

Response

CC-078-Impacts to Wild Horses

Letter 835, 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 836

Comment 1

any further lowering of the water table caused by E.M. will certainly cause the curtailment of farming on thousands of acres in D.V.,

Disposition: Comment acknowledged; does not provide new information

Response

CC-009-Water Rights

Letter 836, Comment 2

causing financial devastation to many familys unless there is adequate compensation

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-082-Mitigation to Water Resource Impacts

Letter 836, Comment 3

As these acres revert to weeds and rodents it will cause a huge environmental problem. These things will effect the future viability of our community.

Disposition: Other (SEE RESPONSE)

Response

Section 3.10.3 of the DEIS does disclose the potential impacts of noxious weeds and invasive species resulting from implementation of the Project. No changes to the text of the FEIS have been made to address this comment.

Letter 836, Comment 4

I am also concerned about air quality degradation in South Eureka Co.

Disposition: Already addressed in planning documents

Response

CC-112-Potential Impacts to Air Quality

Letter 837

Comment 1

Americans urgently need jobs. The project at Mount Hope will provide them. Please approve the preferred alternative as proposed in the Draft Environmental Impact Statement and help get Americans back to work.

Strike while the iron is hot! The proposed mine at Mt. Hope is ready to begin employing people and the timing couldn't be better. The resources market is favorable and Americans need good-paying jobs. General Moly is prepared to provide for both.

Disposition: Comment acknowledged; does not provide new information

Response

CC-001-General Support

Letter 838

Comment 1

This giant mine will have very significant long-term and irreparable adverse direct, indirect and cumulative impacts to sagebrush and pinyon-juniper wild land habitats that are critical for a host of native wildlife species. It will also deplete scarce aquifers, and reduce or kill altogether the surface expression of springs and streams in this very water-limited landscape. This will impact every component of the landscape - sage-grouse breeding, brood rearing, nesting and wintering habitats; habitats critical to pygmy rabbit populations; a Lahontan cutthroat trout stream and other intermittent and perennial flows; important untrammeled and highly scenic WSA lands; food, cover and space for wild horses; important cultural sites – and many other important elements of the environment. All the roads, transmission lines, increased human use and disturbance, as well as the impacts from the mine excavation and activity site, will radically alter this landscape and the habitat and viability of the biota that depend upon it.

Disposition: Other (SEE RESPONSE)

Response

The DEIS discloses the potential impacts from the implementation of the Proposed Action or the alternatives. No changes to the text of the FEIS have been made to address this comment.

Letter 838, Comment 2

We are very concerned that many of the issues that WWP addressed in Scoping comments for Three Bar EIS are not adequately examined in the Mount Hope DEIS. We have included these Three Bar comments, and the many concerns about elements of the environment and values of public lands that WWP raised in them and that Mount Hope, too, must grapple with.

Disposition: Other (SEE RESPONSE)

Response

Comments on the Three Bar EIS are beyond the scope of the EIS for the Mount Hope Project.

Letter 838, Comment 3

These concerns are especially pertinent to understanding all of the direct, indirect and cumulative adverse impacts associated with livestock grazing activities and management. Sage-grouse habitats and populations, pygmy rabbits, watersheds, springs, seeps, streams, upland vegetation communities – all are under great stress from the adverse impacts to soils, waters, watersheds, microbiotic crusts, native vegetation communities that are caused by the combined effects of historical and ongoing chronic grazing disturbances and other activities. See Connelly et al. (2004), Knick and Connelly (2009). Cultural sites are being altered and destroyed due to excessive erosion livestock trampling, etc. – and these processes expose artifacts to human vandalism, as well

Disposition: Other (SEE RESPONSE)

Response

The DEIS discloses the potential impacts from the implementation of the Proposed Action or the alternatives. No changes to the text of the FEIS have been made to address this comment.

Letter 838, Comment 4

Now the mine will impose a tremendous and intrusive human presence in the Eureka area. Wild landscape and tranquil areas are being destroyed by roads, night lights, transmission lines, noise. Wild space free from human disturbance is shrinking.

Disposition: Other (SEE RESPONSE)

Response

The DEIS discloses the potential impacts from the implementation of the Proposed Action or the alternatives. No changes to the text of the FEIS have been made to address this comment.

Letter 838, Comment 5

These Great Basin lands are under great stress from BLM vegetation treatments" that kill or alter native vegetation, further desertify the landscape, and provide inroads for weeds like cheatgrass to flourish. These weeds promote frequent fires, and a highly altered unnatural fire cycle. This all plays out in an arid landscape facing additional stresses from climate change processes.

Disposition: Other (SEE RESPONSE)

Response

This comment is beyond the scope of this EIS.

Letter 838, Comment 6

The New Hope mine will amplify all of these adverse effects.

Disposition: Other (SEE RESPONSE)

Response

The DEIS discloses the potential impacts from the implementation of the Proposed Action or the alternatives. No changes to the text of the FEIS have been made to address this comment.

Letter 838, Comment 7

A full accurate environmental baseline of the current setting, and the threats the Great Basin ecosystem faces, are just not provided in the Mount Hope EIS. It does not accurately or adequately portray the severity of degradation that exists, the extensive desertification caused by livestock grazing, or the risk that continued grazing and other disturbances pose to the native vegetation, native biota, and watersheds of this landscape.

Disposition: Other (SEE RESPONSE)

Response

CC-115-Baseline Conditions Used for Analysis

Letter 838, Comment 8

The DEIS's cumulative impacts analysis and land area encompassed is not adequate for understanding the full impacts to sage-grouse habitats and populations, as well as for many other rare, declining, and imperiled species. What, for example, is the current population of sage-grouse – including number of birds? How much connectivity exists between habitats and populations? How does this compare to conditions for all periods for which records were kept? How have active, historic, undetermined leks, lek locations bird numbers, etc. changed over time? What degree of interaction occurs between various PMUs here? Is this part of any Key habitat? Core habitat? Will the full footprint (noise, weeds, visual, water flow declines at springs many miles away, etc.) be considered for mitigation – or merely the acres bulldozed?

Disposition: Other (SEE RESPONSE)

Response

The BLM utilized the best available data to describe the affected environment and environmental consequences for greater sage-grouse in Section 3.23.2 and 3.23.3 of the EIS. No change has been made to the EIS in response to this comment.

Letter 838, Comment 9

It is not adequate for understanding groundwater depletion/aquifer drawdown. It is not adequate for understanding all of the other mining, oil and gas, geothermal, transmission and other activities that the affected sage-grouse habitats and populations, big game habitats and populations, and affected aquifers and watersheds face - both now, or that are foreseeable in the near future.

Disposition: Comment acknowledged; does not provide new information

Response

The BLM utilized the best available data to describe the affected environment and environmental consequences to groundwater, sage-grouse habitat and populations, big game habitat and populations, and potentially affected aquifers and watersheds. No change has been made to the EIS in response to this comment.

Letter 838, Comment 10

A SEIS should be prepared to fully provide an accurate baseline and risk assessment, and to develop suitable alternatives and mitigation. Unless the full impact of the mine development and activity is clearly understood, it will be impossible to determine:

- 1) Is mitigation even possible? For example, can these watersheds and aquifers really withstand even more stress and depletion without killing flows at springs?
- 2) How much, and what kind, of mitigation must be applied to maintain healthy, viable populations of sage-grouse, pinyon jay, ferruginous hawk, and other rare species over time?

Disposition: Other (SEE RESPONSE)

Response

Mitigation for impacts to surface water is provided in Section 3.2.3 and mitigation for wildlife impacts is provided in Section 3.23.3. No changes to the text of the FEIS have been made to address this comment.

Letter 838, Comment 11

In addressing mitigation for sage-grouse, for example, BLM must fully require analysis of the full range of threats (see Connelly et al. 2004, Knick and Connelly Studies in Avian Biology - the Sage -Grouse Monograph 2009, USFWS March 2010 Warranted But Precluded Finding for Greater Sage-grouse). What toll are the current battery of fences, roads, livestock water developments and pipelines, chronic livestock degradation of understories – taking on habitats now facing a mining and energy boom (Falcon-Gonder transmission and other lines, geothermal and just to the SE in Railroad Valley an oil and gas boom that may increase)?

Disposition: Comment acknowledged; does not provide new information

Response

CC-081-Analysis of Threats to Greater Sage-grouse

Letter 838, Comment 12

How can this project be compatible with all the conservation promises BLM leadership has been making about sensitive species, including sage-grouse that warrant ESA Listing??? Especially with all the impacts of the mining, geothermal and other booms that are right now occurring in this livestock-degraded landscape?

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-133-Greater Sage-grouse Lek Sensitive Receptors

Letter 838, Comment 13

BLM must provide full and detailed analysis of the exact land areas, the authorizations, and the numbers, date and effects to resources of all mining and energy exploration proposals that have been undertaken in or near the project area for the past 20 years. Where have all been conducted? Where has development occurred, and where is it foreseeable?

Disposition: Other (SEE RESPONSE)

Response

Section 4.2 of the EIS outlines the projects and activities that are considered in the cumulative impacts analysis. Figure 4.3.5 of the EIS shows the location of the minerals projects and Section 4.3.7 discloses these projects. Section 4.4 of the EIS discloses the potential cumulative impacts associated with the proposed Project. No changes to the text of the FEIS have been made to address this comment.

Letter 838, Comment 14

Destruction of sagebrush in this project will further alter, reduce and fragment any connectivity between sage-grouse and pygmy rabbit populations across much of the District, and between the various sage-grouse PMUs.

Full and detailed analysis of all affected sage-grouse PMUs, and their habitats and populations, must be provided. BLM must include estimates of population viability with continued rates of habitat loss and the accelerated mining and energy development fragmentation in the Region must be provided.

Please provide full analysis in a worst case scenario for mining and energy development here, and the effects that will have on sensitive species, perennial flows, recreational uses, cultural sites, etc.

Disposition: Comment acknowledged; does not provide new information

Response

CC-081-Analysis of Threats to Greater Sage-grouse

Letter 838, Comment 15

BLM must act to restore sagebrush in areas where it has been removed or highly degraded in lower elevations and valley floors – not by burning trees on 60 degree rocky slopes of ranges. Give all the mining activity, mitigation should include acquisition and retirement of grazing permits. For example, the molybdenum mine now owns 2 or more permits, doesn't it? Are these within the Project Area? These should be retired as part of this EIS process, so that microbiotic crusts, understories, and sagebrush can be restored. What mines or developers hold permits here? Which allotments?

Disposition: Analysis modified (SEE RESPONSE)

Response

Mitigation measures for pygmy rabbits (Mitigation Measure 3.23.3.3-9) and greater sage-grouse (Appendix D) include requirements for off-site sagebrush habitat improvement projects.

Letter 838, Comment 16

LCT Map: HOW much water is present, and where – in Vinini and the other restoration Creeks? How is mining affecting waters? How will foreseeable expanded mining also affect this? What is the perennial length of stream here? What are the flows? How will mining aquifer depletion affect this?

Disposition: Other (SEE RESPONSE)

Response

Project-related impacts to LCT are disclosed in Section 3.23.3.3.2. Cumulative impacts to LCT are disclosed in Section 4.4.21.

Letter 839

Comment 1

Until such time that one foot and five foot water draw down maps are created, how can a proper decision be made based upon the mandate of a "thriving ecological balance"?

Disposition: Comment acknowledged; does not provide new information

Response

CC-023-Ten-Foot Drawdown Contour

Letter 839, Comment 2

As the population numbers are already below genetic viability, the proposed impact to the affected wild horse HMA is simply not acceptable

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 839, Comment 3

In addition the populations in this area confined by boundary lines that include limited to no water, ANY move from those HMA's the impact to these areas, the repercussions to any future populations must be of primary focus since "multiple use" is mandated under law.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 839, Comment 4

Due to the fact this project will require 7,000 gallons of water per minute for the lifetime of proposed use, 40 to 50 years, and will remove more than 11,300 acre feet of water annually, this is simply NOT acceptable considering the already fragile sources available to the wild herds.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 839, Comment 5

Due to the known patters of movement of the horses in these three areas indicate the HMA boundary lines are flawed, and clearly the lack of water sources within the boundary lines indicate they were faulty at inception.

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

Response

CC-092-Wild Horse Movement Patterns within HMA

Letter 839, Comment 6

The proposed project overreaches considerable acreage within the three HMA's. Roberts Mountain along has over 13,000 acres with over 5,000 acres of proposed surface disturbance. Whistler Mountain HMA has more than 8,000 acres with more than 3,000 projected for surface disturbance. It should also be pointed out that Fish Creek as areas with affected surface disturbance.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 839, Comment 7

It is apparent this project does not/has not fully studied the impacts and potential areas for mitigation for the wild horses and burros. If the project is to be considered it is necessary to ensure that populations do not go any lower than they already are, and to ensure the horses do not lose any grazing acreage available to them.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 839, Comment 8

The "No Action" Alternative must be chosen until the full impacts to this legally mandated use is appropriately assessed. Thank you for considering my comments.

Disposition: Comment acknowledged; does not provide new information

Response

CC-022-General Opposition to the Project

Letter 840

Comment 1

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 840, Comment 2

The herds are already below genetic viability and the potential impact to water and legal grazing area is not acceptable.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 840, Comment 3

To formulate a record of decision without this information is inappropriate and negligent to the mandate of "thriving ecological balance." This project encroaches on considerable acreage within three HMA's.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 840, Comment 4

The known patterns of movement of these horses in these three areas indicates that HMA boundary lines were/are flawed. The lack of water sources within the boundary lines indicate they were faulty in their inception.

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

Response

CC-092-Wild Horse Movement Patterns within HMA

Letter 840, Comment 5

These boundary lines include limited to no water use. This is not acceptable considering the already fragile sources available to wild herds.

