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CASTLE MOUNTAIN PROJECT

SAN BERNARDINO COUNTY, CALIFORNIA

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19906
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FINAL EIS/EIR

APPENDICES

Environmental Impact Statement No. 890053
State Clearinghouse No. 88062708

This Appendices is a companion document to the *Castle Mountain Project, San Bernardino County Final EIS/EIR Master Summary and Response to Comments*, U.S.D.I. Bureau of Land Management and County of San Bernardino, August 1990.

For further information regarding the availability of environmental documents for the Castle Mountain Project, contact either the BLM or County at:

U.S.D.I. Bureau of Land Management
Needles Resources Area
101 West Spike's Road/P.O. Box 888
Needles, California 92363
(619) 326-3896
Attention: Elena Daly

County of San Bernardino
Environmental Public Works Agency
385 No. Arrowhead Avenue, Third Floor
San Bernardino, California 92415
(714) 387-4155
Attention: Randy Scott

BLM LIBRARY
SC-324A, BLDG. 50
DENVER FEDERAL CENTER
P. O. BOX 25047
DENVER, CO 80225-0047



1954

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**APPENDIX A
PUBLIC NOTICES**



APPENDIX A: PUBLIC NOTICES

A.1 Draft EIS/EIR

A.1.1 Notice of Availability

A.1.2 BLM News Release

A.1.3 Newspaper Publications

A.2 Draft EIS/EIR Supplement

A.2.1 Notice of Availability

A.2.2 BLM News Release

A.2.3 Newspaper Publications

A.1.1 Notice of Availability

SUPPLEMENTARY INFORMATION: Section 4(d) of TSCA requires EPA to publish a notice in the *Federal Register* reporting the receipt of test data submitted pursuant to test rules promulgated under section 4(a) within 15 days after it is received.

I. Test Data Submissions

Test data for 1,2-dichloropropane was submitted by Dow Chemical Company pursuant to a test rule at 40 CFR 799.1550. It was received by EPA on February 22, 1988. The submission describes chronic toxicity to Mysid (*Mysidopsis bahia*) under flow-through conditions. Chronic toxicity testing is required by this test rule. This chemical is used as a captive intermediate in the production of perchloroethylene; as a solvent in ion exchange resin manufacture, toluene diisocyanate production, photographic film manufacture, paper coating, and petroleum catalyst regeneration; and in a mixture that is marketed as a soil fumigant.

Test data for ethyl methacrylate was submitted by the Methacrylate Producers Association pursuant to a test rule at 40 CFR 799.5055. It was received by EPA on March 1, 1989. The submission describes a hydrolysis study of C14 ethyl methacrylate. Chemical fate testing is required by this test rule.

EPA has initiated its review and evaluation process for these data submissions. At this time, the Agency is unable to provide any determination as to the completeness of the submissions.

II. Public Record

EPA has established a public record for this TSCA section 4(d) receipt of data notice (docket number OPTS-44527). This record includes copies of all studies reported in this notice. The record is available for inspection from 8 a.m. to 4 p.m., Monday through Friday, except legal holidays, in the TSCA Public Docket Office, Rm. NE-C004, 401 M St., SW., Washington, DC 20460.

Authority: 15 U.S.C. 2603.

Dated: March 6, 1987.

Joseph J. Merenda,

Director, Existing Chemical Assessment Division, Office of Toxic Substances.

[FR Doc. 89-6307 Filed 3-16-89; 8:45 am]

BILLING CODE 6560-60-M

[ER-FRL-3539-6]

Environmental Impact Statements; Availability

Responsible Agency: Office of Federal Activities, General Information (202) 382-5073 or (202) 382-5075. Availability

of Environmental Impact Statements, filed March 6, 1989 through March 10, 1989, pursuant to 40 CFR 1506.9.

EIS No. 890049, Final, AFS, GA, AL, FL, SC, LA, NC, MS, TX, Coastal Plain/Piedmont National Forest and Grasslands Vegetation Management Plan, Implementation, U.S. Forest Service Southern Region, AL, GA, FL, SC, NC, LA, MS AND TX, Due: April 16, 1989, Contact: Steve McCorquodale (404) 347-7078.

EIS No. 890051, Draft, AFS, SD, Norbeck Wildlife Preserve Land Management Plan, Implementation, Black Hills National Forest, Custer and Pennington Counties, SD, Due: May 1, 1989, Contact: Paul Ruder (605) 343-1567.

EIS No. 890052, Final, NOA, PAC, CA, Cordell Bank National Marine Sanctuary, Designation and Management Plan, Implementation, Pacific Continental Shelf, West of Point Reyes, CA, Due: April 16, 1989, Contact: Frank Christhilf (202) 673-5126.

EIS No. 890053, Draft, BLM, CA, Castle Mountain Open Pit Heap Leach Gold Mine Project, Construction and Operation, Permit Approval, San Bernardino County, CA, Due: May 15, 1989, Contact: John Bailey (619) 328-3896.

EIS No. 890054, Final, FHW, OR, OR-42/Coos Bay/Roseburg Highway Widening and Realignment, Cedar Point Road to Main Street, Funding and 404 Permit, City of Coquille, Coos County, OR, Due: April 16, 1989, Contact: Dale Wilken (503) 399-5749.

EIS No. 890055, Final, NAS, MS, FL, LA, Advance Solid Rocket Motor Program, Design, Construction and Operation, Site Selection, John C. Stennis Space Center, Hancock Co., MS; Yellow Creek Site, Tishomingo Co., MS; John F. Kennedy Space Center, Brevard Co., FL; Michoud Assembly Facility, New Orleans Parish, LA and Slidell Computer Center, St. Tammany Parish LA, Due: April 17, 1989, Contact: Rebecca C. McCaleb (601) 688-3155.

EIS No. 890056, Draft, MMS, MXG, LA, AL, TX, MS, Central and Western Gulf of Mexico Outer Continental Shelf (OCS) Oil and Gas Lease Sales Nos. 123 and 125, Offshore AL, MS, TX, and LA, Due: May 9, 1989, Contact: Ken Havran (703) 678-7078.

Amended Notices

EIS No. 890004, Final, COE, TX, Applewhite Dam/Reservoir and Leon Creek Diversion Dam/Lake Water Supply Project, Permit Application, Implementation, Section 404 and 10 Permits, Bexar County, TX, Due: March 22, 1989, Contact: Timothy L. Tandy (817) 334-2095. Published FR 01-19-89—Review period extended.

Dated: March 14, 1989.

William D. Dickerson,

Deputy Director, Office of Federal Activities.

[FR Doc. 89-6399 Filed 3-16-89; 8:45 am]

BILLING CODE 6560-60-M

[ER-FRL-3539-7]

Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared February 27, 1989 through March 3, 1989 pursuant to the Environmental Review Process (ERP), under section 309 of the Clean Air Act and section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at (202) 382-5076.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in the *Federal Register*, dated April 22, 1988 (53 FR 13318).

Draft EISs

ERP No. DS-BLM-J70005-WY, Rating LO, Whiskey Mountain and Dubois Badlands, WSAs, Wilderness Recommendations, Designation or Nondesignation, Lander Resource Area, Rawlins District, Fremont County, WY.

Summary

EPA has a lack of objections to BLM's recommendations of nonwilderness status for a 5020 acre and 484 acre wilderness study area. Off-road vehicles would be restricted and wilderness values supported.

Final EISs

ERP No. F-IBR-J28016-UT, Weber Basin Project, Willard Reservoir Water Use Change, Irrigation to Municipal and Industrial Water Supply Conversion, Implementation, Davis and Weber Counties, UT.

Summary

EPA finds no major objections to the plan, but urges the agencies involved to cooperate to preserve these recreational uses to the maximum extent possible and to coordinate its implementation with outer related local initiatives to prolong recreational use as long as possible.

Dated: March 14, 1989.

William D. Dickerson,

Deputy Director, Office of Federal Activities.

[FR Doc. 89-6400 Filed 3-16-89; 8:45 am]

BILLING CODE 6560-60-M



State of California

GOVERNOR'S OFFICE
OFFICE OF PLANNING AND RESEARCH
1400 TENTH STREET
SACRAMENTO 95814

GEORGE DEUKMEJIAN
GOVERNOR

(916) 323-7480

DATE: May 8, 1989

TO: Mr. John Bailey
U. S. Bureau of Land Management
Needles Resource Area
P. O. Box 888
Needles, CA 92363-0888

John Bailey

RECEIVED
MAY 12 11 09 AM '89
OFFICE OF PLANNING AND RESEARCH

FROM: Office of Planning and Research
State Clearinghouse

RE: Draft Environmental Impact Statement/Environmental Impact Report,
Castle Mountain Project, San Bernardino County.
(SCH 88062708)

As the designated California Single Point of Contact, pursuant to Executive Order 12372, the Office of Planning and Research transmits attached comments as the State Process Recommendation.

This recommendation is a consensus; no opposing comments have been received. Initiation of the "accommodate or explain" response by your agency is, therefore, in effect.

Sincerely,

Robert P. Martinez
Director

Attachment

cc: Applicant

OFFICE OF PLANNING AND RESEARCH

10 TENTH STREET
SACRAMENTO, CA 95814

May 12, 1989

John Bailey
U.S. Bureau of Land Management
101 Spikes Road
P.O. Box 888
Needles, CA 92363

JUN - 3

Subject: Castle Mountain Project
SCH# 88062708

Dear Mr. Bailey:

The State Clearinghouse has submitted the above named draft Environmental Impact Report (EIR) to selected state agencies for review. The review period is now closed and the comments from the responding agency(ies) is(are) enclosed. On the enclosed Notice of Completion form you will note that the Clearinghouse has checked the agencies that have commented. Please review the Notice of Completion to ensure that your comment package is complete. If the comment package is not in order, please notify the State Clearinghouse immediately. Remember to refer to the project's eight-digit State Clearinghouse number so that we may respond promptly.

Please note that Section 21104 of the California Public Resources Code requires that:

"a responsible agency or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency."

Commenting agencies are also required by this section to support their comments with specific documentation.

These comments are forwarded for your use in preparing your final EIR. Should you need more information or clarification, we recommend that you contact the commenting agency(ies).

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact John Keene at 916/445-0613 if you have any questions regarding the environmental review process.

Sincerely,

A handwritten signature in dark ink, appearing to read "David C. Nunenkamp".

