs that will be filled by outsiders moving to the community or by spouses of Project employees. This information is contained in Appendix D and should be included in the text of the DEIS.

Disposition: Analysis modified (SEE RESPONSE)

Response

A footnote has been added in the Secondary Employment discussion in section 3.17.3.3.1 after the reference to Figure 3.17.4 as follows: "These jobs are soon to be filled by the following secondary employment groups: 1) indirect employment from jobs supported by EML and contractor purchases of goods and services from local and regional businesses; 2) induced employment from jobs supported by employee spending of Project-related income by businesses, local government, and school district spending in response to increased demand; and 3) in-fill jobs that would be filled by outsiders moving to the community or by spouses of Project employees. These secondary employment impacts are discussed in Section 3.17.3.3.2 and Appendix E."

Letter 803, Comment 309

3.17.3.3.1 Page 3-503: The last sentence of the second paragraph is only accurate as it relates to the project area and not Roberts Creek or other recreation potentially impacted by water drawdown. The streams on and flowing from Roberts Mountain offer unique recreational opportunities that are otherwise very limited in southern Eureka County. Based upon national surveys, most residents travel less than an hour's drive from their homes for recreation. Any impact to streams in the Roberts Mountain area would likely have some negative impact on the quality of life and recreational opportunities available to local residents and cannot be replaced by other sources.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-038-Roberts Creek Analysis and Mitigation

Letter 803, Comment 310

3.17.3.3.1 Page 3-503: Section 3.12 only discusses the loss of AUMs based upon the fenced area of project. It does not discuss impacts to AUM reductions on other BLM allotments nor does the analysis discuss potential reductions of livestock numbers on

private lands due to loss of forage. Such reductions would occur as a direct result of forage and water loss. The mitigation used to address the impact is largely uncommitted and provides little or no assurance that such financial impacts to permittees are adequately address. The analysis in this section needs to address the economic impacts to individuals as well as the region as a whole. Economic or financial impacts have not been addressed. Instead there is a reliance on uncommitted mitigation to address the impacts. The projected reductions in AUMs might not be significant to the region as a whole, but they are significant to individual permit holders or others who face the prospects of reduced forage availability for their businesses. Please revise according to our previous comments regarding the same issue in the grazing section.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-034-AUM Reductions

Letter 803, Comment 311

3.17.3.3.1 Page 3-503: There is a statement that "The proposed project could impact groundwater levels in Kobeh Valley..." This section or some other section in the DEIS needs to estimate or quantify the extent of the impacts on future agricultural production. Currently it is not defined and therefore has no mitigation proposed to address any adverse impacts.

Disposition: Other (SEE RESPONSE)

Response

This impact has been disclosed in the Effects on Other Sectors of the Local Economy discussion in section 3.17.3.3.1.

Letter 803, Comment 312

3.17.3.3.1 Page 3-504: Although the impact analysis identifies several potential adverse impacts on page 3-503, such impacts are not recognized or mitigation offered on page 3-504. The loss of AUMs and reductions in agricultural production has very significant impacts to these individual small business interests and should be properly mitigated and made part of the monitoring program. The analysis needs to examine the loss of income from diminished agricultural production and the impacts it will have on the value of ranching operations in the impacted area.

Disposition: Other (SEE RESPONSE)

Response

The Effects on Other Sectors of the Local Economy discussion in section 3.17.3.3.1 already provides reference to mitigation in section 3.2.3.3 and Appendix C for the potential loss of water for irrigation.

Letter 803, Comment 313

3.17.3.3.2 Page 3-505: The discussion about daily commuters and the reliance upon housing options in other communities may no longer be valid. Transportation of workers to and from Elko to mines in northern Eureka County and the Battle Mountain area is becoming more and more difficult to sustain. The population effects associated with this DEIS need to recognize those changes and provide an appropriate range of potential impacts.

Disposition: Comment acknowledged; does not provide new information

Response

In their letter on the DEIS, the City of Elko stated, "... the City has the capacity to accommodate construction manpower associated with the Project with no required mitigation measures. With regards to longer-term housing for those permanent employees of EML who may choose to live in Elko, we are currently experiencing a shortage of residential housing. However, we believe that by the time the Mt. Hope mine ramps up to full operating employment in 2014-2015, residential housing construction in Elko will catch up with housing demand and no mitigating measures will be required."

Letter 803, Comment 314

3.17.3.3.2 Page 3-508: Eureka County believes that the population ranges established in the sensitivity analysis are still valid and should have been integrated more into the analysis of impacts given the uncertainties about employee place of residence instead of including discussions on higher or lower levels of commuting workers.

Disposition: Other (SEE RESPONSE)

Response

The sensitivity analysis has been adequately incorporated into the EIS text. Refer to Appendix E for additional details. No change has been made to the FEIS in response to this comment.

Letter 803, Comment 315

3.17.3.3.2 Page 3-509: The discussion of higher levels of workforce commuting is largely unnecessary when appropriate ranges of population impacts are established. The current practice in the mining industry appears to be moving away from commuting to providing housing closer to the work site.

Disposition: Other (SEE RESPONSE)

Response

No data have been provided to support this possible trend. No change has been made to the FEIS in response to this comment.

Letter 803, Comment 316

Impact 3.17.3.3-2 Page 3-509: It is important to note that population growth will have both positive and negative impacts and that such impacts will be discussed in other sections of the DEIS.

Disposition: Other (SEE RESPONSE)

Response

The text in Impact 3.17.3.3-2 states there are positive and adverse (negative) impacts related to population growth. No change has been made to the FEIS in response to this comment.

Letter 803, Comment 317

3.17.3.3-2 Page 3-509: In Significance of Impact discussion, the last line states, "...no additional mitigation measures are proposed" which sounds like there are existing ones. If so, please describe and cite the committed mitigation measures.

Disposition: Analysis modified (SEE RESPONSE)

Response

The last two sentences of the Significance of the Impact section under Impact 3.17.3.3-2 have been revised as follows: "The impact has both positive and potentially adverse, short term and long term, attributes. Based on the conclusions from the analysis, no mitigation measures are proposed."

Letter 803, Comment 318

Table 3.17-23 Page 3-509: The table shows that only 16 percent of the relocating population is school aged children. Actual numbers associated with the suspension of mining at Ruby Hill suggest that the number of school aged children associated with a mining population could be as high as 32% resulting in more than 190 school children being associated with the Mt. Hope population. The 32 percent was derived by school enrollments and the population declines that occurred in the 2002-2003 timeframes.

Disposition: Other (SEE RESPONSE)

Response

The ratio of 16 percent of incremental school enrollment to relocating population derived by the commenter from Table 3.17-23 is based on the total population associated with the Mount Hope project. Total population includes weekly commuters who are assumed to travel to the Eureka area each week in single status and return to their homes outside of the Eureka area during their days off. These workers are assumed to be in the area without households or school age children. For the period covered in the table, weekly commuters are assumed to be 40 percent of the workforce. When considering only resident population (i.e., total population less weekly commuters), the analysis assumed the proportion of school age children to be 21 percent. This distinction has been clarified in the document. It should be noted that the current (2010) ratio of public school enrollments to resident population for Nevada counties ranges from 8.4 percent to 20.4 percent, while the state-wide ratio is 16.2 percent (Nevada Department of Education [2010]). Based on these state-wide county-level figures, the BLM's assumption of 21 percent is actually quite conservative with respect to typical ratios. Review of historical population and Eureka County enrollment data shows that this ratio has not exceeded 21 percent in the last 11 years. The BLM believes the analysis is based on the best available information. Enrollment trends in comparison to population during the full period of time the Ruby Hill Mine suspended operations and after operations resumed are also illustrative of this point. The year to year trends vary substantially and demonstrate the potential danger in using observed behavior in one year to predict future impacts.

Letter 803, Comment 319

3.17.3.3.3 Page 3-513: Workers are also likely to seek housing outside currently developed parcels. Additional parceling and land division might occur to accommodate new growth.

Disposition: Other (SEE RESPONSE)

Response

Comment noted. The analysis is based on the best available data. No change was made to the FEIS in response to this comment.

Letter 803, Comment 320

3.17.3.3.3 Page 3-513: Throughout the Housing Analysis and discussion of potential impacts, very little is said about EML participation in the housing issue. It will be difficult for the market to respond to the housing demands generated as a result of Mt. Hope employment during the construction phase and operations. Some of these workers could be living in a variety of situations which could pose health and safety problems or which represent substandard housing. Additionally, it is possible that construction workers could camp on public lands creating further impacts to resources. BLM needs to ensure that EML has a greater role in the

housing situation and not leave the entire burden for Eureka County to address. This is a substantial impact to a small community, more than doubling the size of the Town of Eureka.

Disposition: Other (SEE RESPONSE)

Response

CC-127- Socioeconomic Impacts to Eureka County

Letter 803, Comment 321

3.17.3.3.3 Page 3-514: Impact 3.17.3.3-3 is considered significant, but no mitigation is offered. BLM has the responsibility to frame mitigation and EML has some responsibility to provide assistance in this area and not rely upon Eureka County to address the entire issue.

Disposition: Other (SEE RESPONSE)

Response

CC-127- Socioeconomic Impacts to Eureka County

Letter 803, Comment 322

3.17.3.3.4 Page 3-515: The population associated with the project will create a substantial demand on community infrastructure by increasing the population of southern Eureka County by nearly 50 percent and potentially doubling the population that lives within the Town of Eureka.

Disposition: Other (SEE RESPONSE)

Response

Section 3.17.3.3.4 discloses substantial incremental demand on community infrastructure associated with the Project.

Letter 803, Comment 323

3.17.3.3.4 Page 3-516: The paragraph should also note that Mt. Hope related population increase will more than double the current demands on the water system resulting in the allocation of remaining storage and pumping capacity and potentially requiring Eureka County to seek additional water supplies to meet the demand. The Mt. Hope related population is expected to require 250 gallons per person per day (all uses) for a total requirement of approximately 170 acre-feet of water annually. Developing a new water sources is very expensive, especially when blended water sources must meet safe drinking water requirements.

Disposition: Already addressed in planning documents

Response

This impact has been disclosed in the Water Supply, Treatment, Storage and Distribution discussion in section 3.17.3.3.4.

Letter 803, Comment 324

3.17.3.3.4 Page 3-516: The analysis should note that at peak construction with 895 people, total sewage generated could easily reach 135,000 gallons per day (assuming all are served by municipal systems) which will require Eureka County to expand the wastewater treatment facility and effluent disposal. The permanent population will more than double the existing treatment requirements and will probably result in total flows reaching at least 120,000 to 150,000 gallons per day.

Disposition: Other (SEE RESPONSE)

Response

The Wastewater Collection and Treatment discussion in section 3.17.3.3.4 addresses this comment by accounting for an expansion to a total capacity of 200,000 gallons per day as a result of the Project.

Letter 803, Comment 325

3.17.3.3.4 Page 3-517: The current landfill site cannot be expanded due to the presence of mining claims. As a result, a new land fill site is needed. Eureka County will have to close the current site and provide on-going monitoring. A new site will have to be acquired, permitted and constructed. With the increase in solid waste generation rates associated with the mine and the time required to permit a new facility, Eureka County needs to begin the process to develop a new site in the very near future. This situation will result in substantial costs to Eureka County.

Disposition: Analysis modified (SEE RESPONSE)

Response

The first paragraph under the Solid Waste Disposal discussion in section 3.17.3.3.4 has been changed as follows: "...accelerating the need for efforts to obtain the necessary permits for an expansion by obtaining control of existing mining claims or to secure a new location."

Letter 803, Comment 326

3.17.3.3.4 Page 3-518: The DEIS is vague about law enforcement demands and challenges, particularly relating to the construction force. BLM should include comparative data from similar small rural communities that have had similar experiences with rapid growth for analysis purposes in the DEIS.

Disposition: Other (SEE RESPONSE)

Response

The BLM has used the best available data and no other existing data or studies have been identified or provided. No change has been made to the EIS.

Letter 803, Comment 327

3.17.3.3.4 Page 3-518: Paragraph two is mitigation. This paragraph should be included as an impact with appropriate mitigation and monitoring suggested.

Disposition: Analysis modified (SEE RESPONSE)

Response

The following phrase has been added at the beginning of the first sentence in the second paragraph on under the Sheriff's Office discussion in section 3.17.3.3.4: "As stated in Section 2.1.14, Operational Performance Standards, the..."

Letter 803, Comment 328

3.17.3.3.4 Page 3-518: There is a potential need to increase the size of the Eureka County jail facility or be willing to have an additional dedicated officer available for jail transport to Battle Mountain or Ely. The current facility has a capacity for 20 beds. Four of the beds are reserved for sentenced females, four for sentenced males, and 12 for pre-sentencing general population. The Mt. Hope project may increase the need for additional cells for sentenced males from 4 to 6 and an increase in the general population beds from 12 to 20 beds. Overall, the Sheriff anticipates that a 20 percent increase in jail capacity is warranted. During an interim period prior to jail expansion, the Sheriff's Office may need one dedicated deputy for transportation in the event of overcrowding occurs. Because of the long lead time for training and hiring, a decision needs to be made early about jail expansion so the Department can plan accordingly.

Disposition: Already addressed in planning documents

Response

The EIS discloses this impact in the last sentence of the Sheriff's Office discussion in section 3.17.3.3.4. No change has been made to the FEIS in response to this comment.

Letter 803, Comment 329

3.17.3.3.4 Page 3-519: If EML intends to have emergency medical personnel on site during construction that should be included as committed mitigation. BLM must ensure that EML make a commitment to provide on-site EMS during operations as well. The total costs for Eureka County to provide EMS service is substantial and will require the addition of 3 full-time personnel, new equipment and possibly a new ambulance structure. Due to the time required for recruiting, hiring, and training new EMS staff as well as long lead times for the purchase of additional equipment, Eureka County will need to act as soon as possible to have capabilities in place prior to construction activity at Mt. Hope resulting in substantial expenditures of funds.

Disposition: Factual correction made (SEE RESPONSE)

Response

CC-016-Emergency Personnel

Letter 803, Comment 330

3.17.3.3.4 Page 3-519: Eureka EMS has already noted an increase in calls for service on SR 278 North of the project area. This can only increase as personnel begin to transit to and from the Project. Although EML "would not rely on the Diamond Valley or Eureka fire suppression or emergency response teams to provide primary response to the mine site" it will rely on Eureka EMS to provide treatment and transportation of injured or sick workers and/or contractors to medical treatment facilities, usually in Elko. Eureka EMS will also provide primary response to the increased traffic on SR 278, US 50 and the various calls for service driven by the Project. EML management has stated their primary response teams will be at best limited during construction. Proper mitigation which addresses the issue of on-site capabilities at the Mine site during operations needs to be developed and included in the EIS. Such mitigation measures might require EML to provide its own service and medical capabilities at the mine site or contract for those services with Eureka County and/or the health clinic.

Disposition: Factual correction made (SEE RESPONSE)

Response

CC-016-Emergency Personnel

Letter 803, Comment 331

3.17.3.3.4 Page 3-519 and Page 3-520: "Eureka County EMS is staffed largely by volunteers." At this time Eureka County EMS has one FTE (the EMS Coordinator) and one part time position authorized in the South service area. All other personnel are volunteers from the community. Only one works in mining. The DEIS appears to assume that volunteer recruiting will increase and be large enough to provide service for the rapidly expanding population base. "Although mine operations workers would likely join these volunteer agencies, few construction workers are likely to do so; consequently, EMS services may be strained during the construction phase of the Project." There is no evidence that mine operations workers will join EMS. Project operations workers will be minimal during construction; even if currently certified, licensing can be a protracted process; and additionally many employers will not permit their employees to be absent or late for work due to volunteer activities. Although the Project may have EMT or EMR personnel on site, many sick or injured will request or require ambulance transport to local or non-local medical facilities for diagnosis and/or treatment. Transportation to a hospital requires a trip of about 4 hours for the responding volunteers; many employers will not permit their employees to be absent for such a long period of time. It implies that the early replacement of an older ambulance and training and equipping the volunteers will be the only impacts. At this time Eureka EMS plans on at least 3 FTE to augment the volunteers as well as additional equipment. This must occur prior to the influx of construction workers due to the time required for recruitment, training and equipping new employees.

Disposition: Analysis modified (SEE RESPONSE)

Response

The text in the second sentence under the Emergency Medical/Ambulance Services discussion in section 3.17.3.3.4 has been changed as follows: "Although mine operations workers may join these volunteer agencies...EMS services may be especially strained during the construction phase of the Project."

Letter 803, Comment 332

3.17.3.3.4 Page 3-520: The Eureka Clinic is extremely limited by available diagnostic equipment and technique. This causes the referral of patients to hospitals and diagnostic centers. Often patients are transported by ambulance. The two closest hospitals are in Elko and Ely. Difficult, critical and trauma cases are often flown directly to Reno or Salt Lake City, when weather permits. Although Eureka County heavily subsidizes Clinic staffing, operations and provides/maintains the building, historically the contractor has been unable to provide consistent qualified staffing. Eureka EMS then becomes the medical provider of last resort. The next closest clinics and physicians are located in Ely (78 miles) and Elko (113 miles).

Disposition: Other (SEE RESPONSE)

Response

The limited nature of the medical services located in Eureka County is disclosed in the Healthcare discussion in section 3.17.2.2.5. The EIS acknowledges the staffing difficulties and the potential impacts that would result from the increased population seeking medical services. Some of the transportation needs may be offset by the ambulance service that will be on-site at the project during operations.

Letter 803, Comment 333

3.17.3.3.4 Page 3-520: Paragraph 3 states that the rural standard is one physician for every 1,500 people. Southern Eureka County is 1325 plus the addition of the operations population plus other workers at the mine site who don't live locally, and service and support contractors who will be in the area pushes the total population well above 2000. Health care impacts should require some type of mitigation discussion and commitment by EML.

Disposition: Analysis modified (SEE RESPONSE)

Response

The fourth sentence in the second paragraph under the Healthcare discussion in section 3.17.3.3.4 has been modified as follows: "...the incremental growth may warrant the addition of another full-time physician at the clinic, and may require an increase in support staff."

Letter 803, Comment 334

3.17.3.3.4 Page 3-521 and Page 3-522: The estimated enrollment increases are still too low. We should anticipate that the new permanent workforce would have as large, or larger, a percentage of school age children as the current population since it includes no retirees.

Disposition: Already addressed in planning documents

Response

CC-003-Socioeconomics School Enrollment

Letter 803, Comment 335

3.17.3.3.4 Page 3-522: Again this discussion is unnecessary when using a range of population estimates. As mentioned in earlier comments about school age children, it appears that school age children comprised approximately 32 percent of the population declines during 2002 and 2003. The socioeconomic analysis assumes a much lower percentage.

Disposition: Already addressed in planning documents

Response

CC-003-Socioeconomics School Enrollment

Letter 803, Comment 336

3.17.3.3.4 Page 3-522 and Page 3-528: Eureka EMS can expect a much higher rate of calls for service due to the increased passenger traffic along with increased heavy truck traffic in the area. In particular, a low probability/high impact event, such as a motor vehicle accident involving a commuter bus will exceed present and planned response capability. Exacerbating the risk of a low probability/high impact event as well as "ordinary" severe motor vehicle accidents are: the design and maintenance of SR 278 including lane width and the lack of shoulders, increased heavy truck traffic mixed in with other motor vehicles, increased fatigue of drivers, particularly on "end of shift" days and low state law enforcement priority resulting in an increase in risky driving behavior.

Disposition: Analysis modified (SEE RESPONSE)

Response

The last sentence in the first paragraph under Effects of Higher Levels of Workforce Commuting discussion in section 3.17.3.3.4 has been updated as follows: "Additional law enforcement and emergency response services could also be generated along transportation routes, specifically along SR 278, from host communities to the Project for both construction and operations workers."

Letter 803, Comment 337

3.17.3.3.4 Page 3-523: The impact analysis ignores a variety of potentially significant impacts and provides no mitigation. The format attempts to aggregate all the impacts and mitigation measures of section 3.17.3.3.4 into one catch-all discussion. This approach is taken throughout a number of resources topics. This approach fails the purpose of the DEIS because in the words of CEQ, "the EIS is the most comprehensive environmental document, it is an ideal vehicle in which to lay out not only the full range of environmental impacts but also the full spectrum of appropriate mitigation".

Disposition: Other (SEE RESPONSE)

Response

The DEIS does disclose the environmental impacts associated with the Proposed Action and it does propose associated mitigation where appropriate. The DEIS discloses potential impacts to public utilities and services under Section 3.17.3.3.4 (DEIS pages 3-514 through 3-523) and adequately characterizes the scope of socioeconomic impacts as related to public utilities and services. In addition, a new Section 3.26 has been added to the EIS that outlines mitigation measures, such as those for socioeconomics, that are outside of BLM's jurisdiction to implement.

Letter 803, Comment 338

3.17.3.3.5 Page 3-524: The DEIS states that no property tax forecasts have been made past the first 10 years of operations. EML has given presentations to both the county and the school board that forecast beyond this timeframe. The EIS should have taken advantage of that material.

Disposition: Other (SEE RESPONSE)

Response

As stated in the Operations Population Sensitivity Analysis in section 3.17.3.3.2, "Table 3.17-23 summarizes the results of the sensitivity analysis during the first ten years of operations, a period when the mine would achieve and maintain full production, creating long-term job opportunities conducive to household relocation, and to the creation of indirect and induced jobs in the community." This time frame for analysis is applied throughout the EIS to avoid any confusion associated with inconsistent analysis periods.

Letter 803, Comment 339

3.17.3.3.5 Page 3-524: The DEIS does a good job of delineating how the net proceeds are currently divided between the local school, county, and state governmental entities. However, there should be a qualifying statement to acknowledge the uncertainty of future local government net proceeds revenue due to potential likely changes in state statutes.

