United States
Department of
Agriculture

Forest Service

Humboldt-Toiyabe
National Forest

April 2010

SCOPING DOCUMENT AND NOTICE OF PROPOSED ACTION OPPORTUNITY TO COMMENT

BUFFALO CANYON EXPLORATION PROJECT

AUSTIN RANGER DISTRICT

NYE COUNTY, NEVADA

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COMMENTS WELCOME

The Austin Ranger District of the Humboldt-Toiyabe National Forest welcomes your comments on the Buffalo Canyon Exploration Project (Project) proposed by AuEx, Inc. (AuEx). The project will consist of constructing temporary roads, drill sites, and sumps. Total project-related disturbance will be up to 24 acres over three years within Nye County, Nevada.

The Forest Service is now seeking public comments specific to the proposed Project. The purpose of this comment period has two purposes.

1. To provide additional 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 (NOPA) in the *Battle Mountain Bugle*. For detailed information on how to provide comments, please refer to the "Comment Process" section of this document.
2. Meet the NEPA requirements for public scoping.

LOCATION

The Buffalo Canyon Exploration Project is located in Sections 15, 16, 20, 21, 22, 27, and 28, Township 12 North, Range 39 East (T12N, R39E), Mount Diablo Base and Meridian (MDB&M), Nye County, Nevada (Project Area). The Project is located near Berlin-Ichthyosaur State Park. The Project Area will be accessed via Forest Service Roads 24 and 120, Nevada State Highway 844, existing two track, and proposed roads as shown in the attachment “Buffalo Canyon Exploration Project.” The Project will not be accessed through Berlin-Ichthyosaur State Park. The southern extent of the proposed activities is located approximately one mile east of Berlin. The reference maps for the Project are the Ione and Ione Northwest, Nevada United States Geological Survey (USGS) 7.5 minute quadrangles. The entire Project Area is located on National Forest lands administered by the United States Forest Service (USFS), Austin Ranger District.

PURPOSE AND NEED FOR ACTION

The purpose of and need for the Proposed Action is to identify and delineate mineral ore deposits, specifically by exploration drilling, on National Forest System lands in the Project Area to locate and delineate precious mineral deposits. The statutory right of AuEx 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 Toiyabe National Forest Land and Resource Management Plan of 1986 (IV-50). Surface management regulations (36 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 Deciding Official will decide 1) whether to select the Proposed Action as proposed or modified, or as described in an alternative; 2) what mitigation measures are needed; and 3) what monitoring is required.

THE PROPOSED ACTION

This is an exploration project that will consist of linear disturbance associated with drill and access roads and drill sites. AuEx plans to drill up to two drill holes at 18 sites (for a maximum of 36 drill holes) constructed on new road. There are several areas of existing disturbance within the Project Area including prospects and adits.

The total length of proposed road is approximately 41,373 feet. Proposed roads will be constructed with a 12-foot travel width. Road construction will occur in areas with varying topography. As a result, the disturbance width will vary between 13 feet and 24 feet. Total road-related disturbance is 21.85 acres. Road construction will be implemented using a Cat D7 (or equivalent equipment), excavator, and backhoe. Balanced cut and fill construction will be used to the extent practicable to minimize the exposed cut slopes and the volume of fill material. Since the depth of the cut will be kept to a minimum, growth media removed during construction will be stockpiled as the fill slope to be used during reclamation. Road construction immediately adjacent to drainages will be avoided whenever feasible. Drill site construction within perennial drainages will be strictly avoided. When drainages must be crossed with a road, Best Management Practices (BMPs) will be followed to minimize surface disturbance and erosion potential. These BMPs consist of using rip rap or weed-free straw bales. No culverts will be installed. It is not anticipated that blasting will be necessary to construct roadbeds. If drilling and blasting become necessary for the construction of exploration drill roads, AuEx will submit an approved safety plan to the USFS and NDEP prior to blasting. Routine road maintenance may be required and will consist of smoothing ruts, filling holes with fill material, grading and re-establishing waterbars when necessary.

A total of 18 drill pads will be constructed to accommodate angled and vertical drill holes. At the request of the USFS, Drill Site 9 was relocated as shown on the attached figure. Surface disturbance will vary based on the slope of the terrain where the sites are constructed. The 18 constructed drill sites, approximately 70 feet by 30 feet, will disturb approximately 1.37 acres. The drill sites will be constructed in areas with varying topography. The disturbance width of the drill sites will vary from approximately 33 feet to 60 feet. Sumps approximately 15 feet by ten feet and eight feet in depth will be excavated at each site to trap drill cuttings and control drilling fluids generated during drilling. The sumps will be located within the proposed drill sites and are included in the surface disturbance associated with the sites. AuEx will conduct exploration drilling with up to two drill rigs. A reverse circulation track-mounted and/or core drill rig will be utilized to drill angled and vertical holes averaging approximately 800 feet in depth. All drill holes will be plugged according to specifications NAC 534.4369 and NAC 534.4371. In the unlikely event that any drill hole produces artesian flow, the drill hole will be abandoned pursuant to NRS 534.060 and NAC 534.378 and will be sealed by the method described in

Subsection 2 of NAC 534.4371. If the casings are set in a drill hole, either the drill hole must be completed as a well and plugged pursuant to NAC 534.420 or the casings will be completely removed from the drill hole and then plugged according to NAC 534.4369 and NAC 534.4371.