David C. Nunenkamp
Chief
Office of Permit Assistance

Enclosures

cc: Resources Agency

Mail to: State Clearinghouse, 1400 Tenth Street, Rm 121, Sacramento, CA 95814
916/445-0613

NOTICE OF COMPLETION AND ENVIRONMENTAL DOCUMENT FORM

See NUIG Below
SG# 8806270

FEDERAL

1. Project Title: Castle Mountain Project

2. Lead Agency: U.S. Bur Land Mgmt

3. Contact Person: John Bailey

3a. Street Address: 101 Spikes Road PO Box 888

3b. City: Needles

3c. County: San Bernardino

3d. Zip: 92363

3e. Phone: 619/326-3896

PROJECT LOCATION 4. County: San Bernardino

4a. City/Community: n/a

4b. (optional) Assessor's Parcel No. _____

4c. Section _____ Twp. _____ Range _____

5a. Cross Streets: _____

5b. For Rural, Nearest Community: Searchlight, NV; Nipton, CA

6. Within 2 miles of: a. State Hwy No. _____ b. Airports _____ c. Waterways _____

7. DOCUMENT TYPE	8. LOCAL ACTION TYPE	10. DEVELOPMENT TYPE
<input checked="" type="checkbox"/> <u>CEQA</u> <input type="checkbox"/> 01 NEP <input type="checkbox"/> 02 Daily Cons <input type="checkbox"/> 03 Reg Plan <input checked="" type="checkbox"/> 04 Draft EIS <input type="checkbox"/> 05 Supplemental Assessment (IR (if no prior SEI)) <hr/> <input type="checkbox"/> 06 Notice of Intent <input type="checkbox"/> 07 Envir. Assessment/ FORMAL <input checked="" type="checkbox"/> 08 Draft EIS <hr/> <input type="checkbox"/> 09 Information Only <input type="checkbox"/> 10 Final Document <input type="checkbox"/> 11 Other	<input type="checkbox"/> 01 General Plan Update <input type="checkbox"/> 02 New Element <input type="checkbox"/> 03 General Plan Amendment <input type="checkbox"/> 04 Master Plan <input type="checkbox"/> 05 Annexation <input type="checkbox"/> 06 Specific Plan <input type="checkbox"/> 07 Redevelopment <input type="checkbox"/> 08 Rezone <input type="checkbox"/> 09 Land Division (Subdivision, Parcel Map, Tract Map, etc.) <input checked="" type="checkbox"/> 10 Use Permit <input type="checkbox"/> 11 Cancel Ag Preserve <input type="checkbox"/> 12 Other 9. TOTAL ACRES: <u>900</u>	<input checked="" type="checkbox"/> 01 Residential: Units _____ Acres _____ <input type="checkbox"/> 02 Office: Sq.Ft. _____ Acres _____ Employees _____ <input type="checkbox"/> 03 Shopping/Commercial: Sq.Ft. _____ Acres _____ Employees _____ <input type="checkbox"/> 04 Industrial: Sq.Ft. _____ Acres _____ Employees _____ <input type="checkbox"/> 05 Sewer: MGD _____ <input type="checkbox"/> 06 Water: MGD _____ <input type="checkbox"/> 07 Transportation: Type _____ <input checked="" type="checkbox"/> 08 Mineral Extraction: Mineral <u>gold</u> <input type="checkbox"/> 09 Power Generation: Voltage _____ Type _____ <input type="checkbox"/> 10 Other: _____

11. PROJECT IMPACTS DESCRIBED IN DOCUMENT

<input checked="" type="checkbox"/> 01 Aesthetic/Visual	<input checked="" type="checkbox"/> 08 Geologic/Seismic	<input type="checkbox"/> 15 Sewer Capacity	<input checked="" type="checkbox"/> 22 Water Supply
<input type="checkbox"/> 02 Agricultural Land	<input checked="" type="checkbox"/> 09 Jobs/Housing Balance	<input checked="" type="checkbox"/> 16 Soil Erosion	<input type="checkbox"/> 23 Wetlands/Bioerion
<input checked="" type="checkbox"/> 03 Air Quality	<input checked="" type="checkbox"/> 10 Minerals	<input type="checkbox"/> 17 Solid Waste	<input checked="" type="checkbox"/> 24 Wildlife
<input checked="" type="checkbox"/> 04 Archeological/Historical	<input checked="" type="checkbox"/> 11 Noise	<input type="checkbox"/> 18 Toxic/Hazardous	<input type="checkbox"/> 25 Growth Inducing
<input type="checkbox"/> 05 Coastal	<input type="checkbox"/> 12 Public Services	<input checked="" type="checkbox"/> 19 Traffic/Circulation	<input checked="" type="checkbox"/> 26 Incompatible Landuse
<input type="checkbox"/> 06 Fire Hazard	<input type="checkbox"/> 13 Schools	<input checked="" type="checkbox"/> 20 Vegetation	<input checked="" type="checkbox"/> 27 Cumulative Effects
<input checked="" type="checkbox"/> 07 Flooding/Drainage	<input type="checkbox"/> 14 Sestic Systems	<input checked="" type="checkbox"/> 21 Water Quality	<input checked="" type="checkbox"/> 28 Other <u>scenic quality</u>

12. FEDERAL (approx.) Federal \$ _____ State \$ _____ Total \$ _____

13. FEDERAL LAND USE AND STATUS: historic mining area; Federal-"limited" use; County-RN40

14. PROJECT DESCRIPTION: 10-year open pit gold mine using the heap leach cyanide process. Operator is Viceroy Gold Corporation, 9457 S. Las Vegas Blvd, Las Vegas NV 89123

CLEARINGHOUSE COMMENTS/CLASS/STAGE	W/C N/C	W/C N/C
STATE REVIEW BEGAN: <u>3-10-89</u>	<input checked="" type="checkbox"/> Resources	<input checked="" type="checkbox"/> RWQCB #6 Viet.
DEPT REV TO AGENCY: <u>5-1</u>	<input checked="" type="checkbox"/> Conservation	<input checked="" type="checkbox"/> Caltrans # 8
RES AG COMPLIANCE: <u>5-8</u>	<input checked="" type="checkbox"/> Fish & Game	<input checked="" type="checkbox"/> [redacted]
PLEASE RETURN NOC WITH ALL COMMENTS	<input type="checkbox"/> [redacted]	<input checked="" type="checkbox"/> [redacted]
Resources	<input type="checkbox"/> [redacted]	<input checked="" type="checkbox"/> [redacted]
A/R/D/APCD: <u>26</u> (File Date: <u>3/11</u>)	<input type="checkbox"/> [redacted]	<input checked="" type="checkbox"/> [redacted]
* This is joint	<input type="checkbox"/> [redacted]	<input checked="" type="checkbox"/> [redacted]
EIR/EIS San	<input type="checkbox"/> [redacted]	<input checked="" type="checkbox"/> [redacted]
Bernardino County	<input type="checkbox"/> [redacted]	<input checked="" type="checkbox"/> [redacted]
is CEQA Lead Agency	<input type="checkbox"/> [redacted]	<input checked="" type="checkbox"/> [redacted]
Federal Documents (rev 6/88)	<input type="checkbox"/> [redacted]	<input checked="" type="checkbox"/> [redacted]

A.1.2 BLM News Release

**United States
Department of the Interior
Bureau of Land Management**

RIVERSIDE DISTRICT OFFICE
1695 SPRUCE
RIVERSIDE, CALIFORNIA 92507

Official Business
Penalty For Private Use \$300

Postage And Fees Paid
U S Department Of The Interior
INT-415



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FIVE

MAR 15 1988

To Dave Brown
Environmental Solution Inc.
15520 Rockfield Blvd, Suite D
Irvine, CA 92718



NEWS RELEASE

Libraries

Anaheim Public Library
500 West Broadway
Anaheim, CA 92805

Baker High School Library
Highway 120 and School Road
Baker, CA 92309

BLM Service Center, Bldg. 50
Library, D-553-A
P.O. Box 25047
Denver, CO 80225

Cal Poly
Library Documents Department
3801 W. Temple
Pomona, CA 91768

California State University
Fullerton Library
P.O. Box 4150
Fullerton, CA 92634

California State University
Library Documents Department
18111 Nordhoff Street
Northridge, CA 91324

Govt. Documents Dept.
University Library
University of California
Davis, CA 95616

Las Vegas Public Library
1762 East Charleston Blvd.
Las Vegas, NV 89104

Long Beach Public Library
Ocean and Pacific Avenue
Long Beach, CA 90802

Long Beach State University
Library Documents Department
6101 E. Seventh Street
Long Beach, CA 90801

Los Angeles Public Library
Documents Department
361 S. Anderson Street
Los Angeles, CA 90033

Ontario City Library
215 East "C" Street
Ontario, CA 91764

Riverside Public Library
P.O. Box 468
Riverside, CA 92502

Riverside Central Library
Documents Department
3581 Seventh Street
Riverside, CA 92501

Sacramento State University
Library Documents Department
2000 Jed Smith Drive
Sacramento, CA 95819

San Bernardino County Library
11744 Bartlett
Adelanto, CA 92301

San Bernardino County Library
22051 Highway 18
Apple Valley, CA 92307

San Bernardino County Library
101 W. Fourth Street
San Bernardino, CA 92401

San Bernardino County Library
304 East Buena Vista
Barstow, CA 92311

San Bernardino County Library
15011 Circle Drive
Victorville, CA 92392

San Bernardino County Library
57098 29 Palms Highway
Yucca Valley, CA 92284

San Bernardino Public Library
Feldheim Central Library
555 West 6th Street
San Bernardino, CA 92410

San Francisco Public Library
Library Documents Department
San Francisco, CA 94102

UC Berkeley
Library Documents Department
Berkeley, CA 94720

UC Irvine
Library Documents Department
Irvine, CA 92713

UCLA
Library Documents Department
405 Hilgard Avenue
Los Angeles, CA 90024

UNLV
Library Acquisitions Department
4505 S. Maryland Pkwy.
Las Vegas, NV 89154

UNLV
Library Collection Develop.
4505 S. Maryland Pkwy.
Las Vegas, NV 89154

UC Riverside
Library Documents Department
P.O. Box 5900
Riverside, CA 92517

UC Santa Cruz
Library Documents Department
Santa Cruz, CA 95060

University of Redlands
Armacost Library
1200 E. Colton Avenue
Redlands, CA 92373

University - San Francisco
Library Documents Department
San Francisco, CA 94117

Washoe County Library
301 South Center Street
Reno, NV 89501



CALIFORNIA
BLM
BUREAU OF LAND MANAGEMENT

FOR RELEASE IMMEDIATELY -- March 9, 1989
CONTACT Barbara Maxfield (714) 351-6386

news Release

UNITED STATES DEPARTMENT OF THE INTERIOR

CALIFORNIA DESERT DISTRICT 1695 SPRUCE STREET RIVERSIDE, CALIFORNIA 92507

CDD-89-24

CASTLE MOUNTAIN MINE DRAFT EIS/EIR RELEASED FOR REVIEW

A draft analysis of environmental and social impacts that may be created by the proposed Castle Mountain Project has been released for public review by the U.S. Bureau of Land Management (BLM) and San Bernardino County. Under the proposal, Viceroy Gold Corporation would construct and operate an open pit gold mine in the northeastern corner of the county.

The proposed project eventually could affect approximately 2,620 acres of public land and 115 acres of patented mining claims in the East Mojave National Scenic Area, about 18 miles southwest of Searchlight, Nevada. The area actually disturbed by the operation would encompass about 900 acres.

The area historically has been called the Hart gold mining district, where mining began in the early 1900's. Although periodic gold mining has occurred since then, current mining activity focuses on recovering fine clays. The Castle Mountain Project would operate for about 10 years and process about 3 million tons of ore per year. The gold will be extracted using heap leaching.

Mining activities such as this proposed project are authorized by the General Mining Law of 1872 and are not discretionary actions; however, project operations are regulated by BLM to prevent unnecessary or undue degradation of natural resources. San Bernardino County also approves mining and reclamation plans under the State Mining and Reclamation Act of 1975.