Disposition: Other (SEE RESPONSE)

Response

This EIS does not analyze hypothetical future situations as identified in this comment.

Letter 803, Comment 340

3.17.3.3.5 Page 3-525: The last paragraph of page 3-525 is confusing. It first mentions \$22.1 million of LSST then \$11.1 million of LSST for ECSD. If \$11 million of LSST is part of the state's total of \$30.7 million, it should be better explained. If not, it would appear that there is some discrepancy.

Disposition: Other (SEE RESPONSE)

Response

The \$11.1 million accruing to the ECSD is not part of the state's total of \$30.7 million, but rather represents 50% of the total LSST. The text in the last paragraph of the Sales and Use Taxes discussion in section 3.17.3.3.5 has been changed to read as follows: "Total sales and use tax revenues during construction and through year 10 of operations are projected at \$63.9 million. The total includes \$22.1 million in LSST, \$4.9 million in BCCRT, \$17.2 million in SCCRT, and \$19.7 million in state sales tax. Of the total, Eureka County is projected to realize \$22.1 million in BCCRT and SCCRT, and an estimated \$11.1 million in LSST revenue (50% of the total) would accrue to the ECSD. The State of Nevada would realize \$30.7 million in LSST and state sales and use tax revenue."

Letter 803, Comment 341

3.17.3.3-5 Page 3-527: The analysis misses an important element about the fiscal impacts. Eureka County has made significant expenditures to date and will have to make even greater ones before any tax revenue is generated by the Mt. Hope Project. These expenditures primarily benefit the Mt. Hope population and maintain the safety, health and well-being, and quality of life for both the construction and operations phase workers and their families. Placing a local government in this position without some guarantee to cover expenditures is certainly a significant adverse impact which warrants serious consideration of appropriate mitigation measures. Dismissing these adverse impacts because the future positive benefits of the project might outweigh the negative one brings little relief for the risks being incurred early in the project development by Eureka County.

Disposition: Not within agency's jurisdiction (SEE RESPONSE)

Response

The Significance of the Impact section under Impact 3.17.3.3-4 states, "This impact is considered significant and has both beneficial and potentially adverse impacts. No mitigation measures are proposed. Nevertheless, it is suggested that EML and Eureka County build on previous and current planning efforts to address public infrastructure and service issues."

The Significance of the Impact section under Impact 3.17.3.3-5 states, "This impact is considered significant; however, no mitigation measures are proposed. While the long-term tax revenues would likely provide for increased infrastructure expenditures, it is suggested that EML and Eureka County build on previous and current planning efforts in order to prepare for the possible timing differences between expenditures and tax revenues."

The BLM believes that these statements provide an accurate and balanced description of the impacts and recommends that EML and Eureka County work together to develop mitigation for the potential adverse impacts as it is outside of the BLM's jurisdiction to require. This recommendation is consistent with the BLM's authority related to mitigation of socioeconomic impacts. The BLM does not have the authority or control of future economic conditions and other contributing factors to "guarantee" that public expenditures will be covered by future tax revenues. The BLM appreciates the efforts and resources Eureka County has already committed in preparation of this potential project. The BLM continues to strongly encourage EML and Eureka County to work together, in good faith, to develop mutually agreed upon planning options.

Letter 803, Comment 342

3.17.3.3.6 Page 3-529: The first paragraph of this page states that "the social effects of the project would likely result from the introduction of a large number of newcomers rather than the fact that the project involves mining." This statement is not entirely accurate. In recent years, southern Eureka County has enjoyed a very mixed balance of demographic components including miners, farmers, ranchers, government workers, small business owners, and retirees. When the mine comes into operation, the demography and the culture of the community will be primarily mine related which in itself could bring about some change.

Disposition: Analysis modified (SEE RESPONSE)

Response

The text on DEIS page 3-529 has been revised to read as follows: "...the social effects of the Project would likely result primarily from the introduction of a large number of newcomers into a small, relatively stable rural community, although the fact that the Project involves mining may also play a role."

Letter 803, Comment 343

3.17.3.3.6 Page 3-529: The third paragraph mentions possible increases in traffic, crime, and drug or alcohol use but there is no discussion of small communities that have had similar growth-related experiences. Such data would be helpful in estimating impacts in Eureka County.

Disposition: Other (SEE RESPONSE)

Response

The best available data were used. There is not sufficient data to quantify these impacts and any such analysis would be speculative.

Letter 803, Comment 344

3.17.3.3.6 Page 3-530: The summary paragraph should note that many local residents and Eureka County remain concerned about the commitment and effectiveness of the mitigation measures proposed to date.

Disposition: Analysis modified (SEE RESPONSE)

Response

This comment is not supported by data. The commenter is referred to the Mount Hope Mine Community Opinion Survey (May 2010) which describes the public support for the Project. Reference to this survey has been added to Section 3.17.2.2.6 of the EIS.

Letter 803, Comment 345

3.17.3.7 Page 3-535 and Page 3-536: A smaller longer socioeconomic impact is the dominant rationale for the slower longer alternative and should have been addressed more thoroughly, including having numeric estimates. Without numeric estimates this alternative cannot be reasonably analyzed.

Disposition: Other (SEE RESPONSE)

Response

The Proposed Action was designed and engineered for an economically viable project. The mining rate for the Proposed Action is a result of mine engineering and optimization studies. Simply plugging in different employment and project duration estimates for the Slower, Longer Alternative analysis would not result in a valid assessment of socioeconomic impacts, particularly if those estimates were not supported by engineering. For example, without a redesign of the Project, projected revenues and expenditures could not be accurately predicted. Net Proceeds of Mines (NPM) taxes derive from a mine's gross revenue minus the cost of production. For the Proposed Action, these values were calculated based on the Project design, including capital costs and operating expenses. To determine the NPM taxes for the Slower, Longer Project Alternative would require a redesign of the Project, because at a lower mining rate, a financially viable project might only be possible by mining a smaller resource. These complexities would extend to quantification of other impacts (indirect and induced employment, total population impacts, school age children, housing demand, sales and use tax, property tax revenues, etc.). Without realistic, engineering-based inputs, the models would not produce reliable numeric estimates of socioeconomic effects and since this alternative is not economically viable these values have not been calculated. Therefore, a qualitative assessment would be the most reasonable approach for this alternative.

Letter 803, Comment 346

3.19.2.2 Page 3-545: There is inconsistency with the numbers provided here when compared to the transportation section on p. 3-644. On p. 3-644 the text describes the average as being 740 daily trips where here the average is reported as being much lower at 601. Please make sure numbers and data sources match.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-068-Traffic Impacts

Letter 803, Comment 347

Further, analysis must be revised to account for the most recent data on traffic counts. There is much more car and truck traffic on the road system today than there was just a couple of years ago due to the large amount of exploration and development activity taking place in the area. Use the most recent data available in order to have an adequate description of current existing conditions (the baseline).

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-068-Traffic Impacts

Letter 803, Comment 348

3.19.3.3.1 Page 3-546: Text and Table 3.19-1 speak of ANFO being transported, delivered, and stored. However, ammonium nitrate (AN) and fuel oil (FO) are transported and stored separately. There should be revision to the text and table to make this clear that the separate constituents of ANFO are kept separated until used for blasting.

Disposition: Analysis modified (SEE RESPONSE)

Response

The acronym "ANFO" in the third paragraph in Section 3.19.3.3 has been changed to "ammonium nitrate, fuel oil,". The acronym "ANFO" in the first paragraph in Section 3.19.3.3.1 has been changed to "Explosives". The acronym "ANFO" in Table 3.19-1 has been changed to "Ammonium Nitrate".

Letter 803, Comment 349

3.19.3.3.1 Page 3-546: Exacerbating the risk of low probability/high impact events as well as "ordinary" severe motor vehicle accidents are: the design and maintenance of SR 278 including lane width and the lack of shoulders, increased bus and heavy truck traffic with an increase of 5004 hazardous material trips per year (about 13 per day) on SR 278 mixed in with other motor vehicles, increased fatigue of drivers, particularly on "end of shift" days and low state law enforcement priority resulting in an increase in risky

driving behavior. Eureka County EMS will have to expand, train and equip for an increase in motor vehicle accidents and an increased probability of a low probability/high impact event.

Disposition: Other (SEE RESPONSE)

Response

An increase in EMS and other county services is covered under Section 3.17 - Socioeconomics of the EIS. In addition, a new Section 3.26 has been added to the EIS that outlines mitigation measures, such as those for socioeconomics, that are outside of BLM's jurisdiction to implement.

Letter 803, Comment 350

3.19.3.3.3 Page 3-549: Eureka County emergency services (including Sheriff's Dept.) would likely be called in on any release of hazardous material especially spills on highways and County roads. Mitigation Measure 3.19.3.3-1 must speak to more than just "maintaining...Emergency Response Plan" and include close coordination and communication with local emergency services and law enforcement to ensure efficient, controlled, and timely coordinated response to spills.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-069-Mitigation for Impacts to Highways

Letter 803, Comment 351

3.20.2.3 Page 3-554: BLM's response to previous ADEIS comments regarding the same was that the text would be updated to account for most recent data. Please use more recent numbers than the Pony Express Trail re-ride from 2006. Five re-rides have taken place since 2006. Further, there must be a citation for the origin of the numbers.

Disposition: Analysis modified (SEE RESPONSE)

Response

The following text has been deleted "Also in 2006 there were a total of 230 individuals that used the segment of the trail within the Project Area. For the Nevada portion of the re-ride there were 215 participants." The text in the FEIS has been revised to read, "In 2010 there were a total of 215 individuals that used the segment of the trail within the Project Area (personal communication, Gary Nezo, current National Pony Express Association, Nevada branch president)."

Letter 803, Comment 352

3.20.3.1 Page 3-554: The significance criteria references "Class II VRM objective" yet in the visual resources section on p. 3-301 it states that "The Mount Hope area was inventoried by the BLM for the Shoshone-Eureka Resource Management Plan as a combination of Visual Management Class III and IV areas (BLM 1986a). The BLM has mapped both Class III and Class IV at Mount Hope and the surrounding area." There is something inconsistent here. Is the VRM objective adjacent to the Pony Express Trail in Class II? If so, the Visual Resources section should be revised to make this clear because there is no description of any Class II areas. Further, regardless of the Class, the visual resources section should be augmented with language about the Pony Express Trail and then references made to this section (3.20) for the specific analysis.

Disposition: Comment acknowledged; does not provide new information

Response

The Pony Express NHT is not within a VRM Class II area. However, BLM IM NV-2004-004 states that "the Class II VRM objective shall be the standard for findings of no adverse effect unless the site or segment in question is in an area having a more stringent (i.e., Class I) VRM objective for any reason. Visual mitigation is included in Mitigation Measure 3.7.3.3-1."

Letter 803, Comment 353

3.20.3.3.1 Page 3-557: We agree that for Impact 3.20.3.3-1 (and partially for 3.20.3.3-2) that there is limited, if any, mitigation that can be identified on-site to address the significant impacts to the Pony Express Trail. However, BLM has the authority and responsibility to call for mitigation to address the impact, even if through less-than-preferable off-site mitigation. We request that BLM develop mitigation measures to indirectly address the impacts to the Pony Express Trail. Examples could include augmentation/improvement of access points (i.e., parking areas) to the Trail, repair or replacement of existing Trail signage, or placing of new informational kiosks or signage, etc. to partially address the impact.

Disposition: Other (SEE RESPONSE)

Response

CC-055-Mitigation for Visual Impacts to Historic Trails

Letter 803, Comment 354

3.21 Page 3-561: The DEIS fails to address the potential indirect impacts to the historic and cultural resources of the Town of Eureka including potential impacts to existing historic structures through increase usage, vandalism, etc.

Disposition: Not within document/decision scope (SEE RESPONSE)

Response

CC-043- Indirect Cultural Resource Impacts

Letter 803, Comment 355

Also, the development that will take place in Eureka directly attributable to the Mt. Hope Project may have impacts to the historic downtown of Eureka including artifacts and sites that are known to exist and may be excavated during development activities. Please include analysis, discussion, and framing of mitigation to address these potential impacts (which seem to belong under Cultural Resources, 3.21).

Disposition: Not within document/decision scope (SEE RESPONSE)

Response

CC-043- Indirect Cultural Resource Impacts

Letter 803, Comment 356

3.21.3.3-1 Page 3-568: As part of the mitigation to protect cultural resources, BLM should require EML to provide employees and subcontractor employees for construction and operations with a BLM brochure concerning the prohibitions and penalties for collecting or desecrating cultural resources. With the influx of workers, it is important for BLM and the mine to work together proactively to educate workers in order to protect these irreplaceable resources.

Disposition: Comment acknowledged; does not provide new information

Response

The operational performance standards in the FEIS have been revised to include cultural sensitivity training for project employees.

Letter 803, Comment 357

3.21.3.3 Page 3-568: Again, reliance on a future plan does not allow the BLM, Eureka County, or the public to weigh the effectiveness of Mitigation Measure 3.21.3.3-1. All mitigation of every impacted resource, including eligible cultural sites, must be described in sufficient detail to help measure the impacts and make a reasoned choice on an alternative. Please ensure that the document is revised to frame the treatment plan (mitigation) in the document now and not wait until some undefined future date.

Disposition: Other (SEE RESPONSE)

Response

The locations of cultural resources are proprietary information and, therefore, are not disclosed in the FEIS. Additionally, the treatment plan is administered under Section 106 which is a separate, but often parallel, process from NEPA.

Letter 803, Comment 358

3.23.1 Page 3-592: Please include the language from the County's Master Plan regarding the policies for wildlife and fisheries (Master Plan 6.2.4). Some of the specific language that is applicable includes: "GOAL: Maintain, improve or mitigate wildlife impacts to habitat in order to sustain viable and harvestable populations of big game and upland game species as well as wetland/riparian habitat for waterfowl, fur bearers and a diversity of other game and non-game species. OBJECTIVES: 1) Coordinate with the Eureka County Wildlife Advisory Board, Eureka County Natural Resources Advisory Commission, Nevada Department of Wildlife, affected private property interests, lessees and permittees to develop...guidelines for future site specific management plans affecting upland, water fowl and big game habitat; 2) Community economic concerns and values will be obtained from the Eureka County Wildlife Advisory Board, Eureka County Natural Resources Advisory Commission, Eureka County Economic Development Board and the Board of Eureka County Commissioners; the voice of Eureka County citizens provides the basis for wildlife and wildlife habitat management...; 3) ...where necessary mitigate, harmful impacts to rangelands, woodlands, native wildlife species...Mitigation must accommodate impacts that have accumulated since initial resource allocation.; 4) Manage wildlife populations and wildlife habitat to enhance species native to Eureka County habitats. Exceptions to this objective must be founded on a clear public benefit attributed to the introduction, enhancement or propagation of a non-native species or a species native to Nevada, but not historically found in Eureka County. Public benefit is demonstrated through affirmation by the Eureka County Wildlife Advisory Board and Eureka County Natural Resources Advisory Commission.; 5) Conduct rangeland studies, pellet group plots, breeding bird transects and other appropriate studies to monitor wildlife relationships to available habitat as well as impacts of vegetation manipulation projects on wildlife; 7) Accelerate the planning, approval and completion of multiple-use water developments, rangeland treatment projects and prescribed burns that include objectives for enhancement of big game and other wildlife habitat. Wildlife developments must be cooperative in nature, respecting the rights and interests of existing resource users; 8) Include considerations of wildlife habitat requirements in the design and reclamation of mineral development projects through approved Plan(s) of Operations.; 9) Assure that management agencies provide all necessary maintenance of enclosure fences not specifically placed for improved management of livestock."

Disposition: Analysis modified (SEE RESPONSE)

Response

While the county has adopted policies regarding wildlife resources, it does not have the same regulatory authority as the state and federal agencies referenced in this section. No change has been made to the FEIS in response to this comment.

Letter 803, Comment 359

In addition to outlining the language above in the Regulatory Framework, the impacts analyses including framed mitigation must be done in a way to reach consistency with these policies to the maximum extent possible.

Disposition: Analysis modified (SEE RESPONSE)

Response

An appendix has been included in the FEIS to address the inconsistencies with the Eureka County Master Plan. A sentence has been added to the end of the first paragraph in Section 1.5.4 that identifies this appendix.

Letter 803, Comment 360

3.23.1 Page 3-592: Under Regulatory Framework, the document should be revised to describe and discuss the recent interim guidance on greater sage grouse and then carry this language (including management stipulations outlined in the guidance) through the analysis regarding sage grouse.

Disposition: Analysis modified (SEE RESPONSE)

Response

Section 3.23.2.2.2 of the FEIS has been revised to incorporate guidance from the two BLM Instruction Memoranda released in December 2011 regarding greater sage-grouse.

Letter 803, Comment 361

3.23.2.2.1 Page 3-600: We thank BLM for finally recognizing the importance of Roberts Creek as a treasured local fishery. However, we still have some outstanding concerns related to analysis and framing of mitigation. Please take all of our comments that we made regarding Roberts Creek under the water related and recreation section of the DEIS and apply them here along with requested changes. Those previous comments have direct application to the way this fishery is analyzed here in this section.

Disposition: Other (SEE RESPONSE)

Response

The commentor is directed to Section 3.2.3.3 of the FEIS for mitigation for flows in Roberts Creek. The FEIS has been revised to make clear that mitigation may be required for Project-caused reductions, rather than "cessation" of flows. Enhancement or replacement of surface flows with ground water is one of the potential mitigation options, should impacts occur, as described in the EIS. The BLM may select other options from that list or identify other effective mitigation options, should impacts occur or be deemed imminent.

Letter 803, Comment 362

3.23.2.2.3 Page 3-612: Our understanding is that LCT have also been found in Willow Creek. In fact, we first learned about this on a Mt. Hope Project EIS phone conference. Yet, there are no changes to the DEIS to speak about Willow Creek in the text or to depict the portions of this stream that bears LCT. Please make changes accordingly to text, figures, and analysis.

Disposition: Other (SEE RESPONSE)

Response

Willow Creek is located outside of the predicted ten-foot drawdown associated with the Project. The EIS states on under the Status within the Pine Creek Subbasin discussion in section 3.23.2.2.3, "In the summer of 2011, the NDOW located a population of LCT in Willow Creek which is located east of Birch Creek and northeast of the Project Area (Personal Communication, Ryan Sandefur, September 23, 2011)."

Letter 803, Comment 363

3.23.2.2.3 Page 3-616: Why was PFC data from 2001 used instead of more recent PFC data available through BLM (completed by Bob Hassmiller)? Please revise and use the most recent data available to describe existing conditions.

Disposition: Comment acknowledged; does not provide new information

Response

The BLM used the best available data for assessing Project-related impacts associated with the predicted ten-foot ground water drawdown. No change has been made in the FEIS in response to this comment.

Letter 803, Comment 364

3.23.2.2.3 Page 3-617: Please check Table 3.23-4 for errors. At least two of the columns, "PFC" and "FAR-UP" do not sum correctly in the column total.

Disposition: Factual correction made (SEE RESPONSE)

Response

The total value in the "PFC" and "FAR-UP" columns in Table 3.23-4 have been corrected to read "5.28" and "1.56", respectively.

Letter 803, Comment 365

3.23.2.2.4 Page 3-621: Please cite references regarding climate change discussion

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-042-Climate Change

Letter 803, Comment 366

3.23.3.3.1 Page 3-622: Despite our previous ADEIS comments in which BLM responded that "Text will be revised in next version of document" no changes were made. We again request that there is specific reference to fish in addition to general wildlife. The title of this section of the DEIS itself separates wildlife and fish.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-038-Roberts Creek Analysis and Mitigation

Letter 803, Comment 367

Still, none of the other streams that contain fish other than LCT (whether they are rainbow trout or brook trout) are even mentioned in any of the significance criteria or mitigation analyses. Fish treatment, especially on Roberts Creek, needs to be consistent with the other wildlife or any other of the mitigation proposals for the impacted resource.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-038-Roberts Creek Analysis and Mitigation

Letter 803, Comment 368

We propose a significance criterion to read, "Result in a reduction of flow or change in water quality in Roberts Creek or other recreational fishery that reduces the viability and sustainability of the recreational fishery as it exists before Project activities."

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-038-Roberts Creek Analysis and Mitigation

Letter 803, Comment 369

Then, frame an impact "There may be a decrease in flows or change in water quality which affects the creeks' viability and sustainability as a recreational fishery."

Disposition: Analysis modified (SEE RESPONSE)

Response

The water mitigation trigger has been revised to address impacts regarding a reduction in flow that is attributable to the Project; therefore, no change has been made in the FEIS in response to this comment.

Letter 803, Comment 370

Finally, move forward with framing mitigation using much of the mitigation from Section 3.2.3 and including our comments and requests related to the same in addition to what we provided regarding the recreation section.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-038-Roberts Creek Analysis and Mitigation

Letter 803, Comment 371

3.23.3.3 Page 3-622: We appreciate that BLM, in the wildlife section, has outlined mitigation for many impacts that were not considered significant (i.e., pygmy rabbits and bats). We ask that BLM be consistent on this approach across all resources and impacts analyzed to reduce impacts to any resource through mitigation, even when not significant.

Disposition: Comment acknowledged; does not provide new information

Response

CC-134- NEPA Significance Threshold and Mitigation

Letter 803, Comment 372

3.23.3.3.1 Page 6-624: Many of the same comments that we made on previous sections (especially mitigation) related to water quality, recreation, special status species, wild horses also apply here as many of these sections are referenced in the DEIS as being the measures employed to analyze impacts and frame mitigation. Please reference our previous comments for application here and revise accordingly.

Disposition: Comment acknowledged; does not provide new information

Response

Comment noted.

