

DECISION MEMO

TONGASS NATIONAL FOREST JUNEAU RANGER DISTRICT

2016 SURFACE EXPLORATION ANNUAL WORK PLAN COEUR ALASKA – KENSINGTON GOLD MINE SLATE CREEK COVE, ALASKA

It is my decision to authorize the 2016 Surface Exploration Annual Work Plan of Coeur Alaska – Kensington Gold Mine (KGM). Approved activities include drilling, geologic mapping, geochemical sampling, and geophysical surveying. The project activities will commence as early as April and continue through the end of December 2016. The project area locations sections, township range is 4, 5, 9, 10, 14, and 15 of T. 13 S, R. 62 E (Copper River Meridian). Exploration drilling is an essential activity that will define the extent of available mineral resources, and is the main factor in extending the longevity of the mine's life. The public's right to explore and develop locatable minerals, including right of access, is granted under the 1872 Mining Law.

In addition to the mitigation activities stated in the 2016 Surface Exploration Annual Work Plan, the following requirements will be accomplished by KGM.

- No new roads will be constructed
- KGM will comply with the requirements of the State of Alaska for mining operations (Alaska Statute Section 27.19.020 and 11 AAC 97.200).
- Drill water with cuttings and drill fluids will not be allowed to enter any flowing water.
- Drilling activities will be temporarily halted when nearby intermittent streams are flowing to avoid excessive runoff of sediments into water bodies.
- Surface activities will be terminated when the ground is no longer able to absorb discharge due to being saturated or being frozen. Erosion and sediment controls must be maintained throughout the entire surface exploration activities to ensure they are working properly (Forest Plan 2008).
- All diesel fuel will be stored in 55-gallon drums with secondary containment or within specially designed double walled aluminum tanks.
- Refueling and servicing will be conducted 100 meters away from water bodies, which is necessary for, contaminate control (Everest and Reeves 2007). During any transfer of fuel, an adequately sized spill kit must be present at all times. All spills must be reported to ADEC.
- Human food and garbage will be stored where bears cannot get to them.
- Human waste will be packed out when possible.
- Toilet holes will be located away from water bodies and buried with 6 inches of soil. This is the minimum separation distance for any pit privy required by the Alaskan Department of Environmental Conservation under 18AAC 72.020(b).
- Helicopters will maintain flight paths that avoid active raptor nests by 1000 feet during the breeding season (except for safety reasons).
- Helicopters will maintain a distance of 1,500 feet from mountain goat populations.

- To avoid erosion and discharge to streams, all activities (including drilling, construction of drilling pads and helipads, hand-dug sumps, and any overland travel) will be kept at 50 meters from flowing water that is down gradient. Drill Pad Sites JU16-034 and JU16-035 are to be moved to the suggested 50-meter buffer.
- Water withdrawals will be located on small high gradient streams as far up as feasible to avoid habitat used by fish and sourced from streams habitat used by fish and sourced from streams under existing permits from Alaska Department of Natural Resources.
- To alleviate the need for field crews to decide if fish are present in water withdrawal locations, a 1/8" screen will be installed on pump intake hoses even when utilizing a 5-gallon bucket with drilled holes.
- When stream levels are extremely low and field crews experience difficulty maintaining sufficient intake flows, work will be suspended until flows increase to minimize potential dewatering impacts to fish in downstream Class I and II habitat.
- If any previously undiscovered endangered, threatened, candidate or sensitive species or key habitats for any MIS or other species identified in this document are encountered at any point in time prior to or during the implementation of this project, a District Biologist would be consulted and appropriate measures would be enacted.
- Wash and inspect tools and drilling equipment prior to first entering an uninfested area, or before re-entering an uninfested area after use in an area that is potentially infested by invasive plants, e.g. drill sites adjacent to roads and other areas of disturbed or altered vegetation (e.g. developed areas).
- Revegetate disturbed ground if prompt natural regeneration is not expected. Use local native vegetation when available, or an approved weed-free seed mix. See current Tongass National Forest revegetation guidelines for detailed procedures and appropriate mixes.
- Use natural fiber matting such as coconut for erosion control as an alternative to straw bales when available and practical.
- When feasible, inspect areas where gravel or other materials (including seed) have been imported for 2-3 years afterwards to ensure no invasive plants are present.
- Please amend the following language found on page 5 of the 2016 **Kensington's Surface Exploration Plan v1**: "Drill water with cuttings and drill fluids will not be allowed to enter any active streams." Replace "active streams" with "flowing water".
- Drill sites will not be cleared or otherwise disturbed until Kensington Mine is committed to drill.

This activity falls within a category of actions, which normally do not individually or cumulatively have a significant effect on the quality of the human environment and, therefore, may be categorically excluded from documentation in an environmental impact statement or environmental assessment. This category of actions is identified in **36 CFR 220.6(e)(8)** as: Short-term (1-year or less) mineral, energy, or geophysical investigation and their incidental support activities that may require cross-county travel by vehicles and equipment, construction of less than 1 mile of low standard road, or use and minor repair of existing roads. No extraordinary circumstances exist which would result in additional impacts. No irreversible or irretrievable commitment or resources are anticipated. No extraordinary circumstances exist which would result in additional impacts.

PUBLIC INVOLVEMENT

This action was originally listed as a proposal on December 17, 2015 Tongass National Forest Schedule of Proposed Actions and updated periodically during the analysis. The public comment period was announced in a letter dated January 11, 2016 was sent to 28 groups, agencies, native groups, and individuals that might have an interest in the project. Comments for this project were accepted for 30 days. The Alaskan Department of Fish and Game's comment was received; concerns have been addressed in the mitigation requirements.