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

Response

CC-092-Wild Horse Movement Patterns within HMA

Letter 840, Comment 6

The project will require 7000 gallons of water per minute for the lifetime of the proposed use, and will remove more than 11,300 acre feet of water annually.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 840, Comment 7

If the project is to be considered new boundary lines should be mitigated to ensure that 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. This project does not fully study the impacts and potential areas for mitigation for Wild Horses.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 841

Comment 1

The proposed impact to the populations of effected wild horseHMA's is unacceptable. The population numbers are already below genetic viability and the potential impact to water and legal grazing area is not acceptable.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 841, Comment 2

One-foot and five-foot water draw down maps must be created before any decisions can be proposed for the project. To formulate a 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 841, Comment 3

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 841, Comment 4

As the populations in this area are confined (predominately re: Fish Creek) by boundary lines that include limited to no water and move from those HMA's the impact to these areas and consequence to any future populations must be of primary focus as "multiple use" is mandated under law.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 841, Comment 5

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 841, Comment 6

The known patterns of movement of these horses in these three areas indicates that HMA boundary lines were/are flawed. The lack of water sources within the boundary lines indicate they were faulty in their inception.

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

Response

CC-092-Wild Horse Movement Patterns within HMA

Letter 841, Comment 7

It is not enough to mitigate for spring repair after the projects construction phase has ended. If the project is to be considered new boundary lines should be mitigated to ensure that 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. In the event of impact that adjacent, equal acreage is provided.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 841, Comment 8

This project does not fully study the impacts and potential areas for mitigation for Wild Horses.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 841, Comment 9

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 842

Comment 1

We are writing in support of the General Moly Mt. Hope molybdenum mine in Eureka, Nevada.

As a drilling services provider, we understand the necessary scrutiny to ensure a mine project is environmentally sound. General Moly is committed to environmental stewardship and is known for strict compliance to established policies and regulations enforced by the State and Federal agencies and authorities. It's this consistent practice that we believe should earn them the Federal and State permits to commence with construction and begin operations.

While the mine opening could benefit our company, the direct benefit to the local and state economy is greater. At a time when our country is struggling it seems illogical to reject a project that can produce significant tax revenue and employment opportunities.

Please add our names to those who support the much needed start-up of General Moly's Mt. Hope project in Eureka. Thank you.

Disposition: Comment acknowledged; does not provide new information

Response

CC-001-General Support

Letter 843

Comment 1

Thank you for taking the time to read my comments regarding approval of the Preferred Alternative for the proposed molybdenum mine at Mount Hope.

There are many good reasons to support this mine and I hope it will be approved as soon as possible.

This EIS is finely crafted and deserving of approval. The progress this mine represents should not be hampered. It's time to get folks back to work!

The important thing is that the environmental impacts of the proposed mine at Mt Hope have been fully assessed by the BLM and that General Moly has been very concerned with conducting this project responsibly. Mining at Mt Hope is needed now to bring 400 good paying jobs to the area. I ask that you approve this plan in an expeditious manner.

Unlike other alternatives, the Proposed Alternative for the mine at Mt Hope should be supported. It takes into account the various factors of the project, such as water use and wildlife protection, while at the same time presenting a project that can be readily and profitably implemented. And the sooner this project is approved, the sooner we can put Americans to work.

Disposition: Comment acknowledged; does not provide new information

Response

CC-001-General Support

Letter 844

Comment 1

The proposed impact to the populations of affected wild horse HMA's is unacceptable. The population numbers are already below genetic viability and the potential impact to water and legal grazing area is not acceptable.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 844, Comment 2

One foot and five foot water draw down maps must be created before any decisions can be proposed for the project. To formulate a 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 844, Comment 3

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 844, Comment 4

As the populations in this area are confined (predominately re: Fish Creek) by boundary lines that include limited to no water and move from those HMA's, the impact to these areas and consequence to any future populations must be of primary focus as "multiple use" is mandated under law.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 844, Comment 5

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 844, Comment 6

The known patterns of movement of these horses in these three areas indicates that HMA boundary lines were/are flawed. The lack of water sources within the boundary lines indicate they were faulty in their inception.

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

Response

CC-092-Wild Horse Movement Patterns within HMA

Letter 844, Comment 7

It is not enough to mitigate for spring repair after the projects construction phase has ended. If the project is to be considered new boundary lines should be mitigated to ensure that 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. In the event of impact that adjacent, equal acreage is provided.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 844, Comment 8

This project does not fully study the impacts and potential areas for mitigation for Wild Horses.

Disposition: Comment acknowledged; does not provide new information

Response

CC-022-General Opposition to the Project

Letter 844, Comment 9

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 845

Comment 1

I am opposed to this project for the following reasons: Per the DEIS, the Mount Hope open-pit mining project would directly remove tens of thousands of acres of wild horse and other wildlife habitat and have wide ranching negative impact on adjoining areas.

Disposition: Comment acknowledged; does not provide new information

Response

Comment noted.

Letter 845, Comment 2

As we all know, water is a precious resource in Nevada and the amount of water this project would use simply not acceptable for this area. Not just wild horses would be affected, but other wildlife and livestock. However, we know that should there be reduction in the amount of available, potable water in the area, the wild horses will be among the first to be removed.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 845, Comment 3

This project realistically could violate the Wild Horse Protection Act which states that the horses be protected in the herd areas in which they were found in 1971 and, further, it violates the principle of that act. While I realize that precious minerals are needed for commerce, this project is simply in the wrong place.

Disposition: Other (SEE RESPONSE)

Response

Section 3.13 outlines the potential impacts to wild horses and potential mitigation for all the alternatives that are analyzed in the DEIS. No changes to the text of the FEIS have been made to address this comment.

Letter 845, Comment 4

I request that the NO ACTION alternative be chosen and that the BLM take its guardianship of the land seriously and not simply continue to act as a broker for special interests that have an undue negative impact on our public lands.

Disposition: Comment acknowledged; does not provide new information

Response

CC-022-General Opposition to the Project

Letter 846

Comment 1

It's with great enthusiasm that I write today in support of mining at Mount Hope. I urge approval of the preferred alternative that will get General Moly's Mt Hope mine off the ground and under construction. We need the jobs this mine will provide.

The Mt. Hope project is one of the world's largest and highest-grade deposits of undeveloped molybdenum. The property contains 1.3 billion pounds of proven and probable reserves. Developing this mine guarantees Americans can be put to work for years to come. It is estimated that this mine will operate for 80 years, ensuring a future for families in the surrounding area. Its development should be supported, the sooner the better.

Disposition: Comment acknowledged; does not provide new information

Response

CC-001-General Support

Letter 847

Comment 1

I am commenting on the proposal to grant permits of water rights to corporate uses in an already fragile eco-system such as our western deserts. this is unconscionable the Mt. Hope project going into Battle Mountain.... has been granted a permit for water by the state. It will use 7000 gallons of water per minute... (yes, per minute). BLM cannot grant the land use permit. if BLM "mitigates" the terms of the permit. The EIS calls for springs and solar wells to be added after the construction phase, but it fails to mitigate the areas of surface disruption and the effects on the horses migratory patterns in an area where VERY faulty HMA lines were drawn in the first place. They actually have the ability to "mitigate" additional acreage for forage as well as water resources, if you are to consider doing one you must do the second. WHB's are to be managed first on land use issues in accordance with the WHB act of 1971, we the American people are tired of seeing our wildlife as an after thought in land use planning and especially the abuses of the WHB lands, given to them by an entire act of Congress. We are also tired of having to sue for these rights and laws to be enforced. I respectfully ask you to take as much concern for the habitat and wildlife on these lands as you do for the financially driven endeavors.

Disposition: Other (SEE RESPONSE)

Response

Water rights in the State of Nevada are issued by the NDWR and are outside the jurisdiction of the BLM. Suggested mitigation that that is outside BLM's jurisdiction is provided in Section 3.26 of the EIS that may be required by other regulatory bodies that may have jurisdiction.

Letter 847, Comment 2

The proposed impact to the populations of effected wild horseHMA's is unacceptable. The population numbers are already below genetic viability and the potential impact to water and legal grazing area is not acceptable.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 847, Comment 3

One foot and five foot water draw down maps must be created before any decisions can be proposed for the project. To formulate a 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 847, 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 847, Comment 5

As the populations in this area are confined (predominately re: Fish Creek) by boundary lines that include limited to no water and move from those HMA's the impact to these areas and consequence to any future populations must be of primary focus as "multiple use" is mandated under law.

Disposition: Comment acknowledged; does not provide new information

Response

CC-079-Impacts to Wild Horses

Letter 847, Comment 6

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 847, Comment 7

The known patterns of movement of these horses in these three areas indicates that HMA boundary lines were/are flawed. The lack of water sources within the boundary lines indicate they were faulty in their inception.

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

Response

CC-092-Wild Horse Movement Patterns within HMA

Letter 847, Comment 8

It is not enough to mitigate for spring repair after the projects construction phase has ended. If the project is to be considered new boundary lines should be mitigated to ensure that 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. In the event of impact that adjacent, equal acreage is provided.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 847, Comment 9

This project does not fully study the impacts and potential areas for mitigation for Wild Horses

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 847, Comment 10

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 848

Comment 1

The proposed impact to the populations of effected wild horse HMA's is unacceptable. The population numbers are already below genetic viability and the potential impact to water and legal grazing area is not acceptable.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 848, Comment 2

One foot and five foot water draw down maps must be created before any decisions can be proposed for the project. To formulate a 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 848, Comment 3

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 848, Comment 4

As the populations in this area are confined (predominately re: Fish Creek) by boundary lines that include limited to no water and move from those HMA's the impact to these areas and consequence to any future populations must be of primary focus as "multiple use" is mandated under law.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 848, Comment 5

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 848, Comment 6

The known patterns of movement of these horses in these three areas indicates that HMA boundary lines were/are flawed. The lack of water sources within the boundary lines indicate they were faulty in their inception.

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

Response

CC-092-Wild Horse Movement Patterns within HMA

Letter 848, Comment 7

It is not enough to mitigate for spring repair after the projects construction phase has ended. If the project is to be considered new boundary lines should be mitigated to ensure that 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. In the event of impact that adjacent, equal acreage is provided.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 848, Comment 8

This project does not fully study the impacts and potential areas for mitigation for Wild Horses.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 848, Comment 9

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 849

Comment 1

The proposed impact to the populations of effected wild horseHMA's is unacceptable. The population numbers are already below genetic viability and the potential impact to water and legal grazing area is not acceptable.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 849, Comment 2

One foot and five foot water draw down maps must be created before any decisions can be proposed for the project. To formulate a 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 849, Comment 3

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 849, Comment 4

As the populations in this area are confined (predominately re: Fish Creek) by boundary lines that include limited to no water and move from those HMA's the impact to these areas and consequence to any future populations must be of primary focus as "multiple use" is mandated under law.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 849, Comment 5

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 849, Comment 6

The known patterns of movement of these horses in these three areas indicates that HMA boundary lines were/are flawed. The lack of water sources within the boundary lines indicate they were faulty in their inception.

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

Response

CC-092-Wild Horse Movement Patterns within HMA

Letter 849, Comment 7

It is not enough to mitigate for spring repair after the projects construction phase has ended. If the project is to be considered new boundary lines should be mitigated to ensure that 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. In the event of impact that adjacent, equal acreage is provided.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 849, Comment 8

This project does not fully study the impacts and potential areas for mitigation for Wild Horses.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 849, Comment 9

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 850

Comment 1

The proposed impact to the populations of effected wild horse HMA's is unacceptable. The population numbers are not at genetic viability now and the potential impact to water and legal grazing area is not acceptable.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 850, Comment 2

The horses must be the first thought as is required by Congress. Not the last thought after cattle, industry, mining, and energy. Remember "multiple use" is mandated under law.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 850, Comment 3

If the project is to be considered new boundary lines should be mitigated to ensure that 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. In the event of impact that adjacent, equal acreage is provided.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 850, Comment 4

Again, we see that the required consideration of the horses is not taken into account at all.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 850, Comment 5

We must be certain that the viability of the herds remain

Disposition: Comment acknowledged; does not provide new information

Response

Comment noted.

Letter 850, Comment 6

This study must be completed with no action taken at present and the effect on the wild horse and burro populations must be aggressively considered.

Disposition: Comment acknowledged; does not provide new information

Response

CC-022-General Opposition to the Project

Letter 851

Comment 1

The proposed impact to the populations of effected wild horseHMA's is unacceptable. The population numbers are already below genetic viability and the potential impact to water and legal grazing area is not acceptable.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 851, Comment 2

One foot and five foot water draw down maps must be created before any decisions can be proposed for the project. To formulate a 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 851, Comment 3

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 851, Comment 4

As the populations in this area are confined (predominately re: Fish Creek) by boundary lines that include limited to no water and move from those HMA's the impact to these areas and consequence to any future populations must be of primary focus as "multiple use" is mandated under law.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 851, Comment 5

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 851, Comment 6

The known patterns of movement of these horses in these three areas indicates that HMA boundary lines were/are flawed. The lack of water sources within the boundary lines indicate they were faulty in their inception.

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

Response

CC-092-Wild Horse Movement Patterns within HMA

Letter 851, Comment 7

It is not enough to mitigate for spring repair after the projects construction phase has ended. If the project is to be considered new boundary lines should be mitigated to ensure that 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. In the event of impact that adjacent, equal acreage is provided.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 851, Comment 8

This project does not fully study the impacts and potential areas for mitigation for Wild Horses.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 851, Comment 9

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 852

Comment 1

The project will remove more than 11,300 acre feet of water per year, 7000 gallons of water per minute for the lifetime of the proposed use of 40-50 years. This is not acceptable considering the already fragile water sources available to the wildlife species that depend on them for survival.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 852, Comment 2

The Environmental Impact Assessment of this project lists air, water, land, birds, endangered and threatened wildlife, weeds and even humans; basically anything living or naturally existing, as being possibly or definitely effected by this project. As the natural balance of our eco-system is very delicate, and water is such a precious resource to all living things, this information must not be ignored!

