



United States  
Department of  
Agriculture

Forest Service

Humboldt-Toiyabe  
National Forest

March 2012

**SCOPING DOCUMENT AND  
NOTICE OF PROPOSED ACTION  
OPPORTUNITY TO COMMENT**

**WHEELER RIDGE  
MINERAL EXPLORATION  
PROJECT**

**ELY RANGER DISTRICT  
WHITE PINE COUNTY, NEVADA**

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## **COMMENTS WELCOME**

The Ely Ranger District of the Humboldt-Toiyabe National Forest welcomes your comments on the Wheeler Ridge Mineral Exploration Project (Project) proposed by Mt. Hamilton LLC (MHLLC) located in White Pine County, Nevada. The Project would consist of constructing temporary roads, drill sites, and sumps. Total Project-related disturbance would be up to 75 acres within a 2,466-acre Project Area over approximately five years, depending upon economic conditions and ongoing exploration results. Total Project-related disturbance would be approximately three percent of the total Project Area.

The United States Forest Service (USFS) is now seeking public comments specific to the proposed Project. The purpose of this comment period has two purposes:

1. To provide opportunity for public participation prior to a decision by the Responsible Official. In addition, submission of comments during this period is required to establish appeal eligibility. Written, facsimile, hand delivered, oral, and electronic comments concerning this action will be accepted for 30 calendar days following the publication of the Notice of Proposed Action in the *Ely Times*. For detailed information on how to provide comments, please refer to the "Comment Process" section of this document; and
2. Meet the National Environmental Policy Act (NEPA) requirements for public scoping.

## **LOCATION**

The Project would be located in Sections 16, 17, 20, 21, 22, 27, 28, and 29, Township 16 North, Range 57 East (T16N, R57E), Mount Diablo Base and Meridian, White Pine County, Nevada (Project Area) (Figure 1, see attached). The Project would be located on the western flank of Mt. Hamilton in the White Pine Range south of the Seligman and Centennial Mine sites. The entire Project Area is located on National Forest System (NFS) lands administered by the USFS, Humboldt-Toiyabe National Forest, and managed by the Ely Ranger District. Access to the Project Area would be via US Highway 50, then south on County Road 5 to several unimproved roads that access the area. The reference maps are the Mount Hamilton and Seligman Canyon, United States Geological Survey 7.5 minute quadrangles.

## **PURPOSE OF AND NEED FOR ACTION**

The purpose of and need for the Proposed Action is to identify, locate, and delineate mineral deposits, specifically by exploration drilling, on NFS lands in the Project Area. The statutory right of MHLLC to explore for and develop mineral resources on federally administered lands is recognized in the General Mining Law of 1872, and is consistent with the Humboldt National Forest Land and Resource Management Plan of 1986 (IV-50). Surface management regulations (36 Code of Federal Regulations [CFR] part 228) require that all mineral exploration, development, and operations activities be conducted in a manner that minimizes adverse environmental impacts on National Forest surface resources (36 CFR part 228.8).

## DECISION FRAMEWORK

Based on the environmental analysis and disclosure documented in the Environmental Assessment (EA), the Responsible Official would decide: 1) whether to select the Proposed Action as proposed or modified, or as described in an alternative; 2) what mitigation measures would be needed; and 3) what monitoring would be required.

## THE PROPOSED ACTION

The Proposed Action is an exploration project that would consist of linear disturbance associated with drill roads, access roads, and drill sites. Total surface disturbance associated with the Project would not exceed 75 acres and could occur anywhere within the Project Area over a approximately five years, depending upon economic conditions and ongoing exploration results (Figure 1, see attached). This surface disturbance would be created in phases. Phase I surface disturbance for proposed exploration activities would total approximately 16.1 acres, and subsequent phases of exploration could disturb up to 58.9 acres (Table 1). Work plans that summarize construction, exploration, and reclamation activities will be submitted to the USFS for subsequent phases to ensure the avoidance of sensitive resources. These plans will be submitted to the USFS four weeks prior to surface disturbing activities.