To facilitate review, the Draft Environmental Impact Statement (EIS)/ Environmental Impact Report (EIR) was prepared to meet both Federal and State requirements of the National Environmental Policy Act and the California Environmental Quality Act, respectively. The document was compiled by Environmental Solutions, Inc., of Irvine, California, under the supervision of BLM and San Bernardino County.

-more-

Potential issues evaluated in detail in the Draft EIS/EIR include geologic concerns such as instability, groundwater levels and possible contamination, vegetation disturbance, wildlife habitat impacts, air quality, health and safety, visual and topographic changes, cultural resource disturbance, and compatibility with other land uses.

One of the more important issues discussed in the document is the route of access to the site. Two routes are proposed, both requiring upgrading and maintenance to accommodate daily project traffic. Under the proposed action, equipment and supplies would be delivered primarily from the northwest through the Ivanpah Valley. Most of the traffic, including commuting employees, would be from the northeast, from Searchlight, Nevada. This route would pass through crucial desert tortoise habitat in Piute Valley. An alternative considered would route all traffic through the Ivanpah Valley, thereby reducing the number of acres of vegetation and wildlife habitat disturbed but increasing commuting time for employees.

Copies of the Draft EIS/EIR are available for review at BLM offices and many public libraries. Because of the length of the document, detailed summaries have been prepared for distribution upon request. Anyone wanting a copy of the summary should contact BLM's California Desert District office at (714) 351-6394 or the Needles Resource Area office at (619) 326-3896.

The public review period extends until May 15, 1989. Written comments should be addressed to John Bailey, Bureau of Land Management, Needles Resource Area, Post Office Box 888, Needles, CA 92363-0888.

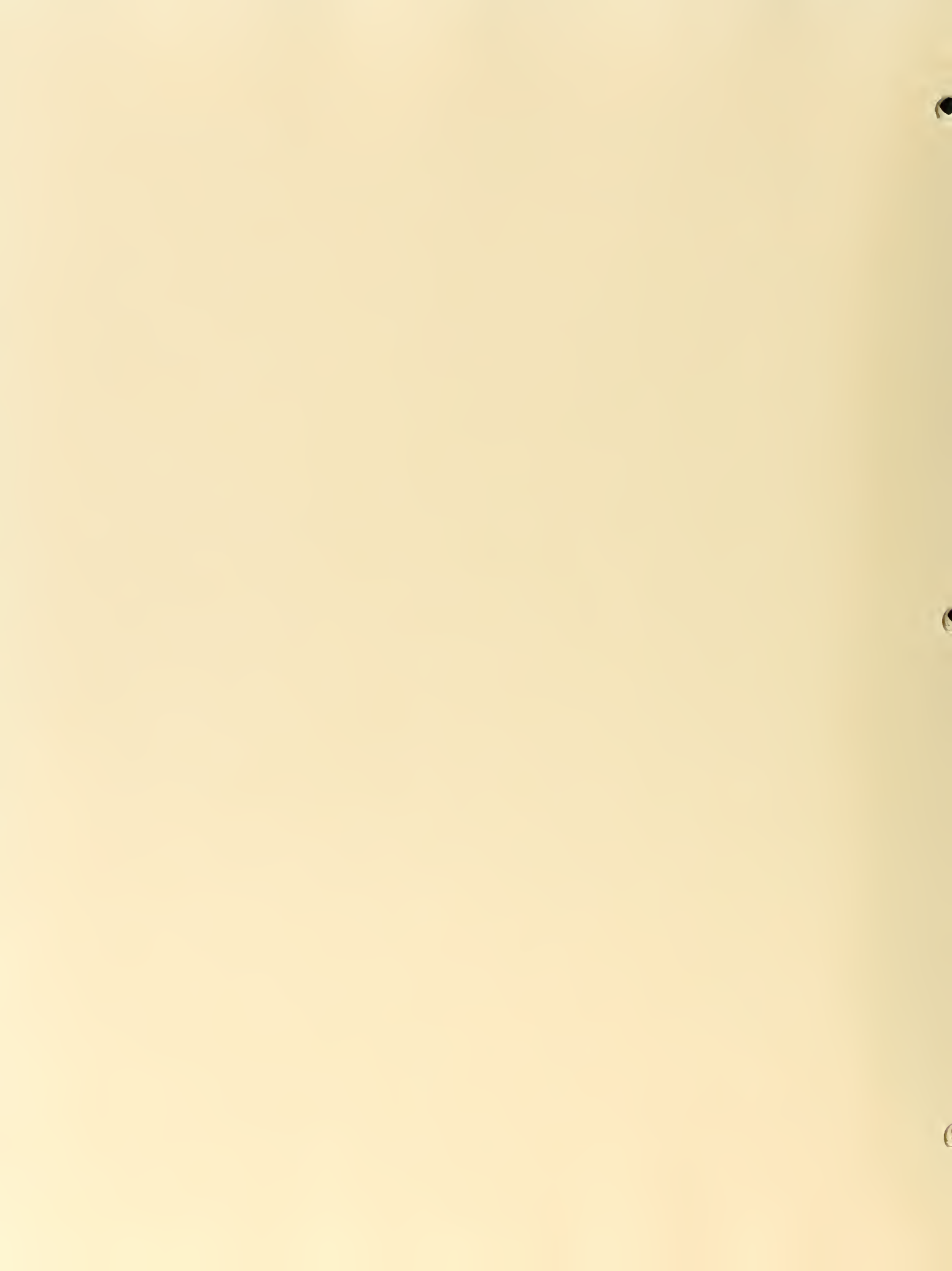
Three public hearings have been scheduled before an Administrative Law Judge to allow the public an opportunity to provide oral comments on the adequacy and accuracy of the Draft EIS/EIR. A court reporter will be present to record comments and testimony for the record. Hearings will be held on April 18 at the San Bernardino County Government Center in San Bernardino, on April 19 at the Barstow Station Inn in Barstow, and on April 20 at the Clark County Education Center in Las Vegas. All will begin at 7 p.m.

A Final EIS/EIR will be prepared in response to the comments received during the public review period and will describe any changes, deletions, or additions made to the Draft document. A Record of Decision will be issued by BLM and San Bernardino County after a 30-day public review of the Final EIS/EIR.

-BLM-

NOTE TO THE EDITOR: A list of libraries where the document is available for review is attached. You may wish to incorporate a local library into the paragraph regarding availability above.

A.1.3 Newspaper Publications



**DRAFT ENVIRONMENTAL
IMPACT STATEMENT/
ENVIRONMENTAL
IMPACT REPORT (DRAFT
EIS/EIR)**

**CASTLE MOUNTAIN
PROJECT**

The U.S. Bureau of Land Management and County of San Bernardino have released for public review and comment a Draft EIS/EIR that addresses the potential environmental and social impacts associated with development of a proposed open pit heap leach gold mine in northeastern San Bernardino County, California. The project would process ore at a rate of about 3 million tons per year for 10 years and would disturb about 890 acres on a site comprised of 2,620 acres of public land and 115 acres of patented mining claims.

Issues addressed in the Draft EIS/EIR were identified through a public scoping process and include geology, water, vegetation, wildlife, air quality, health and safety, visual resources, cultural resources, land use, socioeconomics and infrastructure.

Copies of the Draft EIS/EIR are available for review at BLM offices and many public libraries. A summary of the document has been prepared for distribution upon request from the California Desert District office at (714) 351-6394 or the Needles Resource Area office at (619) 326-3896.

Public hearings to provide an opportunity to verbally comment on the adequacy of the Draft EIS/EIR have been scheduled on April 18 at the San Bernardino County Government Center in San Bernardino, California, on April 19 at the Barstow Station Inn in Barstow, California, and on April 20 at the Clark County Education Center in Las Vegas, Nevada. All meetings will begin at 7:00 p.m.

Written comments on the Draft EIS/EIR should be addressed to John Bailey, Bureau of Land Management, Needles Resource Area, P.O. Box 888, Needles, California 92363-0888. Comments should be mailed to reach the BLM by May 15, 1989. For further information contact Mr. Bailey at (619) 326-3896.

TABLE A.1
NOTICE OF PUBLICATION OF DRAFT EIS/EIR
CASTLE MOUNTAIN PROJECT

NAME	ADDRESS	TELEPHONE NUMBER	FAX	DATES RUN
Los Angeles Times - Inland Empire Edition	Times Mirror Square Los Angeles, California 90053 Attn: Jerry Madison	(800) 252-9141	(213) 237-4852	April 9, 1989
San Bernardino Sun	399 North D Street San Bernardino, California 92401 Attn: Donna Jackson	(714) 889-9666	(714) 885-1253	April 7, 8, and 9, 1989
Las Vegas Sun	P.O. Box 4275 Las Vegas, Nevada 89127 Attn: Joan Pollack	(702) 383-7183	(702) 383-7264	April 7, 8, and 9, 1989
Las Vegas Review Journal	P.O. Box 70 Las Vegas, Nevada 89125-0070 Attn: Maggie Wimmer	(702) 383-0211	(702) 383-0326	April 7, 8, and 9, 1989
Barstow Desert Dispatch	130 Cool Water Lane Barstow, California 92311 Attn: Francis Hunter	(619) 256-2257	(619) 256-8032	April 6 and 7, 1989

4/12/90 (88-148)

Gerri Madison
Classified Advertising

Times Mirror Square
Los Angeles, CA 90038
213 237 7456
FAX 213 237 4852
Toll Free 800 528 4637

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sales exp.
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tributors in
Generous
age. Send
requirements
Industrial
to: Figueroa
248.

CLASSIFIED

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nets, entertainment cnts RANO
GRAND DESIGN (714)943-1587

LEGAL SERVICES

Legal Notices 1780

DRAFT ENVIRONMENTAL IMPACT STATEMENT/ ENVIRONMENTAL IMPACT REPORT (DRAFT EIS/EIR)

CASTLE MOUNTAIN PROJECT

The U.S. Bureau of Land Management and County of San Bernardino have released for public review and comment a Draft EIS/EIR that addresses the potential environmental and social impact associated with development of a proposed open pit heap leach gold mine in northeastern San Bernardino County, California. The project would process ore at a rate of about 3 million tons per year for 10 years and would disturb about 890 acres on a site comprised of 2,620 acres of public land and 115 acres of patented mining claims.

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Written comments on the Draft EIS/EIR should be addressed to John Bailey, Bureau of Land Management, Needles Resource Area, P.O. Box 888, Needles, California 92363-0888. Comments should be mailed to reach the BLM by May 15, 1989. For further information contact Mr. Bailey at (619) 326-3896.

