

American Flat Road/ Lucerne Access Right-of-Way Environmental Assessment

PUBLIC SCOPING

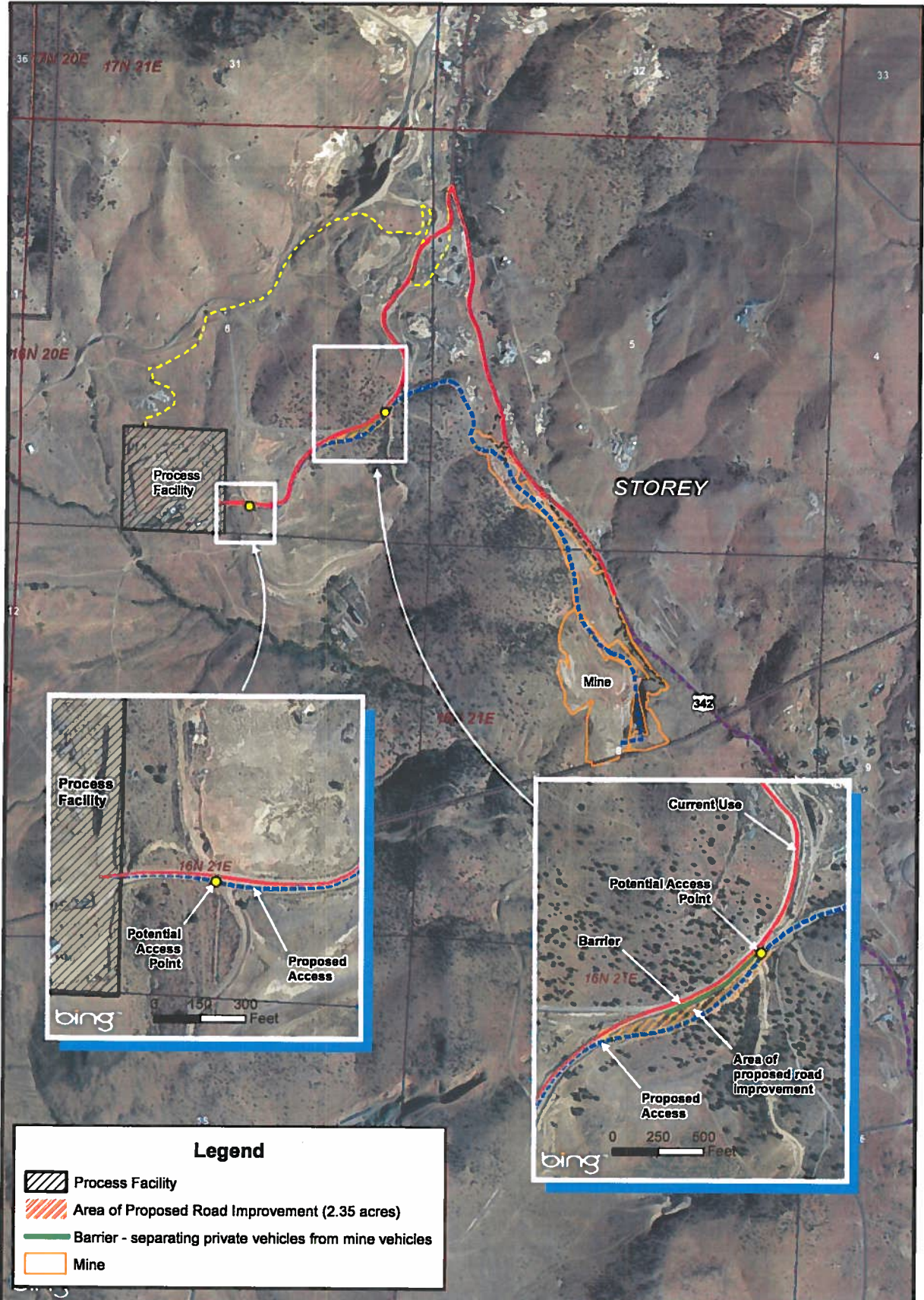
DOI-BLM-NV-C020-2013-0005-EA

U.S. Department of the Interior
Bureau of Land Management
Carson City District
Sierra Front Field Office
5665 Morgan Mill Road
Carson City, NV 89701
775-885-6000

