

**U.S. Department of the Interior  
Bureau of Land Management**

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**Environmental Assessment NV063-EA04-61  
DATE: December 2010**

**Addendum to the  
Horse Canyon/Cortez Unified  
Exploration Project II  
ENVIRONMENTAL ASSESSMENT**

File Number: NVN-066621

Battle Mountain District Office  
50 Bastian Road  
Battle Mountain, NV 89820  
Phone: 775-635-4000  
Fax: 775-635-4034



### ***BLM Mission Statement***

*The Bureau of Land Management is responsible for the stewardship of our public lands. It is committed to manage, protect, and improve these lands in a manner to serve the needs of the American people for all times.*

*Management is based upon the principles of multiple use and sustained yield of our nation's resources within a framework of environmental responsibility and scientific technology. These resources include recreation, rangelands, timber, minerals, watershed, fish and wildlife, wilderness, air and scenic, scientific, and cultural values.*



# United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
Mount Lewis Field Office  
50 Bastian Road  
Battle Mountain, Nevada 89820  
(775) 635-4000  
<http://www.nv.blm.gov>

In Reply Refer to:  
3809 (NVB0630)  
NVN-066621  
NV063-EA04-61

Dear Reader:

The Battle Mountain District, Mount Lewis Field Office, of the Bureau of Land Management (BLM) has prepared this Addendum to the Horse Canyon/Cortez Unified Exploration Project II (HC/CUEP II) Environmental Assessment (EA) to document the BLM's analysis of potential cumulative impacts associated with that project. The Te-Moak Tribe of Western Shoshone, Western Shoshone Defense Project, and Great Basin Mine Watch (plaintiffs) challenged the BLM's Decision Record/Finding of No Significant Impact (DR/FONSI) to approve HC/CUEP II. After a State Director review and U.S. Federal District Court for the State of Nevada decision affirming BLM, plaintiffs appealed to the U.S. Court of Appeals for the Ninth Circuit. The Ninth Circuit affirmed the District Court's decision in most respects, but found that the HC/CUEP II EA did not adequately discuss certain potential cumulative impacts associated with reasonably foreseeable mining activities. Following the preparation and issuance of the EA (and while the appeal of the HC/CUEP II decision was pending), the BLM prepared a Draft and Final Environmental Impact Statement (EIS) for the proposed Cortez Hills Expansion Project. That EIS analyzed the potential cumulative impacts of the proposed Cortez Hills Expansion Project together with other past, present, and reasonably foreseeable future actions (RFFAs) in the vicinity of the Cortez Hills Expansion Project; these actions included the exploration activities authorized by HC/CUEP II. This EA Addendum describes how the Cortez Hills Expansion Project Final EIS addresses the points of concern raised in the Ninth Circuit's decision.

The EA addendum is enclosed for your review. Written comments on the EA Addendum will be accepted at the above address until 4:30 pm, January 10, 2011. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment, including your personal identifying information, may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. If you have questions regarding this EA Addendum please contact Christopher Worthington, Planning and Environmental Coordinator at 775-635-4000.

Sincerely,

Douglas W. Furtado  
Field Manager  
Mount Lewis Field Office



**Horse Canyon/Cortez Unified Exploration Project II  
Environmental Assessment Addendum**

**1.0 INTRODUCTION**

The Battle Mountain District, Mount Lewis Field Office, of the Bureau of Land Management (BLM) has prepared this Addendum to the Horse Canyon/Cortez Unified Exploration Project II (HC/CUEP II) Environmental Assessment (EA) to document the BLM's analysis of potential cumulative impacts associated with that project.

Barrick Cortez Inc. (BCI) (formerly known as Cortez Joint Venture or Cortez Gold Mines [CGM or Cortez]) and its predecessor companies have been exploring and mining in the Cortez area for over 40 years. Exploration activities have been conducted throughout the area under a series of BLM approvals. BCI currently conducts exploration within the HC/CUEP boundary, located approximately 35 air miles southeast of the community of Battle Mountain, in Eureka and Lander counties, Nevada. The HC/CUEP is located on private lands and public lands administered by the BLM Battle Mountain District and the BLM Elko District; the Battle Mountain District is the lead office for these mineral exploration activities.