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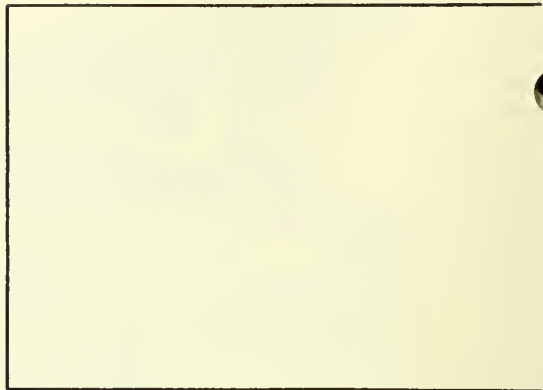
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Proof of Publication

EIS/EIR



STATE OF CALIFORNIA, } ss.
County of San Bernardino,

The undersigned hereby certifies as follows:

I am a citizen of the United States, over the age of twenty-one years, and not a party to nor interested in the above-entitled matter; I am the principal clerk of the printer of a newspaper, to wit, *The Sun*; the same was at all times herein mentioned a newspaper of general circulation printed and published daily, including Sunday, in the City of San Bernardino, in the County of San Bernardino, State of California; said newspaper is so published every day of the year as and under the name of *The Sun*, said newspaper has been adjudged a newspaper of general circulation by the Superior Court of the State of California, in and for the County of San Bernardino, by a judgment of said Superior Court duly made, filed and entered on June 20, 1952, in the records and files of said Superior Court in that certain proceeding entitled In the Matter of the Ascertainment and Establishment of *The Sun* as a Newspaper of General Circulation, numbered 73084 in the records of civil proceedings in said Superior Court and by judgment modifying the same, also made, filed and entered in said proceeding; the notice or other process or document hereinafter mentioned was set, printed and published in type not smaller than nonpareil and was preceded with words printed in black face type not smaller than nonpareil describing and expressing in general terms the purport or character of the notice intended to be given; and the

NOTICE TO PUBLIC

CASTLE MT. PROJECT

of which the annexed is a true printed copy, was published in each edition and issue of said newspaper of general circulation, and not in any supplement thereof, on each of the following dates, to wit:

APRIL 7, 8, 9, 1989

I certify under penalty of perjury that the foregoing is true and correct.

Executed on the 11 day of APRIL, 19 89, at San Bernardino, in said County and State.

DRAFT ENVIRONMENTAL IMPACT STATEMENT/ ENVIRONMENTAL IMPACT REPORT (DRAFT EIS/EIR) CASTLE MOUNTAIN PROJECT

The U.S. Bureau of Land Management and County of San Bernardino have released for public review and comment a Draft EIS/EIR that addresses the potential environmental and social impacts associated with development of a proposed open pit heap leach gold mine in North-eastern San Bernardino County, California. The project would process ore at a rate of about 3 million tons per year for 10 years and would disturb about 890 acres on a site comprised of 2,620 acres of public land and 115 acres of patented mining claims. Issues addressed in the Draft EIS/EIR were identified through a public scoping process and include geology, water, vegetation, wildlife, air quality, health and safety, visual resources, cultural resources, land use, socio-economics and infrastructure. Copies of the Draft EIS/EIR are available for review at BLM Offices and many public libraries. A summary of the document has been prepared for distribution upon request from the California Desert District office at (714) 351-6394 or the Needles Resource Area office at (619) 326-3896.

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4/7,8,9 (90) #052

DRAFT ENVIRONMENTAL IMPACT STATEMENT/ENVIRONMENTAL IMPACT REPORT (DRAFT EIS/EIR)

CASTLE MOUNTAIN PROJECT

The U.S. Bureau of Land Management and County of San

Bernardino have released for public review and comment a Draft EIS/EIR that addresses the potential environmental and social impacts associated with development of a proposed open pit heap leach gold mine in northern San Bernardino County, California. The project would process ore at a rate of about 30 million tons per year for 10 years and would disturb about 890 acres on a site comprised of 2,620 acres of public land and 115 acres of patented mining claims.

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PUB: April 7, 8, 9, 1989
Las Vegas SUN

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, } ss.
COUNTY OF CLARK }

JOAN POLLACK

, being first duly sworn,

deposes and says: That he is LEGAL CLERK of the LAS VEGAS SUN, a daily newspaper of general circulation, printed and published at Las Vegas, in the County of Clark, State of Nevada, and that the attached was continuously published in said newspaper for a period of 3 TIMES

from APRIL 7, 1989 to APRIL 9, 1989

inclusive, being the issues of said newspaper for the following dates, to-wit:

APRIL 7, 8, 9

That said newspaper was regularly issued and circulated on each of the dates above named.

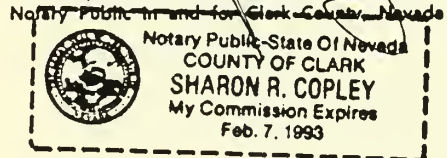
Signed

Joan Pollack

Subscribed and sworn to before me this 10TH day of APRIL, 1989

Sharon R. Copley

My Commission Expires



AFFIDAVIT OF PUBLICATION

STATE OF NEVADA) SS
COUNTY OF CLARK)

Mr. George J. Vasconi, being first duly sworn, deposes and says that he is Business Manager for the LAS VEGAS REVIEW-JOURNAL, a daily newspaper at Las Vegas, in the County of Clark, State of Nevada, and that the attached was continuously published in said newspaper for a period of THREE insertions from period of APRIL 7, 1989 to APRIL 9, 1989 inclusive, being the issue of said newspaper for the following dates, to wit:

APRIL 7, 8, 9, 1989

That said newspaper was regularly issued and circulated on each of the dates above named.

DRAFT ENVIRONMENTAL
IMPACT STATEMENT/
ENVIRONMENTAL
IMPACT REPORT (DRAFT
EIS/EIR)

CASTLE MOUNTAIN
PROJECT

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PUB: April 7, 8, 9, 1989
Las Vegas Review-Journal

SIGNED _____

George J. Vasconi

GEORGE J. VASCONI

Subscribed and sworn to before me
this 10 day of April, 19 89

Carselettie Young

NOTARY PUBLIC, IN AND FOR CLARK
COUNTY, NEVADA



Carselettie Young
Notary Public, State of Nevada
CLARK COUNTY
My Appointment Expires Sept. 1, 1992

APR 3



PROOF OF PUBLICATION

STATE OF CALIFORNIA }
County of San Bernardino } SS.

DESERT DISPATCH

BARSTOW, CA

The undersigned does hereby certify and declare as follows:

That I am now and was at all times herein mentioned a citizen of the United States, over the age of 21 years and not a party to or interested in the above entitled proceeding and matter; that I am the principal clerk of the printer of a newspaper of general circulation, to-wit, Desert Dispatch; that said newspaper was at all times herein mentioned a newspaper of general circulation printed and published six times weekly, to-wit, Monday through Saturday every week in the City of Barstow, in the County of San Bernardino, State of California; that prior to October 28, 1958 said newspaper was known as and named Barstow Printer-Review; that said newspaper was adjudged a newspaper of general circulation by decision and judgment of the Superior Court in the State of California in and for the County of San Bernardino, duly made, filed and entered on October 29, 1948 in a certain proceeding numbered 62972 in the records of said Court; that said decision and judgment was modified by an order of said Court made and filed in said proceeding; on October 28, 1958, wherein and whereby said decision and judgment were modified by changing the name of said newspaper from Barstow Printer-Review to Desert Dispatch; that with only such exception, said decision and judgment have not been amended, modified, vacated or set aside and were in full force and effect at all times herein mentioned; that the notice or other process or document hereinafter mentioned was set, printed and published in type not smaller than nonpareil and was preceded with words printed in black face type not smaller than nonpareil, describing and expressing in general terms the purpose or character of the notice intended to be given; the

LEGAL #315-89

DRAFT ENVIRONMENTAL IMPACT STATEMENT
ENVIRONMENTAL REPORT (DRAFT EIS/EIR)
CASTLE MOUNTAIN PROJECT

of which the annexed is a true printed copy, was published in each edition and issue of said newspaper, and not in any supplement thereof, on each of the following dates, to-wit:

April 6, 7, 1989

I certify and declare under penalty of perjury that the foregoing is true and correct.

Dated: April 7, 1989

PUBLIC NOTICE

Legal 315-89
DRAFT ENVIRONMENTAL
IMPACT STATEMENT/
ENVIRONMENTAL
IMPACT REPORT
(DRAFT
EIS/EIR)

CASTLE MOUNTAIN
PROJECT
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San Bernardino have

PUBLIC NOTICE

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PUBLISH: April 6, 7, 1989

A.2.1 Notice of Availability

refund application in the Crown Central proceeding from November 15, 1989 to March 1, 1990. In accordance with our usual practice, applications postmarked after that date are subject to summary dismissal. Any unclaimed funds remaining after all pending claims are resolved will be made available for indirect restitution pursuant to the Petroleum Overcharge Distribution and Restitution Act of 1986, 15 U.S.C. 4501.

Dated: January 8, 1990.

George B. Breznay,

Director, Office of Hearings and Appeals.

[FR Doc. 90-866 Filed 1-11-90; 8:45 am]

BILLING CODE 6450-01-M

ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL 3704-5]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 382-5073 or (202) 382-5078.

Availability of Environmental Impact Statements Filed January 1, 1990 Through January 5, 1990 Pursuant to 40 CFR 1506.9.

EIS No. 900000, Draft, FHW, TX, TX-121 Extension, I-20 in Fort Worth to US 67, Construction, Section 404 Permit and Funding, Tarrant and Johnson Counties, TX, Due: February 28, 1990, Contact: W.L. Hall, Jr. (512) 770-5988.

EIS No. 900001, DSUpl, FRC, ID, Twin Falls (FERC. No. 18), Milner (FERC. No. 2899) Auger Falls (FERC. No. 4797) and Star Falls (FERC. No. 5797) Hydroelectric Projects on the Mainstem of the Snake River, C/O/M, Licenses, New Circumstances, Information and Project Modification, Upper Snake River Basin, Twin Falls and Jerome Counties, ID, Due: February 28, 1990, Contact: Frank Karwoski (202) 357-0782.

EIS No. 900002, DSUpl, BLM, CA, Castle Mountain Open Pit Heap Leach Gold Mine Project, Construction and Operation, Permit Approval, Regulation Changes and Modifications, San Bernardino, CA, Due: March 14, 1990, Contact: Elena Daly (819) 328-3896.

EIS No. 900003, Final, EPA, TX, Freeport Harbor and Jetty Channels Ocean Dredged Material Disposal Site (ODMDS) Designation, TX, Due: February 12, 1990, Contact: Norm Thomas (214) 655-2260.

EIS No. 900004, Final, FHW, OR, 6th and 7th Avenue Couplet/OR-99 Extension, Garfield Street to West 11 Avenue/OR-128/Florence Engene Highway,

Funding, Lane County, OR, Due: February 12, 1990, Contact: Dale E. Wilken (503) 399-5749.

EIS No. 900005, Draft, COE, IL, O'Hara System Flood Cont ol Reservoir Project, Chicagoland Underflow Plan, Implementation, Cook County, IL, Due: February 28, 1990, Contact: Rose Austin (312) 353-7795.

EIS No. 900006, Draft, BLM, NV, Thousand Springs Coal-Fired Power Plan Land Exchange, Construction and Operation, Right-of-Way Grant, Section 404 Permit, Elko County, NV, Due: February 26, 1990, Contact: Nancy Phelp-Dailey (702) 738-4071.