The total amount of surface disturbance associated with exploration roads, drill sites, and sumps will be approximately 23.22 acres (Table 1).

Table 1: Project Related Surface Disturbance

Exploration Activity	Total Disturbance (acres)
Constructed Roads	21.85
Constructed Drill Sites (includes sumps and spoils)	1.37
Total	23.22

A Cat D7, or equivalent dozer, an excavator with nitrogen hammer, and/or backhoe will be used to construct the roads and drill sites where needed. Exploration and drilling personnel will access the site in four-wheel drive vehicles. Up to two drill rigs will be used in the Project Area and will include the following support vehicles:

- One 2,000- to 4,000-gallon water truck or all-terrain vehicle;
- Up to two pipe trucks;
- One booster truck;
- One auxiliary air compressor; and
- One portable light plant/generator.

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

The project is currently scheduled for implementation in summer 2010 and continue to 2014.

RECLAMATION

The intent is 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 will be completed to the standards described in 36 CFR 228.8(g). Exploration roads and drill sites will be recontoured to approximate the original shape of the ground prior to road construction and to blend with the surrounding area. The area will 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 (Table 2). The seeding will be completed using a broadcast method and then raked. The reclaimed surfaces will be left in a textured or rough condition. Sumps will be backfilled with spoil material and the surface will be seeded in accordance with the methods described above. Seeded areas will 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 Nevada Division of Environmental Protection (NDEP), the Bureau of Land Management, and the USDA Forest Service (Instruction Memorandum #NV-13).

During the exploration program, reclamation activities will 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 will be completed to the extent possible during operations. Annual reclamation will be performed on all roads left in place for more than one year or left in place over one winter and will include seeding of all road disturbances. Final reclamation will be completed within two years of project completion, temporary shut-down, non-use, or abandonment. The USFS will be notified before the commencement of final reclamation work.

All drill holes will be plugged according to specifications NAC 534.4369 and NAC 534.4371. If ground water is encountered, the hole will be plugged pursuant to NAC 534.4371.2. Drill holes will be plugged prior to the drill rig moving from the drill site. In the event that no personnel are on site for extended periods of time, all drill holes, including partially completed holes, will be plugged.

Table 2: Exploration Reclamation Schedule

TECHNIQUES	**MONTH**											
	J	**F**	**M**	**A**	**M**	**J**	**J**	**A**	**S**	**O**	**N**	**D**
Regrading												
Seeding												
Monitoring												

MITIGATION MEASURES

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

<u>Air Quality</u>

- Dust from roads will be minimized by encouraging contractors and staff to minimize trips to and from the drill rig on a daily basis.

<u>Water Quality</u>

- Sediment control structures, including fabric and/or weed-free straw bale filter fences, siltation or filter berms, mud sumps, and downgradient drainage channels will be used.
- Sediment traps (sumps) will be constructed as necessary adjacent to the drill sites to settle cuttings and prevent their release.
- Project activities will avoid springs and seeps.
- All bladed roads will have waterbars constructed, as needed.
- Drill site construction within perennial drainages will be strictly avoided.

Wildlife and Vegetation

- Disturbed areas will be reclaimed to restore habitat.
- A survey of the flora and fauna has been conducted by Enviroscientists Inc. and areas containing sensitive species will be avoided.
- Raptor nests identified during a wildlife survey in the Project Area will be avoided during the project.
- Potential habitat for sensitive bat species has been identified in the Project Area. Potential impacts to sensitive bat species will be evaluated.

Migratory Birds

- A migratory bird nest survey will be conducted yearly within potential breeding habitat prior to any surface disturbance.

Noxious Weeds

- Implement noxious weed assessment prevention measures.
- All vehicles will be washed entering/leaving the Project Area within a designated vehicle washing staging area.

Cultural Resources

- A cultural survey has been conducted in the Project Area by Summit Envirosolutions. Identified eligible cultural resource sites (historic or pre-historic) will be avoided, or treated, by all Project activities, or treated.

