



File Code: 2800

Date: August 8, 2007

Any Name  
Any Street  
Any City, State Zip

Dear Interested Party:

The Bearlodge Ranger District, United States Forest Service (USFS), has received a Plan of Operations from Newmont Mining Corporation (NMC) to conduct a multi-year mineral exploratory drilling program in the Bearlodge Mountains north of Sundance, Crook County, Wyoming (Project). A map of the Project area has been included for your information. This letter is intended to comply with the Council on Environmental Quality regulations at 40 C.F.R. 1501.7 for scoping for the National Environmental Policy Act planning process, which states that "There shall be an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action."

The District Ranger will be the responsible official for this project, including making the decision on the Final EA and the finding of no significant impact, and approving the plan of operation.

**Project location:** The Project would take place on National Forest System lands in all or parts of Sections 4-9, 14, 15, 17-19, 20-23, and 26-35, Township 52 North, Range 63 West (T52N, R63W); and Sections 2-5, T51N, R63W, 6<sup>th</sup> Principal Meridian and Baseline (Project Area) all in Crook County, Wyoming.

**Proposed Action:** NMC proposes to conduct exploration operations that will be a multi-year project that will be implemented through several phases. The Project will have up to a total of 200 acres of surface disturbance. The exploration activities would occur within the 11 areas identified on the attached map. The following table outlines NMC's existing activities, which were approved by the USFS in 2005 and 2006, as well as the anticipated disturbance for the Plan of Operations under the first phase and subsequent phases of exploration.

NMC proposes to construct up to 238 drill sites during Phase 1. In addition, up to 15.7 miles of new temporary roads, 24.9 miles of closed existing roads, and 32.9 miles of overland travel will be used under Phase 1. Phase 1 surface disturbance will total approximately 98.9 acres and may include up to 1.63 miles of new trench construction as well as disturbance for laydown areas. Surface disturbance from the subsequent phases will total approximately 98.62 acres. The amount of road and pad disturbance is dependent on the results obtained from the phased exploration work and may vary from that described above; however, the total amount of disturbance over the life of the project will not exceed 200 acres. The construction of the temporary roads, the use of the existing roads and the overland travel will allow NMC to access



the areas for exploration drilling. Some timber may be removed through the various new construction activities. The drilling activities include the construction of the drill pad and the sediment traps. The sediment traps are used to contain the rock cuttings that are generated during the drilling operation that allows the collection of rock samples from the drill hole. Once the drilling is completed the drill hole is filled with a clay material to seal it.

#### Anticipated Surface Disturbance by Project Area and Phase in Acres

Exploration Activity	Existing Activities	Phase 1 Activities	Subsequent Phase Activities	Total Anticipated Disturbance
Closed Existing Roads	0.00	19.00	10.14	29.1414
New Temporary Roads*	0.00	30.00	30.50	60.50
Overland Travel	0.00	20.00	10.58	30.58
Drill Sites (includes sediment traps)	0.78	17.00	45.40	63.18
Trenching	1.70	7.90	2.00	11.60
Laydown Area	0.00	5.00	0.00	5.00
<b>Total</b>	2.48	98.90	98.62	200.00

\* A five percent contingency has been added to the exploration arterial roads and drill spur surface disturbance calculation to account for turnouts.

Since this is an exploration project, NMC is unable to predict, at this time, the exact locations of all exploration roads, drill sites, trenches, and bulk sample locations. As the exploration activities progress through the phases, NMC will provide the USFS with information that identifies the location of the planned surface disturbance under each phase of exploration in the Project area prior to implementing that phase of exploration. Mitigation measures will be implemented as necessary. Phase 1 is expected to be initiated in the summer of 2008. The duration for all phases of the Project is up to five years.

Reclamation will be completed to the standards described in 36 CFR 228.8(g). In addition, the State of Wyoming requires a permit to conduct the planned exploration activities as well as reclamation of the planned surface disturbance. Reclamation of roads and drill sites will be conducted concurrently with exploration activities to the extent practicable. Exploration roads and drill sites will be recontoured to approximately the original shape of the ground and the area will be reseeded with a certified weed free native seed mix approved by the USFS. During the exploration program, reclamation activities will involve management of drilling procedures to control cuttings and drilling fluids and to keep worksites clean and safe. Reclamation will be monitored to ensure that the goals of the reclamation have been met.

**Purpose and Need:** The Purpose and Need for this action is to allow NMC to exercise their rights under US mining laws while protecting the environment in accordance with Forest Service regulations for locatable minerals. The Purpose and Need has several components. NMC has a right to explore for mineral resources as set forth by the General Mining Law of 1872 as amended. The Forest Service has the responsibility to protect surface resources of National Forest System land to the extent practicable. Forest Service mining regulations state that

“operations shall be conducted so as, where feasible, to minimize adverse impacts on National Forest System surface resources (36 CFR 228.8).” However, the “authorized officer... must consider economics of the operation along with other factors in determining the reasonableness of requirements for surface resource protection (35 CFR 228.5(a)).”

***Preliminary Issues and Concerns:*** Archaeological and biological surveys will be conducted for cultural resources, and threatened, endangered, and sensitive species.

The Project area will also be the subject of a timber sale (Burner Timber Sale) during the life of the Project. In addition, the Project area is also used on a seasonal basis for various dispersed recreation and hunting.

No other concerns have been identified at this time.

***Preliminary Alternatives*** No alternatives to the proposed action, other than the No Action alternative, have been identified at this time.

Your comments on this proposal are welcome and encouraged. Please be sure that any comments are returned by **September 10, 2007**. **Send comments to: Bearlodge Ranger District, P.O. Box 680, Sundance, WY 82729 or electronic comments to [comments-rocky-mountain-black-hills-bearlodge@fs.fed.us](mailto:comments-rocky-mountain-black-hills-bearlodge@fs.fed.us)**. Comments submitted, as well as the names and addresses of those who comment, are considered part of the public record and will be released if requested under the Freedom of Information Act (FOIA).

Please call Jeanette Timm at 307-283-1361 for any additional information.

Sincerely,

*/s/ Steven J. Kozel*  
STEVEN J. KOZEL  
District Ranger

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