EIS No. 900007, Draft, UAF, NM, Cannon Air Force Base Realignment, Implementation, 27th Tactical Fighter Wing, Mount Dora Military Operations Area, Melrose Range, Curry County, NM, Due: February 28, 1990, Contact: Capt. Wilfred Cassidy (804) 764-4430.

Amended Notices

EIS No. 890253, Draft, FHW, VA, Southeastern Expressway Improvement, I-464/I-64 to VA-44 (Norfolk-Virginia Beach Expressway) Construction, section 10 & 404 Permits, CGD Bridge Permit, York and James City, Counties, VA, Due: January 15, 1990, Contact: James M. Tumlin (804) 771-2371. Published FR 09-22-89—Review period extended.

EIS No. 890345, DRevised, AFS, CA, Sherwin Bowl Ski Area Development, Alpine Skiing, Special Use Permit, Inyo National Forest, Mammoth Ranger District, Mono County, CA, Due: February 12, 1990, Contact: John Ruopp (619) 873-5841. Published FR 09-22-89—Review period extended.

EIS No. 890352, Final, AFS, CA, Doe Ridge Golf Course Development and Operation, Special Use Permit, Inyo National Forest, Mono County, CA, Due: January 31, 1990, Contact: Dean McAlister (619) 934-2505. Published FR 12-22-89—Review period extended.

EIS No. 890382, FSUpl, NRC, TX, Comanche Peak Steam Electric Station, Units 1 and 2, Licensing, Installation of Severe-Accident-Mitigation Design Features, Somervell County, TX, Due: February 5, 1990, Contact: Christopher I. Grimes (301) 492-3298. Published FR 1-5-90—Incorrect project title.

Dated: January 9, 1990.

Richard E. Sanderson,

Director, Office of Federal Activities.

[FR Doc. 90-867 Filed 1-11-90; 8:45 am]

BILLING CODE 6560-50-M

[ER-FRL-3704-6]

Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared December 25, 1989 through December 29, 1989 pursuant to the Environmental Review Process (ERP), under section 309 of the Clean Air Act and section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at (202) 382-5078.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in **Federal Register** dated April 7, 1989 (54 FR 15006).

Draft EISs

ERP No. D-FHW-E40726-KY, Rating EC2, US 27 Construction, Camp Nelson to Nicholasville Bypass, Funding and 404 Permit, Jessamine County, KY.

Summary: EPA's review indicated the need for more information regarding the environmental impacts of the frontage roads that were proposed to accompany the project. More information on water quality impacts from non-point source is needed.

ERP No. D-FHW-E0727-AL, Rating EC2, Patton Island Bridge and Approach Roads Construction, crossing the Tennessee River and connecting the cities of Florence and Muscle Shoals, Funding, 404 Permit, TVA Permit, and CGD Bridge Permit, Colbert and Lauderdale Counties, AL.

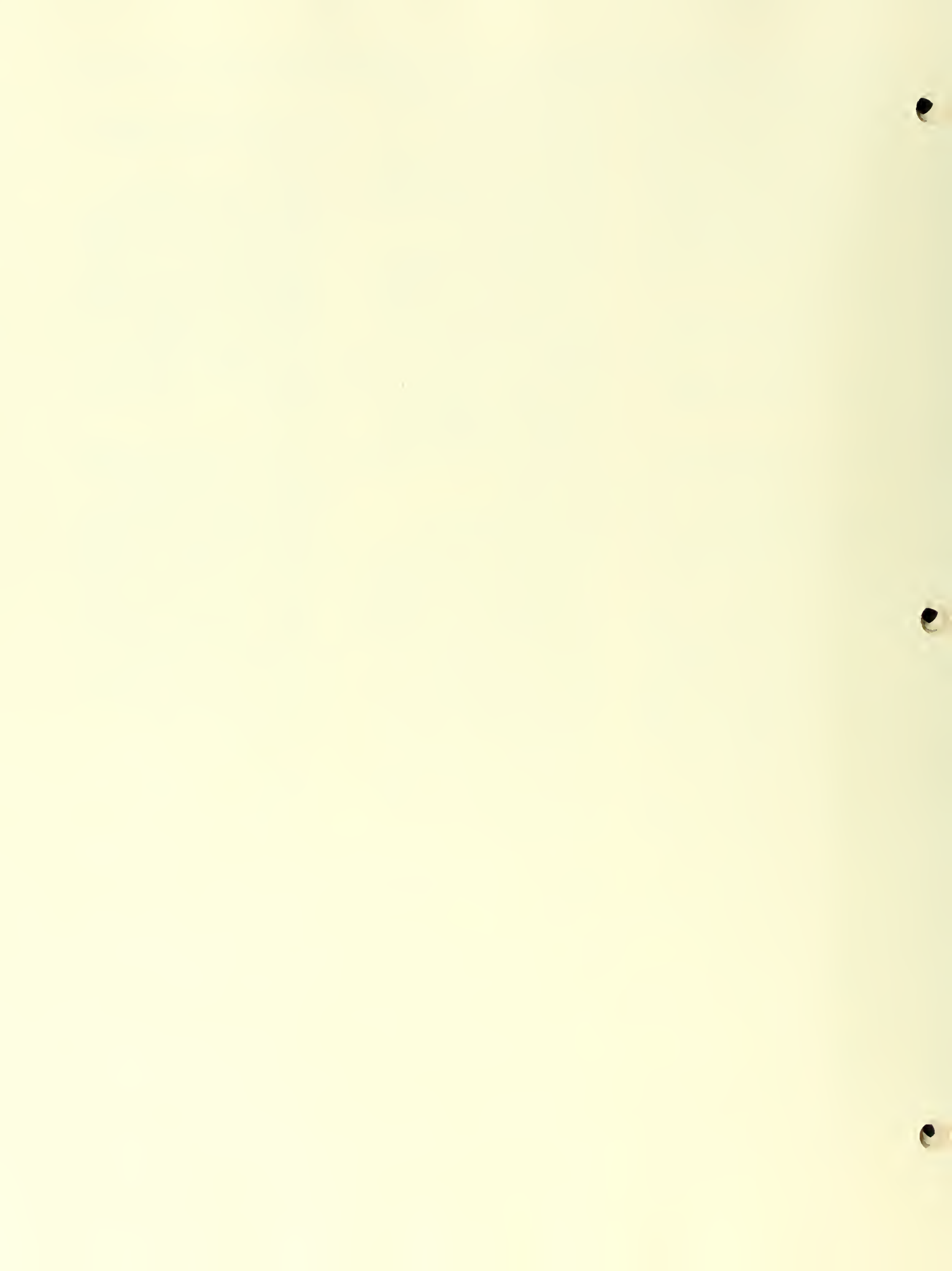
Summary: EPA requests mitigation measures be incorporated into the project to reduce impacts to aquatic and upland resources. Additional information on the relocation of Sweetwater Creek was requested.

ERP No. D-NOA-A91055-00, Rating L01, Swin-With-The-Dolphin Programs, use of Marine Mammals, Implementation.

Summary: EPA feels the environmental impacts of the proposed action are negligible, but there are concerns about the insufficient reporting by operators and the ineffectiveness of the Special Conditions imposed by NMFS.

ERP No. DS-USA-L11007-WA, Rating L0, Yakima Firing Center Expansion of Military Training Center, Land Acquisition, Possible Changes in the Force Structure of the 9th Infantry Division, Fort Lewis Military Installation, Yakima and Kittitas Counties, WA.

Summary: EPA has no objections to the activity as described in this



A.2.2 BLM News Release





CALIFORNIA

BLM

BUREAU OF LAND MANAGEMENT

FOR RELEASE
CONTACT

IMMEDIATELY, Jan. 12, 1990
Elena Daly, 619/326-3896 or
Barbara Maxfield, 714/276-6383

news Release

UNITED STATES DEPARTMENT OF THE INTERIOR

CALIFORNIA DESERT DISTRICT

1695 SPRUCE STREET

RIVERSIDE, CALIFORNIA 92507

CDD-90-18

Supplemental Draft EIS/EIR Issued for Castle Mountain Gold Mine

Due to the listing of the desert tortoise as a threatened and endangered species and several modifications in the proposed action, the U. S. Bureau of Land Management and County of San Bernardino have released a supplement to the Castle Mountain Project Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for public review and comment.

The Castle Mountain Project is a proposed open pit heap leach gold mine in the East Mojave National Scenic Area in northeastern San Bernardino County. The project would process ore at a rate of about 3 million tons per year for 10 years and would disturb about 890 acres on a site comprised of 2,620 acres of public land and 115 acres of patented mining claims.

Included in the supplement is information about potential impacts to the desert tortoise and proposed mitigation for tortoise habitat disturbance. The Draft EIS/EIR was released in February 1989, prior to the listing of the tortoise as a threatened species by the State of California and as an endangered species by the U.S. Fish and Wildlife Service. A Biological Assessment has been prepared to specifically address the potential impacts from construction and operation of the Castle Mountain Project on the desert tortoise.

As a result of agency and public comment on the Draft EIS/EIR, three design changes have been incorporated into the proposed project:

- The eastern 9.5-mile segment of the Searchlight Access Route has been relocated to avoid traffic through critical desert tortoise habitat;
- The design concept for storage of cyanide solutions is being reevaluated to consider either smaller, covered storage ponds or the use of steel storage tanks; and
- All onsite power generators would use propane instead of diesel fuel.

The supplement is available for review at BLM offices and many public libraries. Written comments on the document should be addressed to Elena Daly, Bureau of Land Management, Post Office Box 888, Needles, CA 92363-0888. Comments should be mailed to reach BLM by March 14.

-BLM-

A.2.3 Newspaper Publication

**DRAFT EIS/EIR
SUPPLEMENT**

**CASTLE MOUNTAIN
PROJECT**

The U.S. Bureau of Land Management and County of San Bernardino have released for public review and comment a Draft EIS/EIR Supplement for the Castle Mountain Project. The Supplement provides the most current information on the probable environmental and social impacts and environmental mitigation measures that would be associated with development of the proposed open pit heap leach gold mine in northeastern San Bernardino County, California. The project would process ore at a rate of about 3 million tons per year for 10 years and would disturb about 890 acres on a site comprised of 2,620 acres of public land and 115 acres of patented mining claims.

The Supplement has been prepared to address changes in regulations and modifications to the proposed project that have occurred since preparation of the Draft EIS/EIR, primarily the U.S. Fish and Wildlife Service designation of the desert tortoise as endangered. In addition, project alternatives suggested as a result of Draft EIS/EIR public review are explored, and other information is provided.

Copies of the document are available for review at BLM offices and many public libraries.

Written comments on the Supplement should be addressed to Elena Daly, Bureau of Land Management, Needles Resource Area, P. O. Box 888, Needles, California 92363-0888. Comments should be mailed to reach the BLM by March 14, 1990. For further information, contact Ms. Daly at (619) 326-3896.