Further assessment is imperative!

Disposition: Comment acknowledged; does not provide new information

Response

The DEIS discloses the potential impacts from the implementation of the Proposed Action or the alternatives. No changes to the text of the FEIS have been made to address this comment.

Letter 852, Comment 3

Please, you must cancel the plans and choose the no action alternative for this project.

Disposition: Comment acknowledged; does not provide new information

Response

CC-022-General Opposition to the Project

Letter 853

Comment 1

The proposed impact to the populations of effected wild horse HMA's is unacceptable. The population numbers are already below what experts agree is an acceptable number for genetic viability and the potential impact to water and legal grazing area is also unacceptable.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 853, Comment 2

One foot and five foot water draw down maps must be created before any decisions can be proposed for the project. To formulate a 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 853, Comment 3

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 853, Comment 4

As the populations in this area are confined (predominately re: Fish Creek) by boundary lines that include limited to no water and move from those HMA's the impact to these areas and consequence to any future populations must be of primary focus as "multiple use" is mandated under law.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 853, Comment 5

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 unacceptable 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 853, Comment 6

The known patterns of movement of these wild horses in these three areas indicates that HMA boundary lines were/are flawed. The lack of water sources within the boundary lines indicate they were faulty in their inception.

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

Response

CC-092-Wild Horse Movement Patterns within HMA

Letter 853, Comment 7

It is not enough to mitigate for spring repair after the projects construction phase has ended. If the project is to be considered new boundary lines should be mitigated to ensure that 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. In the event of impact that adjacent, equal acreage is provided.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 853, Comment 8

This project fails to fully examine the impacts and potential areas for mitigation for Wild Horses.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 853, Comment 9

I strongly urge that the "No Action" Alternative 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 854

Comment 1

This project encroaches of considerable acreage with 3 HMA's. There will be significant surface disturbance that is not in the wild horse and burros best interest.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 854, Comment 2

Population numbers are already BELOW genetic viability and the potential impact to water and legal grazing area is Unacceptable.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 854, Comment 3

Before decisions can be proposed for this project, one foot and five foot water draw down maps must be created! It is inappropriate and negligent to the mandate of "thriving ecological balance" to formulate a decision without this information.

Disposition: Comment acknowledged; does not provide new information

Response

CC-023-Ten-Foot Drawdown Contour

Letter 854, Comment 4

It is unacceptable considering the already fragile sources available to wild herds to project to remove 11,300 acre of feet of water annually for this project.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 854, Comment 5

It is indicated that HMA boundary lines are/were flawed by the know patterns of movement of these horses in these 3 areas. The lack of water sources within the boundary lines indicate they were faulty at inception.

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

Response

CC-092-Wild Horse Movement Patterns within HMA

Letter 854, Comment 6

If the project is to be considered new boundary lines should be mitigated to ensure that populations do not get any lower than they are now. Mitigation needs to ensure that the horses do not lose ANY grazing acreage available to them. Equal acreage should be provided in the event of impact.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 854, Comment 7

This project does not fully study the impacts and potential areas for mitigation for Wild Horses.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 854, Comment 8

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 855

Comment 1

Of particular concern is the DEIS's insufficient analysis of the full impacts mining operations would have on public and private land natural resources,

Disposition: Other (SEE RESPONSE)

Response

The FEIS discloses the potential impacts that would result from the implementation of the Project. Where appropriate, the analysis in the FEIS has been revised to address comments on the DEIS submitted during the public comment period.

Letter 855, Comment 2

its unsatisfactory mitigation plan for lost resources

Disposition: Already addressed in planning documents

Response

CC-113-Project Mitigation and Monitoring

Letter 855, Comment 3

Please include Diamond Cattle Company on the mailing list for all information related to this project

Disposition: Other (SEE RESPONSE)

Response

The contact is included on the mailing list for the Mount Hope Project.

Letter 855, Comment 4

Additionally, please place on the mailing list our attorneys and range consultants. Their contact information is listed on the attached page.

Disposition: Other (SEE RESPONSE)

Response

The contact has been added to the mailing list.

Letter 855, Comment 5

The results of removing water sources from a desert environment will alter the function and health of both upland and riparian ecosystems. As owners of land and water rights within the area of impact, Diamond Cattle Company finds these impacts unacceptable. The DEIS is inadequate in its analysis of the effects of and mitigation for these impacts.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 6

Mitigation measures, as currently stated in the DEIS, are inadequate for handling the level of harm to water resources and water rights caused by the Project. Among the shortcomings of the DEIS is its failure to identify who will be responsible for funding the multitude of proposed mitigation plans. The FEIS should explicitly specify that the Project proponent will be responsible for the burden of all mitigation costs and retributive actions to restore water flow where water sources are impacted. The FEIS should further identify the Project proponent as the sole entity responsible for funding each aspect of mitigation procedures, including the design, permitting, installation, maintenance, and (if necessary) removal of range improvements until conditions have returned to pre-Project status. The FEIS should clearly state that bonding funds can be used for mitigation.

Disposition: Other (SEE RESPONSE)

Response

The mitigation measures under Section 3.2.3 of the FEIS have been revised to address various comments received regarding the DEIS. EML would be responsible for the implementation of any required mitigation, which would be a condition of any approval from the BLM and documented in a Record of Decision.

Letter 855, Comment 7

Additionally, mitigation measures do not include mechanisms that would allow or require them to be implemented in a timely manner. The time lapse between when a mitigation trigger is stimulated and when the mitigation plan is enacted could result in the permanent loss of riparian ecosystems and wildlife habitat. Delays in mitigation implementation could also result in the loss of entire seasons, possibly even years, of grazing use on a pasture. Likewise, many mitigation triggers would not require mitigation to be implemented until the water source was entirely dried up and/or vegetation changes had occurred.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-011-Monitoring and Mitigation

Letter 855, Comment 8

Vegetation change is a gradual response to water loss which occurs over a span of many years. Basing mitigation triggers on vegetation change invites delayed action and irresponsible resource management.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-082-Mitigation to Water Resource Impacts

Letter 855, Comment 9

A reduction or loss of water sources available for livestock use will substantially impact the ability of Diamond Cattle Company to utilize their grazing allotment as directed by the BLM. The DEIS fails to adequately analyze the impacts of

Disposition: Comment acknowledged; does not provide new information

Response

CC-031-Impacts to Surface Water Quantity

Letter 855, Comment 10

or provide mitigation for that reduction in livestock water.

Disposition: Other (SEE RESPONSE)

Response

Alternative water developments would be provided, where appropriate, for livestock and wild horses as stated in Appendix D.

Letter 855, Comment 11

Any reduction in distribution or quantity of water will result in impacts to management costs, livestock health and performance, and the ability to meet BLM grazing objectives. Distance to water, changes in utilization patterns and grazing distribution, changes in forage production due to decreased water availability, changes in forage palatability and nutrients, lower weaning weights for calves, and/or reduced body condition scores on livestock are all important factors in livestock management that will be impacted by the Project as it is proposed in the DEIS. The DEIS fails to address these factors. The FEIS must analyze them in detail.

Disposition: Comment acknowledged; does not provide new information

Response

CC-031-Impacts to Surface Water Quantity

Letter 855, Comment 12

the decrease in surface water availability will create added stress on wild horses and wildlife, thereby increasing the level of interaction and competition between domestic and wild species. The DEIS fails to adequately analyze how the needs of wildlife and wild horses will be met.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 855, Comment 13

Much of the mitigation focuses on providing additional water from an unidentified source. If the Project creates a shortage of water in one area, it is likely that other nearby resources will be similarly impacted. The DEIS states that groundwater in Diamond Valley is over-appropriated and in a state of decline. There is no excess water available and further removal of water from Diamond Valley will cause an irreversible and irretrievable commitment of resources. The other impacted water basins have similar conditions. Given the state of over-appropriation, where will the water necessary for the Project come from?

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-082-Mitigation to Water Resource Impacts

Letter 855, Comment 14

The DEIS fails to adequately analyze how forage needs for wildlife, wild horses, and livestock will be met when the Project reduces the quantity of available water.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 15

Currently, the most restrictive factor governing forage utilization is distance to drinking water. The DEIS does not analyze distance to water or its impact on forage availability.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-011-Monitoring and Mitigation

Letter 855, Comment 16

Furthermore, the DEIS is inadequate in its analysis of impacts that reduce available drinking water. As drinking water becomes less available, distance between water sources increases. This creates additional stress on forage that is within a reasonable distance of drinking water. The concentration of grazing animals around water sources reduces the usability of each pasture for livestock grazing and reduces the habitat value for wild horses and wildlife.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-011-Monitoring and Mitigation

Letter 855, Comment 17

Loss of forage due to restricted access to water is an indirect impact of the Project. The DEIS also identifies a direct impact to Diamond Cattle Company in the loss of 781 AUMs to the fenced portion of the Project. As with the indirect impacts, the DEIS fails to describe compensation for this hardship or identify how the loss will be offset.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-114- Livestock Mitigation Measures

Letter 855, Comment 18

Because further drawdown of Diamond Valley water would significantly and negatively impact every water user in Diamond Valley, the zone of impact for this project extends to every surface and groundwater user in Diamond Valley. The FEIS must assess impacts to every water user in Diamond Valley.

Disposition: Comment acknowledged; does not provide new information

Response

CC-009-Water Rights

Letter 855, Comment 19

The FEIS should also specify how the non-fresh water removed during dewatering activities will be put to beneficial use to ensure water resources are not wasted.

Disposition: Analysis modified (SEE RESPONSE)

Response

The water removed from pit dewatering would be fresh water and the text in Section 2.1.2.2 of the EIS has been revised to make this clear.

Letter 855, Comment 20

The FEIS must account for and consider the use and impact of all water used in the Project. Specifically, the FEIS should clarify how all water detained for the Project will be used and identify where the non-fresh water and fresh water will be used.

Disposition: Already addressed in planning documents

Response

The Plan of Operations states where fresh water would be sourced (and the EIS has used a computer model to assess the impacts of this water extraction). As described in the EIS (Section 2.1.2) the sources of non-fresh water are recycled water from the TSF and collected runoff, including runoff from the PAG WRDF and Low Grade Ore stockpile. No change has been made to the EIS in response to this comment.

Letter 855, Comment 21

The FEIS should identify the amount of water required for domestic consumption and stock water

Disposition: Comment acknowledged; does not provide new information

Response

The EIS evaluates potential impacts to existing water rights, including those for domestic and stock water uses. The existing water rights are included in the model and assumed to be pumped as part of the No Action and Cumulative Action, and these are included in the pumping amounts shown in Table 3.2-5. The duty of water rights that would potentially be affected by the proposed project are identified in Table 3.2-6c. Domestic use of groundwater less than 1800 gallons per day does not require a permit. Although these uses are insignificant in the context of other consumptive uses and the evaluation of potential impacts, one domestic well is within the area of the maximum ten-foot drawdown contour, as described in the EIS. No changes to the text of the EIS have been made to address this comment.

Letter 855, Comment 22

it should then specify how the Project will avoid impacting those minimum reservations

Disposition: Comment acknowledged; does not provide new information

Response

CC-009-Water Rights

Letter 855, Comment 23

The FEIS should describe what level of impacts to the reserved water sources will be acceptable

Disposition: Comment acknowledged; does not provide new information

Response

CC-009-Water Rights

Letter 855, Comment 24

how EML's activities will be curtailed if there is a negative effect on a reserved water source, and what mitigation measures will be required of EML if reserved water sources are impacted

Disposition: Comment acknowledged; does not provide new information

Response

CC-009-Water Rights

Letter 855, Comment 25

The FEIS should consider the effect of PWR 107 and address the impacts to minimum stream reservation requirements.

Disposition: Comment acknowledged; does not provide new information

Response

CC-009-Water Rights

Letter 855, Comment 26

The FEIS should specify how the study period ranked compared to the historic average in terms of climate and precipitation. Specifically, the FEIS should specify whether the timeframe "between 2005 and 2007" consisted of representative/average years or anomalies

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-004-Baseline Data Adequacy

Letter 855, Comment 27

The FEIS should identify the seasons/months of data collection. It is crucial that the FEIS state clearly when and how often sampling was conducted at each site

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-004-Baseline Data Adequacy

Letter 855, Comment 28

The FEIS should summarize the data, describing changes in water flow from season to season. If data was collected only during the dry season (summer/fall) at any site, the FEIS should also clarify this point and take into account differences in water flow levels throughout the year.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-004-Baseline Data Adequacy

Letter 855, Comment 29

Mitigation should likewise consider seasonal water flow patterns and fluctuations. It should not be assumed that replacing water sources in the spring with flow levels requisite for fall will be sufficient for supporting riparian vegetation, wildlife, wild horses, and livestock use.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-082-Mitigation to Water Resource Impacts

Letter 855, Comment 30

The FEIS must clarify how season and average climate and precipitation data relate to SRK's water resource information studies

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-004-Baseline Data Adequacy

Letter 855, Comment 31

The FEIS must delineate how these factors will be accounted for when determining landowners' and water right holders' compensation.

Disposition: Comment acknowledged; does not provide new information

Response

CC-009-Water Rights

Letter 855, Comment 32

The FEIS should specify each reason for selecting the ten-foot drawdown contour as an area of significance for assessing impacts to resources

Disposition: Comment acknowledged; does not provide new information

Response

CC-023-Ten-Foot Drawdown Contour

Letter 855, Comment 33

The FEIS should list all potential impacts to resources outside that drawdown area and rank the level of significance for each.