January 2013



PROJECT AREA DETAIL



Legend

- Process Facility
- Area of Proposed Road Improvement (2.35 acres)
- Barrier - separating private vehicles from mine vehicles
- Mine

- Current Use
- Proposed Action
- Private Access Roads From Pit to Hwy 342
- Upper American Flat Road Option
- Non-Federal Option

0 600 1,200 2,400 Feet

COMSTOCK MINING, INC.
ENVIRONMENTAL ASSESSMENT

FIGURE 6
PROJECT AREA DETAIL

NO WARRANTY IS MADE BY THE BUREAU OF LAND MANAGEMENT AS TO THE ACCURACY, RELIABILITY, OR COMPLETENESS OF THESE DATA FOR INDIVIDUAL USE OR AGGREGATE USE WITH OTHER DATA.

DATE DRAWN	1/15/2013	SCALE	1 in = 1,200 feet
DRAWN BY	CHJ		

BLM Seeks Input on the American Flat Road/Lucerne Access Right-of-Way

The Bureau of Land Management (BLM), Sierra Front Field Office in Carson City, Nevada, has received a right-of-way (ROW) application by Comstock Mining, Inc. (Comstock) for the construction, maintenance and use of the "Lucerne haul road" across public land segments between their Lucerne pit mining operation and heap-leach processing facility. To evaluate their request, the BLM will be preparing an environmental assessment (EA) in order to comply with the National Environmental Policy Act and the National Historic Preservation Act.

Comstock is currently mining in the Lucerne and Billy the Kid Pits, southwest of Gold Hill along State Highway 342, in Storey County, Nevada. The mining and heap-leach operations are located on privately-owned lands. The haul road would cross several public land segments. Comstock is also proposing to make the haul road an exclusive use road. Use of the haul road would reduce Comstock's use of State Highway 342 as a haul road.

In order to fulfill the requirements of the National Environmental Policy Act and National Historic Preservation Act, an EA is required to evaluate the potential direct, indirect, and cumulative effects to the human environment from the right-of-way (ROW) authorization.

To assist the BLM in evaluating Comstock's proposal, the BLM requests your input at this early stage:

- Do you have knowledge of sensitive or unique resources within the proposed project area?
- Do you have knowledge of conflicts for the use of the American Flat Road/Lucerne Access as an exclusive use road?
- Do you have other information about the proposed project area that could assist us with our evaluation?

How to Comment

**** Public meetings ****

A public workshop will be held at the BLM's Carson City District Office on Tuesday January 22, 2013; the workshop will be from 6:30 pm until 8:30 pm with two presentations at 6:45 pm and 7:45 pm. The format will be an open house, not a hearing. The workshop will be held at 5665 Morgan Mill Road, Carson City, Nevada.

A public workshop will be held at the Piper's Opera House on Tuesday January 29, 2013; the workshop will be from 6:30 pm until 8:30 pm with two presentations at 6:45 pm and 7:45 pm. The format will also be an open house, not a hearing. The workshop will be held at 12 North B Street, Virginia City, Nevada.

Note: these open houses will not be conducted in a hearing format. Forms will be available for written comments. Staff will be available at the map stations showing the proposed right-of-way amendment and alternative options.

This 30-day scoping period is from **January 17 to February 16, 2013**.

Should you have any questions, or to submit your comments, contact: Brian Buttazoni, Planning and Environmental Coordinator, 5665 Morgan Mill Rd, Carson City, Nevada 89701 or email at: bbuttazoni@blm.gov. For more information call: 775-885-6004. Comments can also be faxed to: 775-885-6147 attn: Brian Buttazoni.

Privacy notice: Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment, including your personal identifying information, and may be made publicly available at any time. While individuals may request that the BLM withhold your personal identifying information from public review, the BLM cannot guarantee it will be able to do so. If you wish to withhold your personal information you must state this prominently at the beginning of your comment. We will make all submissions from organizations or businesses available for public disclosure in their entirety.

Note: this project does not involve mining taking place on privately-owned lands; on-going mining in the Billy the Kid and Lucerne pit areas are not subject to BLM decision-making. Comstock has not submitted to the BLM a plan of operations for mining on public lands. There is no proposal before the BLM to mine on public lands.

Resources Considered for Analysis

The following resources were considered during an internal interdisciplinary team meeting on this proposal held on December 5, 2012. Based on that review, resources *present and may be affected* by this proposal would be fully analyzed in the EA.