TABLE A.2

NOTICE OF PUBLICATION OF DRAFT EIS/EIR SUPPLEMENT
CASTLE MOUNTAIN PROJECT

NAME	ADDRESS	TELEPHONE NUMBER	FAX	DATES RUN
Los Angeles Times - Inland Empire Edition	Times Mirror Square Los Angeles, California 90053 Attn: Jerry Madison	(800) 252-9141	(213) 237-4852	January 14, 1990
San Bernardino Sun	399 North D Street San Bernardino, California 92401 Attn: Donna Jackson	(714) 889-9666	(714) 885-1253	January 14, 1990
Las Vegas Sun	P.O. Box 4275 Las Vegas, Nevada 89127 Attn: Joan Pollack	(702) 383-7183	(702) 383-7264	January 14, 1990
Las Vegas Review Journal	P.O. Box 70 Las Vegas, Nevada 89125-0070 Attn: Maggie Wimmer	(702) 383-0211	(702) 383-0326	January 14, 1990
Barstow Desert Dispatch	130 Cool Water Lane Barstow, California 92311 Attn: Francis Hunter	(619) 256-2257	(619) 256-8032	January 15, 1990

4/12/90 (88-148)

The Times Mirror Co.
Publishers of
Los Angeles Times

Affidavit of Publication of

Environmental Solutions, Inc.

21 Technology Dr.

Irvine, Ca. 92718

Affidavit of Publication

-of-

Classified Advertising

State of California, }
County of Los Angeles } ss.

Jeanann R. Cline of said

County and State, being duly sworn, says:

That he is and at all times herein mentioned was a citizen of the United States, over 21 years of age, and not a party to nor interested in the above entitled matter; that he is a principal clerk of the printers and publishers of the LOS ANGELES TIMES a newspaper printed and published daily in the said Los Angeles County; that the

Legal Notice

in the above entitled matter of which the annexed is a printed copy, was published in said newspaper

Los Angeles Times - Inland Empire Edition

Times Mirror Square

on the following days, to-wit:

Sunday, January 14, 1990

Jeanann R. Cline

Subscribed and sworn to before

me, this 9th day of

April 1990

Tina Marie Page

Notary Public in and for the County of Los Angeles, State of California

**DRAFT EIS/EIR
SUPPLEMENT
CASTLE MOUNTAIN
PROJECT**

The U.S. Bureau of Land Management and County of San Bernardino have released for public review and comment a Draft EIS/EIR Supplement for the Castle Mountain Project. The Supplement provides the most current information on the probable environmental and social impacts and environmental mitigation measures that would be associated with development of the proposed open pit iron-lead-zinc mine in northeastern San Bernardino County, California. The mine would consist of a 100-acre iron-lead-zinc open pit mine and would disturb about 400 acres of agricultural, 1000 acres of public land and 110 acres of riparian riparian lands.

The Supplement has been prepared to address changes in regulations and modifications to the proposed project that have occurred since the release of the Draft EIS/EIR. The Supplement also addresses the U.S. Fish and Wildlife Service's designation of the project as a "disruptive" project. The Supplement also addresses the U.S. Fish and Wildlife Service's designation of the project as a "disruptive" project.

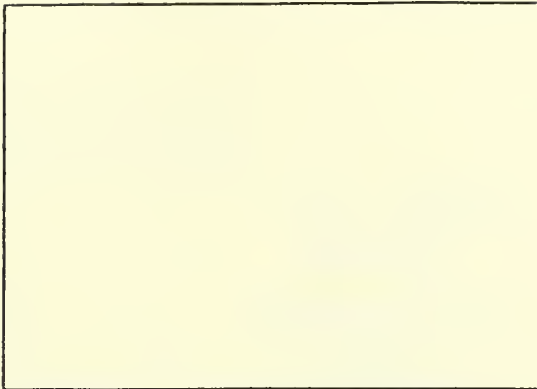
Copies of the document are available for review at BLM offices and many public libraries.

Written comments on the Supplement should be submitted to: Environmental Policy and Planning, U.S. Bureau of Land Management, Attention: EIS/EIR, P.O. Box 888, Northridge, CA 91329. Comments should be mailed to reach the BLM by March 14, 1990. For further information, contact Mr. Dale at (818) 250-3344.



Proof of Publication

ENVIRONMENTAL SOLUTIONS



STATE OF CALIFORNIA, } ss.
County of San Bernardino,

The undersigned hereby certifies as follows:

I am a citizen of the United States, over the age of twenty-one years, and not a party to nor interested in the above-entitled matter; I am the principal clerk of the printer of a newspaper, to wit, *The Sun*; the same was at all times herein mentioned a newspaper of general circulation printed and published daily, including Sunday, in the City of San Bernardino, in the County of San Bernardino, State of California; said newspaper is so published every day of the year as and under the name of *The Sun*, said newspaper has been adjudged a newspaper of general circulation by the Superior Court of the State of California, in and for the County of San Bernardino, by a judgment of said Superior Court duly made, filed and entered on June 20, 1952, in the records and files of said Superior Court in that certain proceeding entitled In the Matter of the Ascertainment and Establishment of *The Sun* as a Newspaper of General Circulation, numbered 73084 in the records of civil proceedings in said Superior Court and by judgment modifying the same, also made, filed and entered in said proceeding; the notice or other process or document hereinafter mentioned was set, printed and published in type not smaller than nonpareil and was preceded with words printed in black face type not smaller than nonpareil describing and expressing in general terms the purport or character of the notice intended to be given; and the

PUBLIC NOTICE

CASTLE MOUNTAIN PROJECT

of which the annexed is a true printed copy, was published in each edition and issue of said newspaper of general circulation, and not in any supplement thereof, on each of the following dates, to wit:

JANUARY 14, 1990

I certify under penalty of perjury that the foregoing is true and correct.

Melen Dizon

Executed on the 15 day of JANUARY, 1990, at San Bernardino, in said County and State.

DRAFT EIS/EIR SUPPLEMENT
CASTLE MOUNTAIN PROJECT

The U. S. Bureau of Land Management and County of San Bernardino have released for public review and comment a Draft EIS/EIR Supplement for the Castle Mountain Project. The Supplement provides the most current information on the probably environmental and social impacts and environmental mitigation measures that would be associated with development of the proposed open pit heap leach gold mine in northeastern San Bernardino County, California. The project would process ore at a rate of about 3 million tons per year for 10 years and would disturb about 890 acres on a site comprised of 2,620 acres of public land and 115 acres of patented mining claims. The Supplement has been prepared to address changes in regulations and modifications to the proposed project that have occurred since preparation of the Draft EIS/EIR, primarily the U. S. Fish and Wildlife Service designation of the desert tortoise as endangered. In addition, project alternatives suggested as a result of Draft EIS/EIR public review are explored, and other information is provided. Copies of the document are available for review at BLM offices and many public libraries. Written comments on the Supplement should be addressed to Elena Daly, Bureau of Land Management, Needles Resource Area, P. O. Box 888, Needles, California 92363-0888. Comments should be mailed to reach the BLM by March 14, 1990. For further information, contact Ms. Daly at (619) 326-3896. 1/14 (72) 2311

DRAFT EIS/EIR
SUPPLEMENT

CASTLE MOUNTAIN
PROJECT

The U.S. Bureau of Land Management and County of San Bernardino have released for public review and comment a Draft EIS/EIR Supplement for the Castle Mountain Project. The Supplement provides the most current information on the probable environmental and social impacts and environmental mitigation measures that would be associated with development of the proposed open pit heap leach gold mine in northeastern San Bernardino County, California. The project would process ore at a rate of about 3 million tons per year for 10 years and would disturb about 890 acres on a site comprised of 2,620 acres of public land and 115 acres of patented mining claims.

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Copies of the document are available for review at BLM offices and many public libraries.

Written comments on the Supplement should be addressed to Elen Daly, Bureau of Land Management, Needles Resource Area, P.O. Box 888, Needles, California 92363-0888. Comments should be mailed to reach the BLM by March 14, 1990. For Further information, contact Ms. Daly at (619) 326-3896
PUB: January 14, 1990
Las Vegas SUN

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, }
COUNTY OF CLARK } ss.

Joan Pollack

, being first duly sworn,

legal clerk

deposes and says: That he is _____ of the LAS VEGAS SUN, a daily newspaper of general circulation, printed and published at Las Vegas, in the County of Clark, State of Nevada, and that the attached was continuously published in said newspaper for a period of 1 time

from January 14, 1990 to January 14, 1990

inclusive, being the issues of said newspaper for the following dates, to-wit:
January 14

That said newspaper was regularly issued and circulated on each of the dates above named.

Signed

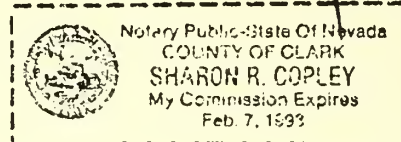
Joan Pollack

Subscribed and sworn to before me this 14th day of January, 1990

Sharon R. Copley

Notary Public in and for Clark County, Nevada

My Commission Expires



AFFIDAVIT OF PUBLICATION

STATE OF NEVADA) SS
COUNTY OF CLARK)

Mr. George J. Vasconi, being first duly sworn, deposes and says that he is Business Manager for the LAS VEGAS REVIEW-JOURNAL, a daily newspaper at Las Vegas, in the County of Clark, State of Nevada, and that the attached was continuously published in said newspaper for a period of ONE insertions from period of JANUARY 14, 1990 to JANUARY 14, 1990 inclusive, being the issue of said newspaper for the following dates, to wit:

JANUARY 14, 1990

That said newspaper was regularly issued and circulated on each of the dates above named.

DRAFT EIS/EIR
SUPPLEMENT
CASTLE MOUNTAIN
PROJECT

The U.S. Bureau of Land Management and County of San Bernardino have released for public review and comment a Draft EIS/EIR Supplement for the Castle Mountain Project. The Supplement provides the most current information on the probable environmental and social impacts and environmental mitigation measures that would be associated with development of the proposed open pit heap leach gold mine in northeastern San Bernardino County, California. The project would process ore at a rate of about 3 million tons per year for 10 years and would disturb about 890 acres on a site comprised of 2,620 acres of public land and 115 acres of patented mining claims.

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Copies of the document are available for review at BLM offices and many public libraries.

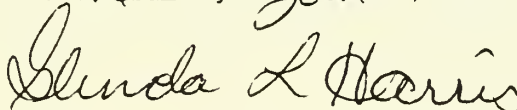
Written comments on the Supplement should be addressed to Elena Daly, Bureau of Land Management, Needles Resource Area, P.O. Box 888, Needles, California 92363-0888. Comments should be mailed to reach the BLM by March 14, 1990. For further information, contact Ms. Daly at (619) 326-3896.
PUB: January 14, 1990
Las Vegas Review Journal

SIGNED



GEORGE J. VASCONI

Subscribed and sworn to before me
this 16 day of Jan, 1990



NOTARY PUBLIC, IN AND FOR CLARK
COUNTY, NEVADA



Glinda L. Harris
Notary Public
Clark County
My Commission Expires Feb. 7, 1990



PROOF OF PUBLICATION

STATE OF CALIFORNIA }
County of San Bernardino } SS.