Disposition: Other (SEE RESPONSE)

Response

The comment is beyond the scope of analysis for this EIS.

Letter 855, Comment 34

If the five-mile radius was selected based on similar parameters in other reputable studies, these studies should be referenced. The FEIS should provide a detailed explanation of why a five-mile radius was selected for spring and seep studies. This explanation should either provide support for the five-mile radius model or include the admission that the chosen radius was insufficient to address all impacts to water resources and omitted many potentially impacted sites.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-004-Baseline Data Adequacy

Letter 855, Comment 35

The FEIS should consider use of a larger radius than five miles or consider and use the model to predict the drawdown, drying up, and otherwise "dewatering" of the aquifer

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-004-Baseline Data Adequacy

Letter 855, Comment 36

The FEIS should clearly state whether groundwater levels are expected to fully recover

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-012-Recovery of Ground Water Levels

Letter 855, Comment 37

The FEIS should also be clear in stating when the recovery process is expected to begin, how long it will take, and to what extent the waters will be recovered.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-012-Recovery of Ground Water Levels

Letter 855, Comment 38

The FEIS should provide mitigation triggers that reflect actual impacts to large animals. The current mitigation measures are inadequate for identifying harm to wildlife, wild horses, and livestock.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-011-Monitoring and Mitigation

Letter 855, Comment 39

The FEIS should either state, specifically, why the selected mitigation triggers were used or revise these triggers to reflect significant impacts to large animal use.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-011-Monitoring and Mitigation

Letter 855, Comment 40

The FEIS should clearly identify how much water will be piped to each source and how this will affect the total water requirements of the Project.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-082-Mitigation to Water Resource Impacts

Letter 855, Comment 41

The FEIS should also identify the source of the piped water.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-082-Mitigation to Water Resource Impacts

Letter 855, Comment 42

If water rights are required, the FEIS should identify how EML will obtain these rights.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-082-Mitigation to Water Resource Impacts

Letter 855, Comment 43

Additionally, the FEIS should specify the predicted/acceptable length of time allowable between the time mitigation is triggered and when the mitigation plan must be in operation.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-011-Monitoring and Mitigation

Letter 855, Comment 44

The FEIS should correct Table 3.2-9 to ensure that under mitigation all water sources retain their former function and usability. If this table is not corrected, the FEIS should clearly state the reason for limiting use to large game and describe the effects of limiting water sources in this way

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-011-Monitoring and Mitigation

Letter 855, Comment 45

Additionally, the FEIS should report the status of water rights of these springs and the impacts of restricting livestock use on those water rights.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-082-Mitigation to Water Resource Impacts

Letter 855, Comment 46

If the SRK (2008a) studies are used, the FEIS should consider whether this is adequate to determine "historic yield."

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-004-Baseline Data Adequacy

Letter 855, Comment 47

The FEIS should clarify that mitigation must restore water flow to impacted streams and springs

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-082-Mitigation to Water Resource Impacts

Letter 855, Comment 48

If a well and pump are installed and unable to restore sufficient water flow, the FEIS should require that additional mitigation be implemented until water is successfully restored to historic levels

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-011-Monitoring and Mitigation

Letter 855, Comment 49

The FEIS should also identify the party responsible for maintaining range improvements beyond the scope of the Project

Disposition: Comment acknowledged; does not provide new information

Response

CC-030-Range Improvements

Letter 855, Comment 50

The FEIS should state that the project proponent will be responsible for all costs associated with mitigation (of this impact and others). The FEIS should detail that EML will pay all design, permitting, installation, maintenance, and removal costs. These costs should be eligible to be paid out of bond funds should EML fail to pay for them otherwise.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-011-Monitoring and Mitigation

Letter 855, Comment 51

The FEIS should provide more clarity for this mitigation that includes the following: 1) a definition for "potentially affected water supplies,"

Disposition: Comment acknowledged; does not provide new information

Response

CC-009-Water Rights

Letter 855, Comment 52

a description of how the "financial guarantee" will be posted

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-057-Funding for Reclamation/Closure Bond

Letter 855, Comment 53

the means by which financial compensation will be awarded

Disposition: Comment acknowledged; does not provide new information

Response

CC-072-Mitigation Impacts to Water Users

Letter 855, Comment 54

the degree to which financial compensation will be awarded

Disposition: Comment acknowledged; does not provide new information

Response

CC-072-Mitigation Impacts to Water Users

Letter 855, Comment 55

The FEIS should specify, for instance, if the financial guarantee will be sufficient to cover failed attempts to replace water flow until a dependable method of water restoration is found.

Disposition: Comment acknowledged; does not provide new information

Response

CC-072-Mitigation Impacts to Water Users

Letter 855, Comment 56

The FEIS should address all long-term impacts to water sources and all indirect impacts related to the loss of water sources
Disposition: Comment acknowledged; does not provide new information

Response

CC-007-Regional Hydrological Model

Letter 855, Comment 57

The FEIS should require mitigation measures and/or alternate proposed actions that do not result in the total elimination of water sources.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-082-Mitigation to Water Resource Impacts

Letter 855, Comment 58

The FEIS should identify both how effects to areas outside the ten-foot drawdown contour
Disposition: Comment acknowledged; does not provide new information

Response

CC-023-Ten-Foot Drawdown Contour

Letter 855, Comment 59

how owners of unregistered domestic wells will be compensated

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-011-Monitoring and Mitigation

Letter 855, Comment 60

Owners of water rights should be compensated for any loss created by this project.

Disposition: Comment acknowledged; does not provide new information

Response

CC-072-Mitigation Impacts to Water Users

Letter 855, Comment 61

The FEIS should consider soil erodibility a significant impact and fully analyze the potential detriment to terrestrial and aquatic habitat as a result of soil erosion

Disposition: Other (SEE RESPONSE)

Response

Section 3.8.3.1 of the EIS includes two significance criteria regarding soil erosion. Section 3.8.3.3 of the EIS analyzes potential impacts from erosion and compaction. No change has been made in the EIS in response to this comment.

Letter 855, Comment 62

The FEIS should describe how increased soil erodibility will impact each of the 17 rangeland health indicators. Use of the rangeland health indicators is described in Interpreting Indicators of Rangeland Health Version 4 (Pellant et al., 2005).

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 63

The FEIS should also delineate mitigation for increased soil erodibility and fissure development. Mitigation should include compensation for lost forage, habitat, and drinking water sources for wildlife, wild horses, and livestock.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 64

Mitigation should also consider the loss of soils and the impact to aquatic habitat.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 65

It should be noted that a substantial omission of the DEIS is that it does not cite Interpreting Indicators of Rangeland Health Version 4. All rangeland aspects discussed in the FEIS should be analyzed based on this interagency technical document

Disposition: Other (SEE RESPONSE)

Response

CC-115-Baseline Conditions Used for Analysis

Letter 855, Comment 66

The impacts to each of the 17 indicators of ecological integrity prescribed by the reference should be analyzed for the changes predicted to occur with each alternative.

Disposition: Other (SEE RESPONSE)

Response

CC-115-Baseline Conditions Used for Analysis

Letter 855, Comment 67

The DEIS includes the objective to "increase AUMs available to wildlife by 5,601 AUMs and to improve 34,939 acres of big game habitat to good condition" (p. 4-38, PDF 797, ¶1). Roberts Mountain Allotment alone is anticipated to "provide habitat to support 2,450 AUMs of big game use" according to Table 4.3-1 (p. 4-34, PDF 793). However, the DEIS fails to provide any historical basis for these objectives. The DEIS also fails to specify how these objectives pertain to the Mount Hope Project.

The FEIS should analyze present big game habitat and historical use and then provide quantified support for the proposed increase in big game habitat.

Disposition: Already addressed in planning documents

Response

CC-123-Analysis of Big Game and Livestock Habitat

Letter 855, Comment 68

The FEIS should clearly define "good condition" as it relates to big game habitat

Disposition: Other (SEE RESPONSE)

Response

The terms "good condition" and "excellent condition" utilized in Section 4.3.4 of the EIS are identified in the Shoshone-Eureka, Egan, and Elko Rangeland Program Summaries. No change has been made in the EIS in response to this comment.

Letter 855, Comment 69

The FEIS should also report an inventory of the current range conditions.

Disposition: Already addressed in planning documents

Response

CC-123-Analysis of Big Game and Livestock Habitat

Letter 855, Comment 70

The FEIS should provide sampling data and analysis to support these conditions and objectives.

Disposition: Already addressed in planning documents

Response

CC-123-Analysis of Big Game and Livestock Habitat

Letter 855, Comment 71

The FEIS should also clearly define what constitutes both "good" and "excellent" big game habitat conditions

Disposition: Already addressed in planning documents

Response

CC-123-Analysis of Big Game and Livestock Habitat

Letter 855, Comment 72

In addition, the FEIS should provide an inventory of the current condition of big game habitat

Disposition: Comment acknowledged; does not provide new information

Response

The BLM utilized the best available data for big game habitat in Sections 3.15.2.2, 3.23.2.2, and 4.3.4.1 in the EIS. No change has been made in the EIS in response to this comment.

Letter 855, Comment 73

The FEIS should include an analysis of how each of the indicators of rangeland health would be impacted by this shift in vegetation type. Use of the rangeland health indicators is described in Interpreting Indicators of Rangeland Health Version 4 (Pellant et al., 2005).

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 74

The FEIS should include descriptions of how the salt desert scrub ecosite responds to water decreases. Specifically, the FEIS should address the predicted changes in vegetation (production, species composition, functional and structural groups, plant mortality and decadence, and litter amount),

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 75

the likelihood of erosion (wind and water)

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 76

the risk of compaction

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 77

the changes in invasive species dynamics

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 78

the reproductive capability of perennial plants

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 79

The FEIS should also detail the impacts of these predicted changes on wildlife habitat

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 80

livestock grazing

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 81

recreational uses of the site

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 82

The DEIS includes three references to the BLM Key Management Areas (KMAs) and each reference is specific to the discussion of wild horses (p. ES-32, PDF 56; p. 3-415, PDF 531; and p. C-8, PDF 963). The failure of the DEIS to address impacts to KMAs under other pertinent sections—Vegetation Resources; Noxious Weeds, Invasive and Nonnative Species; Wetland and Riparian Zones; Livestock Grazing and Production; and Land Use—is a significant exclusion and elicits questions as to what other important factors were omitted. KMAs are important aspects of the rangeland monitoring process. They provide valuable long- and short-term data to track rangeland health, livestock, wildlife, wild horse utilization, noxious and invasive weed impacts, and other land use patterns. The FEIS should acknowledge that one KMA will be fenced within the Project Area and two will be directly impacted by the well field. The FEIS should address the full impacts to these KMAs and the direct and indirect consequences of affecting these valuable monitoring sites. These acknowledgements should be made in each of the above-mentioned sections and addressed as they apply to each section.

Disposition: Already addressed in planning documents

Response

CC-086-Impacts to Key Management Areas

Letter 855, Comment 83

The DEIS states "EML would avoid the BLM's Key Management Areas for vegetation monitoring established near Mount Hope and in Kobeh Valley" (p. 3-415, PDF 531, ¶7; p. C-8, PDF 963, ¶1). However, two KMAs are located within the well field portion of the Project Area and one KMA is within the fenced portion of the Project Area.

The FEIS should acknowledge that the Mount Hope Project will impact KMAs and it should address, in detail, how these impacts will affect vegetation monitoring, data collection, and management practices.

Disposition: Already addressed in planning documents

Response

CC-086-Impacts to Key Management Areas

Letter 855, Comment 84

The FEIS should provide a full analysis of the impact of a shift from riparian vegetation to upland vegetation on wildlife, wildlife habitat

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 85

wild horse grazing, wild horse behavior

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 86

livestock grazing, and livestock utilization patterns

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 87

Within each respective section, the FEIS should thoroughly address how the drawdown, and the long-term/permanent loss of water sources and riparian areas, will affect each pertinent resource—soil resources (Section 3.8),

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 88

vegetation resources (Section 3.9)

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020- Impacts to Phreatophytes

Letter 855, Comment 89

noxious weeds, invasive and nonnative species (Section 3.10)

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 90

wetlands and riparian zones (Section 3.11)

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 91

livestock grazing and production (Section 3.12)

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 92

wild horses (Section 3.13)

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 93

land use (Section 3.14)

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 94

The FEIS should clearly state what information will be evaluated by the BLM to determine mitigation requirements, as well as who will collect the information and what methods will be used for data collection. In addition, the FEIS should identify the parameters the BLM will use for determining when mitigation is required.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-011-Monitoring and Mitigation

Letter 855, Comment 95

the FEIS should include a timescale for mitigation and require EML to submit a successful mitigation plan. By failing to pass a mitigation plan, the BLM should not absolve EML's duty to submit a plan. EML should be required to continue submissions until a reasonable plan is accepted. A successful plan should be implemented within one month of failing to meet significance criteria.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-011-Monitoring and Mitigation

Letter 855, Comment 96

The FEIS should clarify the four inconsistencies regarding acreage with potential for surface disturbance and identify how RFFA acreages would be impacted

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-083-Project-Related Acreage Disturbance

Letter 855, Comment 97

The FEIS should also clearly identify each disturbance that would comprise the total 8,318 acres of surface disturbed land and the number of acres impacted by each disturbance, i.e., the number of acres disturbed by the well field, roads, powerlines, and other utilities.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-083-Project-Related Acreage Disturbance

Letter 855, Comment 98

Furthermore, the FEIS should be clear in describing the extent to which acreage will be disturbed and how these acres will be reclaimed.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-083-Project-Related Acreage Disturbance

Letter 855, Comment 99

The FEIS should identify how the 14,796 acres outside the fenced area will be utilized and how they will be impacted, namely if fences, pipelines, roads, or other structures will divide, disturb, or impact the land.