**1.1 Overview of the HC/CUEP**

Cortez began active exploration in the area in the early 1960s. Mineral exploration activities in the 1980s and early 1990s included 18 exploration plan amendments for individual exploration drill holes throughout the area now defined as the HC/CUEP.

In August 1998, Cortez filed the Horse Canyon Exploration Plan of Operations for 50 acres of phased disturbance within a 14,118-acre project area; the EA (BLM 1999a) for this plan was approved by the BLM in a Decision Record/Finding of No Significant Impact (DR/FONSI) issued in November 1999 (BLM 1999b). Cortez filed an amendment to the Horse Canyon Exploration Plan in early 2000 to incorporate an additional 16,430-acre project area. This amendment (the Horse Canyon/Cortez Unified Exploration Project, or HC/CUEP I) did not propose additional surface disturbance beyond the previously approved 50-acre disturbance, but increased the project area within which exploration would occur. The BLM approved the proposed action in the EA (BLM 2001a) and the Plan of Operations for this amendment in a DR/FONSI issued in August 2001 (BLM 2001b).

Cortez filed a second exploration plan amendment (HC/CUEP II) in September 2004 seeking to increase the authorized surface disturbance to a total of 250 acres, all within the 30,548-acre HC/CUEP I plan boundary. The additional proposed exploration was to be conducted in phases with the location of each phase (and associated surface disturbance) dependent on the results of the previous phase. The HC/CUEP II EA (BLM 2004a) tiered to, and thus incorporated by reference, previous environmental impact statements (EISs) and EAs for other mining exploration and development in the project area, including the original HC/CUEP EA (BLM 2001a) and the South Pipeline Project Final EIS (BLM 2000). The BLM issued a DR/FONSI for HC/CUEP II on October 22, 2004 (BLM 2004b).

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Following a request by appellants for a State Director's review of the DR/FONSI for HC/CUEP II (see Section 1.4), in April 2005, the BLM Nevada State Director issued "Revised Stipulation Modifications" (BLM 2005) to the HC/CUEP II DR/FONSI adding certain stipulations to the decision.

Subsequent to the 2004 HC/CUEP II EA, Cortez submitted a Plan of Operations for the Cortez Hills Expansion Project. In addition to approving mining activities, the Cortez Hills Expansion Project EIS Record of Decision and Plan of Operations Amendment Approval (BLM 2008b) modified the HC/CUEP boundary to consolidate and remove overlap among mine plan and exploration plan boundaries within the Cortez Gold Mines Operations Area. The previous authorization for up to 250 acres of exploration-related disturbance was retained for the modified HC/CUEP area (see **Figure 1**), with ongoing exploration conducted in accordance with the requirements in the HC/CUEP II DR/FONSI, as modified by the BLM State Director.

### 1.2 Overview of HC/CUEP II Environmental Assessment

The HC/CUEP II EA (BLM 2004a) analyzed the potential environmental impacts, including cumulative impacts, of continued exploration with a maximum surface disturbance of 250 acres within the exploration project boundary.

### 1.3 Status of Exploration in the HC/CUEP

This description of the status of exploration activity within the HC\CUEP boundary is based on the HC/CUEP Revision to the Plan of Operations (BCI 2010a). **Table 1** summarizes the surface disturbance associated with exploration within the HC/CUEP area and the Cortez Gold Mines Operations Area as of March 2010 (BCI 2010a).

**Table 1 Exploration Surface Disturbance Summary**

Project Area	Project Number (NVN-)	Total Exploration Disturbance (acres)					
		Disturbed to Date		Reclaimed	Currently Authorized		Bonded
		Public	Private		Public	Private	
HC/CUEP	066621	40.26	11.79	19.34	200.00	50.00	218.10 <sup>1</sup>
CGM Plan of Operations Area	067575	98.57 <sup>2</sup>	0.00	27.14	341.00	50.00	391.00
<b>Total</b>		<b>138.83</b>	<b>11.79</b>	<b>46.48</b>	<b>541.00</b>	<b>100.00</b>	<b>609.10</b>

<sup>1</sup> Reflects bonding currently in place. The additional 32 acres of authorized disturbance would be bonded prior to disturbance.