Desert Dispatch
Barstow, Ca 92311

The undersigned does hereby certify and declare as follows:

That I am now and was at all times herein mentioned a citizen of the United States, over the age of 21 years and not a party to or interested in the above entitled proceeding and matter; that I am the principal clerk of the printer of a newspaper of general circulation, to-wit, Desert Dispatch; that said newspaper was at all times herein mentioned a newspaper of general circulation printed and published six times weekly, to-wit, Monday through Saturday every week in the City of Barstow, in the County of San Bernardino, State of California; that prior to October 28, 1958 said newspaper was known as and named Barstow Printer-Review; that said newspaper was adjudged a newspaper of general circulation by decision and judgment of the Superior Court in the State of California in and for the County of San Bernardino, duly made, filed and entered on October 29, 1948 in a certain proceeding numbered 62972 in the records of said Court; that said decision and judgment was modified by an order of said Court made and filed in said proceeding on October 28, 1958, wherein and whereby said decision and judgment were modified by changing the name of said newspaper from Barstow Printer-Review to Desert Dispatch; that with only such exception, said decision and judgment have not been amended, modified, vacated or set aside and were in full force and effect at all times herein mentioned; that the notice or other process or document hereinafter mentioned was set, printed and published in type not smaller than nonpareil and was preceded with words printed in black face type not smaller than nonpareil, describing and expressing in general terms the purpose or character of the notice intended to be given; the

Legal # 860-90

of which the annexed is a true related copy, was published in each edition and issue of said newspaper, and not in any supplement thereof, on each of the following dates, to-wit:

Published, Jan 15, 1990

I certify and declare under penalty of perjury that the foregoing is true and correct.

Michelle Tesarik
Dated: 1/25, 1990.

PUBLIC NOTICE

Legal 860-90
DRAFT EIS/EIR
SUPPLEMENT
CASTLE MOUNTAIN
PROJECT

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PUBLIC NOTICE

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Publish: Jan. 15, 1990

**APPENDIX B
FINAL EIS/EIR NOTIFICATION LIST**



FEDERAL

Army Corps of Engineers So. Pacific
Chief, Planning Division
630 Sansome St., Room 1216
San Francisco, CA 94111

Army Corps of Engineers
Chief, Planning Division
Southwestern Division
1114 Commerce Street
Dallas, TX 75242

Assistant U.S. Attorney
James Arnold
312 N. Spring St., Room 1165
Los Angeles, CA 90012

Honorable James Bibray
1701 West Charleston, Suite 300
Las Vegas, NV 89102
Attn: Chris Johnson

Senator Richard Bryan
300 Vegas Boulevard
Las Vegas, NV 89101
Attn: Sarah Besser

Bureau of Land Management
Arizona Strip District Office
Robert Roudabush
390 N. 3050 E.
St. George, UT 84770

Bureau of Land Management
Barstow Resource Area
150 Coolwater Lane
Barstow, CA 92311

Bureau of Land Management
Barbara Maxfield
California Desert District
1695 Spruce Street
Riverside, CA 92507

Bureau of Land Management
Bob Barney
California State Office
2800 Cottage Way, Room E-2727
Sacramento, CA 95825

Bureau of Land Management
Carson City District
1050 East Williams Street
Carson City, NV 89701

Bureau of Land Management
Las Vegas District Office
4765 Vegas Drive
Las Vegas, NV 89126

Bureau of Land Management
Needles Resource Area
Elena Daly
101 West Spike's Road
Needles, CA 92363

Bureau of Land Management
Nevada State Office
P.O. Box 12000
Reno, NV 89520

Bureau of Land Management
Stateline Resource Area (2)
Runore Wycoff, Area Manager
P.O. Box 26569
Las Vegas, NV 89126

Bureau of Land Management
Winnemucca District
705 East 4th Street
Winnemucca, NV 89445

Bureau of Mines, MS-5050, Rm. 819
Branch of Mineral Assessment
US Department of the Interior
Washington, DC 20240

Bureau of Mines, MS-5100
Western Field Operations Center
East 363rd Avenue
Spokane, WA 99202

Bureau of Reclamation
Regional Director (LC-420)
P.O. Box 427
Boulder City, NV 89005

Bureau of Reclamation
Denver Federal Center (D-150)
Building 67
P.O. Box 2507
Denver, CO 80225-0007

Commission on Federal Lands
Gov. Multi-Use Adv. Council
201 S. Fall Street, Capitol Com
Carson City, NV 89710

FINAL EIS/EIR NOTIFICATION LIST
(Continued)

Senator Alan Cranston
5757 West Century Boulevard, #620
Los Angeles, CA 90045
Attn: Greg Moore

Department of Interior
Assistant Regional Solicitor
2800 Cottage Way, Room 2753
Sacramento, CA 95825

Department of Energy
Office Environment Compliance
Dr. Robert Stern
1000 Independence Ave. SW
Washington, DC 20585

Environmental Protection Agency Region IX
Environmental Review Coordinator
1255 Mission Street
San Francisco, CA 94103
Attn: Office of Federal Activities, E-3

Honorable Jerry Lewis
House of Representatives
Washington, DC 20515

Minerals Management Service
Offshore Environmental Assessment Division
Department of the Interior
Washington, DC 20240

Mining Law & Salable Minerals
WO 680
MJ 3538 MIB
Washington, DC 20240

National Audubon Society
645 Pennsylvania Avenue, SE
Washington, DC 20003

Senator Harry Reid
500 S. Rancho Blvd., Suite 17
Las Vegas, NV 89106
Attn: Peter Arapis

U.S. Air Force
Headquarters/LEEV
Environmental Division
Bolling AFB, Building 516
Washington, DC 20330

U.S. Air Force
Office of Deputy A/S
Environment, Safety, Occupational Health
SAF/RQ Room 4C916, Pentagon
Washington, DC 20330-0001

U.S. Fish and Wildlife Service
Chief, Div. Env. Coordination
Department of the Interior
Washington, DC 20240

U.S. Fish and Wildlife Service
Endangered Species Coordinator
Jim Mckevitt
2800 Cottage Way, Room 1823
Sacramento, CA 95825

U.S. Fish and Wildlife Service
Ray Bransfield
2400 Avila Road
Laguna Niguel, CA 92656

U.S. Fish and Wildlife Service
Laguna Niguel Field Office
2140 Eastman Avenue, Suite 100
Ventura, California 93003

U.S. Fish and Wildlife Service
1500 North Decatur
Las Vegas, NV 89108

U.S. Forest Service
550 East Charleston Blvd
Las Vegas, NV 89104

U.S. Geological Survey, Nat'l Center (423)
Environmental Affairs Program
Department of the Interior
Reston, VA 22092

U.S. National Park Service
Stan Albright
450 Golden Gate Ave.
P.O. Box 36063
San Francisco, CA 94102

U.S. National Park Service
Division of Env. Compliance (762)
Department of the Interior
Washington, DC 20240

FINAL EIS/EIR NOTIFICATION LIST
(Continued)

B-3

U.S. National Park Service
Lake Mead Nat'l Rec. Area
601 Nevada Highway
Boulder City, NV 89005

Honorable Barbara Vucanovich
2200 Civic Center Drive, Suite 102
P.O. Box A
North Las Vegas, NV 89030
Attn: Jesse Walsh

Senator Pete Wilson
11111 Santa Monica Blvd., Suite 915
Los Angeles, CA 90025
Attn: Karen Rubin

STATE

Air Resources Board
Gordon Duffy
P.O. Box 2815
Sacramento, CA 95812

California Department of Fish and Game
Nongame H. P.
Mr. David W. Showers
1416 9th Street
Sacramento, CA 93814

California Department of Fish and Game
Vern Bleich
407 West Line
Bishop, CA 93514

California Department of Fish and Game
Mike Guisti
P.O. Box B-P
Blythe, CA 92225

California Department of Fish and Game
Fred Worthley
330 Golden Shore, Suite 50
Long Beach, CA 90802

California Department of Fish and Game
Tom Jackson
P.O. Box 1006
Needles, CA 92363

California Department of Fish and Game
Bob Vernoy
15786 Inyo Street
Victorville, CA 92393

California Department of Justice,
Attorney General's Office
Cliff Rechtschaffen
350 McAllister St., Room 6000
San Francisco, CA 94102

California Department of Justice,
Attorney General's Office
3580 Wilshire Blvd., Room 800
Los Angeles, CA 90010

California Department of Parks and
Recreation
Lowell Landowski
P.O. Box 942896
Sacramento, CA 94296

California Division of Mines and Geology
Jim Pompy, Program Manager
650-B Bercut Drive
Sacramento, CA 95814

California Highway Patrol Headquarters
Long Range Planning Section
Sgt. Jim Weddell
2555 1st Avenue
Sacramento, CA 95818

California State Lands Commission
Jeff Fong
1807 13th Street
Sacramento, CA 95814

California State Lands Commission
Greg Pelka
245 W. Broadway, Suite 425
Long Beach, CA 90802

California State Planning and Research
Deni Greene
1400 10th Street
Sacramento, CA 95814

Caltrans, District 8
P.O. Box 231
San Bernardino, CA 92403
Attn: Guy Visbal

California Regional Water Quality
Control Board
15371 Bonanza Road
Victorville, CA 92392



FINAL EIS/EIR NOTIFICATION LIST
(Continued)

California Regional Water Quality Control
Board - Colorado River
Vernon E. Valentine
107 S. Broadway Room 8103
Los Angeles, CA 90012

California Regional Water
Quality Control Board
Neal Krull
73-271 Highway 111, Suite 21
Palm Desert, California 92260

Nevada Department of Minerals
Walter Lombardo
4728 Elm Avenue
Las Vegas, NV 89110

Nevada Department of Minerals
Rich Reyburn
400 West King, Suite 106
Carson City, NV 89701

Nevada Department of Wildlife, Reg. III
John Donaldson, Regional Manager
State Mailroom Complex
Las Vegas, NV 89158

State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, CA 95814

State Historic Preservation Office
Kathryn Gualtieri
P.O. Box 942896
Sacramento, CA 94296

State Mining and Geology Board
1416 9th St., Room 1326-2
Sacramento, CA 95814

COUNTY

Air Pollution Control District
15505 Civic Drive 2nd Floor
Victorville, CA 92392

Baker Community Service District
P.O. Box 127
Baker, CA 92309

Clark County Department of
Comprehensive Planning
225 Bridger Avenue, 7th Floor
Las Vegas, NV 89155

San Bernardino County Building and Safety
Gary Givens, Inspector
P.O. Box 60 Star Route 1
Joshua Tree, CA 92252

San Bernardino County
Department of Environmental Health
Pam Bennett
305 N. Arrowhead Ave. 2nd Floor
San Bernardino, CA 92415

San Bernardino County Museum
Dr. Allan Griesemer, Director
2024 Orange Tree Lane
Redlands, CA 92374

San Bernardino County
North Desert Planning
Paul Glass
15505 Civic Drive
Victorville, CA 92392

LOCAL

Las Vegas Planning Department
400 East Stewart Avenue
Las Vegas, NV 89101

Los Angeles Department of Water and Power
Jim Mieding, Room 1121
P.O. Box 111
Los Angeles, CA 90051

LIBRARIES

Baker High School Library
Highway 120 and School Road
Baker, CA 92309

Bureau of Land Management
Service Center, Bldg. 50
Library, D-553-A
P.O. Box 25047
Denver, CO 80225

California State University, Fullerton
Library Documents Department
P.O. Box 4150
Fullerton, CA 92634