Disposition: Already addressed in planning documents

Response

CC-036-Fences and Berms

Letter 855, Comment 100

If any surface disturbance will occur outside the fenced portion, the FEIS should be clear in describing how many acres will be disturbed, how they will be disturbed, and what will be the reclamation measures.

Disposition: Already addressed in planning documents

Response

CC-087-Surface Disturbance Associated with Fencing

Letter 855, Comment 101

Restricting access by fencing 14,204 acres is a disturbance that impacts wildlife, wild horses, and livestock; therefore, the FEIS needs to analyze the full impacts to acres within the fenced area which do not have anticipated surface disturbance associated with them

Disposition: Already addressed in planning documents

Response

CC-087-Surface Disturbance Associated with Fencing

Letter 855, Comment 102

The FEIS should specify how changes to the phreatophytic community will impact wildlife, wild horses, and livestock.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 103

In addition, the FEIS should describe mitigation for such changes.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 104

The FEIS should include mitigation for both preventative and corrective measures regarding weed control. Mitigation should include a plan to mitigate for failed reclamation or noxious/invasive species establishment despite reclamation efforts.

Disposition: Already addressed in planning documents

Response

CC-084-Weed Control Mitigation

Letter 855, Comment 105

The FEIS should describe, in detail, how long weed control will continue beyond the scope of the project.

Disposition: Already addressed in planning documents

Response

CC-084-Weed Control Mitigation

Letter 855, Comment 106

The FEIS should require monitoring for and control of weeds to continue until the reclamation phase is complete or beyond.

Disposition: Already addressed in planning documents

Response

CC-084-Weed Control Mitigation

Letter 855, Comment 107

The FEIS should require mitigation that is both preventative and responsive to affected upland areas in addition to riparian regions. Mitigation should include weed control and monitoring along pipelines, transmission lines, roads, and the perimeter of the Project Area.

Disposition: Factual correction made (SEE RESPONSE)

Response

CC-085-Preventive Weed Control Mitigation

Letter 855, Comment 108

The FEIS should also include plans for identification and control of noxious weeds

Disposition: Already addressed in planning documents

Response

CC-084-Weed Control Mitigation

Letter 855, Comment 109

The FEIS should identify the impacts associated with increased invasive species density and distribution
Disposition: Other (SEE RESPONSE)

Response

Section 3.10.3.3 of the EIS discloses impacts associated with increased species density and distribution.

Letter 855, Comment 110

The FEIS should likewise identify mitigation plans for invasive species which are not classified as noxious, but are damaging to the ecosystem (e.g., cheatgrass, halogeton, annual bromes, invasive thistles, and similar species).
Disposition: Other (SEE RESPONSE)

Response

As described in Section 3.10.3.3 in the EIS, revegetation would reduce the potential of introduction and spread of invasive species.

Letter 855, Comment 111

The FEIS should suggest alternate seed mixes better suited to the region and ecosystem variation.
Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 112

The FEIS should identify the criteria the BLM will utilize in selecting a seed mix to be used for reclamation efforts.
Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 113

The FEIS should also clearly define the conditions under which a salt scrub mix would be selected for reseeding
Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 114

Further, the FEIS should describe, in detail, the effect this change in vegetation would have on ecosystem function, wildlife habitat and foraging, wild horse use, and livestock use.
Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 115

The FEIS should clarify that initial reclamation attempts must be successful otherwise subsequent attempts should be adjusted until success is achieved. The FEIS should clarify that the mere attempt to reclaim land is inadequate; reclamation must successfully establish healthy, perennial vegetation before EML's responsibilities are completed.
Disposition: Other (SEE RESPONSE)

Response

EML would be required to conduct successful reclamation, as assessed by the BLM, per 43 CFR 3809 regulations. No changes to the FEIS have been made to address this comment.

Letter 855, Comment 116

The FEIS should clarify that wetlands outside the Project Area will be impacted by the drawdown
Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 117

The area impacted will be much larger than indicated by the ten-foot contour, and the study region should be expanded to include all wetlands within a one-foot drawdown area. The FEIS should identify all wetlands within a one-foot drawdown contour.
Disposition: Comment acknowledged; does not provide new information

Response

CC-096-Ten-Foot Isopleth

Letter 855, Comment 118

The FEIS should further identify full impacts to each wetland within the one-foot contour, including the loss of surface and subsurface moisture, changes in vegetation, and changes in ecosystem function.
Disposition: Comment acknowledged; does not provide new information

Response

CC-023-Ten-Foot Drawdown Contour

Letter 855, Comment 119

The FEIS should state if the drawdown is expected to recover or if the impacts are permanent
Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 120

and it should outline mitigation for both situations
Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 121

The FEIS should also describe how the BLM will determine which seed mix to use to mitigate lost vegetation and provide a description of the species in each seed mix.
Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 122

The FEIS should specify harm to all riparian and wetland communities that could potentially be impacted by the drawdown. The ten-foot drawdown contour should be a minimum analysis. Studies should be extended to include impacts to all areas within a one-foot drawdown contour and continue to the headwater of each impacted stream.
Disposition: Comment acknowledged; does not provide new information

Response

CC-023-Ten-Foot Drawdown Contour

Letter 855, Comment 123

The FEIS should include mitigation for the entire impacted area, rather than limiting mitigation to the ten-foot contour area.
Disposition: Comment acknowledged; does not provide new information

Response

CC-096-Ten-Foot Isopleth

Letter 855, Comment 124

The FEIS should rectify the exclusion of riparian and wetland areas from the list of components eligible for monitoring. The components list should add monitoring for all wetlands and riparian areas within a one-foot drawdown contour
Disposition: Comment acknowledged; does not provide new information

Response

CC-096-Ten-Foot Isopleth

Letter 855, Comment 125

The monitoring plan should also specify that monitoring will be proactive (begin prior to the commencement of the Project) and continue throughout the Project life and reclamation period

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-011-Monitoring and Mitigation

Letter 855, Comment 126

The FEIS should describe in detail when, where, and how monitoring will be conducted on each component.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-011-Monitoring and Mitigation

Letter 855, Comment 127

The FEIS should state with which "state permits and other plans" monitoring will comply.

Disposition: Other (SEE RESPONSE)

Response

Section 1.6 of the EIS outlines the permits that would be required for the Project. Specific monitoring provisions under each of those permits would be established and enforced by the respective agencies.

Letter 855, Comment 128

The FEIS should assess, in detail, how the loss of riparian vegetation will impact infiltration, runoff, soil erosion, and ecosystem function.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 129

Mitigation should address each of these impacts.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 130

Table 4.3-1 within the DEIS refers to utilization of riparian habitat in Roberts Mountain Allotment; it includes an objective that states that "utilization of riparian habitat to be improved would not exceed 50 percent on key species" (p. 4-34, PDF 794). Utilization is a subjective form of data collection, which must be conducted in a consistent, repeatable manner on representative locations to be reliable.

The FEIS should specify how sampling locations will be selected, require that sampling be conducted at the same locations in the future, and identify the specific procedure employed for utilization studies. Furthermore, the FEIS should specify which key species will be measured for utilization at each location.

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

Response

CC-090-Analysis in Table 4.3-1

Letter 855, Comment 131

Table 4.3-1 (p. 4-34, PDF 793) provides the short-term objective to "improve 15 miles of riparian or aquatic habitat to good condition.." However, the DEIS fails to state how the riparian areas will be improved. The DEIS also fails to define "good condition" as it relates to riparian and aquatic habitat.

The FEIS should specify the techniques that will be employed to bring about this improvement. If acreage is to be fenced for improvement by excluding wild horse and livestock grazing, the FEIS should be clear in its analysis of how such improvements will

impact the habitat, distribution, and grazing of wildlife, wild horses, and livestock. The FEIS should clearly define "good condition" as it pertains to riparian and aquatic habitat. The FEIS should also provide an inventory of the current condition of the riparian or aquatic habitat.

The FEIS should clearly define condition scores for each category for which they are used, describe how the scores were determined, and explain how the scores will be used.

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

Response

CC-090-Analysis in Table 4.3-1

Letter 855, Comment 132

The FEIS should identify and analyze all impacts to livestock, both direct (loss of 781 AUMs) and indirect (impacts of drawdown).

Disposition: Already addressed in planning documents

Response

CC-121-Livestock Impacts

Letter 855, Comment 133

The FEIS should include the provision that riparian vegetation be reestablished within the same grazing allotment from which it was disturbed.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-102-Riparian Vegetation Reclamation

Letter 855, Comment 134

It should also require that reclamation efforts be continued until riparian vegetation is successfully reestablished.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-102-Riparian Vegetation Reclamation

Letter 855, Comment 135

The FEIS should detail the proposed pipeline carefully. Specific elements that should be addressed include the following: 1) the number of acres to receive supplemental water for riparian vegetation support

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-059-Impacts of Mitigation Implementation

Letter 855, Comment 136

an analysis of the impacts of the pipeline in conjunction with the benefits, 3) a clarification of the lifespan of the pipeline and the state of the riparian area if/when pipeline maintenance is discontinued, and 4) a description of how the riparian system will be impacted if the pipeline is unable to provide adequate water or if water supply is reduced or eliminated.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-059-Impacts of Mitigation Implementation

Letter 855, Comment 137

Furthermore, the FEIS should carefully detail subsequent action required if mitigation attempts are unsuccessful in restoring riparian and wetland areas (p. 3-389, PDF 508; p. C-6, PDF 962).

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-102-Riparian Vegetation Reclamation

Letter 855, Comment 138

The FEIS should state for whom these improvements are authorized, who will pay for them, and where they will be located

Disposition: Comment acknowledged; does not provide new information

Response

CC-030-Range Improvements

Letter 855, Comment 139

The FEIS should also state who paid for past range improvements, who retains ownership, and how they will be reimbursed if the improvements are removed, altered, or rendered useless by groundwater drawdown or other mine-related impacts.

Disposition: Comment acknowledged; does not provide new information

Response

CC-030-Range Improvements

Letter 855, Comment 140

The FEIS should correctly report impacts to range improvements resulting from the Proposed Action

Disposition: Comment acknowledged; does not provide new information

Response

CC-030-Range Improvements

Letter 855, Comment 141

and those resulting from the Partial Backfill Alternative under the respective section

Disposition: Other (SEE RESPONSE)

Response

The text in Impact 3.14.3.5-1 in the EIS has been revised to read, "Public lands ... the Project. The Partial Backfill Alternative would result in ...".

Letter 855, Comment 142

The FEIS should clearly state whether there will be impacts to range improvements under each alternative. If impacts are anticipated, the FEIS should identify which range improvements would be impacted, how they would be impacted, and how impacts would differ under each alternative.

Disposition: Comment acknowledged; does not provide new information

Response

CC-030-Range Improvements

Letter 855, Comment 143

For each impacted range improvement, the FEIS should identify whom these changes will affect and how they will be mitigated.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-114- Livestock Mitigation Measures

Letter 855, Comment 144

The FEIS should identify the impacts of perimeter fencing, roads, well fields, surface disturbances, and/or drawdown on each range improvement.

Disposition: Comment acknowledged; does not provide new information

Response

CC-030-Range Improvements

Letter 855, Comment 145

The FEIS should provide measurable thresholds for the significance criteria that clearly identify what changes in livestock grazing will be considered significant and detail measurement protocols.

Disposition: Other (SEE RESPONSE)

Response

CC-124- Significant Thresholds for Grazing

Letter 855, Comment 146

The FEIS should also define how impacts to livestock grazing will be measured, namely, whether distance to water, changes in utilization patterns and grazing distribution, changes in forage production due to decreased water availability, changes in forage palatability and nutrients, lower weaning weights for calves, and/or reduced body condition scores on livestock will be determining factors

Disposition: Already addressed in planning documents

Response

CC-121-Livestock Impacts

Letter 855, Comment 147

In addition, the FEIS should describe mitigation for situations that exceed the significance criteria by defining how livestock owners will be compensated.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-114- Livestock Mitigation Measures

Letter 855, Comment 148

The FEIS should clarify how harassment will be determined "undue" and how changes in livestock grazing patterns will be addressed under "undue harassment."

Disposition: Other (SEE RESPONSE)

Response

CC-124- Significant Thresholds for Grazing

Letter 855, Comment 149

The FEIS should further delineate how livestock owners will be compensated should "undue harassment" occur. Specifically, if livestock cease to use a portion of any pasture due to disturbance, traffic, noise, or other mine-related practices, the FEIS should spell out all mitigation measures and schedules.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-114- Livestock Mitigation Measures

Letter 855, Comment 150

Additionally, the FEIS should analyze how impacts to livestock grazing—including harassment, reduced water availability, and reduced forage availability—will interact and compound over time.

Disposition: Already addressed in planning documents

Response

CC-121-Livestock Impacts

Letter 855, Comment 151

The FEIS should also define what mitigation will occur for each of the predicted impacts.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-114- Livestock Mitigation Measures

Letter 855, Comment 152

The FEIS should protect the permittees' ability to recover AUMs for all but the 734 acres permanently removed from use by disturbance. The FEIS should state that this acreage will be made available once reclamation efforts are complete. If reclamation is successful in fewer than 30 years, livestock should be allowed to begin grazing the reclaimed land sooner.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-122-Recovery of Temporarily Lost AUMs

Letter 855, Comment 153

The FEIS should detail the steps that will occur to determine if livestock can return to the reclaimed land earlier than 30 years.
Disposition: Analysis modified (SEE RESPONSE)

Response

CC-122-Recovery of Temporarily Lost AUMs

Letter 855, Comment 154

The FEIS should include an economic analysis of the loss of these AUMs. The analysis should include the immediate and long-term cost of lost production, the decrease in total ranch value, and a description of how these costs will be mitigated
Disposition: Analysis modified (SEE RESPONSE)

Response

CC-034-AUM Reductions

Letter 855, Comment 155

The FEIS should address the decreased value of each ranch impacted by the mine in terms of aesthetic value, water availability, increased management costs, increased risks, and decreased AUMs.