Letter 803, Comment 373

3.23.3.3.2 Page 3-629: Pygmy rabbits construct their burrows in loose and sandy soils and burrows are often constructed in areas disturbed by human activity due to the "easy digging" of previously disturbed soils (note that on Figure 3.23.3 that the only locations where pygmy rabbits were observed are in locations near human disturbance). The mitigation measure of a funding source for sagebrush habitat improvement projects will not ensure that pygmy rabbits are benefited or that impacts to pygmy rabbits are mitigated. Please revise Mitigation Measure 3.23.3.3-9 to now read, "...an interest bearing account would be created specifically for use on future sagebrush habitat projects that would directly benefit pygmy rabbits through targeting of specific areas containing soils where pygmy rabbits are or would likely establish burrows..."

Disposition: Analysis modified (SEE RESPONSE)

Response

The text in the FEIS has been revised to read, "EML would fund future sagebrush habitat improvement projects in the area that would directly benefit pygmy rabbits. Based on a ratio of two acres per every acre disturbed, EML would provide 950 acres of habitat improvement projects. Projects would be selected by the Wildlife Working Group which would review greater sage-grouse habitat projects (described in Appendix D, Attachment 3). Projects that benefit both greater sage-grouse and pygmy rabbits could count toward both acreage requirements as approved by the Wildlife Working Group."

Letter 803, Comment 374

3.23.3.3.2 Page 3-630: DEIS reads that "The mitigation measures identified in Section 3.2.3 to ensure that the development of the ten-foot drawdown contour is consistent with the analysis in this EIS (Mitigation Measures 3.2.3.3-2a and 3.2.3.3-2b)..." This statement is incorrect. Neither Mitigation Measure 3.2.3.3-2a nor 3.2.3.3-2b carries any requirement to "ensure that the development of the ten-foot drawdown contour is consistent with the analysis in this EIS." If BLM wishes to keep this language in, then we expect the ROD to explicitly outline the restriction that the real drawdown associated with Project pumping does not vary from what is currently predicted in the EIS.

Disposition: Analysis modified (SEE RESPONSE)

Response

The last sentence in paragraph under the Yellow-billed Cuckoo and Springsnails in the FEIS has been revised to read, "Mitigation for impacts to surface water resources are outlined in Section 3.2.3."

Letter 803, Comment 375

3.24 Page 3-643: The DEIS provides an inadequate analysis of the impacts of project related transportation on State Route 278 (SR 278). The DEIS improperly concludes that the impacts of increased traffic on SR 278 are not considered significant.

Disposition: Other (SEE RESPONSE)

Response

The comment does not provide any specifics; therefore, the BLM cannot provide a detailed response. As outlined in the response to comment #346 from letter #803, the baseline traffic data has been updated and the subsequent analysis reflects these updated data in the FEIS.

Letter 803, Comment 376

The Affected Environment section (3.24.2) fails to report the existing conditions on SR 278,

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-068-Traffic Impacts

Letter 803, Comment 377

and the Environmental Consequences section (3.24.3) omits any discussion of the impacts of increases in truck, bus and passenger vehicle traffic on SR 278.

Disposition: Comment acknowledged; does not provide new information

Response

CC-049- Traffic Impacts on SR 278

Letter 803, Comment 378

3.24.2.2 Page 3-644: The Existing Conditions section describes the roads and their use, but fails to address the condition of the roads. SR 278 has no shoulders, is prone to flooding, has slow moving agricultural vehicles, and the school buses stop directly on the road. Snow removal from Alpha to Carlin is less certain than from Alpha to Highway 50. The presence of active agriculture transportation in Pine Valley is not adequately addressed in the DEIS. Slow moving hay delivery systems and tractors are part of daily life on SR 278 in Pine Valley. There are no shoulders in this area either, making it difficult for slow moving vehicles to pull over and providing little maneuverability for fast moving trucks and buses. See attached letter to NDOT from Eureka County Commission dated 4/21/08 describing conditions on SR 278 and NDOT response letter dated 6/3/08. Since that time, the County has observed increased accidents on SR 278 due to increased traffic from mining projects in the region, and SR 278 is already in a state of significant disrepair in some sections, largely as a result of heavy truck traffic. The most current NDOT data on average daily traffic volume for trucks is now four years old. Given the escalation of mining activity in the region since 2008, we believe that the baseline data provided is outdated and does not reflect current truck traffic volume.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-068-Traffic Impacts

Letter 803, Comment 379

3.24.3.1 Page 3-644: For transportation, the environmental consequence significance criteria consider only a "substantial" increase in traffic load "in relation to the existing traffic load" and the capacity of the road system. The significance criteria ignore the condition of the road system and safety factors.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-068-Traffic Impacts

Letter 803, Comment 380

3.24.3.3 Page 3-645: Last sentence refers to deliveries of hazardous chemicals discussed in Section 3.20 but that discussion is actually in Section 3.19.

Disposition: Factual correction made (SEE RESPONSE)

Response

The text has been revised from "Section 3.20" to "Section 3.19".

Letter 803, Comment 381

3.24.3.3 Page 3-645: The Proposed Action project description states that "through the use of buses to transport workers from the communities in the area, traffic pressure on SR 278 would be minimized." However, this portion of the DEIS lacks an estimate of the number of bus trips. Section 2.1.13, page 2-65 indicates a peak of 5 round trips to Elko per day and three to Eureka per day for the life of the mine. If these estimates are accurate and valid, they should be used in the transportation section to disclose the number of buses and calculate the percentage increase from the 2008 NDOT statistics cited in the DEIS which show no (zero) bus trips in 2008. On a percentage basis, the increase would be "substantial in relation to the existing traffic load." Similarly, the section states, "there would be an undetermined increase in passenger vehicle trips per day on SR 278." However, there is no numerical estimate or range provided. We believe that the project proponent should be able to provide an estimate in the form of a range which would enable the BLM to consider whether or not the project would generate a "substantial increase in traffic load" for passenger vehicle trips.

Disposition: Comment acknowledged; does not provide new information

Response

CC-049- Traffic Impacts on SR 278

Letter 803, Comment 382

3.24.3.3-1 Page 3-645: The DEIS estimates a 15 percent increase in truck traffic, an unspecified increase in passenger car traffic on SR 278, no mention of bus transport, and concludes that the impact is not significant and that no mitigation is proposed. We know from section 3.19.2.2 page 3-545 that SR 278 currently experiences 22 daily trips by trucks. Section 2.1.11.1 states that the truck trips

just to deliver chemicals will be approximately 19 per day. That results in an approximately 85 percent increase rather than the 15 percent increase asserted in 3.24.3.3-1. Based on the stated significance criteria, we believe that the transportation impacts are significant and that the analysis that concludes otherwise is deficient and should be corrected. With the knowledge of the activity to be generated during construction and operations from employment and mine-related activity, we suggest that Impact 3.24.3.3-1 read: "For the life of the project, which could be up to 70 years, there would be an increase in truck (approximately 85 percent), passenger car (about __ to __ percent) and bus (approximately __ percent) traffic on SR 278 and U.S. Highway 50." If the numbers are obtained and expressed as shown above, the analysis will show that the impact of the Proposed Action on increasing traffic on existing roadways is considered significant, and committed mitigation is required.

Disposition: Analysis modified (SEE RESPONSE)

Response

The analysis under the Hazardous Material and Transportation sections has been revised to use the most current traffic data.

Letter 803, Comment 383

Safety issues along SR 278 must be addressed through a committed mitigation plan in the DEIS, rather than ignoring the hazards and deferring action and commitment. Potential mitigation measures could include but are not limited to pull out areas, constructed turnouts at each bus stop so that the bus pulls off the main road to pick up children, additional warning signage for bus stops, reduction of speed limit in Pine Valley, improved signage to warn drivers of the Pine Valley hazards, coordination with NDOT to improve snow removal from Alpha to Carlin, and the installation of shoulders to improve safety and safe passage. Eureka County's EMS Coordinator recommends a dedicated passing lane in Pine Valley, in the vicinity of Pappy's, on the uphill lanes of Garden Pass (both North beginning at the Dome House and south beginning at Saddler Brown) and at least on passing lane in Diamond Valley to reduce the risk of high speed head-on collisions.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-068-Traffic Impacts

Letter 803, Comment 384

3.24.3.3 Page 3-645: Our previous ADEIS comments were not fully addressed and there is incomplete and inadequate discussion regarding Project transportation related impacts especially in relation to State Route 278. Although buses may reduce the amount of tires traveling the road, the weights of the vehicles will actually cause more problems. Further, there are no efforts to try to quantify (or EML commit) to restrictions on employees from bringing personal vehicles to work or in which direction the buses will be traveling from. There needs to be efforts taken to quantify how many buses, how many personal vehicles, how many contract light-duty trucks, etc. Eureka County emergency and law enforcement services as well as residents in Diamond Valley and Pine Valley are especially interested to have this number pinned down so they can be informed on what to expect.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-068-Traffic Impacts

Letter 803, Comment 385

Also, there is no analysis and discussion on the heavy equipment and construction traffic during the long construction phase that will last almost 2 years.

Disposition: Analysis modified (SEE RESPONSE)

Response

The analysis in Section 3.24.3.3 has been revised to include a section on construction-related traffic.

Letter 803, Comment 386

Additionally, where is the increased traffic going to come from for toll roasting deliveries both in and out? This is not even discussed. Please revise and include more detail on these impacts.

Disposition: Comment acknowledged; does not provide new information

Response

CC-049- Traffic impacts on SR 278

Letter 803, Comment 387

3.24.3.3 Page 3-645: There is failure to acknowledge and analyze the increase of Project traffic on County gravel roads that access components of the Project other than just the mine. What about the traffic load on Roberts Creek Road, Gold Bar Road, and the Henderson Summit Road to access wellfield components for servicing and maintenance? Please include these impacts.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-019-Roads and Traffic

Letter 803, Comment 388

3.24.3.3 Page 3-645: The significance criteria references "substantial" increases "in relation to existing traffic load and capacity of the roadway system" but there is no analysis or description of what is considered "substantial" or "significant". Simply making a statement that "Overall, the impact...is not considered significant" is indefensible because there was nothing done in the analysis to quantify these impacts. Please revise the impacts analysis accordingly.

Disposition: Comment acknowledged; does not provide new information

Response

CC-049- Traffic impacts on SR 278

Letter 803, Comment 389

We request that Impact 3.24.3.3-1 be revised to give more weight to, and take into account, increases and strains on County roads as previously requested.

Disposition: Analysis modified (SEE RESPONSE)

Response

The impact has been revised to incorporate a more comprehensive discussion of the range and type of impacts to SR 278 and U.S. Highway 50.

Letter 803, Comment 390

Then, revise Significance of Impact 3.24.3.3-1 to read "While the impact could be considered significant, it is not expected to be. However, the following mitigation measure would be implemented."

Disposition: Comment acknowledged; does not provide new information

Response

The condition and maintenance of SR 278 and U.S. Highway 50 are under the jurisdiction of NDOT. The BLM has no jurisdiction or authority to require or implement mitigation on either of these roads. See the response to Comment 389 of Comment Letter 803 regarding a discussion of the potential impacts to SR 278 and U.S. Highway 50.

Letter 803, Comment 391

Finally, outline mitigation measures to read, "EML would ensure that every effort be taken to bus the majority of employees to and from the Project site. EML will also provide policy to mine employees that cannot ride buses to car pool whenever possible. EML will also limit unnecessary visits to the Project area by vendors, contractors, and mine support services. EML will coordinate with Eureka County and NDOT to address any issues that arise on the transportation system by invitation from any, or all, parties. EML will develop an MOU with Eureka County before mine start-up to establish maintenance responsibilities by EML on County roads heavily used or impacted by Project activities."

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-069-Mitigation for Impacts to Highways

Letter 803, Comment 392

3.24.3.3.1 Page 3-646: The 734 acres of unavoidable loss are utilized by more than just "livestock grazing and mineral exploration." Please revise sentence to read, "The Proposed Action would...utilized for wildlife habitat, wild horse and livestock grazing, dispersed recreation (including hunting), and mineral exploration among other potential uses resulting from..." This change should be made in multiple areas of the document in other resource sections.

Disposition: Analysis modified (SEE RESPONSE)

Response

The residual impacts analysis in Section 3.24.3.3.1, 3.24.3.5.1, 3.24.3.6.1, and 3.24.3.7.1 has been revised to incorporate the reference impacts.

Letter 803, Comment 393

3.24.3.7 Page 3-649: Due to "cut and paste" there are parts of the Slower, Longer Alternative analysis that report the "life of the project" as being exactly the same as the Proposed Action. Please correct.

Disposition: Factual correction made (SEE RESPONSE)

Response

The text has been revised from "70 years" to "114 years".

Letter 803, Comment 394

3.25.2.1 Page 3-650: As we pointed out on the ADEIS, there must be descriptions under Existing Conditions regarding current and ongoing p-j woodland thinning projects taking place near the Project Area. This would include the Roberts Mountain p-j thinning and the Sulphur Springs p-j thinning.

Disposition: Already addressed in planning documents

Response

Pinon-juniper thinning activities occurring near the Project are identified in Section 4.3.3. No change has been made in the FEIS in response to this comment.

Letter 803, Comment 395

There should probably also be discussion on some of the documented diseases currently affecting woodlands within the area such as beetles, pocket rot, rust, mistletoe, and sawfly.

Disposition: Other (SEE RESPONSE)

Response

Current insect and disease levels within or near the Project Area are at endemic levels and no further discussion or analysis is warranted. No change has been made in the FEIS in response to this comment.

Letter 803, Comment 396

3.26 Page 3-657: It is questionable to define short term as the 80+ years of "the life of the Project through closure and reclamation." Further, rather than again reverting to language to only address direct impacts and reclamation of these impacts, please revise the Relationship Between the Local Short-Term Uses of the Human Environment to also include the long-term impacts related to what the DEIS has described as "indirect" including wellfield drawdown effects, pit infilling and lake development effects, social stigma effects, and persisting economic effects (primarily to individual agricultural operations).

Disposition: Analysis modified (SEE RESPONSE)

Response

As described in Chapter 3 of the DEIS, short term is defined as the 44-year operational life of the proposed Project and the 30-year reclamation period and long term is defined as the future following reclamation (i.e., beyond 80 years). This section identifies the tradeoffs between the short-term impacts to environmental resources during the operation and reclamation versus the long-term impacts to resource productivity that would extend beyond the end of reclamation.

The text in Section 3.26 of the FEIS has been revised to read as follows, "Short term is defined as the life of the Project through closure and reclamation. Long term is defined as the future beyond reclamation. The short-term use of resources during the construction, operation, and reclamation of the mine would result in beneficial impacts in the form of additional local employment and the generation of revenue. The proposed project would result in various short-term impacts such as the temporary loss of soil and vegetation productivity and the associated loss of herbaceous habitat, possible wildlife avoidance, a reduction in dispersed recreation opportunities, temporary increases in fugitive dust, social and economic impacts to the local infrastructure, and increased noise levels. These impacts are expected to end upon completion of operations and would be minimized through implementation of EML's operational performance standards and EIS mitigation measures. The short-term visual impacts would last a few years beyond mine closure and would gradually be reduced as vegetation becomes established. The scale and extent of the waste rock dumps and tailings impoundment facilities would continue to alter the local landscape and views in the long term. Impacts to long-term productivity (i.e., following Project reclamation) would primarily depend on the effectiveness of the proposed reclamation of the disturbed areas. Successful reclamation would provide for post-mining wildlife and livestock grazing by establishing self-sustaining plant communities. Revegetation is also expected to stabilize disturbed surfaces and control erosion. There would be long-term loss in soil and vegetation productivity and associated terrestrial wildlife habitat, a reduction in livestock grazing areas, and public lands used for dispersed recreation that would not be reclaimed. In addition, a potential long-term loss of riparian vegetation associated with seeps, springs, and creeks associated with mine dewatering pending recovery of the ground water tables."

Letter 803, Comment 397

4.1 Page 4-1: Most of the comments made throughout the DEIS related to significance criteria, mitigation, resource topic specifics are not repeated under cumulative impacts but do apply. For example, the same issues that exist with regards to the Proposed Action also exist in analyses and descriptions of the cumulative impacts. Please consider these comments as cascading and apply through revisions to cumulative impacts where the same issues exist.

Disposition: Comment acknowledged; does not provide new information

Response

Modifications to the text in Chapter 3 that affect the accuracy of the cumulative impacts analysis have been carried forward to Chapter 4 where appropriate.

Letter 803, Comment 398

4.2 Page 4-2: We have many outstanding concerns with the methodology employed to analyze cumulative effects. Much of this concern is related to the seemingly arbitrary narrow boundaries of many of the CESAs. We made many of these same comments to BLM on the ADEIS. We are confused because in most cases the response by BLM was a perfunctory "Text revised" or "This comment is not consistent with the BLM identified CESA boundary" and then subsequent comments simply stated "See response to comment." Just because our previous comments repeated here were not consistent with the BLM identified CESA boundaries does not translate to the BLM CESA boundaries being reasonable or adequate. We specifically and reasonably justified each request for any CESA boundary and analysis change. We still do not know BLM's justification for not making our requested changes to the various CESA boundaries and analyses and we find that in most cases there are not any changes to the CESAs, analysis, or the descriptions in the text.

Disposition: Other (SEE RESPONSE)

Response

CC-130- Cumulative Effects Analysis

Letter 803, Comment 399

First, the text describes the CESA for surface water and groundwater quality and quantity to be "the three hydrographic sub basins." Which three basins? We commented previously on the ADEIS that the CESA for groundwater and surface water must include the entire Diamond Valley Flow System and Pine Valley as it is recognized that these basins are connected (and the water modeling included these connections).

Disposition: Comment acknowledged; does not provide new information

Response

The CESA includes Pine Valley, Kobeh Valley, and Diamond Valley which are illustrated on Figure 4.2.2 and listed in Table 4.2-1.

Letter 803, Comment 400

Second, the CESA for geology and minerals must be expanded to at least 50 miles to account for the cumulative impacts of Cortez Hills, Horse Canyon (Red Hills), and Gibellini Mine among others not including the ongoing, extensive, and exhaustive exploration going on within the 50 mile radius.

Disposition: Comment acknowledged; does not provide new information

Response

See response to comment 398.

Letter 803, Comment 401

Third, the CESA for air quality should include the air basins affected by predominant wind in addition to the three basins where the Project is located. From a technical basis and relying on predominant wind directions, adjacent basins to the south, southwest, north, and northwest must be included.

Disposition: Other (SEE RESPONSE)

Response

CC-130- Cumulative Effects Analysis

Letter 803, Comment 402

Fourth, the local watershed CESA which is used for soils, vegetation, weed, wetland, and riparian zones excludes the areas known to be connected to the regional flow system and areas that fall within the predicted maximum groundwater drawdown. This is not justified nor does it make sense.

Disposition: Other (SEE RESPONSE)

Response

CC-130- Cumulative Effects Analysis

Letter 803, Comment 403

Fifth, the wildlife and fisheries CESA of the four hunt units adjacent to the Project Boundary fails to take into account natural wildlife migration patterns (including sage grouse movements within the area documented by the Falcon-Gondor study). Wildlife and fisheries has an overlap with recreation and the CESA should be encompassing enough to look at increased hunting, fishing, shed antler hunting, OHV use, etc. on the habits, behavior, and movements of wildlife. Narrowing the CESA to the 4 hunt units does not take into

account migration corridors and these other impacts (sporting) created by an increase in population. We are even more confused why the CESA for wildlife was set as stated on p. 4-2 "since any potential effect to wildlife from the Project would be to wildlife that utilizes the four hunt units." This is confusing because the cumulative effects analysis is supposed to focus on other activities in addition to the Project. Setting the CESA according to Project effects is inadequate.

Disposition: Analysis modified (SEE RESPONSE)

Response

The CESA for Wildlife and Fisheries has been developed by the BLM in coordination with NDOW. Issues related to increased hunting pressure as a result of higher human populations are controlled by NDOW via hunting and fishing permits. The text in Section 4.2 of the FEIS has been revised to read as follows, "...since the majority of the effects from the Project would occur to wildlife habitat within the four hunt units."

Letter 803, Comment 404

Sixth, although the text on p. 4-7 describes the CESA for livestock grazing and production being determined as the grazing allotments that the Project is located within, as well as the allotments in the ten-foot drawdown, at least four allotments meeting this criteria were not included (see Figure 4.2.1). Those allotments missing that receive direct disturbance from the Project include the Ruby Hill Allotment and the Shannon Station Allotment. Those allotments missing that are impacted by the water drawdown contour includes 3 Bars Allotment and Santa Fe/Ferguson Allotment.

Disposition: Analysis modified (SEE RESPONSE)

Response

The CESA for livestock grazing and production has been revised in the FEIS to include all seven allotments.

Letter 803, Comment 405

Seventh, again the CESA for land use focuses too greatly on the Project related effects and doesn't take into account regional or sub-regional effects through a narrow definition of a one-mile buffer around the Project. This is important to us given the potential of growth related to the Project fragmenting the agricultural base of Diamond Valley or bifurcating the current set-up of Eureka. Land use CESA must include Diamond Valley and Eureka. The cumulative impacts for land use should look at impacts to current roads through increased travel especially on Roberts Creek Rd. and Vinini Creek Rd. Further, the CESA must be inclusive enough to analyze the increased impacts to private land that the Project will create. Also, the land use CESA should extend to at least the groundwater drawdown to ensure full disclosure and a meaningful analysis of all cumulatively impacted land uses.

Disposition: Other (SEE RESPONSE)

Response

CC-130- Cumulative Effects Analysis

Letter 803, Comment 406

Eighth, the CESA for auditory and hazardous materials should be expanded to take into account the traffic routes for hazardous materials getting to SR 278 or Hwy 50. Also, sound is going to carry more than 1 mile around the Project and cumulative sound impacts outside of 1 mile of the project need to be known for local residents. Additionally, the cumulative sound impacts to sage grouse on other roads need to be incorporated into the CESA and analyzed. There will be a fair amount of increased usage and sound in Kobeh Valley for wellfield access and increased recreation.