In the first phase of exploration, MHLLC plans to construct 60 drill sites on new road. The total length of proposed constructed road for Phase I would be approximately 19,051 feet. Proposed roads would be constructed with a 14- to 16-foot travel width. The total road-related disturbance for Phase I would be approximately 14 acres. The 60 constructed drill sites, approximately 60 feet by 20 feet, would disturb approximately 1.9 acres. Sumps, approximately 15 feet by ten feet and eight feet in depth, would be excavated within the surface disturbance at each drill site to trap drill cuttings and manage drilling fluids (Table 1).

A laydown area would also be constructed during Phase I to accommodate storage of drilling supplies and tools, a sample-logging trailer, and dumpster. The surface disturbance associated with the proposed laydown area is estimated to be 0.2 acre (Table 1). The exact location of the laydown area is not known at this time; however, MHLLC will ensure sensitive resources are avoided when the location is being determined.

**Table 1: Acreage of Proposed Project Disturbance**

Exploration Activity	Surface Disturbance (acres)		
	Phase I	Subsequent Phases	Total Disturbance
Constructed Roads	14.0	34.7	48.7
Constructed Drill Sites	1.7	19.5	21.2
Sumps	0.2	4.5	4.7
Laydown Area	0.2	0.2	0.4
<b>Total</b>	<b>16.1</b>	<b>58.9</b>	<b>75.0</b>

Based on the results of Phase I drilling, MHLLC may construct up to approximately 34.7 acres of road and 24 acres of drill sites in subsequent phases (Table 1). MHLLC would likely construct an additional laydown area, with an approximate surface disturbance of 0.2 acre (Table 1). Depending upon the results of the Phase I exploration, MHLLC may install monitoring wells during subsequent phases of the Project. Road and drill site disturbance acreage associated with the installation of monitoring wells would be included in the road and drill site disturbance estimates in Table 1.

Roads and drill sites would be constructed in areas of varying topography to accommodate angled and vertical drill holes during all phases of exploration. Surface disturbance would vary based on the slope of the terrain where the sites are constructed. Balanced cut and fill construction would be used to the extent practicable to minimize the exposed cut slopes and the volume of fill material. Since the depth of the cut would be kept to a minimum, growth media removed during construction would be stockpiled as the fill slope to be used during reclamation.

It is not anticipated that blasting would be necessary to construct roadbeds. If drilling and blasting become necessary for the construction of exploration drill roads, MHLLC would submit an approved safety plan to the USFS and Nevada Division of Environmental Protection (NDEP) Bureau of Mining Regulation and Reclamation (BMRR) prior to blasting. Routine road maintenance may be required and would consist of smoothing ruts, filling holes with fill material, grading, snow plowing and re-establishing waterbars when necessary.

Road construction would be implemented using a Cat D8 or smaller dozer, or equivalent equipment, excavator, and backhoe. Exploration and drilling personnel would access the site in four-wheel drive vehicles. MHLLC would conduct exploration drilling with up to three drill rigs. A reverse circulation track-mounted and/or truck-mounted and/or core drill rig drill rig would be utilized to drill angled and vertical holes ranging from 200 to approximately 1,500 feet in depth. Drill rigs that would be used in the Project Area would each include the following support vehicles:

- One 2,000- to 3,500-gallon water truck or all-terrain vehicle;
- One pipe truck;
- One booster truck;
- One auxiliary air compressor; and
- One portable light plant/generator.

Sensitive resources would be avoided when determining the location of roads, drill sites, and laydown areas during all phases of the Project. Proposed drilling activities would avoid springs and seeps. Road construction immediately adjacent to drainages would be avoided whenever feasible. When drainages must be crossed with a road, Best Management Practices (BMPs) would be followed to minimize surface disturbance and erosion potential. These BMPs consist of using rip rap or weed-free straw bales. No culverts would be installed, unless required by the USFS.

BMPs for sediment control would also be utilized during sump excavation, operation, and reclamation to minimize sedimentation from disturbed areas. These would include, but not be

limited to, fabric and/or certified weed-free straw bale filter fences, siltation or filter berms, mud sumps, and downgradient drainage channels in order to prevent unnecessary or undue degradation to the environment.

Porta potties would also be set up on disturbed areas within the Project Area and will be used during the time the drill crews are on site. MHLLC may set up temporary water pipelines, approximately two inches in diameter, along with the temporary utilization of pressure relief tanks in order to assist with water supply in steeper areas of the Project where a water truck may be unable to safely access. Temporary enclosures may also be utilized on drill site disturbance to protect personnel from weather.