Disposition: Comment acknowledged; does not provide new information

Response

The EIS discloses potential impacts to water availability (Section 3.2.3), aesthetic values (Section 3.7.3), and decreased AUMs (Section 3.12.3). The comment on increased risk is too vague to allow for a direct response. The BLM does not have sufficient information (and none was provided by the commenters) on individual ranch operations to assess management costs. No changes to the text of the EIS have been made to address this comment.

Letter 855, Comment 156

The FEIS should include an analysis of impacts of the well field and associated disturbances on livestock grazing. The well field and any fences, barriers, restrictive features, pipelines, pits, surface disturbances, and human activity that could disrupt grazing outside the fenced portion of the Project Area should be described and impacts analyzed for each alternative. The FEIS should describe the areas of disturbance in terms of acres and AUMs lost or disturbed, temporarily or permanently.

Disposition: Already addressed in planning documents

Response

CC-121-Livestock Impacts

Letter 855, Comment 157

The FEIS should clearly detail how livestock could potentially access the pit lake while horses could not. Alternatively, if the pit lake is a viable water source for livestock and/or wild horses, the FEIS should analyze the full impacts of using that pit lake as a drinking water source.

Disposition: Already addressed in planning documents

Response

CC-032-Pit Lake Affects to Animals

Letter 855, Comment 158

The FEIS should further detail whether the impoundments will be fenced or surrounded by a berm.

Disposition: Already addressed in planning documents

Response

CC-036-Fences and Berms

Letter 855, Comment 159

The FEIS should fully analyze available water sources in the pasture containing the pit lake.

If the pit lake is available as a water source and no other water sources are available in that pasture or if other water sources have dried up as a result of the drawdown, the FEIS needs to detail the toxicological risks to livestock, wild horses, and wildlife watering exclusively out of the pit lake.

Disposition: Already addressed in planning documents

Response

CC-032-Pit Lake Affects to Animals

Letter 855, Comment 160

The FEIS should also detail the pit lake's construction to determine if horses and/or livestock could be reasonably expected to use the pit lake as a drinking water source

Disposition: Already addressed in planning documents

Response

CC-036-Fences and Berms

Letter 855, Comment 161

The FEIS should detail any potential drowning hazards due to bank slope, depth of pit, and bank stability should an animal get past the "physical perimeter barricade" and reach the pit lake

Disposition: Already addressed in planning documents

Response

CC-032-Pit Lake Affects to Animals

Letter 855, Comment 162

If the pit lake will not be available as a watering source for livestock or wild horses and/or if the physical barrier will sufficiently remove any chance of livestock or wild horse watering in the pit lake, the FEIS needs to describe the impacts of prohibiting access to that water source.

Disposition: Already addressed in planning documents

Response

CC-032-Pit Lake Affects to Animals

Letter 855, Comment 163

The FEIS should describe alternate water sources and the impact of each project alternative on the quality, quantity, and reliability of each alternate water source. This analysis should include how water availability will impact season of use, length of use, and number of animals occupying the pasture at one time.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-011-Monitoring and Mitigation

Letter 855, Comment 164

The DEIS is unclear in its statement that "livestock grazing is expected to continue at management levels established in the various grazing allotments including the vicinity of the Proposed Action" (p. 4-21, PDF 782, ¶6). Does the term "management levels" refer to the current stocking rates or a level determined after the land use changes are initiated by the project?

The FEIS should define how "management levels" will be determined and outline them by number of AUMs. The FEIS should provide a table of AUMs for each pasture in each impacted allotment to illustrate the change in AUMs before and after operations have begun at the mine. The table should include a prediction of the change in AUMs resulting from lost water sources, changes in grazing distribution, and decreases in grazing use despite feed availability.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 165

Table 4.9-1, Irreversible and Irrecoverable Commitment of Resources by the Proposed Action, does not give due explanation regarding impacts to livestock grazing and production; it only mentions the Project will result in the loss of 781 AUMs (p. 4-102, PDF 857). It does not include how long the AUMs will be lost, nor does it mention loss of forage or riparian areas or water sources.

In the FEIS, Table 4.9-1 should reflect that the damage to wild horses and livestock will be nearly equivalent.

Disposition: Already addressed in planning documents

Response

CC-123-Analysis of Big Game and Livestock Habitat

Letter 855, Comment 166

The FEIS should define the term "local" and provide specific direction for mitigation measures to be taken by EML regarding lost AUMs. This mitigation description should specify how EML will compensate permittees for AUMs lost directly as a result of the 14,209 fenced acres and the AUMs lost indirectly due to water becoming unavailable within pastures.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-114- Livestock Mitigation Measures

Letter 855, Comment 167

The FEIS should include mitigation for livestock owners impacted by the loss of water sources as a result of the drawdown. In addition to plans for piping, pumping, or otherwise supplying water, mitigation for depleted water sources should include plans for compensating livestock owners for water stress to livestock when water supplies are inadequate, inconsistent, and/or incapable of being replaced. Mitigation should consider that livestock grazing use is highest within one mile of water on flat ground.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-020-Impacts to Phreatophytes

Letter 855, Comment 168

The FEIS should include mitigation for a loss of AUMs resulting from inadequate water sources to support grazing throughout the allotment.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-118-Range Mitigation

Letter 855, Comment 169

The FEIS should clarify that mitigation for many water sources will preclude livestock use. The FEIS should be clear in its explanation that current mitigation for impacted water sources does not mitigate impacted livestock water sources.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-118-Range Mitigation

Letter 855, Comment 170

The FEIS should include a section detailing mitigation specific to livestock water sources.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-118-Range Mitigation

Letter 855, Comment 171

The FEIS should describe where the BLM will erect and disassemble fencing after the close of the Project.

Disposition: Already addressed in planning documents

Response

CC-036-Fences and Berms

Letter 855, Comment 172

The FEIS should include a map of these fence adjustments.

Disposition: Already addressed in planning documents

Response

CC-036-Fences and Berms

Letter 855, Comment 173

Given the statement (quoted above) concerning the percent of the Roberts Mountain and Whistler Mountain HMAs to be impacted by the Project, the FEIS should acknowledge the reduced wild horse habitat and proportionately reduce the AML in each HMA.

Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 855, Comment 174

Additionally, the FEIS should require the BLM to annually monitor herd size and maintain populations at or below the AML
Disposition: Not within document/decision scope (SEE RESPONSE)

Response

CC-092-Wild Horse Movement Patterns within HMA

Letter 855, Comment 175

The FEIS should discuss the impacts to resources due to the horses that are presently over AML
Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 855, Comment 176

Additionally, it should analyze the added difficulty in maintaining AML with fewer resources available to horses and increased conflict with other users
Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 855, Comment 177

The FEIS should clearly state the number of acres within the Project Area that lie within the Roberts Mountain HMA and within Roberts Mountain Allotment. Discrepancies in these numbers should be made accurate in the FEIS
Disposition: Already addressed in planning documents

Response

CC-088-Roberts Mountain HMA and Allotment

Letter 855, Comment 178

The FEIS should also state the exact number of acres to be excluded from Roberts Mountain HMA and Roberts Mountain Allotment as a result of the Project-boundary fence. Without precise acreages, AUMs for livestock and wild horse use cannot be correctly calculated.
Disposition: Already addressed in planning documents

Response

CC-088-Roberts Mountain HMA and Allotment

Letter 855, Comment 179

The FEIS should delineate how the 1,118-acre value was determined and what comprises it. The FEIS should clearly describe how and which acres will be "affected" and to what extent they will be impacted.
Disposition: Other (SEE RESPONSE)

Response

Section 2.1.7.6 of the EIS has been revised to include the total number of acres within the fenced area, and the total acreage of Project-related surface disturbance proposed within the fenced area and outside the fenced area. Acreages throughout the EIS have been updated to reflect adjustments to the width of the powerline corridor associated with an updated powerline construction design.

Letter 855, Comment 180

The FEIS should provide an up-to-date population number for wild horses in each HMA
Disposition: Comment acknowledged; does not provide new information

Response

CC-078-Impacts to Wild Horses

Letter 855, Comment 181

The FEIS should identify whether EML has the right to provide water from production wells for wildlife and stock use. If EML does not have the right, the FEIS should specify how EML will attain this right
Disposition: Comment acknowledged; does not provide new information

Response

CC-048-Water Mitigation for Wildlife and Horses

Letter 855, Comment 182

The FEIS should explain how increased, localized wild horse utilization will affect livestock grazing and BLM grazing permits.

Disposition: Other (SEE RESPONSE)

Response

The cumulative impact section for livestock grazing and production (Section 4.4.10) discloses potential impacts from wild horse management on the composition and productivity of forage. No change has been made in the EIS in response to this comment.

Letter 855, Comment 183

The FEIS should also describe how utilization levels will be monitored for wild horses.

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

Response

CC-092-Wild Horse Movement Patterns within HMA

Letter 855, Comment 184

The FEIS should further delineate which agencies and stakeholders will be involved. Any mitigation for wild horses and wildlife also impacts livestock. The FEIS should clarify that mitigation will be cooperative with lease-holders running livestock on the allotments

Disposition: Comment acknowledged; does not provide new information

Response

The BLM would determine the applicable state and federal agencies and other private stakeholders at the time the mitigation is implemented. No change has been made to the EIS in response to this comment.

Letter 855, Comment 185

The FEIS should define the entity "Mount Hope Project" and describe how this differs from Eureka Moly LLC. The entity "Mount Hope Project" should be provided a differentiating title throughout the DEIS to allow identification of the Project itself versus the entity.

Disposition: Other (SEE RESPONSE)

Response

EML and Mount Hope Project are defined on I-1 of the DEIS. No changes to the text of the FEIS have been made to address the comment.

Letter 855, Comment 186

The FEIS should identify which water sources will be utilized as alternative water sources for wild horses.

Disposition: Other (SEE RESPONSE)

Response

Attachment 2 in the mitigation appendix (Appendix D) in the EIS includes the water sources identified as part of the Wild Horse and Wildlife Water Source Mitigation Plan. No change has been made in the EIS in response to this comment.

Letter 855, Comment 187

The FEIS should further describe who owns and maintains these water sources and how the past and present use of these water sources will be impacted by transferring maintenance responsibilities to EML.

Disposition: Comment acknowledged; does not provide new information

Response

Section 3.2.2 of the EIS discloses the owners of the existing water rights. Mitigation of water rights is under the jurisdiction of the State Engineer.

Letter 855, Comment 188

The FEIS should detail how EML will obtain rights to use these waters for wild horses.

Disposition: Other (SEE RESPONSE)

Response

Any changes to EML's existing water rights or the acquisition of new water rights would be through an application filed with the NDWR. No changes to the text of the FEIS have been made to address this comment.

Letter 855, Comment 189

The FEIS should analyze alternative mitigation that does not require drilling new wells or creating a new water development. There is no evidence that such water would be available. If water is not available for wild horses it will also not be available for other uses.

Disposition: Analysis modified (SEE RESPONSE)

Response

CC-082-Mitigation to Water Resource Impacts

Letter 855, Comment 190

The FEIS should address how water will be allocated to the various uses.

Disposition: Other (SEE RESPONSE)

Response

The comment is subject to the jurisdiction of the NDWR and is beyond the scope of analysis of this EIS.

Letter 855, Comment 191

The DEIS discusses management of wild horses outside of the HMAs (Herd Management Areas) (p. 4-9, PDF 772, ¶3). This indicates an expansion of HMAs. This document is not the appropriate place to make such a change.

The FEIS should remove wording that implies an expansion of HMAs.

Disposition: Other (SEE RESPONSE)

Response

The cumulative impact section includes a discussion of wild horse management within the cumulative effects analysis area. The EIS does not state that an expansion of the HMA would occur as a result of the Proposed Action. No change to the EIS has been made in response to this comment.

Letter 855, Comment 192

The DEIS states that EML would "reestablish structures that would be altered or removed, as appropriate" (p. C-2, PDF 957, ¶4). The DEIS is unclear concerning which structures will be altered or removed and how they will be reestablished.

The FEIS should identify which structures would be impacted and describe how they will be reconstructed.

Disposition: Other (SEE RESPONSE)

Response

Section 3.14.3 of the EIS outlines which structures would be affected by the Project.

Letter 856

Comment 1

Mining is at the beginning of the supply chain for virtually everything we use on a daily basis. Mount Hope will be an important contributor to that supply chain by providing high paying, family wage jobs in a foundational industry for over two decades. Mining has an indirect job multiplier that is twice the national average. It will provide jobs in support industries, local stores and restaurants and also provide jobs and the raw materials for people working in American industries that make the products society requires.

And, as the DEIS indicates, General Moly will do this in the most environmentally responsible manner, complying with all environmental laws and regulations designed to ensure clean air, clean water and proper reclamation. Overall, the positive environmental and economic benefits of this mine will be extensive not just in Nevada, but across the country.

The Mount Hope Project truly is a win-win. NWMA requests that you move forward with the Proposed Action and issue a final EIS and Record of Decision allowing the mine to be built.

Thank you for your consideration of our comments.

Disposition: Comment acknowledged; does not provide new information

Response

CC-001-General Support

Letter 857

Comment 1

This EIS, and the proposed action it represents, makes me ashamed to wear the badge.