Disposition: Other (SEE RESPONSE)

Response

CC-130- Cumulative Effects Analysis

Letter 803, Comment 407

Ninth, the CESA for socioeconomics must be extended as there are potential projects outside Eureka County which could have cumulative impacts on the Town of Eureka and surrounding areas and should be included in this discussion. The expanded CESA must extend further north to encompass Horse Canyon and its support facilities and 1000 person man camp at the JD Ranch. The socioeconomic CESA must also be extended to account for Midway Gold's Pan Project and Gold Rock Project that will each have roughly 300 jobs and Eureka is the closest community. Further, the socioeconomics CESA must include Crescent Valley because we already experience the fact that increased County revenue causes increased demand for improvements, facilities, and services outside of southern Eureka County.

Disposition: Analysis modified (SEE RESPONSE)

Response

The CESA for socioeconomics in the EIS has been revised to incorporate those activities and projects that have a potential cumulative effect on the socioeconomic conditions in southern Eureka County, including the Ruby Hill, Pan, and Bald Mountain projects. Figure 4.2.2 has been revised to rename the geographic boundary around southern Eureka County the "study area" rather than the "cumulative effects study area", which is consistent with Figure 3.17.1. The text in Table 4.2-1 and in Section 4.2 of the EIS have been

revised to remove reference to the geographic boundary of the CESA. Employment analysis for the Pan and Bald Mountain mining projects have been added to Section 4.4.15 of the EIS.

Letter 803, Comment 408

Tenth, CESA for wild horses must include adjacent areas that aren't HMAs to look at horses moving outside of HMAs (which they already currently do). BLM's response on this previous comment was, "Wild horses are not managed by BLM outside of HMAs." This is of concern because BLM has an obligation to manage wild horses regardless where they are and to keep them within their established HMAs. The HMAs may define the resource adjudicated for wild horses, but as the text in Ch. 3 described, the horses do not stay in their HMAs. This CESA must be expanded to take this into account.

Disposition: Other (SEE RESPONSE)

Response

WHBA requires management of wild horses in HMAs. The BLM does not have documented wild horse use outside of the Wild Horse CESA boundary. There is no evidence of interaction between the Roberts Mountain Complex and other HMAs.

Letter 803, Comment 409

Finally, the CESA for forestry products must be at least the footprint for the 3 Bars Landscape and Ecosystem Restoration Project given the fact that this project will have much connection to p-j woodland cumulative effects. In general almost all of the established CESAs often exclude areas potentially affected by the Project alone under the maximum groundwater drawdown. How can impacts of the Project be quantified or judged if the Project's own impacts aren't even included in the cumulative effects study area? As previously requested, please redefine the CESA to include these connected areas we have highlighted as being part of the CESA and follow through with the analysis to determine the effects.

Disposition: Comment acknowledged; does not provide new information

Response

CESA boundaries for resources are determined individually. The forest products CESA was developed based on existing conditions that support forest products in the area surrounding the Project. Impacts were not identified to Forest Products as a result of the Project since indirect effects from ground water drawdown are not expected to impact pinon-juniper which occur at higher elevations and depend on ephemeral surface water.

Letter 803, Comment 410

4.2 Page 4-10: Public wastewater collection needs to be included in the table. Public services such as ambulance, fire, and police should be included. Housing is another issue which merits inclusion in the cumulative analysis as well as a discussion of other population and employment generating activities for areas near Eureka. Figure 4.2.3 on page 4-13 is not suitable for socioeconomic related resources since such impacts are not linked entirely to groundwater drawdown.

Disposition: Factual correction made (SEE RESPONSE)

Response

Table 4.2-2 in the FEIS has been revised to include "Waste Water" in the "Public Water Facilities" row, and a new row titled "Community Facilities and Services" has been added under the "Utilities and Infrastructure" section. Housing-related issues are captured under the Land Development section of Table 4.2-2. All the activities listed in Table 4.2-2 that have an effect on population and employment are identified with a "13" in the "Anticipated Resources that Could be Cumulatively Impacted" column. The title of Figure 4.2.3 in the FEIS has been revised to read, "Cumulative Projects Data Collection Area (except Native American and Socioeconomics)" to clarify that data collection was not limited to the boundary shown on the figure.

Letter 803, Comment 411

4.2 Page 4-15: We still question the utility of even including Tables 4.2-3 and 4.2-4 since it is still littered with incomplete and questionable data. There are so many non-quantified areas and questionable acreages when reported that the entire cumulative analysis is called into question. First, a RFFA of wildfires of zero acres is not justified. The RFFA acreage for wildfires should at least be the average over the past 10 or 20 years. It is reasonably foreseeable that the long term average would be what is expected. Second, the noxious weed reporting doesn't match as far as past treatments and the total. Also, how can it not be expected that continued weed control will take place as a RFFA? Third, it is very disingenuous to consider that of the dozens of plans of operations that BLM has received for mining and exploration that only 1,113 acres would be considered to be disturbed. At a minimum, the Gibellini Project and the Red Hills/Horse Canyon Project will result in thousands of acres of surface disturbance. Further, it doesn't appear that the expansion of the Ruby Hill Mine was included in the acreage. We know that Ruby Hill has already submitted a Plan Amendment for this expansion.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-063-RFFAs in Tables 4.2-3 and 4.2-4

Letter 803, Comment 412

4.2 Page 4-17: The Gibellini Project must be added to Table 4.2-4 as we are aware that they have begun the baseline permitting process with BLM.

Disposition: Other (SEE RESPONSE)

Response

The BLM considers a minerals project as reasonably foreseeable when a Plan of Operations is submitted to the agency. The Gibellini project has not submitted a Plan of Operations for development, and is therefore not considered a RFFA in the EIS.

Letter 803, Comment 413

4.3 Page 4-21: Again, in many instances there is usage of outdated data and information. One example of how this greatly influences the baseline is on p. 4-21 where it speaks of current irrigation water rights in Kobeh Valley as being 16,000 afy. What this fails to account for is that 2007 is far from "current" and the 16,000 afy reported does not consider the water that General Moly purchased and transferred from irrigation to mining (which includes the 11,300 afy used in the analyses of the EIS). Second, through the Nevada State Engineer administrative hearings on General Moly's water rights, over 4000 afy was forfeited and taken off the books. Today, only 884 afy is allocated for irrigation in Kobeh Valley. This is a huge discrepancy from what the DEIS reports and analyzes. Much has changed since 2007 when most of the data was pulled. Earlier tables and text in this section talked about data as recently as February 2011. Please revise all baseline information with real, current data to properly establish a baseline in which to adequately compare.

Disposition: Analysis modified (SEE RESPONSE)

Response

Section 4.3 of the FEIS has been revised to include the following text for Kobeh Valley, "Areas under irrigation in Kobeh Valley were approximately 280 acres in 2011 (NDWR 2012). Current water rights have been identified as of June 2012, using NDWR data, at approximately 12,478 acre-feet per year from underground sources. The perennial yield for Kobeh Valley is 16,000 acre-feet per year.", the following text for Pine Valley, "Current water rights have been identified as of June 2012, using NDWR data, as approximately 16,473 acre-feet per year from underground sources. The perennial yield for Pine Valley is 20,000 acre-feet per year.", and the following text for Diamond Valley, "Areas under irrigation in Diamond Valley were approximately 24,357 acres in 2011 (NDWR 2012). Current water rights have been identified as of June 2012, using NDWR data, at approximately 134,240 acre-feet per year from underground sources. The perennial yield is 30,000 acre-feet per year."

Letter 803, Comment 414

4.3.1.1 Page 4-21: The DEIS reports 22,000 acres irrigated in Diamond Valley. However, the on-the-ground cropping inventories of the Nevada State Engineer reports 24,220 acres. Please revise for consistency with the State's numbers.

Disposition: Factual correction made (SEE RESPONSE)

Response

Section 4.3.1.1 in the FEIS has been revised to state "24,357 acres" for areas under irrigation in Diamond Valley based on 2011 data from the Nevada State Engineer.

Comment 415

4.3.1.1 Page 4-21: The broad statement that "the vegetation community" has changes due to livestock grazing is incorrect and misleading. There are many different vegetation communities in the area--not just one vegetation community as the text describes. Although some changes may have occurred in some areas due to legacy grazing, an understanding of current rangeland science, Ecological Site Descriptions, and States and Transitions models shows that most vegetation communities have in reality not changed. It should also be acknowledged that water developments, range improvements, and managed grazing have proven beneficial to wildlife, wild horses, and the local economy.

Disposition: Factual correction made (SEE RESPONSE)

Response

The text in the FEIS has been revised from "vegetation community" to "vegetation communities". The commenter is correct in that range improvements have improved conditions for wildlife, wild horses, and the local economy.

Letter 803, Comment 416

4.3.2.1 Page 4-27: The DEIS currently describes the fact that there are "undocumented daily trips on some county roads that are not represented" however, the DEIS still fails to report the traffic counts, gathered by NDOT and available on their website, on at least Roberts Creek Rd. and County Road 101 (Diamond Valley Rd.). At the very least, it is important to report the traffic on Roberts Creek Road because it is a direct access route to Kobeh Valley, Roberts Mountain, the Project wellfield, and the mine itself. Please include this in the EIS.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-019-Roads and Traffic

Letter 803, Comment 417

4.3.2.1 Page 4-28: Please include that the recent Solar PEIS by BLM targeted specific areas in southern Eureka County as being available for solar energy application and would require transmission of power. Further, Invenergy has met with Eureka County and the Battle Mountain BLM on at least 3 different occasions to discuss their future plans for wind power development in southern Eureka County. This must be also included as a RFFA.

Disposition: Other (SEE RESPONSE)

Response

The BLM considers a project as reasonably foreseeable when an application is submitted to the agency. No applications for solar energy projects have been submitted in the CESA; therefore, these projects are not considered RFFAs in the FEIS.

Letter 803, Comment 418

4.3.6.1 Page 4-41: Revise to read, "There are also two cement batch plants, one in the Town of Eureka and one in Diamond Valley approximately 5 miles from the Town."

Disposition: Analysis modified (SEE RESPONSE)

Response

The last sentence in Section 4.3.6.1 has been revised to read "there are also cement batch plants in the Town of Eureka and Diamond Valley."

Letter 803, Comment 419

4.3.6 Page 4-41: This section needs to describe the development of the subdivision near the fairgrounds and the County's expansion of the Eureka Townsite through acquisition of public land.

Disposition: Already addressed in planning documents

Response

The development referenced by the commentor is included in the text under Section 4.3.6.1. In addition, the subdivision is described in detail under Section 3.17.2.2.2 of the EIS. The BLM is not aware of any specific request from Eureka County to expand the townsite at this time.

Letter 803, Comment 420

4.3.7.2 Page 4-43: There is a discrepancy with the acreage reported here for future minerals activities as compared to Table 4.2-3. See our previous comment related to Table 4.2-3. As we previously requested, the acreage for at least the Gibellini Mine, Horse Canyon/Red Hills, and Gold Bar must also be included. Further, update the text with discussions about Ruby Hills proposed expansion in which they have submitted a Plan amendment to BLM.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-063-RFFAs in Tables 4.2-3 and 4.2-4

Letter 803, Comment 421

4.3.5.2 Page 4-38: As we pointed out to BLM on the ADEIS, dispersed recreation is expected to increase due to the increased population and the demographic that would move to the area tend to be more involved in dispersed recreation including hunting, fishing, and camping. Please include text in the RFFA of recreation to acknowledge this.

Disposition: Comment acknowledged; does not provide new information

Response

Dispersed recreation is included in Tables 4.2-2 and 4.2-3 in the FEIS. Section 4.3.5.2 disclosed that recreational use would likely increase proportionally to changes in population.

Letter 803, Comment 422

4.3.7.2 Page 4-43: Despite the promise made by BLM on our previous ADEIS comment that "Comment will be addressed in next version of document" there was no change to address our comment. There are many more than ten loads per day of fuels, cyanide, acid, explosives, and other hazardous materials on SR 278 and Hwy 50 within the CESA--much more. Also, there needs to be discussion on the multiple loads of refractory ore currently (and continuing) being transported from Ruby Hill mine to Goldstrike for roasting.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-068-Traffic Impacts

Letter 803, Comment 423

4.3.8.2 Page 4-44: The last previous ADEIS had language that stated, "The BLM and Eureka County are currently working on plans to expand the landfill." Why was this language taken out? Does BLM not wish to engage with Eureka County on addressing a potential landfill expansion?

Disposition: Other (SEE RESPONSE)

Response

The text was in the DEIS and remains in the FEIS as the last sentence in section 4.3.8.1.

Letter 803, Comment 424

4.3.9.1 Page 4-44: There should be revisions to describe the recent oil well failure at the Pine Valley oil field (Blackburn) and the acreages of contamination and disturbance associated with the clean-up.

Disposition: Analysis modified (SEE RESPONSE)

Response

The second paragraph in Section 4.3.9.1 has been modified to include the following sentence, "An oil spill in the Pine Valley oil field at the Blackburn well resulted in approximately 3.6 acres of surface disturbance associated with the spill (personal communication, Thomas Schmidt, BLM, June 6, 2012)."

Letter 803, Comment 425

4.4 Page 4-47: Based on BLM responses to our previous comments, it is clear that BLM is not going to incorporate any new water related actions into the cumulative modeling segment of the flow model that have come forward since early 2010 (see response by BLM to first ADEIS comment 2164). We still assert that this is arbitrary given the fact that thousands of acre feet of water has been applied for that is not currently taken into account. This is also of concern to us given the notices by Barrick that they are moving forward with Horse Canyon/Red Hills which will be a large dewatering project, the expansion of Ruby Hill Mine for which a plan amendment has been updated and an updated water model developed, and the report by US Gold Corp. of moving forward with the Gold Bar Project. These RFFAs must be accounted for and the analysis revised in order to disclose information "essential to a reasoned choice among alternatives" (CEQ 40 CFR 1502.22). The BLM NEPA Handbook states that at a minimum, "If the information relevant to reasonably foreseeable significant adverse impacts cannot be obtained because the overall costs of obtaining it are exorbitant or the means to obtain it are not known, you must include within the EIS...1. a statement that such information is incomplete or unavailable; 2. a statement of the relevance of the incomplete or unavailable information to evaluating reasonably foreseeable significant adverse impacts on the human environment; 3. a summary of existing credible scientific evidence which is relevant to evaluating the reasonably foreseeable significant adverse impacts on the human environment, and 4. the agency's evaluation of such impacts based upon theoretical approaches or research methods generally accepted in the scientific community. For the purposes of this section, "reasonably foreseeable" includes impacts which have catastrophic consequences, even if their probability of occurrence is low, provided that the analysis of the impacts is supported by credible scientific evidence, is not based on pure conjecture, and is within the rule of reason. (40 CFR 1502.22(b))." In all resources analyzed in Cumulative Effects, this supplemental information was never included and we request revisions to meet this requirement if BLM is not going to include the data and information itself.

Disposition: Comment acknowledged; does not provide new information

Response

Past, present, and reasonably foreseeable future mineral development actions are discussed in Section 4.3.7 of the EIS. The BLM has continued to update this information and analysis. Potential impacts to water quantity are discussed in Section 4.4.1 in the EIS. The BLM believes that the information presented in that section is sufficient to identify and explain potential impacts without any revisions to the ground water flow model or to Figure 4.4.1. Minor changes in the model to account for changes in reasonably foreseeable future projects would not make a meaningful change in the model results or the potential impacts. The BLM has also specifically considered the three projects referenced in the comment. Horse Canyon/Red Hills remains an exploration project, no plan of operations has been proposed for the Gold Hill Project, and the expansion of the Ruby Hill Mine will not contribute to cumulative impacts on ground water withdrawal to an extent that additional analysis is required. There is no additional information on this question that is "essential to a reasoned choice among alternatives," and therefore, the discussion of 40 CFR 1502.22(b) is not relevant. No changes to the text of the EIS have been made to address this comment.

Letter 803, Comment 426

4.4 Page 4-47: As we previously commented, there are many mines in the works that are very likely to go into operation and are RFFA. BLM's response that they will not be included because there have not been PoO submissions is not justified because BLM, like us, are aware of these projects moving forward under the State BLM new process of performing all baseline analyses before

submitting the Plan. At the very least, please revise to include Horse Canyon, Gibellini, Ruby Hill expansion, Gold Bar, and Pan Project into all the cumulative analyses including water, minerals, air, etc.

Disposition: Comment acknowledged; does not provide new information

Response

Although there are projects currently conducting baseline studies or exploration activities, they have not presented a proposed action that can be appropriately evaluated. For this reason, only projects that have submitted a plan of operations have been included in the analysis.

Letter 803, Comment 427

4.4.1.1 Page 4-48: The DEIS still fails to acknowledge that pinion-juniper woodland encroachment and expansion outside of proper ecological sites has a direct impact to surface water and groundwater quantity both in the past, the present, and into the future. This is evidenced by recent research in Oregon (Tim Deboodt) and also here in Nevada (Porter Canyon- Dr. Tamzen Stringham). Please revise to include this.

Disposition: Not within document/decision scope (SEE RESPONSE)

Response

CC-050-Pinion-Juniper Woodland Encroachment

Letter 803, Comment 428

4.4.1.1 Page 4-49: After taking into account our previous comment regarding p-j woodland encroachment impacts on water; please acknowledge that BLM does have authority of thinning and restoration projects. BLM should propose mitigation to treat the encroaching woodlands and acknowledge that current and future efforts such as the 3 Bars Project will help address some of these issues related to surface water quantity.

Disposition: Not within document/decision scope (SEE RESPONSE)

Response

CC-050-Pinion-Juniper Woodland Encroachment

Letter 803, Comment 429

4.4.2.2 Page 4-50: The BLM continues to resist requests to correct errors on figures provided in the DEIS. For example, the title of Figure 4.4.1 is "Cumulative Action Scenario – Projected Water Table Drawdown at Project Year 44, End of Year 2055, Relative to Pre-Development (1955) Conditions." In contrast, the explanation to the figure (alternatively referred to as a legend) refers to the "10-Foot Drawdown Contour Maximum Extent." These are not the same thing, they confuse the general public during their review, and would have taken minimal effort to change. BLM's response has been and continues to be that the certain figures were prepared by third parties and that they cannot make changes to these third-party figures. By virtue of having poured through the two ADEISs and the supporting documents, we can decrypt the intent of a particular mislabeled figure, but the general public cannot. Please correct errors to figures to facilitate the public's review and understanding of the Project and to comply with requirements. Please refer to our previous comments on both ADEIS and the DEIS to see which specific figures still have outstanding errors or discrepancies.

Disposition: Analysis modified (SEE RESPONSE)

Response

The explanation in the figure has been corrected in Figure 4.4.1 in the FEIS.

Letter 803, Comment 430

4.4.7 Page 4-56: Despite our previous comments, the vegetation resources section must more fully consider the area or full water drawdown and the potential impact to phreatophytes, riparian areas, and meadows. These issues are not adequately addressed in this section. This is especially important given the fact that Nevada's water law requires the capture of ET of these discharge areas when putting water to beneficial use. This cannot continue to be downplayed.

Disposition: Other (SEE RESPONSE)

Response

The potential impacts to riparian vegetation (and seeps and springs) and mitigation are discussed in section 3.11.3.3.

Letter 803, Comment 431

4.4.10 Page 4-61: Include "pinion-juniper woodland encroachment and expansion" into actions that affect past, present, and future range resources.

Disposition: Not within document/decision scope (SEE RESPONSE)

Response

CC-050-Pinion-Juniper Woodland Encroachment

Letter 803, Comment 432

4.4.13 Page 4-64: Recreational access is also affected by the condition of the road. Increased use will cause degradation of roads (paved, gravel, and two-tracks) that could substantially reduce access by making roads unsafe or less than enjoyable to travel. Please revise to include discussions of this.

Disposition: Not within document/decision scope (SEE RESPONSE)

Response

Road conditions and vehicle effects on roads are outside the scope of the recreation analysis.

Letter 803, Comment 433

4.4.15 Page 4-65: There are a host of proposed projects surrounding the town of Eureka which should be identified in this section with discussion on the potential number of employees and associated population that might live in the area. There is a real possibility of substantial cumulative impacts that should be addressed.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-005-Socioeconomics Cumulative Impacts

Letter 803, Comment 434

4.4.21 Page 4-72: Please provide more discussion regarding pinion-juniper woodland encroachment and expansion into actions that affect past, present, and future wildlife and fisheries resources.

Disposition: Not within document/decision scope (SEE RESPONSE)

Response

CC-050-Pinion-Juniper Woodland Encroachment

Letter 803, Comment 435

4.4.21 Page 4-73: Even with the change that BLM made to the DEIS, it is not defensible to say that "none of the perennial drainages...would appear to be affected hydrologically." How do these drainages that fall within the maximum extent of water drawdown not exactly "appear" to be affected? There is not enough data to make this conclusion and the arbitrary use of the 10 foot drawdown contour does not take into account the full range of impact that could occur. Roberts Creek, one of the perennial drainages, is at ground zero of the largest water drawdown attributable to the Project. There is also drawdown expected at the headwaters of Henderson Creek, another perennial drainage that is also an LCT recovery stream. These impacts all "appear" on the figures under the water drawdown contour. Revise to clarify that certain fisheries are predicted to be impacted by water drawdown and then frame mitigation.

Disposition: Analysis modified (SEE RESPONSE)

Response

The text in the FEIS has been revised to read as follows, "Even though none of the perennial drainages, including those that support sport fisheries, would appear to be affected hydrologically by the other past, present, and RFFA projects, there is a potential to affect stream flow through ground water pumping from the Proposed Action and thus affect the fisheries."