A minimal amount of general refuse, associated with work operations, would be created in the Project Area. All refuse generated during the Project would be removed and disposed of in an authorized off-site landfill facility, consistent with applicable regulations. No refuse would be permanently disposed of or left on site.

MHLLC would take steps to prevent fires by ensuring that each field vehicle carries hand tools, water, and a fire extinguisher. Water trucks at the Project Area would be used in the event of a fire. All portable equipment, including the drill rig(s), support vehicles and drilling supplies, would be removed from the Project Area during extended periods of non-operation.

The Project would commence as soon as the NEPA analysis is complete and the Plan of Operations is approved, and would continue for approximately five years, depending upon economic conditions and ongoing exploration results.

## **RECLAMATION**

A separate Reclamation Permit would be required by the NDEP BMRR because the total surface disturbance would be greater than five acres. The intent of the Proposed Action would be to reclaim the Project Area to a beneficial land use, prevent unnecessary degradation of the environment, and reclaim disturbed areas to ensure visual and functional compatibility with surrounding areas. Reclamation would be completed to the standards described in 36 CFR 228.8(g) and Nevada Administrative Code (NAC) 519A. Exploration roads and drill sites would be recontoured to approximate the original shape of the ground prior to road construction and to blend with the surrounding area. The area would then be reseeded with a USFS-approved certified weed-free seed mix at the appropriate time of year and at an application rate for optimum seed sprouting and plant growth. The seeding would be completed using a broadcast method and then raked. The reclaimed surfaces would be left in a textured or rough condition. Sumps would be backfilled with spoil material and the surface would be seeded in accordance with the methods described above.

During the exploration program, reclamation activities would involve management of drilling procedures to contain cuttings and drilling fluids and to keep worksites clean and safe. Concurrent reclamation of roads and drill sites would be completed to the extent possible during operations. Final reclamation would be completed within two years of Project completion, temporary shut-down, non-use, or abandonment. The USFS would be notified before the

commencement of final reclamation work. Table 2 outlines the reclamation schedule for the Proposed Action.

All drill holes would be plugged according to specifications outlined in NAC 534.4369 and NAC 534.4371. In the unlikely event that any drill hole produces artesian flow, the drill hole would be contained pursuant to Nevada Revised Statutes 534.060 and NAC 534.378 and would be sealed by the method described in Subsection 2 of NAC 534.4371. If ground water is encountered, the hole would be plugged pursuant to NAC 534.4371.2. Drill holes would be plugged prior to the drill rig moving from the drill site unless drill holes are pre-collared by one drill rig and completed by a different rig. In the event that no personnel are on site for extended periods of time, all drill holes, including partially completed holes, would be plugged or temporarily capped.

**Table 2: Exploration Reclamation Schedule**

Techniques	Month											
	J	F	M	A	M	J	J	A	S	O	N	D
Regrading												
Seeding												
Monitoring												

**ENVIRONMENTAL PROTECTION MEASURES**

Environmental protection measures are proposed to avoid or minimize negative effects to resources surrounding and within the Project Area. Specific measures include:

Air Quality

- Dust from the use of roads would be minimized to the extent reasonable and practicable by minimizing vehicular traffic and using prudent vehicle speeds to minimize all fugitive dust created by travel between drill sites and drilling activities.

Water Quality

- Sediment control structures, including fabric and/or certified weed-free straw bale filter fences, siltation or filter berms, mud sumps, and downgradient drainage channels would be used;
- Sediment traps (sumps) would be constructed as necessary adjacent to the drill sites to manage drilling fluids and prevent the release of cuttings;
- Project activities would avoid springs and seeps; and
- All bladed roads would have waterbars constructed, as needed.

Wildlife and Vegetation

- Disturbed areas would be reclaimed to restore wildlife habitat; and
- A survey of the flora and fauna has been conducted by Enviroscientists, Inc. and areas containing sensitive species would be avoided.

### Migratory Birds

- A migratory bird nest survey would be conducted yearly within potential breeding habitat during the appropriate time of year prior to any surface disturbance.