Category I, Supplemental Authorities.

Resource	Present		Affected	Rationale
	Yes	No		
Air Quality	Y		Y	Carried forward for analysis.
Areas of Critical Environmental Concern	N		N	Resource not present.
Cultural Resources	Y		Y	Carried forward for analysis.
Environmental Justice	N		N	Resource not present.
Farm Lands (prime or unique)	N		N	Resource not present.
Floodplains	N		N	Resource not present.
Invasive, Nonnative Species	Y		Y	Carried forward for analysis.
Migratory Birds	Y		Y	Carried forward for analysis.
Native American Religious Concerns	Y		Y	Carried forward for analysis.
Threatened or Endangered Species (animals)	N		N	Resource not present.

Threatened or Endangered Species (plants)	N	N	Resource not present.
Wastes, Hazardous or Solid	Y	Y	Carried forward for analysis.
Water Quality (Surface/Ground)	N	N	Resource not present.
Wetlands/Riparian Zones	N	N	Resource not present.
Wild and Scenic Rivers	N	N	Resource not present.
Wilderness/WSA	N	N	Resource not present.

Category II, Other Resources.

Resource or Issue ²⁸	Present Yes/No	Affected Yes/No	Rationale
BLM Sensitive Species (animals)	Y	Y	Carried forward for analysis.
BLM Sensitive Species (plants)	Y	Y	Carried forward for analysis.
Fire Management/Vegetation	N	N	Resource not present.
Forest Resources	N	N	Resource not present.
General Wildlife	Y	Y	Carried forward for analysis.
Global Climate Change	Y	N	Although there is a public and scientific debate about human-caused contributions to global climate change, no methodology currently exists to correlate greenhouse gas emissions (GHG) from the alternatives, and to what extent these contributions would contribute to global climate change.
Greenhouse Gas Emissions	Y	Y	Carried forward for analysis.
Land Use Authorization	Y	Y	Carried forward for analysis.
Lands with Wilderness Characteristics	N	N	Resource not present.
Livestock Grazing	N	N	Resource not present.
Minerals	Y	N	No impacts to mining claims are expected.
Paleontological	N	N	Resource not present.
Recreation	Y	Y	Carried forward for analysis.
Socioeconomics	Y	Y	Carried forward for analysis.
Soils	Y	N	Best management practices would be incorporated into the project to ensure that water quality is not affected.
Travel Management	Y	Y	Carried forward for analysis.
Vegetation	Y	Y	Carried forward for analysis.
Visual Resources	Y	N	The project area is Visual Resources Management Class IV which allows for major changes to the visual character of the area; the alternatives are consistent with Class IV.
Wild Horses and Burros	N	N	The project area is not with a Herd Management Area; wild horses seen in the project area are State estray horses and are not under the management of the BLM.

The draft EA for this proposal would be made available for a 30-day public review and comment period in the summer of 2013.

Preliminary Identification of Resource Issues

Travel Management (Public Access and Public Safety)

- Under the project, Comstock would have exclusive use of the Lower American Flat Road to travel from their Lucerne pit area to the process facility. Comstock would ensure that there is safe public access across this exclusive use road.

Air Quality

- The project has the potential to effect air quality. Comstock would implement their Dust Control Plan to reduce these potential impacts from the project.

Noxious, Invasive Plant Species

- The project has the potential to introduce and/or spread populations of noxious and invasive plant species. Comstock would implement their Integrated Weed Management Plan to reduce these potential impacts from the project.

Biological Resources

- The project area is located approximately 1.75 miles south of known populations of altered andesite buckwheat. The majority of the project area is on an existing road, which does not provide habitat for the altered andesite buckwheat. Additionally, the area where 2.35 acres of surface disturbance associated with the project would occur is not considered habitat for the altered andesite buckwheat.
- The project area is not within greater sage-grouse (*Centrocercus urophasianus*) habitat, a candidate for listing on the Endangered Species Act.

Cultural Resources

- The project area is located within the Virginia City National Register District and Landmark.
- A class III cultural resources inventory is currently being conducted in the project area. The determination of the cultural Area of Potential Effect (APE) will occur during the scoping process.
- The Section 106 process will include communication with the National Park Service, the Advisory Commission on Historic Preservation, the State Historic Preservation Officer, the Comstock Historic District Commission, the Storey County certified local government, interested parties, and local Native American Tribes.