Letter 803, Comment 436

4.6.15 Page 4-81: The statement that there would be a net benefit on both social and economic values in Eureka County is extremely subjective and incorrect. In general, the socioeconomics section fails to recognize the social aspects of socioeconomics. Very important social issues such as custom and culture, perceptions of safety, social blight, and increased domestic issues can be overwhelmingly negative even when economics (i.e., local tax revenues) are positive. The actual impacts related to both economic and social aspects of the Project vary considerably within demographic groups. For instance, what benefit will a farmer in Diamond Valley realize from the Project when every service that they require or want is already provided by Eureka County and the local schools currently without the Project. Please revise analysis to give more weight to the social aspects of Eureka County that may be impacted.

Disposition: Analysis modified (SEE RESPONSE)

Response

The first sentence in Section 4.6.15 has been changed as follows: "The identified projects within the CESA, including the Partial Backfill Alternative, would have both a positive and potentially adverse impact on social and economic values in Eureka County."

Letter 803, Comment 437

4.9 Page 4-101: The DEIS still does not acknowledge or make the connection that there could be irreversible and irretrievable impact to water quality in relation to the pit lake, spring decline, stream degradation, etc. Once impacted, these sources will never have the same quality as before the Project. Revise to take this into account

Disposition: Comment acknowledged; does not provide new information

Response

Potential impacts to water quality are discussed in detail in Section 3.3.3.3 of the EIS. Pumping of ground water and potential impacts to surface water flows are evaluated and also identified as an irreversible and irretrievable commitment of resources in Table 4.9-1. There is a distinction, however, between environmental impacts and the "commitment of resources". The BLM has determined, consistent with the practice for similar mining EIS's in Nevada, that the potential impacts identified in the comment (and in the EIS) do not represent an irreversible and irretrievable commitment of resources for purposes of NEPA. The BLM has fully considered potential impacts to water quality and the use of water resources without regard to the specific NEPA terms that different parties might choose to describe those potential impacts. No changes to the text of the EIS have been made to address this comment.

Letter 803, Comment 438

4.9 Page 4-101: Table 4.9-1 still reports "No" regarding irretrievable impacts to soil resources. This cannot be true given the fact that erosion, by definition, is the loss of soil. Once lost, it cannot be retrieved. What about the potential for soil lost through wind erosion in the salt desert scrub areas (phreatophytes)? Further, the engineering estimates themselves account for 10% loss of soil due to disturbance. Revise text and make the "No" a "Yes."

Disposition: Analysis modified (SEE RESPONSE)

Response

Table 4.9-1 has been revised to read "Yes" as Irretrievable.

Letter 803, Comment 439

4.9 Page 4-101: This statement regarding the irreversible and irretrievable impacts to air resources is suspect, especially given the exceedance of the new 1 hour NO₂ standard.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-053-Air Quality Modeling

Letter 803, Comment 440

4.9 Page 4-102: The loss of wetlands and riparian zones still does not account for the full impact that could occur under the full extent of water drawdown. Please revise to speak towards these impacts. Further, Wetland and Riparian Zones are still listed as a "No" for Irretrievable, but again we disagree due to the length of time it will take for the aquifer to recharge and the possibility of never recovering to previous conditions.

Disposition: Comment acknowledged; does not provide new information

Response

Section 3.11.3 discloses impacts to wetlands and riparian zones. While some wetlands and riparian zones would be removed as a result of Project activities, others would be impacted as a result of ground water drawdown associated with ground water pumping. The wetlands and riparian zones impacted as a result of ground water drawdown would be mitigated as described in Section 3.2.3. No changes have been made in the FEIS in response to this comment.

Letter 803, Comment 441

4.9 Page 4-102: This still focuses primarily on economic benefits and does not give enough weight to fiscal impacts or social disruption. There is substantial operations and maintenance required to keep up the infrastructure upgrades related to the Project. This is a long-term commitment and could be a major impact once the Project ceases. Further, Nevada is full of stories of boom and bust and the irreversible and irretrievable impacts related to the bust often outweighs any positive impacts related to the boom. Please consider this in the description.

Disposition: Analysis modified (SEE RESPONSE)

Response

"Booms" occur when a particular industry, such as mining, undergoes a rapid and large-scale expansion resulting in economic and population growth for a particular community or geographic area. "Busts" occur when there are substantial contractions in that industry, resulting in correspondingly substantial reductions in employment and in many cases, population. Busts can result unexpectedly from declines in commodity prices or other factors, or they can result from planned closures when a particular resource is fully produced. In the latter case, communities have advance notice and time to prepare for the effects of the bust. Section 3.17.3.3.4, Public Utilities and Services Effects, and the subsection on Project-Related Expenditures in Section 3.17.3.3.5, Public Fiscal Effects, discuss the infrastructure and service expansions and operations and maintenance requirements associated with development of the Mount Hope project in some detail. The Public Sector Fiscal Effects subsection also discusses the effects on Eureka County if the Mount Hope Project did not proceed, was delayed, or was prematurely terminated. The boom and bust cycles that have been experienced by many communities in Nevada, while alternately providing periods of economic and fiscal opportunity and hardship on those communities and their residents, have not in all cases been either irretrievable or irreversible. The Town of Eureka has experienced several boom and bust cycles dating back to its origins, and has over time recovered from each bust.

Moreover, no community or industry is immune to periodic downturns in economic conditions, as witnessed by the recent global recession that had particularly severe effects in certain areas of Nevada including the Las Vegas metropolitan area. If the Mount Hope Project endures for its projected 44-year mine life, the expenditures required to develop the public infrastructure in support of the mine-related population will likely have been repaid several times over. Moreover, although closure (planned or premature) could result in economic dislocation and public service staff reductions, the housing and public infrastructure would be available to support other economic activities such as other mining and geothermal projects, retirement and lifestyle migration or expansion of the tourism and outdoor recreation economy.

The adverse effects of mining busts do not in all cases or for all parties outweigh the beneficial effects of mining booms. The infrastructure created by booms in some cases has served other purposes. For example in Eureka, the historic mining booms resulted in construction of a number of buildings, which have recently been rehabilitated and are now assets for residents and for the community's heritage tourism initiatives. Additionally, the recent boom in gold mining in the northern part of the county has allowed the county to fund improvements in infrastructure and build up fiscal reserves that can be used for a variety of other purposes. Those improvements and possibly reserves will ease the transition when mining in the northern part of the county ceases. Moreover, the Mount Hope mine, because it relies on a different commodity than the northern mines, would provide an ongoing source of employment and revenue during the transition when mines in the northern part of the county cease operations.

Table 4.9-1 has been revised to state "Yes" under Irretrievable Impacts to Socioeconomic Values. In addition, the following text has been added to the end of the explanation under Socioeconomic Values, "The economic value associated with the molybdenite resources underlying the Project would be irreversible once removed. The unavoidable long-term loss of 734 acres of public land managed for multiple uses represents an irretrievable social and economic impact with respect to loss in recreation opportunity and AUMs. This irretrievable impact is relatively small when compared to the availability of recreation and AUMs in the vicinity of the Project."

Letter 803, Comment 442

5.4.4 Page 5-9: "Massy" should be "Massey"

Disposition: Factual correction made (SEE RESPONSE)

Response

The text has been revised to "Massey".

Letter 803, Comment 443

Please consider expanding the glossary to include more technical terms unfamiliar to the public including the following: The terms, adit, open stope, drift, and prospect will all be unfamiliar to laymen. Give some description or definition or expand the glossary to include these specialized terms. Xeric is a word most people will be completely unfamiliar with. Define the word or add it to the glossary. "Propylitically" is an obscure word that should be included in the glossary along with many of the terms in the section. Section 3.3.2.2.3 Page 3-174 is another example of the need for an expanded glossary.

Disposition: Factual correction made (SEE RESPONSE)

Response

The following terms have been added to the glossary in the FEIS, "adit", "open stope", "drift", "prospect", "xeric", and "propylitic".

Letter 803, Comment 444

Index Page 7-2: "HAS" should be "HSA"

Disposition: Factual correction made (SEE RESPONSE)

Response

The text has been revised to "HSA".

Letter 803, Comment 445

Changes that we requested under various mitigation measures throughout the document that were placed in the Mitigation Summary Plan in Appendix C must cascade through to the Appendix itself. Further, we reviewed and commented on the various mitigation components in the appendices as they were submitted as baseline reports primarily including the WRMoP and the Wild Horse and Wildlife Water Source Mitigation Plan. The comments that we made on these individual plans still apply and are included by reference into our comments here. We ask BLM to please refer to these previous comments and specifically reply to each comment and make requested changes as we have yet to receive any response from BLM regarding these previous comments. We have attached these previous letters and comments to assist BLM in its response. We have also attached a memo entitled, "Mt. Hope Project Water Resources Monitoring, Management, and Mitigation History and Concerns" that was prepared in response to EML's July 2010 WRMoP which is substantially the same as the WRMoP in Appendix C.

Disposition: Comment acknowledged; does not provide new information

Response

The BLM has considered all Eureka County comments on baseline reports and the two versions of the Administrative DEIS and made changes to the text or incorporated the comments into mitigation as determined appropriate by the BLM.

Letter 804

Comment 1

We support the continued practice of mining and "multiple use" on our public land and the Proposed Action Alternative, with modifications

Disposition: Comment acknowledged; does not provide new information

Response

Comment noted.

Letter 804, Comment 2

Require no Backfill. Backfilling is expensive and serves no significant environmental benefit in weighing the additional fuel required to backfill vs the potential evaporation from the pit lake. The BLM does not address the economic impact of this alternative on the project. In addition, a significant recreational opportunity exists from a pit lake that is not addressed. If the surface stockpiled (potential pit backfill) is sloped, contoured and allowed to be naturally seeded, over time it would be indistinguishable from the surrounding terrain

Disposition: Comment acknowledged; does not provide new information

Response

Comment noted.

Letter 804, Comment 3

Require no Off-Site Transfer of Concentrates for Processing. There is no economic or environmental benefit to an off-site processing of concentrate. Keep all the process and the mine together! This will reduce roads, water, power and transport impact. It will allow security of one site, not two. Transport of concentrates would increase the carbon footprint and cost of the final sellable product.

Disposition: Comment acknowledged; does not provide new information

Response

Comment noted.

Letter 804, Comment 4

No Slower, Longer Project Alternative. Allow Eureka Molly, LLC to design, build and operate their mining and process facility to optimize economy of scale for mining and process. There is no economic or environmental reason to lengthen the mine and process life to be longer than that Eureka Molly, LLC proposed in their plan of operation. Insisting on a longer mine life could tip the balance of the economic viability of the project.

Disposition: Comment acknowledged; does not provide new information

Response

Comment noted.

Letter 804, Comment 5

Any alternative to the proposed action must be based upon "sound science and engineering." The BLM must economically evaluate any alternative to Mount Hope's proposed action. Great socioeconomic impacts could occur from the BLM adopting any alternative, which is not thoroughly evaluated economically in the DEIS

Disposition: Comment acknowledged; does not provide new information

Response

Comment noted.

Letter 804, Comment 6

I strongly recommend the Proposed Action with modifications of no backfill, no off-site processing, and no longer project alternative.

Disposition: Comment acknowledged; does not provide new information

Response

Comment noted.

Letter 805

Comment 1

The Bailey Ranch should be considered a Sensitive Receptor and be included in the maps and studies used in the Environmental Impact Statement. A good illustration of this is (my Figure 1) on page 3-267 of the text (United States, 2011, Volume 1, pg. 3-267, figure 3.6.2). The only Sensitive Receptor used for the study that is within this figure is the Roberts Ranch. However, the Bailey Ranch is also within this area near the northeast corner of the nested Cartesian receptor grids. Our farm and four residences on our farm are also within the grid a little more than half way down the east side of the figure. The next page, p. 3-269 (my Figure 2), shows which way the wind blows (United States, 2011, Volume 1, pg. 3-269, figure 3.6.3). Clearly, it blows directly towards the Bailey Ranch from the project area. The four residences are close, three plus miles due east from the tailings, but are not recognized as such.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-119-Diamond Valley Sensitive Receptors

Letter 805, Comment 2

Idaho General Mines, Inc., General Moly, Inc., Eureka Moly, LLC, Kobeh Valley Ranches LLC and any other entities that are clearly connected to the Mt. Hope Project should be included in the maps and studies of the land that the mine owns or controls. On page 1-1 of the DEIS, the last sentence on the page states,

In determining the scope of the Proposed Action, the BLM has determined that actions on private lands are connected actions with those proposed on public lands (40 CFR 1502.4 (2) and 40 CFR 1508.25(a)). This EIS will also analyze impacts from private land activities. (United States, 2011, Volume 1, pgs. 1 1 — 1-2)

An example of this is on page ES-13 of the DEIS which does not include the Romano Ranch as Project Land Ownership (United States, 2011, Volume 1, pg. ES-13, figure ES-2). There are other lands owned under various names also not shown in Diamond Valley, Kobeh Valley and the Town of Eureka (United States, 2011, Volume 1, pg. ES-13, figure ES-2). Figure 1.1.2 has the same issue (United States, 2011, Volume 1, pg. 1-5, figure 1.1.2). What the mine does at the Romano Ranch or the Dubrey Farm will definitely affect us as well as other properties currently owned or purchased by mining interests in the future.

Disposition: Comment acknowledged; does not provide new information

Response

CC-093-Private Property Impacted by the Project

Letter 805, Comment 3

I believe that some of the major issues have not been studied where I live. This action on public and private land will significantly affect private land owners and residents in Diamond Valley and Eureka County. The surface water at both the Bailey Ranch and the Romano Ranch already have gone dry from over appropriation making any further dewatering or pumping a serious issue. With the decline of the water table and global warming issues, the trading of water, air quality, soil and forage for mineral wealth and urban populations may create a possible shortage of agriculture in the future. Currently the ranching and agricultural resources in this county raise enough beef to feed every person in the county beef every day, sustainably. Hopefully we will be able to continue the western legacy of ranching and agriculture at the Bailey Ranch as well as in Eureka County's Natural Resource Portfolio for generations to come.

Disposition: Other (SEE RESPONSE)

Response

This comment is beyond the scope of analysis of this EIS.

Letter 805, Comment 4

My Figure 3 shows Private Property Ownership in Diamond Valley. Mount Hope Mine is located on Highway 278. On the Sadler/Brown Road is a ranch owned by Idaho General Mines, Inc. (Mount Hope Mine). The next ranch is owned by our family. Directly south of Mount Hope Mine on Hwy 278, the first farm is owned by our family. Both properties are close enough to Mount Hope Mine to be affected by dust, drainage, smoke, traffic, noise, and the possibility of damage to our business from any drawdown, cone of depression, or any drop in the static level from the added use of water by the mine. The farms and ranches in Diamond Valley are not represented fully in the DEIS.

Disposition: Already addressed in planning documents

Response

CC-064-Scope/Scale of Impacts in EIS

Letter 805, Comment 5

My Figure 4 shows a Serious Drainage Issue. This is serious because it drains from the proposed Potentially Acid Generating Waste Rock Disposal Facility elevation of 7,550 feet (United States, 2011, p. 2-23) and the pit directly toward the farms and residents in Diamond Valley at 5,800 feet elevation (Eureka County, 2004).

Disposition: Comment acknowledged; does not provide new information

Response

Comment noted.

Letter 805, Comment 6

Mt. Hope Potentially Acid Generating Waste Rock Disposal Facility is in a Flash Flood Area. Mt. Hope DEIS uses 24 hour 100 year event data for planning (United States, 2004). A 24 hour 100 year event is very different than a flash flood. The 100 year data is basically if the weather station at Eureka Airport collected data for 100 years, what their highest rainfall in a 24 hour period was (U. S. Geological, 2011). Then it is said that there is a 1% probability that there will be that much rain this year (a new highest rainfall amount could be added this year, or it can happen two years in a row). There are also 1 hour 100 year events, 100 year drought levels, 50 year, 500 year, 48 hour, and so forth (U.S. Geological, 2011). The USGS states that during intensely localized storms, rainfall amounts throughout the basin can differ greatly from the rainfall amount measured at the location of the rain gage. Some parts of the basin may even remain dry... Another factor to consider is the relation between the duration of the storm and the size of the stream basin in which the storm occurs. For example, a 100-year storm of 30-minutes duration in a 1-square-mile basin will have a more significant effect on stream flow than the same storm in a 50-milebasin. (U.S. Geological, 2011, pg. 2)

According to the National Weather Service, floods are the most common weather-related natural disasters and "flash floods are the most dangerous kinds of floods, because they combine the destructive power of a flood with incredible speed and unpredictability (National Weather, 2011, pg. 1)."

In the mountains, where terrain channels the flow of water, rocky, dry packed soil or bedrock keeps precipitation from percolating into the ground. Thunderstorm precipitation rates can be high as well over mountainous terrain, so that the combination can lead to flash floods with rainfall of only an inch or two. (National Weather, 2011, pg. 1)

There have been flash floods observed in Garden Pass including events that have partially and totally washed out the Sadler Brown Road (Figure 4). One flash flood washed a pickup and horse trailer off of Highway 278 causing the owners to rescue the pinned horses (Parman-Dempsey, 2011). According to the National Weather Service, in order to monitor storms in Eureka, a beam is sent from Battle Mountain (personal communication, December 18, 2011). Mountains are in the path of the beam between Battle Mountain and Eureka. Consequently, the beam is sent at 6000' higher, to clear the mountains, creating a situation where only the strongest storms are visible (personal communication, December 18, 2011). Even with data considered sparse in the area, there were Flash Flood Warnings issued for Central Nevada on the following dates:

September 16th, 2011 at 1:56 pm

July 31st, 2011 at 5:01pm July 31st, 2011 at 4:48pm June 15th, 2009 at 7:01 pm August 1st, 2007 at 5:22 pm

July 31st, 2007 at 2:30 pm (personal communication, December 18, 2011, and NOAA weather)

Linda L Dempsey
HC 62 Box 62111
Eureka, NV 89316
775-237-5750

December 20, 2011

To Whom It May Concern

It has been several years ago, August 1977, I had just finished showing horses in Eureka at one of the first Eureka County Fairs. Since I was competing for Hi point Junior Horse in Elko Nevada my husband and I headed out to make the show in Elko. We planned on staying in Elko, showing horses the next day. It was a cool evening and we had been rained on at the show in Eureka. As we were traveling to Elko on Hwy 278 we were met by Mr. and Mrs. Norman Rebaleati who were returning from Elko. They blinked their head lights at us trying to warn us as we approached the Garden Summit area. But unfortunately it was too late. We hit a wall of water coming down and across Hwy 278 just after the Sadler Brown turn off. It hit us with such force it washed our pickup truck and horse trailer off the road. We had water coming in the truck and my horse was in water up to her belly standing in the trailer. We had to cut the trailer door open to get her out. She was bruised and scared. We were forced to return home. I have great appreciation and thanks to Bill Hick for his help when he arrived with the State Hwy truck.

As a kid riding the Eureka County School Bus from the ranch to school I have seen flash floods before, leaving those big washes in that area. It can be raining above on Mt. Hope and sunny down below, the water can come with such force, washing ponds, roads, highways' and anything else that gets in the way completely out. I have seen these floods come, washing the Sadler Brown Road complete out. This area is prevalent to flash floods.

If anyone has any questions I would be happy to answer them.

Sincerely,

Linda Parman Dempsey

Linda grew up on the Diamond Springs Ranch which her family owned. She currently owns property on Hwy 278 near the Dubrey farm.

A Flash Flood Warning "is issued when a hazardous weather or hydrologic event is occurring, imminent or has a very high probability of occurring (The City of, 2012, pg. 1)." Some dirt work has been done at the mine that may disguise this fact, but the evidence is there on satellite photos and on the Sadler Brown Road. On one side where the road washes out, the ditches have been filled with dirt and reclaimed, thereby erasing the ditch. On the other side of the road, someone has tried to fill the ditch with a huge pile of used wire, a refrigerator, etc., to hold the road from washing out again.

Disposition: Other (SEE RESPONSE)

Response

Section 2.1.7.4 explains that there will be additional capacity in the diversion structures beyond the 100-year, 24-hour storm event by stating: "Storm water that has not contacted mining components would be diverted around the process area through permanent diversion structures. The permanent diversion and collection structures would be sized for the 100-year, 24-hour storm event with additional capacity to allow less frequent maintenance and would have the capacity to safely pass the inflow design flood peak flow during operations and at closure. Diversion channels associated with the WRDFs would be constructed to collect and divert nonimpacted waters." Additionally, a Stormwater Management Plan has been included in Appendix 7 of the Plan of Operations and includes best management practices, monitoring, and reporting requirements as part of the Water Pollution Control Permit issued by the Nevada Department of Conservation and Natural Resources, Division of Environmental Protection, Bureau of Mining Regulation and Reclamation.

Letter 805, Comment 7

The projected changes in climate (increases in temperature, reductions in soil moisture, and more intense rainfall events) could increase the possibility of these events. This data should be studied in reference to uncontrolled acid rock drainage, or other contaminants moving through the down gradient water system causing impacts to the waters of Diamond Valley and the State of Nevada.

Disposition: Other (SEE RESPONSE)

Response

This analysis is beyond the scope of this EIS.

Letter 805, Comment 8

Acid Mine Drainage can occur from under the "low permeability base layer" of the PAG WRDF (United States, 2011). Acid Mine Drainage can occur from Flash Floods breaching the collection channels and collection ponds. Acid Mine Drainage could occur from a breach in the .06 inch liner under 966 million tons of tailings. Acid Mine Drainage can occur when the pond liners are cut at closing (United States, 2011, p. 2-85). Acid Mine Drainage can occur from a landslide, earthquake or pipeline rupture. Evapotranspiration cells for storm discharge may be difficult to install because of the volume of waste and the steep slope (United States, 2011, pg. 2-86). Leached constituents including remobilization of heavy metals into the soil and water supply would be very hard to mitigate. In addition, page 3-595 of the DEIS states:

"Post-mining pit lake is potentially predicted to exceed the calculated screening level toxicity criteria (United States, 2011, pg. 3-595)."