Public Safety

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

MONITORING

Throughout the project, AuEx will cooperate with the USFS to inventory and monitor noxious weeds/undesirable plants within areas of disturbance. At the conclusion of the project, seeded areas will 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 USDA Forest Service (Instruction Memorandum #NV-13).

PRELIMINARY ISSUES

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

1. Potential impacts to mule deer, nesting, raptors, and migratory birds as a result of project-related activities.
2. Potential impacts to cultural resources.
3. Potential impacts to State Parks.

Table 3: Preliminary Effects Analysis

Resource	Potential Project-related Impacts
Wildlife	A survey of the flora and fauna was conducted in the Project Area by Enviroscientists. Areas containing sensitive species will be avoided. No active raptor nests will be removed as a result of any exploration activities unless approved by the USFS or other appropriate agency. To benefit wildlife species that inhabit standing dead trees, removal of snags will be avoided when possible. Potential habitat for sensitive bat species has been identified in the Project Area. Potential impacts to sensitive bat species will be evaluated.
Neotropical Migratory birds	Up to 24 acres of surface disturbance could result in the destruction of active nests or disturb the breeding behavior of migratory bird species; however, disturbance will be localized and will be spread out over three years. Surveys will be conducted during the migratory bird nesting season in the Project Area; therefore, impacts to neotropical migratory birds will be minimized.
Water	AuEx will conduct exploration activities so as to minimize soil erosion. Equipment will not be operated when ground conditions are such that excessive resource damage or increased sediment transport will occur. BMPs will be utilized to control erosion and sedimentation.
Cultural	A cultural resources survey was conducted in the Project Area in June 2009 by Summit Envirosolutions. A total of 18 archaeological sites were recorded during the inventory. These include 15 newly identified sites and two previous recorded sites within the Project Area, and a newly identified site just outside of the Project Area. The sites consist of seven historic, four prehistoric, and seven multi-component sites. AuEx will avoid impacts to any culturally eligible or unevaluated sites; therefore, there will be no impacts to cultural resources as a result of the project.
Vegetation	Some vegetation, not to exceed 24 acres, will be removed during project-related activities. The effects to vegetation will be minimized with concurrent and final reclamation returning all disturbances to a revegetated condition.
Rare Plants	No USFS sensitive plant species were located in the Project Area; therefore, no impacts to USFS sensitive plants are expected.

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 will not be approved and AuEx will not conduct exploration activities. Conditions at the Project Area will remain as they are now.

The Proposed Action Alternative: AuEx's Plan of Operations will be approved and AuEx will be authorized to conduct a three-year drilling project with up to 24 acres of surface disturbance. This alternative will include the proposed activities outlined in the Plan of Operations from AuEx and will 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.

Alternatives Considered but Eliminated from Detailed Study:

Cross Country/Overland Travel Alternative: This alternative will utilize only overland or cross country travel and will not allow for construction of new roads. Utilization of cross country exclusively for the project will eliminate much of the exploration area due to topographic constraints. This alternative does not meet the purpose and need of the Proposed Action, which is to fully evaluate the mineral potential in the Project Area as allowed under the General Mining Law of 1872, as amended, because exploration for mineralization in this area is difficult and requires drill holes in order to evaluate the geologic and mineral potential. An alternative that eliminates access to portions of the exploration area will deny the mining claimant the opportunity to fully evaluate and characterize the mineral potential; however, the Proposed Action incorporates the use of cross country travel and will utilize this method where feasible.

Use Only Existing Roads Alternative: Under this alternative, all exploration activities will use only existing roads and no new roads will be constructed. This alternative does not meet the purpose and need of the Proposed Action because limited roads currently exist in the Project Area and exploration of the structurally controlled deposits in this area is difficult and requires numerous drill holes in order to evaluate the geologic and mineral potential. An alternative that eliminates access to portions of the exploration area will deny the mining claimant the opportunity to fully evaluate and characterize the mineral potential; however, the Proposed Action incorporates the use of existing roads to the maximum extent possible.

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 *Battle Mountain Bugle.* 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 timeframe 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, Austin Ranger District; P.O. Box 130, 100 Midas Canyon Road, Austin, NV, 89310, or fax (775) 964-1451. The telephone number is (775) 964-2671. Office business hours for those submitting hand-delivered comments are 8:00 am to 4:30 pm, 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-austin-tonopah@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.

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.