<sup>2</sup> There are 31.94 acres of exploration disturbance at the Pipeline Mine that also would be applied to NVN-067575 for a total of 130.51 disturbed acres out of a total 391 acres authorized and bonded.

Source: BCI 2010a.

### 1.4 HC/CUEP II Appeal History

The Te-Moak Tribe of Western Shoshone, Western Shoshone Defense Project, and Great Basin Mine Watch (plaintiffs) challenged the BLM's DR/FONSI (BLM 2004b) to approve HC/CUEP II. Initially, plaintiffs' petitioned the BLM Nevada State Director for review of the decision. The State Director affirmed the BLM field office decision with certain modifications, including establishment of an exclusion zone protocol to protect properties of cultural and religious importance (PCRIs) and other cultural resources eligible for

inclusion on the National Register of Historic Places. All exploration drilling conducted under the HC/CUEP must comply with the State Director's Decision (BLM 2005).

Plaintiffs sought judicial review of the State Director's decision in the U.S. Federal District Court for the District of Nevada in May 2005. The District Court concluded that the BLM had complied with the National Environmental Policy Act (NEPA), the National Historic Preservation Act (NHPA), and the Federal Land Policy and Management Act (FLPMA). Plaintiffs then appealed the District Court's decision to the U.S. Court of Appeals for the Ninth Circuit. The Ninth Circuit affirmed the District Court's decision in most respects, but found that the HC/CUEP II EA did not adequately discuss certain potential cumulative impacts associated with reasonably foreseeable mining activities.

## **2.0 HC/CUEP II EA ADDENDUM – CUMULATIVE IMPACT ASSESSMENT**

This EA Addendum supplements the analysis of cumulative impacts in the HC/CUEP II EA (BLM 2004a). As described above, the HC/CUEP II EA was issued in September 2004 (BLM 2004a). Following the preparation and issuance of the EA (and while the appeal of the HC/CUEP II decision was pending), the BLM prepared a Draft and Final EIS for the proposed Cortez Hills Expansion Project. That EIS analyzed the potential cumulative impacts of the proposed Cortez Hills Expansion Project together with other past, present, and reasonably foreseeable future actions (RFFAs) in the vicinity of the Cortez Hills Expansion Project; these actions included the exploration activities authorized by HC/CUEP II (see Figure 2-26 of the Final EIS [BLM 2008a]).

As discussed in detail in Section 2.6 of the Cortez Hills Expansion Project Final EIS (BLM 2008a), the cumulative effects analysis addressed past, present, and RFFAs that could interact with the proposed Cortez Hills Expansion Project in a manner that would result in cumulative impacts. The past, present, and RFFAs addressed in the cumulative effects analysis are indicated in Table 2-18 and Figure 2-26 of the Final EIS (BLM 2008a); see **Figure 1** of this EA Addendum.

The potential environmental impacts of continued exploration in the Cortez Gold Mines Plan of Operations boundary, including the mineral exploration activities authorized by the decision approving HC/CUEP II, were described in the Cortez Hills Expansion Project FEIS cumulative effects analysis (see the resource-specific analyses in Chapter 3.0 of the Final EIS [BLM 2008a]). The Cortez Hills Expansion Project cumulative effects analysis addressed all environmental resources. The cumulative effects analysis for each resource (in Chapter 3.0 of the Final EIS [BLM 2008a]) addressed the potential cumulative effects within resource-specific cumulative effects study areas, as defined in Chapter 3.0 of the Final EIS. In addition, a regional cumulative effects analysis was conducted for Native American traditional values over an area encompassing recent hard-rock mines in north-central Nevada plus other industrial developments, activities, and events within the Western Shoshone's traditional homeland in relative proximity to the proposed Cortez Hills Expansion Project, including the HC/CUEP. The period of potential cumulative effect was defined as the approximately 10-year life of the Cortez Hills Expansion Project plus 3 years of reclamation.