Millions of gallons of water will fill the pit where 2.7 billion tons of ore were removed. Throughflow that infiltrates the pit wall will move through and into the downgradient ground water system and gradually evolve as the readily soluble chemical mass and be rinsed out into Diamond Valley (United States, 2011, p. 3-221). Proponents of the mine may confuse pit lake toxins to be low because they are not intended for livestock or humans and there will be a permanent fence to barricade the pit forever (United States, 2011, p. 3-402, 3-425, 3-206, 3-219). This information provided in the DEIS contradicts what Mount Hope Mine tells the public. Eureka Moly touts "Satisfactory water quality in post-mining pit-lake. (Eureka Moly, 2011, pg. 1)"

Disposition: Comment acknowledged; does not provide new information

Response

CC-015-WRDF Cover Design

Letter 805, Comment 9

There could be a huge economic burden if the mine company files bankruptcy or refuses to cover treatment costs. The Interstate Technology & Regulatory Council Mining Waste Team identified two general problems:

- Mining-impacted waters are difficult to treat cost-effectively to levels protective of human health and the environment.
- Solid mining waste is not a specifically regulated waste and involves huge volumes of material. The volume of material alone makes some of the techniques for minimizing

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the risk unreasonably costly. On the other hand, the exposure posed by direct and indirect ingestion of some of this waste is a major health and ecological concern. (ITRC, 2008, pg. iv)

Disposition: Other (SEE RESPONSE)

Response

CC-117-Reclamation after Project Completion

Letter 805, Comment 10

I believe that by the time the Nevada Division of Environmental Protection could detect a health risk at a well in Diamond Valley, the situation would be irreversible and irretrievable. The BIM includes goals to manage any discharges from process components (United States, 2011, p. 1-9). This project puts human health and the environment at risk. FIGURE 4 shows the drainage from Mount Hope Mine directly toward Diamond Valley residents. I believe Figure 4 showing the drainage from Mount Hope into Diamond Valley demonstrates Significant Criteria (p. 3-196) for significant impact.

Disposition: Comment acknowledged; does not provide new information

Response

Monitoring required by the BLM, NDEP, and NDWR would include sites immediately adjacent to the process facilities so that ground water impacts would be detected well before they would reach Diamond Valley. Facilities would be designed to prevent discharges as described in the EIS and required by regulation. The post-mining pit would form a terminal pit lake so there would be no drainage toward Diamond Valley. No changes to the text of the EIS have been made to address this comment.

Letter 805, Comment 11

Diamond Valley is a closed basin that was over appropriated when farmers settled here. Consequently, Diamond Valley is in a deficit of inflows vs. outflows. The state engineer committed 133,000 acre feet of water before it was known that the recharge is only 30,000 acre feet (my figure 7). This has caused the water table in Diamond Valley to drop between one and two feet per year depending on location. In 2006, the U.S. Geological Survey reported drops in the water table of 26 to 90 feet at 67 wells (Tumbusch & Plume, 2006) (my figure 8 and 9). There is a lot of concern among the farmers and ranchers that adding a huge water consumer will exacerbate our already serious problem.

Disposition: Comment acknowledged; does not provide new information

Response

CC-007-Regional Hydrological Model

Letter 805, Comment 12

There have been times when there have been chances to help remediate the situation which have gone unused but not unrecognized. The use of water for Mount Hope Mine will clearly exacerbate the problem with the obvious predictability of impact. Discussion and mitigation about a five foot or ten foot drawdown, does not address the rate that the actual water table (static level) is currently dropping every year. If the water table continues to drop two feet per year, that will add an additional 140 foot drop during the mine's 70 year life (the water needed for mitigation is not discussed in the DEIS). This is without Mount Hope Mine.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-082-Mitigation to Water Resource Impacts

Letter 805, Comment 13

The amount of water Mount Hope Mine will use is significant. The result is predictable. Harm will come to the current users. The drop in the static level will be exacerbated causing wells to go dry. This is a desert. It is even possible the underground water source we use may even be totally exhaustible.

The drawdown from pumping and dewatering will certainly add to the problem, especially considering that the mine will be using the water all year without a chance to turn the pumps off for recharge, but the water table (static level) drop has shown to be permanent.

Disposition: Comment acknowledged; does not provide new information

Response

CC-009-Water Rights

Letter 805, Comment 14

How can a five foot or ten foot drawdown be measured when the static level is dropping at the same time and the wells and dewatering at the mine are continuous? The Mine will be pumping for years without stopping for well recovery. What about the dropping static level (actual water table) because of over appropriation? Current users may be put out of business and mine mitigation could become difficult if water is unavailable or in short supply. The static level will NEVER recover in 400 years with the current, pre mine, inflows vs. outflows.

This is critical because p.ES-21 of the DEIS states there will be mitigation for a water right holder if the drawdown is more than ten feet (United States, 2011). Diamond Valley farms irrigate onto the surface where some water percolates back into the water table. They typically turn the irrigation pumps off for six months. Does mitigation begin when the static level, in spring when drawdown from agricultural irrigation has recovered for six months, has dropped ten feet at the Bailey farm?

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-082-Mitigation to Water Resource Impacts

Letter 805, Comment 15

P. 3-401 and page 3-388 of the DEIS both say:

Mine dewatering and ground water pumping subsequent recovery of the water table is expected to draw down the ground water table in an area surrounding the open pit. As discussed in Section 3.2, modeling results show significant water table drawdown in the aquifer would occur in an area measuring approximately 232 square miles around the Project Area. (United States, 2011, pg. 3-401) (United States, 2011, pg. 3-388)

What a confusing statement. Drawdown, well recovery, and static level are different things. The static level (water table) will never recover at the current, pre-mine inflows vs. outflows. At current pre-mine inflows vs. outflows, the static level will drop in areas of Diamond Valley 140 feet in a 70 year mine life. Pumping and dewatering for Mount Hope Mine will exacerbate the already serious problem.

Disposition: Comment acknowledged; does not provide new information

Response

CC-009-Water Rights

Letter 805, Comment 16

The pit is located in Diamond Valley. The DEIS states, "modeling (by the mine) results show a significant water table drawdown in the aquifer would occur in an area measuring approximately 232 square miles around the Project Area, including the northeast quadrant of Kobeh Valley and the southernmost fringe of Roberts Mountains (United States, 2011, p. 3-401)", yet page 2-18 of the DEIS says, "80 percent of the pit dewatering water would be from Diamond Valley" (United States, 2011, pg. 2-18). It does not make sense that Diamond Valley would not be affected at all. Isn't the significant drawdown at Roberts Mountain, because of dewatering in Diamond Valley? Is the mitigation water for Roberts Creek in Pine valley supposed to come from Kobeh Valley? I know Kobeh Valley and Roberts Mountain are both in the Diamond Valley Flow System.

There has been much discussion about how the mine water use will not affect Diamond Valley because it is a different water basin. P. 3-55 shows inflows to Diamond Valley from Kobeh and Pine Valleys. The mine will be pumping water at a different time (year round) and at a much closer location. The dewatering is in Diamond Valley.

Disposition: Comment acknowledged; does not provide new information

Response

CC-007-Regional Hydrological Model

Letter 805, Comment 17

How much water will be required to fill the pit at closing? 44 years of removing 2.7 billion tons of ore will leave a gigantic pit lake. How many gallons of water from Diamond Valley will be lost from beneficial use to become toxic pit water. I did not read in the DEIS how much water will be lost to evaporation from the pit lake.

Disposition: Comment acknowledged; does not provide new information

Response

The specific amount of water to fill the pit lake is not a static value since there would be evaporation from the pit lake over time. The total amount of water in the pit lake has not been calculated because the value does not affect the analysis of the potential impacts. The amount of evaporation from the pit lake is disclosed in Section 3.2.3.3 of the EIS. No changes to the text of the EIS have been made to address this comment.

Letter 805, Comment 18

I did read in the DEIS on p. 3-96 and 3-97 that 9000 gallons per minute will be required for mitigation of Roberts Mountain and Henderson Creek for the proposed pipeline. This water usage should be accounted for, and mitigated. I am concerned about how all of this will affect our springs and wells.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-062-Mitigation of Diminished Water Flows

Letter 805, Comment 19

Many of the maps and studies do not include the Bailey ranch or farm in Diamond Valley. The surface water at our ranch as well as the Romano Ranch listed in Figure 3 as Idaho General Mines, Inc. has already dried up. This is significant. We are a significant water right holder in Diamond Valley and will be affected (Figure 5).

Disposition: Other (SEE RESPONSE)

Response

The current ground water conditions at the ranches in Diamond Valley were not caused by the proposed Project. The potential impacts to ground water from the proposed project are disclosed in Section 3.2.3.3 of the FEIS.

Letter 805, Comment 20

Also, the plan to artificially recharge the natural springs and streams that Mount Hope assumes will go dry, from their dewatering actions, will certainly change the flora and fauna in the area. If the efforts are not timely, destruction will occur. The water intended to be piped to the streams could be water captured from the same source. If the source is pumped dry, mitigation becomes impossible. A water modeler told me that, "there are better uses for water than surface forage (personal communication, January 4, 2007)." I disagree.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-011-Monitoring and Mitigation

Letter 805, Comment 21

As a senior water right holder, I am making this "call" to do no further damage to the senior water rights. The ranches surrounding the Mount Hope Project are the senior right holders. The farms in Diamond Valley are second in line. The Mount Hope Mine has purchased water from these senior right holders with the intention of changing their time, place and purpose of use. The changes in the uses of the water in the Diamond Valley Flow System, including Kobeh Valley, will have adverse affects to the senior water right holders. Farmers and ranchers are rightly concerned. I believe the project would violate the Water Rights Policies of the Nevada Division of Water and the Water Policies of the Bureau of Land Management regarding the prior appropriation doctrine.

Disposition: Other (SEE RESPONSE)

Response

The NDWR has issued EML their water rights for the Project. As outlined in Section 3.2 of the FEIS, the potential impacts to water resources has been analyzed. The NDWR is the regulatory agency in the State of Nevada responsible for the adjudication of water rights.

Letter 805, Comment 22

How much water would it take to wet 8,318 acres of disturbed Nevada surface so that it is not dusty during mine operation? The Tailings Storage Facility is three plus miles east of the Bailey Farm. What is the mitigation?

Disposition: Already addressed in planning documents

Response

CC-120-Dust Control Mitigation

Letter 805, Comment 23

When we are trailing a herd of cattle nearby or horseback riding in our yard, will the dust we breathe contain toxic fugitive dust from the tailings facility? I do not understand the use of tailings drain water as a means of dust control. Is it toxic? Will it dry and become airborne particulates to be deposited onto soil and vegetation surfaces?

Disposition: Already addressed in planning documents

Response

CC-120-Dust Control Mitigation

Letter 805, Comment 24

It seems to be that the best available data for air quality is from Ely and Elko. Wind direction data is from Mercury. If the air quality degradation from Mount Hope's roaster were to be measured at the Bailey ranch or farm, would the air quality there make it considered a "Minor Stationary Source?" In my Figure 1, I have added the location of The Bailey Ranch and Farm as well as the Romano Ranch, (owned by Idaho General Mines) to DEIS Figure 3.6.2. My Figure 1 shows the location of the Bailey Ranch and Farm. My Figure 2 shows the wind direction according to the DEIS Figure 3.6.3. The Bailey property is so close to, and in the direction the wind would take the roaster/smelter smoke, that the impacts should be studied for this location and the location considered a Sensitive Receptor. None of the Sensitive Receptors used for the DEIS are downwind from the roaster (United States, 2011). Meaningful monitoring should be required at a place that is actually downwind from the facility.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-105-Modeled Air Quality Impacts

Letter 805, Comment 25

What does it mean to say that:

"Fugitive emissions would be adverse but not irreversible (United States, 2011, pg. 3-291)."

Disposition: Other (SEE RESPONSE)

Response

Once the Project is completed and reclaimed, then the fugitive dust emissions would stop, because the disturbed surfaces would be reclaimed.

Letter 805, Comment 26

Will the 600,000 tons of Greenhouse Gasses per year (United States, 2011, p. 3-294), and other Particle Pollutions (sulfur dioxide, arsenic, lead, cadmium, mercury), come down as wet or dry acid rain and affect the surface forage, including the aspen groves that capture more rainfall because of their elevation? What about the forage we grow at the Diamond Valley farms and feed our livestock? Are we considering the range and soil outside the project area? Does Eureka County plan to monitor air quality locally, and what will Eureka County do if the air quality is considered unhealthy at night or in the morning when the mixing heights are low? Toxic metals from Molybdenum roaster flue dust could be carried into watersheds and soil by wind and be capable of disrupting essential physiological processes causing human illness and impacting vegetation.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-105-Modeled Air Quality Impacts

Letter 805, Comment 27

Where would the toll roasting come from? Would it be restricted to molybdenum?

Disposition: Comment acknowledged; does not provide new information

Response

Section 2.1.5 of the EIS states that the concentrates would come from other mines and that they would be molybdenum concentrates. No change has been made to the EIS in response to this comment.

Letter 805, Comment 28

How can Mount Hope tout the facility as "Designed as zero-discharge facility (United States, 2011, p. 2- 66, DEIS and Eureka Moly, 2011, pg. 1)"? 600,000 tons per year is not zero. According to the DEIS there are no air quality standards for Hazardous Air Pollutants (United States, 2011, p. 3-293). This does not mean the same as zero pollutants. It means there is no limit to exposure.

Disposition: Other (SEE RESPONSE)

Response

The project will be permitted as a Zero-Discharge facility by NDEP. The 600,000 tons per year will be disposed in the lined, engineered TSF, which is not a discharge.

Letter 805, Comment 29

All three sizes of particles are toxic. Health issues are significant for my family, Diamond Valley residents, and other down winders. The cumulative air impacts for the study (p. 3-294 DEIS) do not include 600,000 tons of Greenhouse Gasses or any other airborne metal flue dust particulates. The Eureka Moly LLC (Mount Hope Mine) Tailings Siting Evaluation (Appendix A ,DEIS) does not discuss

DEIS COMMENTS 20

Fugitive Dust from tailings outside the project area. What are the combustion emissions for the roaster and will it heat up Diamond Valley?

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-107-Modeled Air Quality Impacts

Letter 805, Comment 30

There are no mitigations for these issues.

Disposition: Comment acknowledged; does not provide new information

Response

CC-107-Air Quality Monitoring and Mitigation

Letter 805, Comment 31

The impact from Air Pollutant Concentrations are not considered significant because they do not include any Sensitive Receptors downwind from the project and because there are no standards for Hazardous Air Pollutants. We consider impacts to the health of Diamond Valley residents, the surface forage, soil and, watersheds to be significant, and we are concerned.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-105-Modeled Air Quality Impacts

Letter 805, Comment 32

The DEIS states, "the Clean Air Act delegates primary responsibility for air pollution control to state governments, which in turn often delegate this responsibility to local or regional organizations. (United States, 2011, pg. 3-257) How will Eureka County mitigate Mount Hope Mine's emissions?

Disposition: Other (SEE RESPONSE)

Response

In the State of Nevada the legislature has delegated authority to implement the requirements of the Clean Air Act to the Nevada Bureau of Air Pollution Control, except in Washoe and Clark Counties. Eureka County has no authority to implement requirements of the Clean Air Act. All regulatory authority for the control of air pollution is under the State of Nevada, through the Nevada Bureau of Air Pollution Control. No changes to the FEIS text have been made to address this comment.

Letter 805, Comment 33

Cumulative Impacts to soils (p. 4-55, DEIS) do not include impacts from flash floods or seepage underneath the Potentially Acid Generating Waste Rock Storage Facility at Mount Hope Mine.

Disposition: Comment acknowledged; does not provide new information

Response

CC-110- Impacts to Soils

Letter 805, Comment 34

Cumulative impacts to soils (p.4-55, DEIS) do not include impacts from 600,000 tons of Greenhouse Gasses per year or other metal flue dust particles landing on soils outside the project area from Mount Hope Mine.

Disposition: Comment acknowledged; does not provide new information

Response

CC-110- Impacts to Soils

Letter 805, Comment 35

Cumulative Impacts to soils (p. 4-55, DEIS) do not include fugitive dust prior to capping or leakage from Tailings Storage Facilities at Mount Hope Mine landing in or on soils in Diamond Valley.

Disposition: Comment acknowledged; does not provide new information

Response

CC-110- Impacts to Soils

Letter 805, Comment 36

Cumulative impacts to vegetation (p. 4-57, DEIS) do not include damage to vegetation outside the project area from 600,000 tons per year of Greenhouse Gasses or other metal flue dust particulates from Mount Hope Mine.

Disposition: Already addressed in planning documents

Response

CC-108-Scope of Cumulative Impacts

Letter 805, Comment 37

Cumulative impacts to vegetation (p. 4-57, DEIS) do not include impacts to vegetation from fugitive dust or water shortages in Diamond Valley from Mount Hope Mine.

Disposition: Already addressed in planning documents

Response

CC-108-Scope of Cumulative Impacts

Letter 805, Comment 38

Cumulative impacts to soils and vegetation do not include impacts from all the mines already existing in Eureka County or Nevada.
Disposition: Other (SEE RESPONSE)

Response

CC-130- Cumulative Effects Analysis

Letter 805, Comment 39

Impacts to soils and vegetation could be significant and are not included for where I live or Diamond Valley.
Disposition: Other (SEE RESPONSE)

Response

CC-130- Cumulative Effects Analysis

Letter 805, Comment 40

What a contrast to the noise and visual impact of haul trucks driving by our residence
Disposition: Comment acknowledged; does not provide new information

Response

Comment noted.

Letter 805, Comment 41

We do not have air pollution at our home now. Our skies are beautiful. If we were to have smoke, it would be a stark contrast.
Disposition: Comment acknowledged; does not provide new information

Response

Comment noted.

Letter 805, Comment 42

Nevada Department of Transportation requested Mount Hope Mine build a new turn lane at the entrance to the mine on Highway 278. Would Mount Hope Mine pay a sufficient amount of taxes to add passing lanes and bus safety pullouts? How many deaths would be required before the infrastructure is installed?
Disposition: Analysis modified (SEE RESPONSE)

Response

CC-019-Roads and Traffic

Letter 805, Comment 43

Who is going to be responsible for picking up the new trash on Highway 278?
Disposition: Analysis modified (SEE RESPONSE)

Response

CC-069-Mitigation for Impacts to Highways

Letter 805, Comment 44

Mount Home Mine made a gravel pit at the Romano Ranch and plans to use the gravel for construction. I am concerned about trucks hauling on the Sadler Brown Road in Diamond Valley.
Disposition: Other (SEE RESPONSE)

Response

Section 3.24 of the FEIS has been revised to include construction traffic in the impact analysis. The construction traffic includes the delivery of aggregate to the Project.

Letter 805, Comment 45

How can Mount Hope tout the facility as "Designed as zero-discharge facility (United States, 2011, p. 2- 66, and Eureka Moly, 2011, pg. 1)" when the DEIS estimates probabilities of releases and spills resulting from probable truck accidents on page 3-547 (United States, 2011)?
Disposition: Other (SEE RESPONSE)

Response

The term "zero-discharge facility" refers to requirements associated with the Water pollution Control Permit issued by the BMRR.

Letter 805, Comment 46

Mount Hope is the view from my kitchen window. Just as important to me is the fact that my residence and many others are directly adjacent to Highway 278. P. 4-55 of the DEIS, Cumulative Impacts to Visual Resources, does not include traffic through the "dispersed pinpoints of light that are ranches. (United States, 2011, pg. 4-55)" Highway 278 appears peaceful and safe today. This would be a significant impact from the Mount Hope Mine. The change from an agricultural setting to an industrial one would be a significant concern.

Disposition: Other (SEE RESPONSE)

Response

Sections 3.6.3, 3.7.3, and 3.24.3 disclose the potential impacts to Air Resources, Visual Resources, and Transportation and Access as a result of implementation of the Project. No changes to the text of the FEIS have been made to address this comment.

Letter 805, Comment 47

The DEIS says, "The predicted changes in hourly ambient noise levels at the nearest ranch houses are 1dB or less. (United States, 2011, pg. 3-46)" I believe this is a false statement and my home is not represented.

Disposition: Already addressed in planning documents

Response

CC-095-Noise Impacts to Residents

Letter 805, Comment 48

P. 4-65 of the DEIS Cumulative impacts to auditory resources does not effectively represent the impacts from traffic noise at my home from Mount Hope Mine traffic on Highway 278.

Disposition: Already addressed in planning documents

Response

CC-095-Noise Impacts to Residents

Letter 805, Comment 49

"Visual, noise, or atmospheric elements that are out of character with a property alter its setting (United States, 2011, p. 3-579)." Right now we live near "the Loneliest Town on the Loneliest Road in America", and We Love Lonely (reference title of original artwork by Larry Bute). The increase in traffic will generally degrade the quality of life here.

Disposition: Already addressed in planning documents

Response

CC-095-Noise Impacts to Residents

Letter 805, Comment 50

P. 4-66 of the DEIS, Cumulative Impacts to Socioeconomic Resources, incorrectly represents that the increase in tax revenues to Eureka County would likely outweigh any adverse effects on social and economic values in Eureka County (United States, 2011).

Disposition: Comment acknowledged; does not provide new information

Response

Comment noted.

Letter 805, Comment 51

With the mines in the north end of Eureka County and the small population, Eureka County is financially stable without Mount Hope Mine. Eureka does not need jobs (United States, 2011, p. 3-501); we will not be able to fill our own jobs (United States, 2011, p. 3-502). Those persons in Eureka County that are unemployed are either unemployed by choice or are unemployable. They will not be any more employable for Mount Hope Mine than they would be for Barrick Mines or Newmont Mines.