BIOLOGICAL EVALUATION

Biological Evaluations were completed for sensitive plants and animals. The Queen Charlotte goshawk is a sensitive species that occupies old-growth forest habitat in Southeast Alaska. Specific direction for goshawks in the Tongass National Forest Land and Resource Management Plan (Forest Plan) includes the instruction to "conduct inventories to determine the presence of nesting goshawks for proposed projects that affect goshawk habitat". Prior to clearing any proposed sites, an independent wildlife biologist will field check suitable habitat within 600-feet of the platform site for nesting northern goshawks using a tree-by-tree search (prior to June 1) or broadcast acoustic survey (June 1 through August 15). If nests or potential nests are found, they will be reported immediately to the USFS District biologist so Forest Plan standards and guidelines can be implemented. The site will not be developed if a nest and/or potential nest is found.

Drilling related activities should not begin before June 16 at the CM16-01 site and the OP16-XXX sites to allow nannies and kids in the project area to move from winter habitat to summer habitat. Work at these sites should be completed by October 15 to allow goats to return to winter habitat.

The proposed drilling sites will occur in Class II and III drainages that all flow into Class I streams known to support spawning and rearing populations of Chinook, Coho, and pink salmon. Mitigation measures to minimize disturbance are included in this document.

The Bald Eagle Act provides for special management for bald eagles and habitat. See the planning record for bald eagle mitigation measures.

FINDINGS REQUIRED BY OTHER LAW

2008 Tongass Land and Resource Management Plan

This decision is consistent with the 2008 Tongass Land and Resource Management Plan (Forest Plan). The project is located within an area identified in the Forest Plan as having a Modified Land Use Designation (LUD) within a Minerals Overlay. Direction for management of this area is to permit reasonable access to mining claims in accordance with the provisions of an approved Plan of Operations.

ANILCA Sections 810 & 811, Subsistence Evaluation and Finding

The effects of this project have been evaluated to determine potential effects on subsistence opportunities and resources. There is no documented or reported subsistence use that would be

restricted as a result of this decision. For this reason, this action would not result in a significant possibility of a significant restriction of subsistence use of wildlife, fish, or other foods.

Roadless Area Conservation

The proposed drilling sites are located within the Juneau-Skagway Inventoried Roadless Area (IRA #301). The Chief of the Forest Service approval to cut trees in support of exploration activities was received on March 10, 2016.

Endangered Species Act of 1973

A Biological Evaluation has been completed for this action, which indicates that no federally listed threatened or endangered species will be affected by this activity.

National Historic Preservation Act of 1966

The Forest Service program for compliance with the National Historic Preservation Act (NHPA) includes locating, inventorying and evaluating the National Register of Historic Places eligibility of historic and archeological sites that may be directly or indirectly affected by scheduled activities. Regulations (36 CFR 800) implementing Section 106 of the NHPA require Federal agencies to consider the effects of their actions on sites that are determined eligible for inclusion in or are listed in the National Register of Historic Places (termed "historic properties"). A Forest Service archeologist has reviewed this project and we have made a determination of No Historic Properties Affected in the area of potential effect for the proposed project.

Floodplain Management (E.O. 11988), & Protection of Wetlands (E.O. 11990)

The wetland is defined by Executive order 11990. The Wetland is identified in the United States Fish and Wildlife Service National Wetlands Inventory as a wetland characterized by woody vegetation dominated by needle-leaved evergreens; with a substrate that is saturated to the surface for extended periods during the growing season, but with infrequent standing surface water. Drilling at wetland sites could have a negative effect and should be avoided if possible by a 100-meter buffer. If this is considered impractical, then a wetland determination should be made prior to land disturbing activities, and an assessment should be conducted to consider factors relevant to the effect on the hydrologic function, biological significance and scarcity of the wetland involved. None of the proposed sites on National Forest Land is located in a wetland.

Recreational Fisheries (E.O. 12962)

Federal agencies are required, to the extent permitted by law and where practicable, and in cooperation with States and Tribes, to improve the quantity, function, sustainable productivity, and distribution of U.S. aquatic resources for increased recreational fishing opportunities. As required by this Order, I have evaluated the effects of this action on aquatic systems and recreational fisheries and documented those effects relative to the purpose of this order. Since there are no effects to fisheries resources within the project area there will be no direct, indirect or cumulative impacts related to this Order. Since there are no effects to fisheries resources within the project area, there will be no direct, indirect, or cumulative impacts related to this order.

Environmental Justice (E.O. 12898)

I have determined that, in accordance with Executive Order 12898, this project does not have disproportionately high and adverse human health or environmental effects on minority populations and low-income populations.

Invasive Species (E.O. 13112)

Executive Order 13112 directs Federal agencies to identify actions that may affect the status of invasive species; prevent the introduction of invasive species; detect and respond rapidly to and control populations of such species; monitor invasive species populations; and to provide for restoration of native species and habitat conditions in ecosystems that have been invaded. Actions to be taken include planning at the local, tribal, and state level for species that are likely to cause economic or environmental harm, or, regional, and ecosystem levels, in cooperation with stakeholders and organizations addressing invasive species. Agencies are not to fund or authorize actions that the agency believes are likely to cause or promote the introduction or spread of invasive species, unless the benefits of the action outweigh the potential harm caused by the species. Recommended mitigation measures are incorporated into this project decision.

Magnuson-Stevens Fishery Conservation and Management Act

There would be negligible effects on freshwater or marine habitat because the proposal will not impact fish habitat and no effects would be transported to the marine environment during activities associated with this project. Thus, there is no adverse effect on Essential Fish Habitat from this project.

IMPLEMENTATION DATE

This action falls within a category of actions, which are not subject to appeal. Implementation of this decision may occur immediately.

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3/16/16

Date

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