Disposition: Comment acknowledged; does not provide new information

Response

CC-022-General Opposition to the Project

Letter 858

Comment 1

Great Basin Resource Watch (GBRW) appreciates the opportunity to comment on this very significant project, and the extension of the original comments period. Although helpful to the public in general, it is clear to GBRW that 120 days as our earlier recommendation for public review was needed. This is especially true since the DEIS is lacking in detail necessary to fully evaluate many aspects of the project, thus additional time is necessary to obtain and review supporting document. The scope and public interest in this project has made it clear that even the extension was not sufficient. GBRW has been working on reviewing the draft Environmental Impact Statement (DEIS) for the Mount Hope Molybdenum Mine, and as much as possible the enormous volume of supporting documents. The release of the document in early December eroded the time for review significantly, effectively shearing off 2-3 weeks when people typically have plans with friends and family. Why could have the release waited early January?

Disposition: Comment acknowledged; does not provide new information

Response

Comment noted.

Letter 858, Comment 2

In our comments here we will be focusing on areas that appear not to have relieved as much attention by other commenter's to our knowledge. In particular, the potential for water quality impacts through acid drainage and other metal leaching mechanisms. In addition we will comment on water quantity impacts, air quality, and economic factors of concern.

Disposition: Comment acknowledged; does not provide new information

Response

Comment noted.

Letter 858, Comment 3

Clearly the economic affects of the project will be very great in the region. The mining company should provide to the public estimates of how molybdenum prices will impact the nature of the mining operation. Currently, molybdenum is hovering at around \$14/lb, but what are production costs? There needs to be an analysis of what market conditions would result in a partial or total temporary shutdown of operations. If molybdenum prices swing as significantly as in the past at some points in the future Eureka Moly LLC (EML) may cease mining at least on a temporary basis until the market recovers, if it does. This is particularly important for a relative low-grade ore deposit as exists for Mt. Hope. Certainly, the deposit is large; however, lower grade deposits will have greater production costs for the amount of salable product. The people and local economy will be affected by these changes in operations. The DEIS tends to present mining operation changes as occurring in a smooth manner, and hopefully if the project does go forward this will be the case. However, it is important to prepare for a more volatile production schedule. If there is a sense of the bottom line production cost, then if market prices drop the region (city and county government) can better anticipate possible ceases in operations and the associated impacts.

Disposition: Other (SEE RESPONSE)

Response

As required under 43 CFR 3809, a bond will be in place to ensure that reclamation is funded in the event of an unforeseen premature shutdown. On a regional basis the northern Nevada economy is primarily based on mining. Local governments have become adept at evaluating revenues and costs based on the cycles of commodity prices, and plan accordingly.

As part of the applicant committed practises outlined in Section 2.1.14 of the EIS, EML has committed to keeping Eureka County informed on the activities at the mining operation.

No changes to the text of the FEIS has been made to address this comment.

Letter 858, Comment 4

Key to prediction of future water quality at mine site is judicious and sufficient sampling of the various rock types and alterations. The bare minimum for characterization as cited in an EPA review¹ is 1 sample per million tons of rock, which EML approximately achieves. According to the DEIS, 1,750 million tons of waste rock is anticipated, so the minimum would be on the order of 1,750 samples, and in total EML appears to have based waste rock characterization on 1,844 samples from 1,545 "historic" pulp samples, 250 historic core samples, and 48 recent core samples (It was not clear to GBRW from the report whether kinetic testing used samples from the 1,844 or additional samples).² The EPA review article cites other expert sampling opinions; 1 for every 20,000 tons (Gene Farmer, US Forest Service), 1 for every 40,000 tons (British Columbia AMD Task Force). Following these opinions EML would have needed to collect from 40,000 to 70,000 samples, roughly 20 to 40 times as many as were collected. In a more recent review of predicting water quality at mine sites, Maest and Kuipers recommend the following: (Table 1). Using this prescription adapted from Price and Errington 1994, yields a similar sampling rate as indicated from Farmer and the BC AMD task force.

Disposition: Comment acknowledged; does not provide new information

Response

The BLM recognizes that sample selection is a fundamental step in the waste rock characterization program and requires careful consideration. Guidelines applied to determine sampling for Mt Hope include those provided by the USEPA (1994) and by the British Columbia AMD Task Force (BCATF, 1989). The recommendations provided by Maest and Kuipers (2005) are based on the guidelines provided by Price and Errington (1994) which are directly comparable to the British Columbia method. However, professional judgment and sound geological knowledge of a deposit (as opposed to a strict numerical adherence to guidelines) are even more significant factors in the number and types of samples selected, as recognized in the 2009 GARD Guide Section 4.3.2. The GARD Guide is the most widely recognized guidance on geochemical characterization.

As stated in the GARD Guide, samples should represent the waste rock material types (influenced by factors such as grain size, mineralogy, texture, lithology, hydrothermal and supergene alteration) that will be exposed during mining and the number of samples must be sufficient to adequately represent the variability within each material type. Material types that comprise less than five percent of the waste rock typically require fewer samples since they are less likely to have a considerable influence on the geochemical nature of the dump facility.

The British Columbia method for determining the minimum number of samples uses a curve to define sample number as a function of the mass of each geologic unit that will be mined (BCATF, 1989). Therefore, as the waste volume increases, the number of samples decreases. According to this method, the recommended minimum number of samples should be 25 for a 1 million ton geologic unit and the maximum number of samples recommended by the BCATF is 500. Therefore, the assertion that EML would need to collect from 40,000 to 70,000 samples is obviously in error and not in agreement with the BCATF approach. Furthermore, as noted by the BCATF, the curve for determining the minimum number of samples is 'empirical and preliminary in nature and should be only used as a guideline'.

The number of samples that were included in the Mount Hope waste rock characterization program are summarized in the Table below for each of the main rock types along with the minimum number of samples recommended using the British Columbia method. As shown in the Table, there is a sufficient quantity of samples for each rock type to meet the BCATF guidelines, with the exception of the Intermediate Phase Quartz Porphyry (Tqpa). However, this material type comprises a small percentage of the waste rock (i.e., 3 percent) and shows little variability in the static and kinetic tests and therefore, fewer samples for this material type adequately represent the material for purposes of geochemical characterization.

Table: Mount Hope Waste Rock Characterization Sample Frequency

Rock Type	Percent of Total Waste	Waste Rock Tonnage (Mt)	Number of Waste Rock Samples	Minimum Number of Samples (BCATF)
Historic Core	Recent Core	Historic Pulps	Total	
Intermediate Phase Quartz Porphyry (Tqpa)	3	53	12 0 74 86 160	
Early Phase Quartz Porphyry (Tqp)	22	393	66 8 420 494 400	
Rhyolite Breccia (Trb) and Rhyolite Tuff/Flow (Tmr/Tfr)	37	650	53 20 537 610 500	
Vinini Sediments (Ov)	37	654	67 12 495 574 500	
Totals	100	1750	202 48 1,546 1764 1560	

It should be remembered that waste rock characterization is an iterative process and representativeness of the data set needs to be continually assessed during the mine life. The main objective of the waste rock characterization program was to develop site specific criteria that can be used to identify and segregate potentially ARD generating materials (PAG) from non-potentially ARD generating materials (non-PAG) in order to support mine engineering and planning at an early stage of the project. Waste rock characterization activities would be continued during operations to validate the initial predictions and adjust the proposed waste rock classification system and management as required. During operations, total sulfur and carbon would be determined by LECO analysis to allow segregation and proper placement of the waste rock material in the PAG or non-PAG facilities. Therefore, the current characterization

program adequately addressed the potential for waste rock from the Mount Hope deposit to generate acid and leach constituents and additional sample collection is not warranted.

Letter 858, Comment 5

In view of these reviews and our opinion of the potential for acid drainage and poor water quality that has occurred at other mines in Nevada GBRW does not see the sampling rate for the Mt. Hope Project (Project) to be sufficient. The most glaring example of this is that paucity of potential pit wall samples that were used for the pit lake water quality analysis, "There were little sampling data from some of the pit wall areas because of the relatively cylindrical nature of the orebody," (DEIS, pg. 3-197). Regardless of whether the approach to the pit lake model is justified, this statement clearly indicates how incompletely the sampling was done. EML was relying on samples that were taken 30-40 years earlier, where the mine plan was likely to have been much different than the current plan. These "pulp" samples appear to have been largely from the periphery of the ore body as part of those early explorations when resource evaluation was the primary goal. GBRW recognizes that these samples are useful; however, we are skeptical that they and the additional recent samples have been sufficient to fully understand long-term water quality at the site.

Disposition: Comment acknowledged; does not provide new information

Response

CC-101-Waste Rock Characterization Adequacy

Letter 858, Comment 6

In addition to the overall number of samples is the matter of sufficient samplings of rock types and alterations. In Table 2 below GBRW has compared the sampling for the primary alterations of rock types (based on Table 3.3-3 of the DEIS, pg. 3-195) deduced from Table 4.1 of Waste Rock and Pit Wall Rock Characterization Report, 2008 with recommended sampling for the same tonnage based on Table 1 above. Not only is the overall sampling below most recommendations, but under each rock type/primary alteration, the number of samples, with one exception is typically well below recommendations. GBRW does not expect that EML would match the "generic" sampling rate that we have discussed here, and we recognize variation from such recommendations based on field mineralogy with other quick and simple tests, but the deviation is wide and virtually always leaning towards fewer than recommended sampling. In our view, this is a symptom of cutting costs at the expense of proper assessment of environmental impacts.

Table 2: Waste Rock Sampling Frequency

i Estimated from Table 4-1 Waste Rock and Pit Wall Rock Characterization Report, 2008.

i It was unclear to GBRW how this category translated to categories that appeared in Table 4-1 of the Waste Rock and Pit Wall Rock Characterization Report, 2008.

GBRW obtained background documents to determine the sampling of various rock/types and alterations, unlike the general public, who might be intimidated enough by the DEIS let alone reviewing background technical documents. The DEIS should include maps showing the locations of where samples were taken, so that it is clear which areas were sampled and though with were not. These maps would also reveal the distribution of sampling. As presented in the DEIS the geochemical characterization aspect is quite opaque. Only after many hours reviewing technical background documents does a somewhat clear picture of sampling take shape. GBRW appreciates that these background documents are publically available, which we obtained, few in the general public will, and so it is vital for transparency that good visual and supporting discussion is provided in the EIS.

According to the waste rock analysis from other static and kinetic testing 27 percent of the waste rock has been classified as potentially acid generating (PAG). According to the DEIS and supporting documents the Mt. Hope deposit and surrounding waste rock is low sulfide and poor in neutralizing capacity. GBRW has noted that many of the rock types/alterations were listed as giving variable result from humidity cell tests (HCT).⁵ The discussion of the humidity cell tests (HCT) describes this variability, which typically involves a discrepancy between 2 or 3 test runs. This again underscores the need for additional sampling and analysis to get more of a statistical sense of what to expect from the various rock types/alterations. Overall, GBRW does not trust that EML has captured the correct breakdown of PAG versus Non-PAG for this site. We are concerned that as the mine develops more PAG material could be determined, and thus the current analysis would underestimate the impacts.

The low sulfide statement in the DEIS pertains to an average content in the pit volume, and there were tests that indicated very high sulfide content. Thus, there will be portions of the waste rock that are likely to be very acid generating, and even low sulfide portions could produce acid drainage in exceedence of Nevada regulations. For example, samples from the Duluth Complex in northeastern Minnesota with low sulfur content, 0.41 to 0.71%, and low buffering capacity were shown to produce pH values from 4.8-5.3.6 GBRW is concerned that the belief of low sulfide (on the average) has created a false sense of security within the BLM and the general public that there is little concern over water quality at the Mt. Hope site. Even at the Lone Tree mine site in Nevada, where there exists significant carbonate deposits, and thus significantly greater neutralizing capacity the pit lake has become very acidic with no end in sight.

Overall, GBRW recommends that BLM require EML to conduct further sampling and analysis especially for those portions of the pit that are not well represented by the existing sampling such as much of the pit wall vicinity. This is needed so that impacts can be optimally determined and mitigation and best management practices can be developed.

Disposition: Comment acknowledged; does not provide new information

Response

CC-101-Waste Rock Characterization Adequacy

Letter 858, Comment 7

Although the data is sparse given the available information such as Figures 3.3.4 to 3.3.8 in the DEIS indicate a significant potential for acid generation, but with very little neutralizing capacity. For example Figure 3.3.5, Net Acid Generation Versus Net Acid Generation pH, shows that 29% of the samples to be net acid generating and another 16% in the questionable category, so the conservative approach would be to assume that 45% or almost half could be acid forming to various extents. Thus, GBRW foresees significant acid drainage from the PAG waste rock Facility (PAGWRF), and a potentially larger footprint for the PAGWRF. A larger footprint could be very problematic, since the existing footprint is dangerously close to two springs, SP-4 and SP-3. Clearly, EML is also anticipating some acid drainage by installing a drainage system at the bottom of the PAGWRF to collect substandard water. What is not in the management plan is a discussion of the possibility of long-term treatment (possibly in perpetuity) of acidic drainage. This scenario needs to be addressed in the EIS. The implications of this scenario are far reaching. What would be the cost? The current bonding model does not include this possibility to our knowledge.

Disposition: Other (SEE RESPONSE)

Response

There is no discussion in the Waste Rock Management Plan (Appendix 4 of the plan of Operations) or the EIS about encapsulating PAG material with neutralizing material or developing layers of neutralizing rock between PAG rock. The Waste Rock Management Plan constitutes a conservative approach that is protective and appropriate. No changes to the text of the EIS have been made to address this comment.

Letter 858, Comment 8

The Mt. Hope area receives significant precipitation for Nevada, and needs to look a bit north and west to see how much acid drainage is produced at the Rain Mine site. At the Rain Mine precipitation levels are comparable to the Mt. Hope area and the problematic waste rock dump at Rain is much smaller than the PAGWRF proposed for Mt. Hope. Thus, the PAGWRF is likely to capture much more water. In terms of reclamation, the two-foot cover is probably not sufficient to prevent infiltration and acid drainage. GBRW strongly recommends a thicker cover to decrease infiltration further.