### Noxious Weeds

- Implement noxious weed assessment and prevention measures;
- Dozers, drills, and other similar equipment would be steam cleaned prior to entering the Project Area to avoid the transport of noxious weed seeds from off-site locations;
- Noxious weed occurrences would be treated as soon as they are identified; and
- Any noxious weed/undesirable plant infestation that results from ground disturbing activities within the Project Area within a five-year period following the last ground disturbing activity would be treated on an annual basis.

### Cultural Resources

- A cultural survey has been conducted in the Project Area by Summit Envirosolutions. Identified eligible cultural resource sites (historic or prehistoric) would be avoided by all Project activities; and
- If previously undiscovered cultural resources are exposed as a result of operations under this Project, MHLLC would cease operations in the vicinity, leave such discoveries intact, and notify the District Ranger. MHLLC would not proceed until notified in writing by the District Ranger that compliance with the provisions for mitigating unforeseen impacts as required by 36 CFR 228.4(e) Subpart A have been satisfied.

### Public Safety

- All equipment and other facilities would be maintained in a safe and orderly manner; and
- Signs would be posted at the entrance of roads that access the Project Area when exploration activities are in progress.

## **MONITORING**

Throughout the Project, MHLLC would cooperate with the USFS to inventory and monitor noxious weeds/undesirable plants within areas of disturbance. At the conclusion of the Project, seeded areas would be monitored for stability and revegetation success, during the spring or fall, for a minimum of three years until attainment of the revegetation standards established in the Nevada Guidelines for Successful Revegetation for the NDEP, the Bureau of Land Management, and the USFS (Instruction Memorandum #NV-13).

## **PRELIMINARY ISSUES**

The following preliminary issues have been identified for the Project by the USFS:

1. Wildlife Resources - Potential impacts to sensitive bat species and potential habitat for flammulated owls, nesting raptor species, and greater sage-grouse as a result of Project-related activities;
2. Neotropical Migratory Birds - Potential impacts to migratory birds as a result of Project-related surface disturbance;

3. Vegetation Resources - Potential impacts related to the removal of 75 acres of vegetation associated with Project-related surface disturbance, including potential impacts to sensitive species and the Monte Cristo Pine Nut Sale Area as a result of *Piñon* tree removal;
4. Invasive, Nonnative Species - Potential impacts to vegetation communities from the spread of invasive, nonnative species during Project-related activities;
5. Cultural Resources - Potential impacts to cultural resources as a result of Project-related surface disturbance; and
6. Native American Concerns - Potential impacts to identified traditional and cultural activities, spiritual sites, and resources as a result of implementation of the Project.

### POTENTIAL EFFECTS ANALYSIS

The following table summarizes the potential impacts of the Proposed Action. In the EA, these impacts would be compared to those resulting from the Alternatives.

**Table 3: Potential Effects Analysis**

Resource	Potential Project-related Impacts
Wildlife	<p>Impacts to wildlife from the Project would consist of temporary habitat loss and disturbance from human activity and noise. Wildlife could be displaced by Project-related disturbance or habitat loss and could be expected to move into nearby areas during Project activities.</p> <p>A survey of the flora and fauna was conducted in the Project Area by Enviroscientists, Inc. A sensitive bat species was identified in the Project Area. Project activities are not expected to disturb areas that provide suitable roosting habitat for the sensitive bat species. Concurrent reclamation would occur to the extent practicable, and annual reclamation would occur when the Project is completed. Revegetation and reclamation following Project activities would minimize long-term impacts to sensitive species in the Project Area.</p>
Neotropical Migratory Birds	<p>Up to 75 acres of surface disturbance could result in the destruction of active nests or disturb the breeding behavior of migratory bird species; however, disturbance would be localized and would be spread out over approximately five years, depending upon economic conditions and ongoing exploration results. Surveys would be conducted during the migratory bird nesting season in the Project Area; therefore, impacts to neotropical migratory birds would be minimized.</p>
Vegetation	<p>The Project would impact native plant communities in the Project Area. Project-related impacts would be short term (i.e., life of the Project) with concurrent and final reclamation returning all disturbances to a revegetated condition. No native plant communities in the Project Area would be substantially impacted due to the small amount of Project-related surface disturbance (up to 75 acres), and the presence of abundant vegetation in the Project Area.</p> <p>Four special status plant species have been identified in the Project Area. Appropriate avoidance and mitigation measures would be developed to minimize or avoid impacts to this species.</p>
Invasive, Nonnative Species	<p>Project-related disturbance could result in short-term impacts by transporting noxious weed seeds or vegetative matter to the Project Area. Long-term impacts of introduction and spread of noxious weeds would be minimized through the environmental protection measures outlined above.</p>