The potential cumulative impacts associated with the Cortez Hills mine and mineral exploration authorized under HC/CUEP II were fully evaluated in the Cortez Hills Expansion Project Final EIS (BLM 2008a); the BLM adopts that analysis by reference in this EA Addendum. The BLM has determined that the analysis

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in the Cortez Hills Expansion Project Final EIS (BLM 2008a) addresses the points of concern raised in the Ninth Circuit's decision. The Cortez Hills Expansion Project Final EIS is available for review on the Battle Mountain District website at: [www.blm.gov/nv/st/en/fo/battle\\_mountain\\_field/blm\\_information/national\\_environmental.html](http://www.blm.gov/nv/st/en/fo/battle_mountain_field/blm_information/national_environmental.html) or at the Battle Mountain District Office located at 50 Bastian Road, Battle Mountain, Nevada 89820.

### **3.0 REFERENCES**

Barrick Cortez Inc. (BCI). 2010a. Horse Canyon/Cortez Unified Exploration Project, Revision to the Plan of Operations (NVN-066621). Submitted to BLM Mountain Lewis Field Office. March 2009, Revised March 2010.

\_\_\_\_\_. 2010b. Updated plan and exploration plan boundaries provided to V. Randall and S. MacKinnon, AECOM. September 29, 2010.

Bureau of Land Management (BLM). 2008a. Cortez Hills Expansion Project Final EIS. BLM Battle Mountain Field Office, Battle Mountain, Nevada. September 2008.

\_\_\_\_\_. 2008b. Cortez Hills Expansion Project Record of Decision and Plan of Operations Amendment Approval. BLM Battle Mountain District, Battle Mountain, Nevada. November 2008.

\_\_\_\_\_. 2005. Decision – Decision Affirmed as Modified. Horse Canyon/Cortez Unified Exploration Project Amendment. BLM Nevada State Office. April 4, 2005.

\_\_\_\_\_. 2004a. Horse Canyon/Cortez Unified Exploration Project II, Environmental Assessment (NV063-EA04-61). BLM Battle Mountain Field Office and Elko Field Office. September 2004.

\_\_\_\_\_. 2004b. Decision Record, Finding of No Significant Impact, and Plan of Operations Approval. Cortez Gold Mines Horse Canyon/Cortez Unified Exploration Project Amendment. BLM Battle Mountain Field Office and Elko Field Office. October 22, 2004.

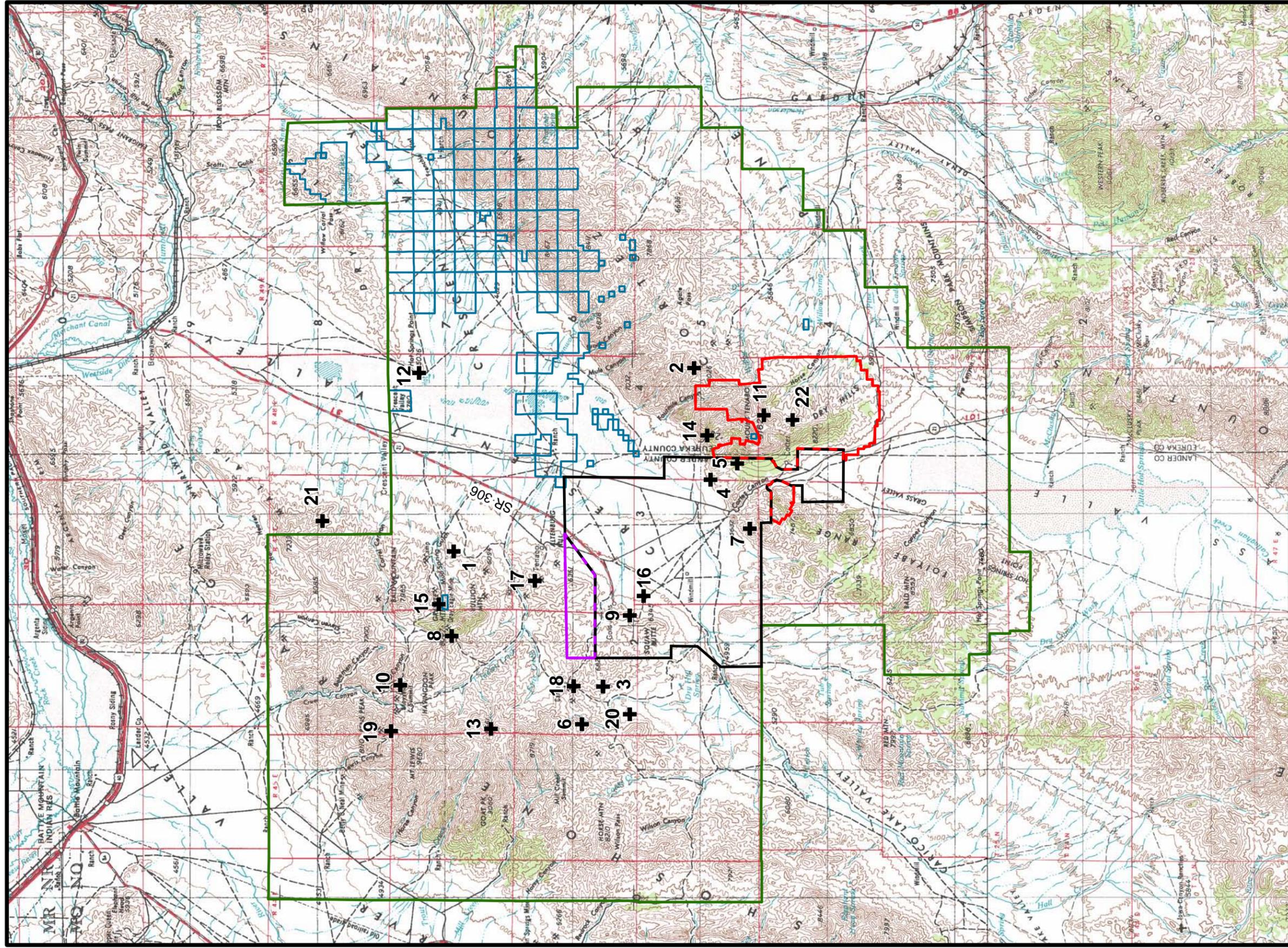
\_\_\_\_\_. 2001a. Environmental Assessment (NV063-E00-35), Cortez Gold Mines, Inc. Horse Canyon/Cortez Unified Exploration Project. BLM Battle Mountain Field Office. August 2001.