Disposition: Comment acknowledged; does not provide new information

Response

The cover for the PAG WRDF was designed with the aid of a HYDRUS-1D model to predict potential water fluxes through the alluvial cover. The model predicted water flux through the cover system is in general agreement with values reported for similar ET cover systems and reclaimed heap leach piles under similar climatic conditions. The modeling indicated that the majority of infiltration reduction would be achieved with a two-foot thick alluvial cover, and for normal and dry years there would be no infiltration. The model was also used to analyze a range of cover thickness and showed that an increase in cover thickness beyond two feet would not result in an appreciable decrease in infiltration.

Furthermore, basing a cover thickness solely on the similarity of precipitation levels at two sites is an invalid over-simplification. Although the commenter does not provide information on the reclamation practices used at the Rain WRDF, the BLM acknowledges that the presence of ARD at that site is a concern; it is certainly possible that placement of a two-foot cover there would have substantially reduced the occurrence of ARD.

The PAG WRDF cover for the Project has been designed as a portion of an integrated waste rock management approach that includes characterization, segregation, WRDF design features, reclamation planning and closure planning. That is, cover placement is not the only mechanism that would be employed to prevent ARD. The design of the PAG WRDF would include the following, all of which would further reduce the potential for generation or release of ARD:

- A 12-inch thick engineered subgrade (1 x 10⁻⁵ cm/sec saturated hydraulic conductivity) and a five-foot thick overlying NAG layer for the foundation of the facility;
- Perforated collection piping with geomembrane under the pipe in topographic drainages to promote drainage from the base of the facility to a collection channel at the toe of the facility;
- Diversion channels to route upgradient surface water runoff away from the facility;
- Geomembrane-lined collection channel to route runoff and infiltration into a PAG/low grade ore stormwater collection ponds (Phase 1 and Phase 2); and
- Geomembrane-lined stormwater collection ponds (Phase 1 and Phase 2) to capture surface water runoff and infiltration from the

facilities.

Finally, it should be noted that the waste rock at Mount Hope is not directly correlative to that at the Rain Mine. Geologically, Mount Hope is a low-sulfide system. Although waste rock would be segregated into PAG and Non-PAG, the criteria that would be used for waste rock segregation are conservative, and due to the overall low reactivity of the waste rock, the potential for generation of ARD, even when water contacts PAG waste rock, is relatively low. This provides further justification for placement of the reclamation cover as designed.

No change to the EIS has been made in response to this comment.

Letter 858, Comment 9

We also note that there is discussion in the waste rock management plan⁷ to encapsulate PAG material with neutralizing material or develop layers of neutralizing rock between PAG rock. This would seem a reasonable best practice. The EIS needs to discuss this as a mitigation measure and EML should develop a plan for how this kind of procedure would be achieved. Again, GBRW wonders if there is a false confidence – overly optimistic perspective on how the site will behave. Once the waste rock facility is built the region is stuck with it, and adaptive management will be limited as to how to handle unexpected consequences. It is better to implement best practices when there is a luxury of options than after the fact.

Disposition: Comment acknowledged; does not provide new information

Response

There is no discussion in the Waste Rock Management Plan about encapsulating PAG material with neutralizing material or developing layers of neutralizing rock between PAG rock. The Waste Rock Management Plan has been conservatively designed and has been deemed adequate by the BLM. No change has been made to the EIS to address this comment.

Letter 858, Comment 10

The PAGWRF is very close to two springs on the north side and another on the west side. Clearly there are not a lot of options for waste rock placement, but EML should ways to avoid these springs to a much greater extent. Most likely the springs will be impacted by dewatering (unless they are from perched aquifers), and could become dry for a number of years, which is an impact of and to itself. In general GBRW is very concerned about the proximity of the PAGWRF to these water sources.

Disposition: Comment acknowledged; does not provide new information

Response

The BLM has determined that the design of the Project avoids impacts to water resources to the extent practicable. No change has been made in the EIS in response to this comment.

Letter 858, Comment 11

GBRW does not support the covering of the spring on the southwest corner of the site with the non-PAG waste rock facility. Even though an engineered conduit is to be arranged to channel spring seepage away from the facility it still represents a loss of the nature outlet of the spring. In general, covering a spring can have bad consequences in the future. After mining has stopped and EML walks away the conduit could collapse and then the spring is lost or worst the non-PAG is not so non-PAG after all and an acid drainage situation develops. The EIS should analyze the possibility of the conduit collapse and resulting impacts

Disposition: Comment acknowledged; does not provide new information

Response

CC-027-Spring Drain

Letter 858, Comment 12

The DEIS does not appear to clarify the depth to groundwater under the PAGWRF, but it can be surmised by examination of groundwater contours and surface level contours. Based on this analysis the groundwater level is roughly 100 to 120 feet below the surface where the PAGWRF is planned, and that difference will widen some as dewatering occurs. Even so, GBRW is concerned that the one foot compacted layer base is not a sufficient barrier especially since acid drainage is likely (in our view). Over the long-term the drainage system may partially fail and acidic drainage would find its way into the unsaturated zone and eventually the groundwater.

Disposition: Other (SEE RESPONSE)

Response

In addition to the one-foot compacted layer identified by the commenter, the PAG WRDF and the Waste Rock Management Plan have multiple components designed to increase protection of ground water. No changes to the text of the FEIS have been made to address this comment.

Letter 858, Comment 13

Overall we recommend that BLM require EML reevaluate the design of the PAGWRF to include neutralizing aspects and the sufficiency of the base layer as a barrier, and judicious groundwater monitoring around the waste rock and tailings facilities.

Disposition: Other (SEE RESPONSE)

Response

As part of the project design, EML evaluated several design concepts, including the incorporation of Non-PAG waste rock in the PAG WRDF. In fact, this evaluation has been ongoing and continuous, as reflected in the revisions to the Plan of Operations that have been submitted throughout the environmental evaluation process. The Waste Rock Management Plan constitutes a conservative approach that is protective and appropriate. No changes to the text of the FEIS have been made to address this comment.

Letter 858, Comment 14

The pit lake water quality model used to predict pit lake water quality follows the physical model of previous pit lake estimates in that it assumes that the contributions to pit lake water quality will reflect the rain/snow runoff from the pit walls as well as oxidation of the pit wall surface, plus reactions in the pit lake and evaporative processes. This model has sometimes been referred to as the "rind" model and has been commonly used in Nevada for predicting of pit lake water quality. The key component in question for this physical model is the depth of reaction of air with the oxidizable components in the pit walls. This physical model has failed for the two recent pit lakes formed in Nevada, Cove and Lone Tree pit lakes, in that it has underpredicted the primary indicator of oxidation (sulfate) by at least a factor of 5, and probably a much higher underprediction in the case of Lone Tree. Neither pit lake was expected to exceed the solubility product of gypsum, and both have exceeded that solubility product.

Disposition: Comment acknowledged; does not provide new information

Response

The commenter assumes that the Mt. Hope pit lake modeling was prepared using an identical model to Cove and Lone Tree. On the contrary, each pit lake model is site-specific and developed independently. Pit lake modeling has evolved over the last several years and has been constantly improved based on new information and observations. The Mt. Hope model was prepared based on a site-specific conceptual model of the system, the best available data, and the most sensitive parameters were evaluated with sensitivity analyses. There is no single "rind model" for pit lake modeling. The Mt. Hope pit lake model does include solute released from the pit walls (the commenter refers to this as the "rind") in two ways: from rinsing of meteoric water down the pit walls, and again when the pit lake inundates and rinses the pit wall as the lake level increases. However, the main component (volumetric percentage) of water inflow to the pit is groundwater. No changes to the text of the EIS have been made to address this comment.

Letter 858, Comment 15

The problem with the rind model is that it fails to recognize that the amount of surface exposed to air is very much larger than the thin layer of the surface of the pit lake, which is what is generally assumed in this model. Quite simply, when water is removed from an aquifer, and the water table is lowered by 2250 ft (and recovers in 200 years by 1800 ft), (DEIS pg. 3-131), water is replaced with air in the cone of depression. That air contains 20% oxygen, and it is reasonable to assume that all of the oxygen that comes in contact with oxidizable surfaces will react. Thus, it is legitimate (using conservative estimates) to calculate the amount of pyrite oxidation to form sulfuric acid simply by determining the amount of air that is drawn into the aquifer, and assuming that this oxygen reacts with pyrite to form sulfuric acid. Not all of it will contact with pyrite, but even making an assumption that half of the oxygen is available for production of sulfate, the amount of oxidation will show that much higher concentrations of sulfate are ultimately rinsed into the pit lake. In the extreme case, that all of the water pumped from the surrounding aquifers (about 500,000 acre-feet) is replaced with air, and when those surfaces are drain into the pit, the amount of sulfate delivered is about 7-10 gm/L of sulfate in the water rinsed into the pit lake (assuming 100,000 acre-feet in the pit lake). At a minimum, the pit lake will receive at least 100,000 acre-ft of water, and thus 100,000 acre ft of air, and this equates to approximately 1.4-2.0 gm/L of sulfate in the pit lake, not even taking into account the meteoric water rinsing the pit walls. This very simple analysis has at least (and probably much more) validity than the complex assumptions in the Mt. Hope pit lake model, which have not been verified. This is in addition to the amount of sulfate predicted in the pit lake model, where the sulfate concentration is 200 mg/L at 200 years, and 142 mg/L at 20 years. Under any circumstances, the physical aspects of this rind model fail with the realization that air is not diffusively transported into the wall rock; it is advectively transported when water is removed, creating a partial vacuum that is relieved by drawing in air.

Disposition: Comment acknowledged; does not provide new information

Response

CC-018-Pit Lake Model Assumption

Letter 858, Comment 16

Models for both Lone Tree and Cove pit lakes predicted low amounts of sulfate, but both are gypsum saturated as of 5 years ago, and Lone Tree pit lake has gone acidic twice, and required large amounts of lime to bring the pH to circumneutral status. Thus, the rind models of these two pit lakes have failed to predict water quality in the pit lake by a large margin. If the model cannot predict the sulfate concentrations, it is not predicting the amount of oxidation that occurs do to removal of the water.

Disposition: Comment acknowledged; does not provide new information

Response

The commenter notes that the Lone Tree and Cove pit lake models underestimated sulfate concentrations compared to the levels in the actual pit lakes that formed. It is impossible to assess the validity of this statement or the possible modeling effects of the alleged modeling inaccuracies on the Mt. Hope pit lake model without conducting a thorough review of the geology/geochemistry of those sites, and details about how those pit lake models were constructed. Such review is outside the scope of the Mt. Hope project assessment. The pit lake geochemistry model for the Mt. Hope project was prepared using currently accepted methodology and the best available information. No changes to the text of the EIS have been made to address this comment.

Letter 858, Comment 17

The critical component is sulfate, and provides a lower estimate of the amount of oxidation that will occur. To our knowledge, there is no example of a pit lake in Nevada that contains pyrite, low neutralization ability, underground filling of the pit and a sulfate concentration that is less than 1000 mg/L. Thus, the Mt. Hope pit lake model is probably of no value in predicting if this water will present a risk to avian or terrestrial wildlife. It should be entirely redone, with more realistic assumptions, and discussions on why the "rind" model failed at Cove and Lone Tree. The discussion in the pit lake modeling report refers to previous work on pit lake modeling, but the critical component to determine is why both Lone Tree and Cove have much greater amounts of sulfate in the pit lakes than predicted.

Disposition: Comment acknowledged; does not provide new information

Response

CC-017-Model Uncertainty

Letter 858, Comment 18

Additionally, the rock in the walls does not appear to have much carbonate/neutralization ability, and a clear question exists as to whether the sulfuric acid formed will be neutralized; whatever neutralization capability exists may become covered with iron/manganese precipitates, which can reduce the buffering capacity in the that rock, and allow the acidic water to drain into the pit lake. It is difficult, if not impossible, to accurately predict how much acidity will drain into the pit lake, but there are compelling reasons to believe that the current pit lake model is not a reflection of what will happen. The core issue, however, is that air will be convectively transported wherever water has been removed. Those oxidation products will be rinsed into the lake, and the places where pyrite exists, the amount of acidity generated could potentially be very high.

Disposition: Comment acknowledged; does not provide new information

Response

CC-017-Model Uncertainty

Letter 858, Comment 19

BLM needs to require the evaluation of the following questions:

1. What happens when water is removed from an aquifer regarding the volume that it used to fill?
2. Assuming it is air, how much sulfate will be produced if a realistic assumption is made that over 44 years, all of the oxygen in that air is consumed by pyrite oxidation?
3. What will happen to those soluble products as the cone of depression recovers and water enters the pit lake?

Disposition: Comment acknowledged; does not provide new information

Response

CC-018-Pit Lake Model Assumption

Letter 858, Comment 20

4. Why did the models for Lone Tree and Cove fail to predict water quality in those pit lakes.

Disposition: Other (SEE RESPONSE)

Response

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

Letter 858, Comment 21

As mentioned above GBRW is not convinced that sufficient sampling was performed in the geochemical evaluation of the project. In addition to our concern regarding the underlying conceptual model of the pit lake evolution is the lack of sufficient data to extrapolate water quality in time. The DEIS states that little sampling data was available from expected pit wall material. In justification the DEIS states, "There were little sampling data from some of the pit wall areas because of the relatively cylindrical nature of the orebody (pg. 3-315). This statement leaves GBRW to question how well PAG rock areas on the final pit surface are estimated as shown in Figure 3.3.10, and to what extent these areas are expected to be acid generating. The Waste Rock and Pit Wall report clarifies the situation by stating, "... because this PAG shape is based on data from historic assay pulps from the Exxon drill holes, approximately 30% of the pit material is undefined with respect to acid generating potential. For these undefined areas, the PAG shape had to be extrapolated to