Resource	Potential Project-related Impacts
Cultural	A cultural resources survey was conducted in the Project by Summit Envirosolutions. Multiple cultural sites were identified within the Project Area during the inventory. MHLLC would avoid any eligible cultural sites (historic or prehistoric); therefore, there would be no impacts to cultural resources as a result of the Project.
Native American Concerns	Identified traditional and cultural activities, spiritual sites, and resources would be avoided; therefore, impacts to Native American concerns are not anticipated.

## ALTERNATIVES

Currently, two alternatives have been identified to be analyzed in detail with further analysis potentially generating other alternatives.

**The No Action Alternative:** The Plan of Operations would not be approved and MHLLC would not conduct exploration activities. Conditions at the Project Area would remain as they are now.

**The Proposed Action Alternative:** MHLLC’s Plan of Operations would be approved and MHLLC would be authorized to conduct the proposed drilling project with up to 75 acres of surface disturbance. This alternative would include the proposed activities outlined in the Plan of Operations from MHLLC and would include environmental protection measures, timing, monitoring, reclamation, and protective measures based upon comments from the public, tribes, and the interdisciplinary team during analysis of the Proposed Action.

## COMMENT PROCESS

Written, facsimile, hand-delivered, oral, and electronic comments concerning this action will be accepted for 30 calendar days following the publication of this notice in the *Ely Times*. The publication date in the newspaper of record is the exclusive means for calculating the comment period for this analysis. Those wishing to comment should not rely upon dates or time frame information provided by any other source. The regulations prohibit extending the length of the comment period, excluding federal holidays.

Written comments must be submitted to: District Ranger, Ely Ranger District; 825 Avenue E, Ely, Nevada, 89301, or fax (775) 289-2132. The telephone number is (775) 289-3031. Office business hours for those submitting hand-delivered comments are 8:00 a.m. to 4:30 p.m., Monday through Friday, excluding holidays.

Electronic comments must be submitted in a format such as an email message, plain text (.txt), rich text format (.rtf), Acrobat (.pdf), and Word (.doc) to [comments-intermtn-humboldt-toiyabe-ely@fs.fed.us](mailto:comments-intermtn-humboldt-toiyabe-ely@fs.fed.us). Comments must have an identifiable name attached or verification of identity will be required. A scanned signature may serve as verification on electronic comments.