Disposition: Comment acknowledged; does not provide new information

Response

Comment noted.

Letter 805, Comment 52

The school system in southern Eureka is high achieving and the education of our children will be compromised. New students entering the system typically are behind as soon as they enter because of Eureka's current high achievement. The system will be inundated with new students compromising the quality of the small school system, and the quality of education currently enjoyed.

Disposition: Already addressed in planning documents

Response

CC-066-Impacts to Schools in Eureka

Letter 805, Comment 53

Crime will increase, especially since the mine would bring 600 new employees for construction instantly, who have nowhere to live. Mount Hope Mine is not clear about where they would house all of those people. We are very concerned that a man camp at the Romano Ranch would definitely reduce the integrity of the setting at the Bailey Ranch. The Eureka Canyon Project is not complete and would not have enough units.

Disposition: Other (SEE RESPONSE)

Response

Section 3.17.3 of the EIS discloses the potential socioeconomic impacts to the community resulting from implementation of the Project. No changes to the text of the FEIS have been made to address this comment.

Letter 805, Comment 54

It feels like an Environmental Injustice to possibly displace the "weaker section" of agriculture, for mining. Farmers and ranchers may not be considered "Low-Income Populations" or "Minority Populations," but they certainly do not have the resources to vie for natural resources against multi-national mining interests. Eureka County has a tiny population that can be taken advantage of without representation. How can agriculture survive in Diamond Valley, when China reportedly invested 600 million dollars in the Mount Hope project? The community, people, and their affairs are being artificially "engineered" by foreign bankers. The politics of Eureka County will change because the population in the community will double specifically with mining constituents where now 71% of Eureka's mining employees live and vote in Elko County (United States, 2011). Agriculture has a strong political position in local politics now.

The impact to our cultural resources would be irreversible and irretrievable. The Western Shoshone say that:

Impacts to water sources impact all other resources as well as animals that utilize the water and plant foods for survival. Once the water is gone, then life is gone (United States, 2011, Pg. 3- 581).

Environmental injustice and the affects to our culture are significant to the residents of southern Eureka County.

Disposition: Other (SEE RESPONSE)

Response

The effects to the local politics as a result of an increase in the population of Eureka County is beyond the scope of this EIS.

Letter 805, Comment 55

When I tried to contact the Nevada Bureau of Health Protection Services about Mount Hope Mine's Radioactive Material License (p. 1-11, DEIS), the Bureau didn't seem to exist (how much radioactive material is going to be used at the mine, what is the half-life and where will it end up?)

Disposition: Other (SEE RESPONSE)

Response

The radioactive materials are incorporated into a density measuring tool that is used to determine the amount of ore in slurry flowing through process pipes or on conveyor belts. The tool is mounted on the outside of the process pipes or on a conveyor. When the tool is removed from the process pipes for decommissioning, the radioactive source material is removed for appropriate management.

Letter 805, Comment 56

I think the theme of the DEIS is "The impact is not considered Significant." Nearly every single study ended with that phrase. I honestly appreciate the effort put into the study and application process, but it feels like there will be "zero releases" "Designed as zero-discharge facility" (United States, 2011, p. 2-66, and Eureka Moly, 2011, pg. 1) and "The impact is not considered significant" really means that there are no releases nor are there any significant impacts to anything or anyone that is not considered expendable.

Disposition: Comment acknowledged; does not provide new information

Response

Comment noted.

Letter 805, Comment 57

If the Mount Hope mine Project goes forward with the plan represented in this Draft Environmental Impact Statement, ranchers, farmers, and the community of Eureka will be significantly affected. The Mount Hope Project Draft Environmental Impact Statement does not effectively represent where I live or those to the north, east, and south of the project. It does show some of the impacts, but does not show acceptable mitigation for those impacts.

Disposition: Other (SEE RESPONSE)

Response

The DEIS discloses the potential impacts from the implementation of the Proposed Action or the alternatives. The analysis of certain resources in the FEIS has been revised, where appropriate, to include the locations of the nearest residences to the Project Area.

Letter 806 (F1) through Letter 808 (F1)

See Letter 248 for form letter text and response.

Letter 809

Comment 1

I strongly urge adoption of the NO ACTION alternative

Disposition: Comment acknowledged; does not provide new information

Response

CC-022-General Opposition to the Project

Letter 809, Comment 2

To do otherwise would violate the WFHBA on many points in addition to NEPA, since the proposed action would constitute a significant negative impact on the formerly healthy and vital Roberts Mountain Complex wild horse herd.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 809, Comment 3

When stating that there are "no natural predators" of wild horses found in the area you are misleading the public. The puma (*Felis concolor*) occurs here and is a significant natural predator of these animals. Coyotes may also take foals and other disadvantaged wild horses. These species should not be overlooked nor should our own species, members of which do frequently and illegally kill wild horses, either directly or indirectly.

Disposition: Factual correction made (SEE RESPONSE)

Response

CC-079-Wild Horse Predators

Letter 809, Comment 4

Your analysis lacks consideration of the negative ecological effects of the more shallow water table drainages, as would be caused by the huge open pit, trenches, as well as the short- and long-term toxic effects of chemicals used in crushed ore leaching and natural leaching of discarded crushed ores that involves sulfur and nitric acids. These ill-effects can last for centuries into the future.

Disposition: Already addressed in planning documents

Response

CC-006-Local Hydrologic Model

Letter 809, Comment 5

You should do an analysis of both one-foot and five-foot drainages, including maps, for these affect many species, and it would prove very difficult to adequately mitigate for their pervasive ecological damages.

Disposition: Comment acknowledged; does not provide new information

Response

CC-023-Ten-Foot Drawdown Contour

Letter 809, Comment 6

You need to examine the mandate of the WFHBA to maintain a "Thriving Natural Ecological Balance" as per Section 3a. This unanimously passed Act represents the General Public's keen interest in our public lands and its, in fact, returned North American native wild horses and burros.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 809, Comment 7

The Mount Hope project would clearly upset this balance and, for this reason, needs to be cancelled

Disposition: Comment acknowledged; does not provide new information

Response

Comment noted.

Letter 809, Comment 8

In my opinion, this mining project jeopardizes the long-term health and viability of the herd and herds surviving here and in no way accords with Section 2c of the WFHBA. This section defines a legal herd area as "the amount of land necessary to sustain an existing herd or herds of wild free-roaming horses and burros ... and which is devoted principally but not necessarily exclusively to their welfare in keeping with the multiple use management concept for the public lands."

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 809, Comment 9

Finally: if we take "multiple use" to mean a balanced representation of all the values and presences on the public lands taken as a whole, then the proposed action through its undermining of the relatively minor presence of wild horses in their small fraction of the public lands where they have a legal to live – clearly does not accord with true multiple use. This violates the WFHBA as well as the Federal Land Policy and Management Act, the Public Lands Improvement Act, the Multiple Use and Sustainability Act and others.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 810

Comment 1

I am writing in support of General Moly's Mount Hope project that is under review. While mining definitely has an impact on the environment, it is essential to the way we live. Technology and life as we know it is not possible without minerals, and minerals have to come from the ground.

It is our responsibility in the mining industry to minimize the impact of extracting the products that society needs; unfortunately there is an unavoidable trade-off between limited environmental impact and living in a technological age. Everyone knowingly or unwittingly accepts the trade-off every time a product is purchased, the lights are turned on or interacts in our society. The most ardent mining opponent in America owns a lot of rock in tailings impoundments around the world. Electricity doesn't come from the outlet in the wall, and i-pads don't appear of their own volition at the Apple store.

There are at least a billion people worldwide with no indoor plumbing or electricity. The world demands a higher standard of living, and it is disingenuous for those of us with two cars and a two thousand square foot house to say that the environmental damage must stop now. At the same time, the US economy is hurting. The minerals needed to lift the most impoverished people in the world into the age of toilets that flush into a treatment plant instead of the street at their doorstep will have to come from somewhere. Let's put Americans to work producing a salable product instead of just selling debt to the Chinese. Mining is no longer the environmental disaster it once was, mining in the US is an efficient and highly technical industry that is held to strict standards.

Please approve the Mount Hope Project.

Disposition: Comment acknowledged; does not provide new information

Response

CC-001-General Support

Letter 811

Comment 1

I have worked in the Nevada mining industry for over 35 years, including a number of years in the permitting and compliance arena at major gold mines.

I have reviewed the proposed Mount Hope Project EIS and the associated Preferred Alternative. I find the proposed plan by General Moly and the evaluation by the BLM to be reasonable. I fully support the project; it will provide long-term benefits to Northern Nevada while minimizing the environmental impacts to the extent possible.

Thank you for taking my comments into consideration.

Disposition: Comment acknowledged; does not provide new information

Response

CC-001-General Support

Letter 812

Comment 1

As a property and business owner in Nevada, who is a supplier of products to the mining industry, I am extremely interested in seeing the General Moly Mt. Hope molybdenum mine

In Eureka, Nevada receive its federal and state permits, commence construction, and begin operation.

We are still suffering from the worst economy in decades, and Nevada is at the bottom of the list for unemployment. It seems to me the only bright spot in the state is the mining industry. In fact, the Mt. Hope Mine will help diversify the mining industry in Nevada and will bring much needed economic development.

I have read reports that the Board of Eureka County Commissioners are continually putting up unfounded and unnecessary obstacles to delay the permitting process of General Moly's Mt. Hope project. Indeed, such nonsensical actions by a government entity such as the Eureka County Commissioners, which is well-funded primarily from mining tax revenue, could not only jeopardize the Mt. Hope project, but future natural resource projects as well.

From what I understand, the Mt. Hope project is an environmentally sound project. The management at General Moly has assured me that they are committed to environmental stewardship and will comply with established policies and regulations enforced by the recognized agencies and authorities such as the BLM and the State of Nevada.

While the molybdenum mine at Mt. Hope will directly benefit our company, its employees and their families, it will also have a strong economic effect upon the suppliers from whom we make our purchases. Therefore, this worthwhile project will substantially augment the State of Nevada and our nation's economy during a time when our country and its citizens need it most.

We would like to add our name to those who support the much needed start-up of General Moly's Mt. Hope project in Eureka, not only for our company, but for the general well-being of the citizens of Nevada.

Disposition: Comment acknowledged; does not provide new information

Response

CC-001-General Support

Letter 813

Comment 1

Page 3-77 states that at the end of mining, drawdown of 10 feet or greater will be experienced at 18 spring locations. Figure 3.2.18 shows the extent of projected drawdown at this time and identifies 13 springs within the 10 foot drawdown contour. This figure should be modified to include the additional springs mentioned in the text.

Disposition: Factual correction made (SEE RESPONSE)

Response

At the end of mining, 12 springs would be within the 10-foot drawdown contour as shown in Figure 3.2.18 in the EIS. The EIS text has been corrected accordingly.

Letter 813, Comment 2

The last three lines of page 3-78 and the first two lines of page 3-85 provide a discussion of impacts to water rights, and mitigation for adverse effects. However, taken in context, the reader could conclude that mitigation would only be required for adverse impacts to water rights associated with the Pete Hanson Decree. It is suggested that a sentence be added so that the text reads: "...The decree grants water rights subject to restrictions on points of diversion, season of use, and total duty. In addition, water rights have been granted for sources not associated with the Pete Hanson decree, also subject to points of diversion, season of use and total duty."

Disposition: Comment acknowledged; does not provide new information

Response

CC-009-Water Rights

Letter 813, Comment 3

The word "subject" on the first line of page 3-85 should be changed to "under". The Nevada Division of Water Resources (NDWR) has sole authority to administer water rights in Nevada and to require mitigation for impacts to water rights. The NDWR would be responsible for determining whether observed impacts warrant mitigation and what mitigation, if any would be required. To provide for adequate information to make this determination, NDWR has required EMLLC develop a Monitoring, Management and Mitigation (3M) Plan. This plan would be approved by NDWR once deemed satisfactory. Water rights for the Mt Hope Project are under the jurisdiction of, and granted by NDWR, and it is improper for the BLM to assume the responsibility for mitigation of water rights within the NDWR - administered program.

Disposition: Other (SEE RESPONSE)

Response

The word "subject" has been changed to "under".

Letter 813, Comment 4

The phrase "For the purposes of this analysis..." in the first complete paragraph on page 3-85, should be changed so that the sentence reads: "For the purposes of developing mitigation measures, it was conservatively assumed that all of the springs located in this area are interconnected with the regional groundwater system and could be potentially impacted due to water table lowering attributable to the Proposed Action". The conservative assumption was made for development of mitigation as opposed to analysis of environmental impacts, and the suggested change would clarify this point.

Disposition: Factual correction made (SEE RESPONSE)

Response

CC-039-Assumptions of Scope of Impacts to Springs

Letter 813, Comment 5

EMLLC suggests revisions to the text on pages 3-86, 3-99, and 3-100 regarding impact assessment and mitigation measures for surface water quantity (Section 3.2.3.3.1). Specific concerns and issues are:

5.1 The relationship between Mitigation Measure 3.2.3.3-2a (page 3-86 and Table 3.2-9) and Mitigation Measure 3.2.3.3-2b is not clear. Mitigation Measure 3.2.3.3-2a specifies mitigation measures that would be implemented if BLM determines that there are reduced flows in perennial stream segments or springs that are attributable to mining. Then, Mitigation Measure 3.2.3.3-2b states that if flow decreases attributable to mining are noted, mitigation measures would be implemented. Assuming that the first mitigation measure is implemented, then the trigger for the second mitigation measure would seem to have already been reached, and mitigation would already have been implemented. These two measures should be combined into a single measure.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-008-EML Mitigation Comments

Letter 813, Comment 6

Mitigation Measure 3.2.3.3.2a includes a description of monitoring. Monitoring is already included as part of the Proposed Action and should not be included as a mitigation measure. Rather, monitoring is implemented to provide information to assist in the determination of whether mitigation will be required.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-008-EML Mitigation Comments

Letter 813, Comment 7

Although Table 3.2-9 provides specific mitigation measures, it is unrealistic to conclude that these mitigation measures will absolutely be the desirable approach, especially when impacts may occur decades in the future. BLM may well determine that alternate approaches are more desirable. A sentence should be added to the text of Mitigation Measure 3.2.3.3.2a (to be developed as a combination of Mitigation Measure 3.2.3.3.2a and Mitigation Measure 3.2.3.3.2b) stating that instead of, or in addition to, the mitigation measures provided in Table 3.2-9, BLM may require other mitigation measures, and reference the bulleted measures that are now listed separately under Mitigation Measure 3.2.3.3.2b

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-008-EML Mitigation Comments

Letter 813, Comment 8

In some cases, the text is not consistent with the sub-section heading, such as mitigation discussion in the "Significance of Impact" subsection, or impact analysis discussion within the "Effectiveness of Mitigation" section.

Disposition: Factual correction made (SEE RESPONSE)

Response

Where these inconsistencies have been found in the EIS, they have been corrected.

Letter 813, Comment 9

5.5 EMLLC agrees that it becomes more difficult to predict, at this time, impacts that may occur after cessation of mining. However, mitigation of any impacts should be as effective as mitigation that is conducted during mining operations, as they are also specifically intended to directly address the impact by restoring or enhancing surface flows, and because the measures would be reviewed and addressed by the BLM. Thus, the sentence beginning near the bottom of page 3-99 and ending on the top line of page 3-100 should be deleted.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-008-EML Mitigation Comments

Letter 813, Comment 10

The replacement flow amounts specified in Table 3.2-9 should be revised. Potential impacts due to the proposed project would result from a lowering of the water table. Thus, the potential project-related impacts could not possibly include a reduction of snow pack or the freshets and runoff resulting from snowpack melts. JBR's July, 2011 technical memo is cited as the source of flow rates in Table 3.2-9. However, the JBR memo includes a summary of numerous flow measurements for each source. It appears that the most recent flow measurement from this summary memo has been used in the DEIS. Instead, Table 3.2-9 should define the existing conditions as a range of flowrates or clearly state that the current values are the most recent measurements from the monitoring data collected to date. Additionally, it is not clear how the mitigation flow amounts were determined. For some sites, a flow of 0 gpm (gallons per minute) is reported and mitigation is established as a replacement flow rate of 0.5 gpm. For a site with "0" flow, the trigger (cessation of flow) to provide "replacement" flow would already have been reached, whereas prior to project approval, it is not possible that a project-related impact has occurred. This inconsistency with the intent of the mitigation plan can be resolved by eliminating a mitigation requirement for sites that do not have flow. Table 3.2-9 should be corrected to state a mitigation flow rate equal to the baseline flow rate for each source. EMLLC has compiled the baseflow amounts for use in Table 3.2-9 in a technical memorandum attached to this letter. Finally, the mitigation flows in the table should be stated as "flows of up to _____ gpm". It is acknowledged that a reduction in flow, as opposed to complete cessation may require mitigation. Thus, the required mitigation flows may be less than the complete replacement amount.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-008-EML Mitigation Comments

Letter 813, Comment 11

Table 3.2-9 refers to pipeline lengths and existing roads. A figure should be added to show the location of these features so the reader better understands the mitigation specified in Table 3-2.9.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-104-Clarification of Mitigation Measure Impacts

Letter 813, Comment 12

EMLLC suggests that the mitigation measure 3.2.3.3-3a (pages 3-103 and 3-104) be removed. This section includes mitigation for sources that could potentially be impacted, conditioned upon the sources having a valid water right. Administration of water rights and the authority to mitigate impacts to water rights clearly lies with the NDWR, and by attempting to mitigate water rights, per se, the BLM may be eroding the defensibility of the EIS through inadvertently and improperly extending its jurisdiction.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-008-EML Mitigation Comments

Letter 813, Comment 13

Section 3.6.2 includes a description of air dispersion modeling performed to characterize the project and assist in evaluating impacts. Based on recently developed guidance from EPA on modeling methodology and the availability of on-site meteorological data, the modeling has been updated with the BLM's concurrence. EMLLC will submit the results of this updated modeling under separate cover and we suggest that it be incorporated in to the FEIS to provide a more precise analysis and assessment.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-105-Modeled Air Quality Impacts

Letter 813, Comment 14

Section 3.23 includes Mitigation Measure 3.23.3.3-6 for impacts to sage grouse. This mitigation measure also references the pygmy rabbit mitigation proposed under Mitigation Measure 3.23.3.3-9. However, the text incorrectly refers to Mitigation Measure 3.23.3.3-8.

Disposition: Other (SEE RESPONSE)

Response

The text for Mitigation Measure 3.23.3.3-6 has been revised in the EIS to read, "...Additional mitigation developed for pygmy rabbits (Mitigation Measure 3.23.3.3-9) would reduce ...".

Letter 813, Comment 15

Section 3.23 includes Mitigation Measure 3.23.3.3-8 for impacts to golden eagles that could potentially be significant. However, the proposed mitigation consists solely of monitoring. It is proposed that the mitigation measures be strengthened by inclusion of habituation techniques. Habituation techniques suggested by L.A. Romin and J.A. Muck (1999, Utah Field Office guidelines for raptor protection from human and land use disturbances. U.S. Fish and Wildlife Service, Utah Field Office. Salt Lake City. 42pp) would be applicable to the Mt Hope project. Specifically, if activities such as blasting were begun in summer or fall, birds potentially nesting in proximity to the project area would be expected to either become habituated to the disturbance or seek another location for nesting. The reference also suggests that pre-disturbance signals such as sounding sirens prior to blasting may be effective in limiting negative raptor responses to blasting; sounding sirens prior to a blast will be standard practice at Mt Hope. Additionally, the discussion on the significance of the impact should consider that the aspect of the cliff area identified as golden eagle nesting site is such that it is shielded from activity at the mine site. In addition, the nest site is oriented toward Highway 278 and within approximately 1/2 mile of this highway. Thus, golden eagles that use the nest likely are exposed to greater sensory stress from highway traffic than would be experienced from the mine activities.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-041-Golden Eagle Mitigation

Letter 813, Comment 16

The discussion on Pygmy rabbits on page 3-628 references Figure 2.23.2; the correct figure number is 3.23.3.

Disposition: Other (SEE RESPONSE)

Response

The text in the EIS has been revised to read, "As shown on Figure 3.23.3 . . .".

Letter 813, Comment 17

On the fifth line from the bottom of page 3-100; "stockwatering" is misspelled.

Disposition: Other (SEE RESPONSE)

Response

The typo has been corrected.

Letter 814

Comment 1

I am writing to you today in support of the preferred alternative outlined in the General Moly Draft Environmental Impact Statement.

In this economic climate, it is more important than ever to return the nearly 400 critically needed jobs to Nevada. This is a paramount decision for the local, state, and national economy. I urge you to make a decision that allows General Moly to begin hiring and mining. Your support for this project will be greatly appreciated.

Disposition: Comment acknowledged; does not provide new information

Response

CC-001-General Support

Letter 815

Comment 1

The mining industry is one of the bright spots in an otherwise bleak economy. Please approve the molybdenum mine at Mt. Hope and support the preferred alternative to help get our economy moving again.

I have been observing the trends in the economy and believe a major component to economic recovery is mining projects. One such project proposed by General Moly, the Mount Hope mine, is ready to go and needs only to receive final approval before it can begin contributing to our economic recovery. Not only will the mine employ around 400 people, it has a lifespan of nearly 80 years, ensuring that American families will reap the benefits of this project for years to come.

If a well-planned, environmentally-friendly mine that employs nearly 400 Americans could be up and running within 18 months, who wouldn't support its approval? General Moly has proposed such a project at Mount Hope and it deserves approval. In these tough economic times, it makes sense to support this project.

Disposition: Comment acknowledged; does not provide new information

Response

CC-001-General Support

Letter 816

Comment 1

We propose that the BLM follow option one, deny the permit for the mine at this time.