\_\_\_\_\_. 2001b. Decision Record and Finding of No Significant Impact, Cortez Gold Mines. Horse Canyon/Cortez Unified Exploration Project. BLM Battle Mountain Field Office and Elko Field Office. August 23, 2001.

\_\_\_\_\_. 2000. South Pipeline Project Final Environmental Impact Statement. BLM Battle Mountain Field Office, Battle Mountain, Nevada. February 2000.

\_\_\_\_\_. 1999a. Cortez Joint Venture Horse Canyon Exploration Project Environmental Assessment. BLM Battle Mountain Field Office. October 1999.

\_\_\_\_\_. 1999b. Decision Record and Finding of No Significant Impact. Cortez Joint Venture Horse Canyon Exploration Project. BLM Battle Mountain Field Office. November 3, 1999.



- Legend**
- Cortez Gold Mines
  - Plan of Operations Boundary
  - + Past and Present Actions and RFFAs
  - Cortez Joint Venture Area
  - Dean Ranch
  - HC/CUEP
  - Pipeline/South Pipeline/Gold Acres Exploration Boundary

- 1) Black Rock Canyon Mine
- 2) Buckhorn Mine
- 3) Clipper Mine
- 4) Cortez Mine
- 5) Cortez Silver Mining District
- 6) Elder Creek Mine
- 7) Fox Mine
- 8) Grey Eagle Project
- 9) Gold Acres
- 10) Hilltop Mine
- 11) Horse Canyon Mine
- 12) Hot Springs Sulfur Mine
- 13) May Mine
- 14) Mill Canyon
- 15) Mud Springs Gulch
- 16) Pipeline/South Pipeline Project
- 17) Robertson Mine
- 18) Utah Mine and Camp
- 19) Dean Mine
- 20) Greystone Mine
- 21) Fire Creek Exploration
- 22) South Silicified Project



**HC/CUEP EA Addendum**

Figure 1  
Past and Present Actions  
and RFFAs

Source: BLM 2000a; BCI 2010b; U.S. Geological Survey (USGS) 2006.  
Note: The Lander/Eureka County line was adjusted subsequent to the date of this USGS map base.