## **APPEAL ELIGIBILITY**

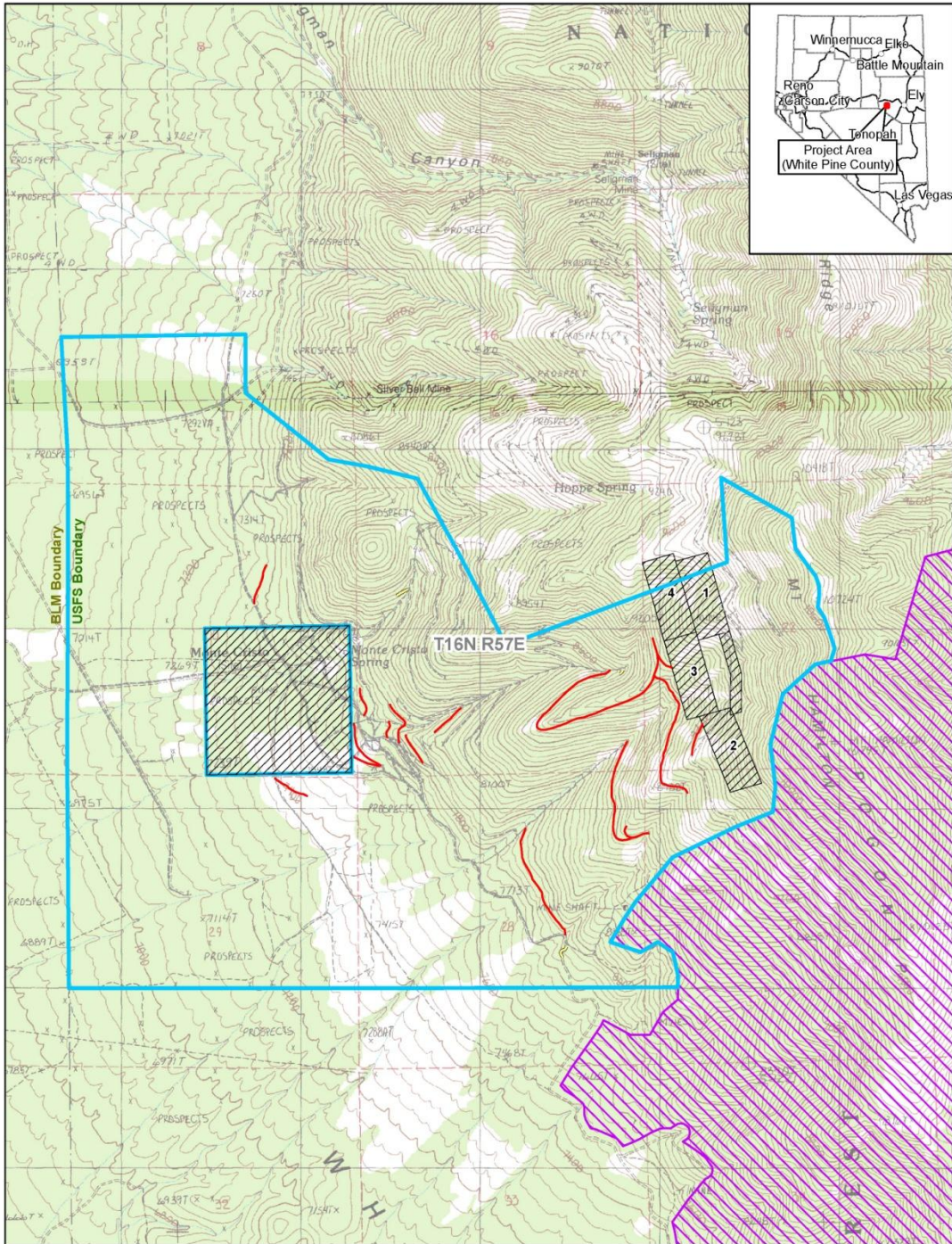
Comments must be received by the close of the comment period. Individuals and organizations wishing to be eligible to appeal must provide the information identified in 36 CFR 215, including:

- Name and Address;
- Title of the Proposed Action;
- Specific comments (36 CFR 215.2) on the Proposed Action, along with supporting reasons that the Responsible Official should consider in reaching a decision;
- Signature or other verification of identity upon request; identification of the individual or organization who authored the comments(s) is necessary for appeal eligibility;
- For multiple names or multiple organizations, a signature must be provided for the individual authorized to represent each organization, or for each individual that wishes to have appeal eligibility; and
- Individual members of organizations must submit their own comments to meet the requirements of appeal eligibility as an individual, comments received on behalf of an organization are considered as those of the organization only.

Comments received in response to this solicitation, including names and addresses of those who comment, will be considered part of the public record for this Project and will be available for public inspection and released if requested under the Freedom of Information Act.

For further information, contact Deanna Stever, Project Lead, at (775) 289-5120, or email at [dstever@fs.fed.us](mailto:dstever@fs.fed.us).

Attachment: Wheeler Ridge Exploration Project Map



**Explanation**

- Project Boundary
- Private Land
- USFS Roadless Area
- Proposed Phase 1 Exploration Roads
- Post-1981 Roads
- Pre-1981 Roads
- Pre-1981 Roads

**1:20,000**

0    1,000    2,000    3,000  
Feet

Projection: UTM Zone 11 North, NAD83

**MT. HAMILTON LLC**

**WHEELER RIDGE EXPLORATION PROJECT**

**Project Location, Project Boundary,  
and Proposed Activities**

Figure 1

Date: 03/06/2012	Drawn By: JAKGSL
Revised:	Project No.: 2637
Base Map: USGS 7.5' quad: Mount Hamilton & Sagehen Canyon	
File Name: 2637X_MtHamilton_Figure1_March2012.mxd	

nviroscientists, inc.