Disposition: Comment acknowledged; does not provide new information

Response

CC-022-General Opposition to the Project

Letter 816, Comment 2

If the BLM decides to grant the permit We suggest the 50% option, this will mitigate at least partially some of our concerns

Disposition: Comment acknowledged; does not provide new information

Response

Comment noted.

Letter 816, Comment 3

The proposal by EML contains a reference to consumption of 40,000 GAL/day of diesel fuel in off-road equipment , this level of consumption is greater fuel use in one week than used in Diamond Valley and the town of Eureka on an annual basis. We believe this will have significant impacts on air quality especially in Diamond valley not addressed by the BLM. Diamond valley is a basin, not unlike Los Angeles or San Jose , Calif. WE have a temperature inversion present in the atmosphere on many days which will trap pollutants. This also applies to dust pollution as the owner and operator on two farms/ranches downwind of the mine [closest 10miles] we are very concerned about dust and particulates and their impact on crop production.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-105-Modeled Air Quality Impacts

Letter 816, Comment 4

In conclusion, we think at least the 50% option will mitigate to some degree the air pollution, will reduce water consumption and will reduce the expected impacts to the social, economic, and infrastructure of our little community.

Disposition: Comment acknowledged; does not provide new information

Response

CC-022-General Opposition to the Project

Letter 817

Comment 1

Thank you for the opportunity to submit a comment regarding the DEIS for General Moly's Mt Hope mine. I strongly support the preferred alternative and the 400 jobs this project will create.

The growing worldwide steel industry needs a reliable source of molybdenum. I appreciate the planning that General Moly has exhibited in its proposal for the Mt Hope mine and wish to thank the BLM for its consideration in moving this project forward.

Disposition: Comment acknowledged; does not provide new information

Response

CC-001-General Support

Letter 818

Comment 1

I wholeheartedly support development of the Mount Hope molybdenum project in Nevada, for the contributions this project can make to the economic viability of our state and nation. I believe that all environmental concerns have been adequately addressed and that the project can be developed and operated without negative impact to the air or water quality in the area. Nevada and the United States of America needs to develop our resources and invest in our future in order to remain strong and be able to maintain the high standard of living that comes with self-sufficiency.

Disposition: Comment acknowledged; does not provide new information

Response

CC-001-General Support

Letter 819

Comment 1

PLEASE CHOOSE THE NO ACTION ALTERNATIVE!

Disposition: Comment acknowledged; does not provide new information

Response

CC-022-General Opposition to the Project

Letter 819, Comment 2

The project will require 7000 gallons of water per minute for the lifetime of the proposed use (40-50 years) and will remove more than 11,300 acre feet of water annually. This is not acceptable considering the already fragile sources available to wild herds.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 819, Comment 3

Our wild horses are under your protections, please allow them to remain so, free & wild with water to drink throughout Nevada & the other Western states. We must not serve special interests over our wild horses & burros, especially those outside of our country!

Disposition: Other (SEE RESPONSE)

Response

Comment noted.

Letter 819, Comment 4

This project encroaches on considerable acreage within three HMA's. Roberts Mountain has over 13,000 acres within the scope of the project with over 5,000 acres of proposed surface disturbance. Whistler Mountain HMA has more than 8,000 acres within the project scope and over 3,000 projected for surface disturbance. Fish Creek also has areas that would have surface disturbance.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 820

Comment 1

The project will require 7,000 gallons of water per minute for the lifetime of the proposed use (40-50 years) and will remove more than 11,300 acre feet of water annually. This is NOT acceptable.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 820, Comment 2

One foot and five foot water draw down maps must be created before any decisions can be proposed for this project. To arrive at any record of decision without this information is inappropriate and negligent to the mandate of "thriving ecological balance".

Disposition: Comment acknowledged; does not provide new information

Response

CC-023-Ten-Foot Drawdown Contour

Letter 820, Comment 3

The proposed impact to the populations of effected wild horse HMAs is unacceptable. The population numbers are already below genetic viability and the potential impact to water in the legal grazing areas is NOT acceptable.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 820, Comment 4

The project will take away a large amount of acreage from three HMAs. Roberts Mountain has over 13,000 acres, within the scope of the project, with over 5,000 acres of proposed surface disturbance. Whistler Mountain HMA has more than 8,000 acres within the project scope and over 3,000 projected for surface disturbance. Fish Creek also has areas that would have surface disturbance. This is NOT acceptable.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 820, Comment 5

It is not enough to mitigate for spring repair after the projects construction phase has ended. If the project is to be considered, then new boundary lines should be mitigated to ensure that Wild Horse populations do not go any lower than they already are. Mitigation needs to ensure that the horses do not lose any grazing acreage available to them. If acreage is lost than adjacent, equal acreage must be provided.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 820, Comment 6

The project does not fully study the impacts and potential areas for mitigation for Wild Horses. The project has not fully studied what the loss of such a huge amount of water will have on the already fragile sources available to wild horses and all living things in this area.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 820, Comment 7

The "NO ACTION" Alternative must be chosen until the full impacts to this legally mandated use is appropriately assessed.

Disposition: Comment acknowledged; does not provide new information

Response

CC-022-General Opposition to the Project

Letter 821

Comment 1

I wanted to extend my support for the Mt Hope project. We are a company that markets and sells industrial grade LED technology specifically to mining companies. Our lights are designed to systemically improve safety, efficiency, mechanical downtime, and the environment. We believe that the mining industry and the extractive industries in general can take the lead in developing responsible practices to reduce waste, improve efficiencies and develop best practices around resource mitigation. Our efforts as a company are to assist in co-creating these outcomes for our mining customers. We need mining, and mining needs the inputs and solutions smaller adjacent industries bring to their support.

Disposition: Comment acknowledged; does not provide new information

Response

CC-001-General Support

Letter 822

Comment 1

As a supplier of safety products to the mining industry, I am extremely interested in seeing the General Moly Mt. Hope molybdenum mine in Eureka, Nevada receive its federal and state permits, begin construction, and start mining operations.

Nevada currently has one of the worst economies in the country and the mining industry is the one true bright spot in the state. The Mt. Hope Mine will help diversify a thriving mining industry even more and help bring the Silver State much needed economic development.

I've read reports that the Board of Eureka County Commissioners are continuing to delay the permitting process for General Moly's Mt. Hope project, by putting up unfounded and unnecessary obstacles. These actions by the commissioners could jeopardize not only the Mt. Hope project, but other future natural resource projects. The Eureka County Commission has been well-funded for many years by mining taxes.

From what I have read, the Mt. Hope project is an environmentally sound project and General Moly is committed to environmental stewardship. The company is prepared to comply with established policies and regulations, which are enforced by agencies such as the State of Nevada and the BLM.

Yes, the molybdenum mine at Mt. Hope will directly benefit our company, its employees, and their families, but it will also have a strong economic effect for other suppliers of both products and services around our state. This is a worthwhile project that will substantially augment the economy of Nevada and its citizens, at a time when it is sorely needed.

We would like to add our name to the list of those who support the much needed start-up of General Moly's Mt. Hope project in Eureka, not just for our company, but for the general well-being of the citizens of Nevada.

Disposition: Comment acknowledged; does not provide new information

Response

CC-001-General Support

Letter 823

Comment 1

The DEIS uses a 10 ft draw down contour which does not adequately measure effects to springs and wet meadows. The DEIS needs to use a 1ft and a 5 ft draw down so that adequate monitoring and mitigation can be implemented on negatively impacted springs and meadows

Disposition: Comment acknowledged; does not provide new information

Response

CC-023-Ten-Foot Drawdown Contour

Letter 823, Comment 2

The Mount Hope project will pump most of its water needed for the project from Kobeh Valley, which is upstream from Diamond Valley in the Diamond Valley Flow System. Diamond Valley is experiencing a water depletion problem now that can only be made worse by pumping in Kobeh Valley. The water model shows a 2 ft draw down in 44 years in Diamond Valley as a result of the Mount Hope project pumping. I believe that the model may be seriously flawed in its prediction and that the effects will be far worse than predicted.

Disposition: Comment acknowledged; does not provide new information

Response

CC-007-Regional Hydrological Model

Letter 823, Comment 3

No one can say for sure what the effects will ultimately be, but the economic and environmental impacts are predicted and the EIS must provide mitigation of these effects before they happen. The reason for this is that all the evidence to-date already proves that water is being depleted in the Diamond Valley Flow System. If the Mount Hope project is going to use water from an already depleting source then they have a responsibility to mitigate the problem before they ever begin the project.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-082-Mitigation to Water Resource Impacts

Letter 823, Comment 4

The farmers in Diamond Valley have worked for four years to help General Moly understand that the water challenge in the area is of grave concern. We offered that if the mine would help retire water, and contribute to the conservation of water, that we would allow them water for their mining project. General Moly has not made a good faith effort to mitigate the water problem and has behaved in such a manner that would indicate that they have no concern for the protection of our most valued natural resource, water. Because of this past behavior it is of the utmost responsibility of the B.L.M. to insure that the mine be made accountable to mitigate water in the DEIS, before the mine begins operation.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-082-Mitigation to Water Resource Impacts

Letter 823, Comment 5

The DEIS does not demand adequate funding for mitigation of water impacts or air impacts that will be effected in Diamond Valley, Kobeh Valley or Pine Valley. A Trust needs to be established and funded by General Moly at the beginning of the project that will insure financial ability to mitigate all water, air, noise, and any other impact that the DEIS has identified impacted by the Mount Hope project. This fund needs to be large enough to not only cover impacts for the life of the mine but for 200 years after. The water model shows that the water effects will go on for four hundred years.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-057-Funding for Reclamation/Closure Bond

Letter 823, Comment 6

The DEIS continuously states that monitoring is a form of mitigation. Monitoring is not mitigation. Monitoring is monitoring and is a tool to measure effects caused so that mitigation can be implemented. The DEIS needs to say that all monitored effects must be mitigated. The DEIS also needs to insure that this mining project provides financial ability to mitigate all measured effects by demanding that funding is made available with bonding, but preferably trust funds. The Mount Hope project that is being mined by

General Moly, or any other mining company MUST provide financial ability to perform mitigation. The DEIS DOES NOT at this time do that. It is my belief that the current DEIS plan for mitigation is a disaster. The Mount Hope project will have such a huge environmental effect on southern Eureka County from a water and air aspect that the BLM has a duty to insure that these effects are minimized or at least adequately mitigated. The detrimental financial effect on Diamond Valley irrigators from water supply, water contamination, and air quality, from the Mount Hope project could be so significant, that the whole farming community could be made nonviable. The DEIS must insure that adequate mitigation and funding is in place.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-011-Monitoring and Mitigation

Letter 823, Comment 7

I did not see any place in the DEIS that explored the possibilities of moving the well field back to the Bobcat Ranch. It is the responsibility of the BLM to explore all scenarios that would limit the negative effects that this project would have. If the well field was moved to the Bobcat Ranch, the negative effects that will certainly happen to the Roberts Creek Ranch and all the springs and seeps on the entire Roberts Mountain, all water on the Pine Valley drainage, and the effects to Diamond Valley would surely be minimized. This should have been included in the DEIS evaluation.

Disposition: Other (SEE RESPONSE)

Response

EML currently has water rights that allow the production of ground water from the areas proposed in the DEIS. Section 3.2.3.3 of the DEIS incorporates mitigation measures that include moving the wells should the BLM determine this is necessary. No changes to the FEIS have been made to address this comment.

Letter 823, Comment 8

The risk of ground water contamination from two sources, the open pit and the tailings pond are significant. Not only is the Mount Hope project going to use water that is in a declining state, this project has the potential to significantly effect the quality of ground water in Diamond and Kobeh Valleys.

Disposition: Already addressed in planning documents

Response

The model predicts very steep ground water gradients toward the pit during mining and after the end of mining; therefore, the risk of contamination leaving the pit is insignificant. Similarly, the tailings pond will be constructed with a liner and drainage system that will minimize hydrostatic head on the liner and the risk of ground water contamination from this source is not significant. Section 3.3.3 of the EIS discloses the potential impacts to surface and ground water quality as a result of implementation of the Proposed Action. No changes to the text of the EIS have been made to address this comment.

Letter 823, Comment 9

The open pit will certainly collect rain and snow run off that will seep through the open pit and infiltrate back into the Diamond Valley ground water. The DEIS does not deal with or provide adequate monitoring or mitigation for this possibility.

Disposition: Other (SEE RESPONSE)

Response

The collection of precipitation is accounted for in the ground water flow model and the pit lake geochemical model. Section 3.3 of the EIS discloses monitoring and mitigation, where appropriate, for water quality issues.

Letter 823, Comment 10

I did not find any discussion for what would happen if there were a breach in the pond liner in the tailings pond caused by earthquakes or any other reason. This is surely going to happen. A pond this size will certainly have leaks. The monitoring and mitigation outlined in the DEIS does not adequately address this issue.

Disposition: Comment acknowledged; does not provide new information

Response

CC-077-Water Quality Associated with Storage Pond

Letter 823, Comment 11

The air quality in Diamond Valley is exceptionally clean and contributes to the high quality hay that is raised there and shipped around the world. When the air quality changes, even if it meets federal air quality standards what will be the monitoring and mitigation to the Diamond Valley farmers? The air contamination from the roaster combined with dust from the toxic tailings pond and dust from traffic and overburden will affect Diamond Valley, which is down wind from all of these operations. The DEIS does not require

sufficient air quality monitoring or mitigation for air quality. Again the DEIS is a disaster when it comes to monitoring and mitigation for air quality.

Disposition: Comment acknowledged; does not provide new information

Response

CC-107-Air Quality Monitoring and Mitigation

Letter 823, Comment 12

The farmers in Diamond Valley realized many years ago that in order to insure that weeds and rodents, like pocket gophers, squirrels and meadow voles were controlled that there needed to be a way to insure that these things were monitored and controlled. One of the reasons that Diamond Valley hay is shipped worldwide is because Diamond Valley hay is free from noxious weeds and dirt contamination. Diamond Valley Irrigators formed the DV weed and rodent control districts to insure that these things do not become a problem. I need to make the BLM aware of this because General Moly has purchased irrigated farmland in Diamond and Kobeh Valleys. General Moly is not in the farming business and has little or no concern of how there poor stewardship of these purchased properties is having a negative impact on the surrounding farmers in the area. General Moly has taken no measures to control weed or rodents on these properties. The BLM needs to incorporate a monitoring and mitigation plan for weed and rodent control not only on irrigated farmland that GMO has purchased but also on any and all property involved with the mining operation.

Disposition: Other (SEE RESPONSE)

Response

A noxious weed monitoring plan is included in the Mount Hope Plan of Operations. The BLM does not have the authority to require a monitoring and mitigation plan for weed and rodent control on private land.

Letter 823, Comment 13

The Federal Land Policy and Management Act of 1976. FLPMA, directs that the BLM manage our lands so they" BEST MEET THE PRESENT AND FUTURE NEEDS OF THE AMERICAN PEOPLE" and take into account "THE LONG-TERM NEEDS OF FUTURE GENERATIONS FOR RENEWABLE AND NON RENEWABLE RESOURCES... In this DEIS the BLM fails to establish the need for this project

Disposition: Other (SEE RESPONSE)

Response

CC-111-FLPMA Compliance

Letter 823, Comment 14

The least that you must due is ensure that extensive monitoring and meaningful mitigation measures are in place to help compensate the negative effects this project will have

Disposition: Already addressed in planning documents

Response

CC-113-Project Mitigation and Monitoring

Letter 823, Comment 15

I urge the BLM to adopt the NO ACTION ALTERNATIVE as described in ES-2 to ES-3 in volume 1 of the Mount Hope Project DEIS.

Disposition: Comment acknowledged; does not provide new information

Response

CC-022-General Opposition to the Project

Letter 824

Comment 1

monitoring lacking for water impacts

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-082-Mitigation to Water Resource Impacts

Letter 824, Comment 2

the monitoring for air quality is a disaster or at best not sufficient

Disposition: Comment acknowledged; does not provide new information

Response

CC-107-Air Quality Monitoring and Mitigation

Letter 824, Comment 3

The mitigation recommendation in this DEIS are insufficient in most all areas

Disposition: Comment acknowledged; does not provide new information

Response

The FEIS includes revised mitigation measures, which address comments made on the DEIS during the public comment period.

Letter 824, Comment 4

First of all in many cases the recommended mitigation measure is listed as monitoring. Monitoring is not mitigation. Monitoring is just that, monitoring. Mitigation is action to minimize or compensate for impacts.

Disposition: Other (SEE RESPONSE)

Response

The commenter is correct that monitoring is not mitigation. However, where monitoring is discussed it is tied to specific mitigation measures and the monitoring is used as part of the mitigation implementation to determine triggers and/or effectiveness. No changes to the FEIS have been made to address this comment.

Letter 824, Comment 5

The mitigation recommendations are useless without proper funding in place to ensure that mitigation will happen. It is the responsibility of the BLM to insure that mitigation will be funded and this DEN does NOT come anywhere close to doing that

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-057-Funding for Reclamation/Closure Bond

Letter 824, Comment 6

The BLM must insure that General Moly or any other mine that may become involved in this project has the financial ability to perform on all mitigation needed for ALL aspects of this project. It is our belief that the mitigation measures outlined in this DEIS are meaningless without proper funding or securities in place.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-057-Funding for Reclamation/Closure Bond

Letter 824, Comment 7

The BLM needs to reevaluate the mitigation measures in all aspects of this DEIS.

Disposition: Other (SEE RESPONSE)

Response

The FEIS includes revised mitigation measures, which address comments made on the DEIS during the public comment period.

Letter 825 (F1) through Letter 833 (F1)

See Letter 248 for form letter text and response.

Letter 834

Comment 1

I strongly urge a NO ACTION ALTERNATIVE on this project.

Disposition: Comment acknowledged; does not provide new information

Response

CC-022-General Opposition to the Project

Letter 834, Comment 2

The Mount Hope open-pit mining project would be contrary to the mandates of the Wild Free-Roaming Horses and Burros Act of 1971.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 834, Comment 3

it would remove and impact countless thousands of acres of valuable habitat from, not only Wild Horses, but other wildlife as well. As we have seen from history, this kind of negative Impact reaches much further and lasts far longer than is apparent on the surface

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 834, Comment 4

The short-term, temporary gains rarely compensate for the long-term, irreplaceable losses.

Disposition: Comment acknowledged; does not provide new information

Response

Comment noted.

Letter 834, Comment 5

To draw that amount of water from the aquifer would negatively impact ALL life in and near the surrounding areas. That includes Human life, Animal life and Vegetable life. That would NOT MAINTAIN a thriving ecological balance.

Disposition: Already addressed in planning documents

Response

CC-064-Scope/Scale of Impacts in EIS

Letter 834, Comment 6

One foot and five foot water draw down maps must be created before any further decisions can be made concerning this project

Disposition: Comment acknowledged; does not provide new information

Response

CC-023-Ten-Foot Drawdown Contour

Letter 834, Comment 7

This project would be in violation of WFHBA, NEPA, the FEDERAL LAND POLICY AND MANAGEMENT ACT, the PUBLIC LANDS IMPROVEMENT ACT, and the MULTIPLE USE AND SUSTAINABILITY ACT, and is, therefore, not acceptable.

Disposition: Other (SEE RESPONSE)

Response

The analysis in the DEIS does not support the conclusion reached in the comment. No changes to the text of the FEIS have been made to address this comment.

Letter 834, Comment 8

You should adopt a NO ACTION ALTERNATIVE

Disposition: Comment acknowledged; does not provide new information

Response

CC-022-General Opposition to the Project

Letter 835

Comment 1

I strongly urge adoption of the NO ACTION alternative

Disposition: Comment acknowledged; does not provide new information

Response

CC-022-General Opposition to the Project

Letter 835, Comment 2

To do otherwise would violate the WFHBA on many points in addition to NEPA, since the proposed action would constitute a significant negative impact on the formerly healthy and vital Roberts Mountain Complex wild horse herd

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 835, Comment 3

When stating that there are "no natural predators" of wild horses found in the area you are misleading the public. The puma (Fells concolor) occurs here and is a significant natural predator of these animals. Coyotes may also take foals and other disadvantaged wild horses. These species should not be overlooked nor should our own species, members of which do frequently and illegally kill wild horses, either directly or indirectly.

Disposition: Factual correction made (SEE RESPONSE)

Response

CC-079-Wild Horse Predators

Letter 835, Comment 4

Your analysis lacks consideration of the negative ecological effects of the more shallow water table drainages, as would be caused by the huge open pit, trenches, as well as the short- and long-term toxic effects of chemicals used in crushed ore leaching and natural leaching of discarded crushed ores that involves sulfur and nitric acids. These ill-effects can last for centuries into the future

Disposition: Already addressed in planning documents

Response

CC-006-Local Hydrologic Model

Letter 835, Comment 5

You should do an analysis of both one-foot and five-foot drainages, including maps, for these affect many species, and it would prove very difficult to adequately mitigate for their pervasive ecological damages.

Disposition: Comment acknowledged; does not provide new information

Response

CC-023-Ten-Foot Drawdown Contour

Letter 835, Comment 6

You need to examine the mandate of the WFHBA to maintain a "Thriving Natural Ecological Balance" as per Section 3a. This unanimously passed Act represents the General Public's keen interest in our public lands and its, in fact, returned North American native wild horses and burros.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 835, Comment 7

The Mount Hope project would clearly upset this balance and, for this reason, needs to be cancelled

Disposition: Comment acknowledged; does not provide new information

Response

CC-001-General Support

Letter 835, Comment 8

In my opinion, this mining project jeopardizes the long-term health and viability of the herd and herds surviving here and in no way accords with Section 2c of the WFHBA. This section defines a legal herd area as "the amount of land necessary to sustain an existing herd or herds of wild free-roaming horses and burros ... and which is devoted principally but not necessarily exclusively to their welfare in keeping with the multiple use management concept for the public lands."

Disposition: Comment acknowledged; does not provide new information