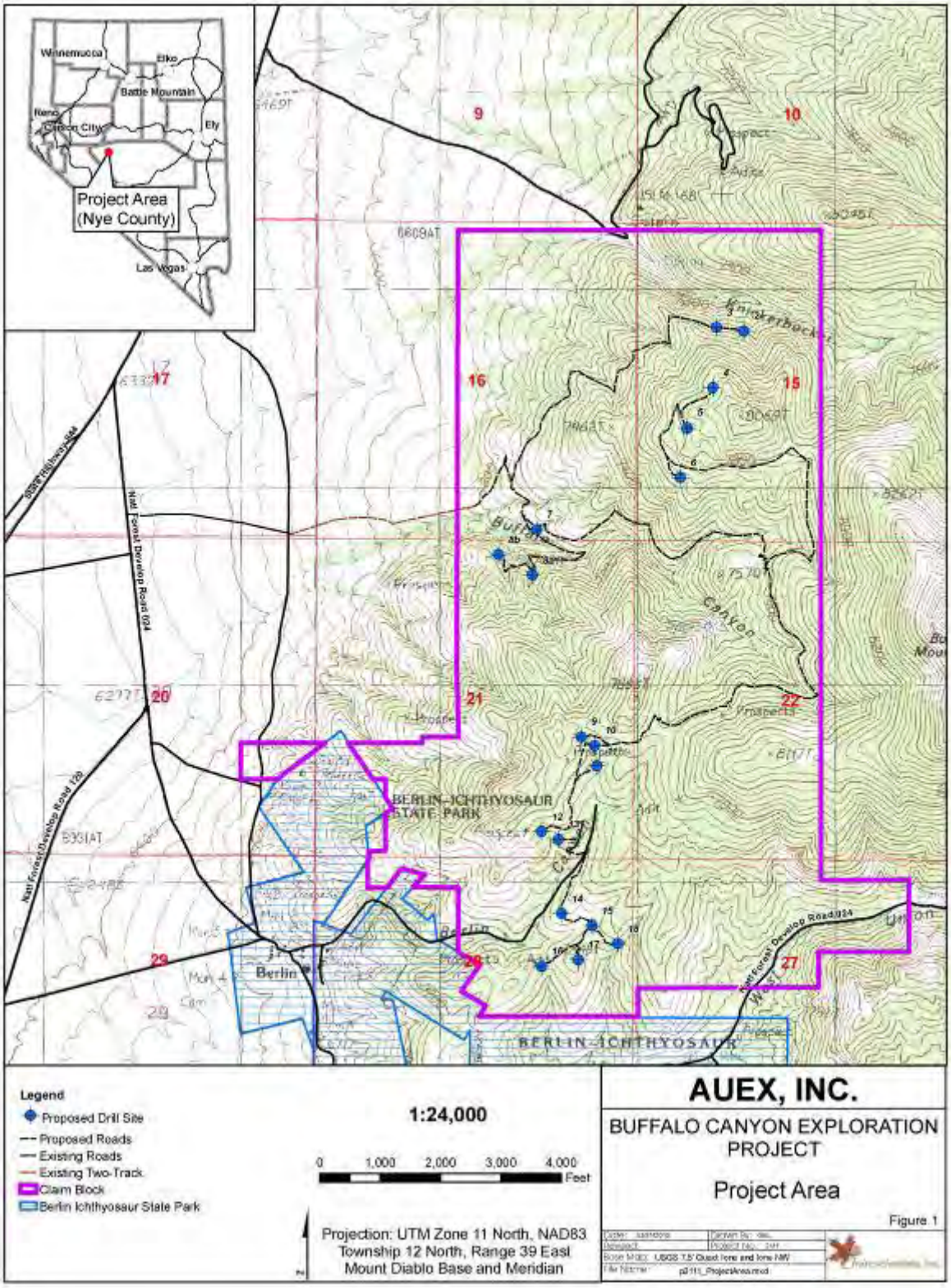
Comments received in response to this solicitation, including names and addresses of those who comment, will be considered part of the public record for this project and will be available for public inspection and released if requested under the Freedom of Information Act.

APPEAL ELIGIBILITY

It is the responsibility of persons providing comments to submit them by the close of the comment period. Those who provide comments during this comment period are eligible to appeal the decision under the Federal Code of Regulations (36 CFR 215).

For further information, contact Darin McDoniel, Project Lead, at 775-778-6129.

Attachment: Buffalo Canyon Exploration Project Map


Winnemucca
Elko
Battle Mountain
Reno
Carson City
Ely
Project Area
(Nye County)
Las Vegas
9
10
16
15
17
20
21
22
29
28
27
BERLIN-ICHTHYOSAUR
STATE PARK
Berlin
Nat'l Forest Develop Road 024
Nat'l Forest Develop Road 129
Legend
Proposed Drill Site
Proposed Roads
Existing Roads
Existing Two-Track
Claim Block
Berlin Ichthyosaur State Park
1:24,000
0 1,000 2,000 3,000 4,000
Feet
Projection: UTM Zone 11 North, NAD83
Township 12 North, Range 39 East
Mount Diablo Base and Meridian
AUEX, INC.
BUFFALO CANYON EXPLORATION PROJECT
Project Area
Figure 1