Clark County Library
1401 East Flamingo
Las Vegas, NV 89109

Los Angeles Public Library
Documents Department
361 S. Anderson Street
Los Angeles, CA 90033

San Bernardino County Library
304 East Buena Vista
Barstow, CA 92311

San Bernardino County Library
101 W. Fourth Street
San Bernardino, CA 92401

San Bernardino County Library
15011 Circle Drive
Victorville, CA 92392

San Bernardino Public Library
Feldheim Central Library
555 West 6th Street
San Bernardino, CA 92410

U.S. Geological Survey
Library
345 Middlefield Rd. - MS55
Menlo Park, CA 94025

ORGANIZATIONS

AMAX
Laura Christensen
1707 Cole Blvd.
Golden, CO 80401

Baker Valley News
P.O. Box 84
Baker, CA 92309

Barstow Development Corporation
Jim Gilliam
1110 Buena Vista
Barstow, CA 92311

Best in the Desert Racing
Casey Folks
3475 Boulder Hwy
Las Vegas, NV 89120

Billeton Minerals
Tim Franceschini
P.O. Box 2906
Houston, TX 77252

Boulder City Chamber of Commerce
1497 Nevada Highway
Boulder City, NV 89005

Bond Gold Bullfrog, Inc.
Jack Bergham, General Manager
Box 519
Beatty, NV 89003

Bond Gold Colosseum, Inc.
Michael Attaway
P.O. Box 94078
Las Vegas, NV 89199

Bond Gold Colosseum
Sally Snell
Environmental Safety Coordinator
P.O. Box 94078
Las Vegas, NV 89199

Brubaker-Mann, Inc.
Bill Mann
30 Hilltop Terrace
Barstow, CA 92311

Cactus Gold Mines
Paul L. Blair
Star Rt. 1, Box 52 W
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FINAL EIS/EIR NOTIFICATION LIST
(Continued)

B-13

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APPENDIX C
DRAFT EIS/EIR COMMENT LETTERS



C.1 Agencies



Federal Agencies





United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
WASHINGTON, D.C. 20245



IN REPLY REFER TO:

UN APR 4 1989

March 20, 1989

FPWA ADMINISTRATION

Memorandum

To: Sacramento Area Office
Attn: Don Knapp

From: Chief, Environmental Services Staff

Subject: Review of Draft Environmental Impact Statement/Environmental Impact Report, Castle Mountain Project, San Bernardino County, California

Provide comments as outlined in the attached by May 15, 1989.

A copy of these comments should be provided to the Environmental Services Staff.

George R. Farris

NO INDIAN LANDS UNDER THE JURISDICTION OF THIS OFFICE ARE INVOLVED

NO COMMENT

BUREAU OF INDIAN AFFAIRS
2800 COTTAGE WAY
SACRAMENTO, CALIFORNIA 95825

DATE: 3-22-89
NATURAL RESOURCES SPECIALIST



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
PHOENIX AREA OFFICE
P.O. BOX 10
PHOENIX, ARIZONA 85001



Real Estate Services
File 300.1 Colorado River Agency
(602) 241-2281

MAY 03 1989

U.S. Bureau of Land Management
Needles Resource Area
101 West Spike's Road
P.O. Box 888
Needles, California 92363-0888
Attention: Mr. John Bailey

Dear Mr. Bailey:

The Bureau of Indian Affairs Phoenix Area Office and our Colorado River Agency in Parker, Arizona have reviewed the Castle Mountain Project Draft Environmental Impact Statement. This proposed mining project in San Bernardino County, California is not within our area of jurisdiction and will not affect Indian trust lands or resources. Native American socioculture values have been taken into full consideration and will not be diminished by implementing this project. Therefore, we have no further comments regarding the proposed project.

Thank you for the opportunity to comment on the draft environmental impact statement.

Sincerely,

Patrick A. Hayes
Mining Area Director

MAY 18 1989



United States Department of the Interior

BUREAU OF MINES
WESTERN FIELD OPERATIONS CENTER
EAST 360 3RD AVENUE
SPOKANE, WASHINGTON 99202-1413

John Bailey



April 18, 1989

Memoirandum

To: John Bailey, Needles Resource Area, Bureau of Land Management, Needles, California

From: Supervisor, Mineral Issue Involvement Section, Branch of Engineering and Economic Analysis

Subject: Review of Draft Environmental Impact Statement/Environmental Impact Report (DEIS/EIR) for the Castle Mountain Project, San Bernardino County, California

The engineering for the operation appears to follow acceptable industry standards. Our primary concern is the wise use and conservation of mineral resources, including those that are not recovered by the planned operation. The DEIS adequately addresses this issue; specifically, nearby clay pits are avoided and current pitrore is to be stockpiled separately in the event it becomes economic to recover the contained gold in the future. The recognition in the report that backfilling the pit would have an adverse effect on access to potential future resources is also important. Finally, the mitigating factors planned by the company appear reasonable from an engineering standpoint.

We are available for technical advice and look forward to reviewing any further documents related to this project.

D. Archib. Bamister
D. Archib. Bamister

1989 APR 24 11 11

Centers for Disease Control
Atlanta GA 30333
May 10, 1989

Mr. John Bailey
Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888

Dear Mr. Bailey:

We have reviewed the Draft Environmental Impact Statement (DEIS) for "Castle Mountain Project, San Bernardino County, California." We are responding on behalf of the U.S. Public Health Service. We found the documentation for this project to be well done with a good analysis of potential impacts. We were particularly pleased to find sections of the DEIS entitled "Environmental Health and Safety" which were specifically devoted to assessing potential hazards to workers and the general public as a result of this project.

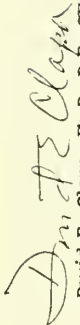
Our review did not reveal any extraordinary hazards to public health or safety posed by this project other than those inherent in a mining operation of this scope. As noted in the DEIS, the primary health concern is related to management of hazardous chemicals, particularly cyanide. In our review of proposed control practices, we feel this hazard is well mitigated. Since mining is a recognized high hazard activity, we wish to emphasize the need for strict compliance with Mine Safety and Health Administration (MSHA) regulations.

While MSHA requirements are frequently referenced in the DEIS, we feel that a comprehensive and continuous health and safety training program is essential to insure consistently safe working conditions. Safe working practices can only result from such a training program supported by inspired management and supervisory practices. We recommend that the Final Environmental Impact Statement (FEIS) include details of the proposed plans for such training and management programs for this project.

Page 2 - Mr. Bailey

Thank you for sending this document for our review. Please insure that we are included on your mailing list for the FEIS for this project as well as future documents with potential public health impacts which are developed under the National Environmental Policy Act (NEPA).

Sincerely yours,


David E. Clapp, Ph.D., P.E., CIH
Environmental Health Scientist
Center for Environmental Health
and Injury Control



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
215 Fremont Street
San Francisco, Ca. 94105

John Bailey

1089

John Bailey
Needles Resource Area
Bureau of Land Management
P.O. Box 888
Needles, CA 93263-0888

Dear Mr. Bailey:

The Environmental Protection Agency (EPA) has reviewed the proposed Castle Mountain Project Draft Environmental Impact Statement/ Environmental Impact Report (DEIS/EIR). Our comments on this DEIS/EIR are provided pursuant to EPA authorities under section 309 of the Clean Air Act and the National Environmental Policy Act.

The proposed Castle Mountain Project would establish an open pit, heap leach cyanide process gold mine in the California Desert Conservation Area. The DEIS/EIR estimates that the Project would process three million tons of ore per year, over a ten year period. We have classified this DEIS/EIR as Category EC-2, Environmental Concerns-- Insufficient Information (see attached "Summary of Rating Definitions and Follow-up Action"). The DEIS/EIR is rated EC-2 because of concerns we have regarding ground water withdrawals; inadequate documentation of water and air quality impacts and mitigation; lack of detail on reclamation; and, particularly, incompatibility with the character of the East Mojave National Scenic Area, and nearby Wilderness Study Areas (WSA) and areas of critical environmental concern. Additionally, the DEIS/EIR fails to thoroughly examine all reasonable alternatives, as required in implementing the National Environmental Policy Act (43 CFR 1502.14).

We appreciate the opportunity to review this DEIS/EIR. Please send three copies of the Final Environmental Impact Statement to this office at the same time it is officially filed with our Washington, D. C., office. If you have any questions, please contact me at 415-974- 8083 (FTS 454-8083) or have your staff contact Carolyn Yale, Office of Federal Activities, at 415-974-7194 (FTS 454-7194).

Sincerely yours,

Deanna Wieman

Deanna Wieman, Director
Office of External Affairs

Enclosure (6 pages)
cc. Art Swajian, Colorado River Basin Regional Water Quality Control Board
Walter Mook, San Bernardino County Air Pollution Control Board

General comments

While the Draft Environmental Impact Statement/ Environmental Impact Report (DEIS/EIR) has taken care to focus on a preferred alternative which it represents as an optimal combination of considerations (p. 3.1-1), documentation is not of sufficient detail to warrant this conclusion. For example, impacts associated with project siting and design under the proposed action and other alternatives need amplification. Reduction of air quality and water quality impacts should be approached through alternatives which include scaling down the size and/or rate of development. Mitigation plans referenced in the DEIS/EIR should identify the parties responsible for implementation and enforcement, funding sources, and mitigation schedule. These points are explained more completely in the following comments.

Water quality

1. The DEIS/EIR should delineate more clearly the drainage system within the project area and the placement of mining activities with respect to this drainage, so that it is possible to evaluate the relative merits of recommended mine facility siting. The DEIS/EIR asserts that the "large natural drainage channel" onsite will not be disturbed (p. 3.3-7); that the siting of the overburden has been done with consideration of "requirements to control upstream and downstream drainage" (p. 3.2-15); and that the leach pads are located astride the drainage but "well above the depth of flood waters which occasionally flow in the large natural drainage channel traversing the area" (p. 3.3-7). The DEIS/EIR should provide a map of 50 and 100 year flood levels for the drainage channel(s) on the site and identify whether any mining activities fall within these zones.

2. The DEIS/EIR asserts that "ponds would be designed with sufficient capacity to accommodate large rainfalls" (p. 3.2-18). Identify the maximum size storm event which the containment system is designed to handle and how often that size storm event is likely to occur. Identify where waters from the ponds and/or collection system would flow in the event of an overflow or accidental spill.

3. The DEIS/EIR indicates intent to develop a plan to handle emergencies (p. 1.1-11). Discuss how accidental releases of hazardous materials, including overflow from the ponds, will be handled. Identify the potential impacts resulting from failure of components of the solution containment system, and the degree to which the impacts would be reversible.

4. While acknowledging the uniqueness of Piute Spring, the DEIS/EIR is scanty on resource values in this area (p.4.3-19). The document should identify the designated beneficial uses of Piute Spring. With regard to compliance with the Clean Water Act, NPDES permitting requires that water quality standards be met for any designated beneficial use, not merely drinking water standards mentioned on page 2.4-7. Water quality standards to protect aquatic life may be more exacting than drinking water standards.

5. The DEIS/EIR briefly mentions use of ground water monitoring during operations "to detect potential release of solution from [the] containment system" (p. 1.1-10). Explain in greater detail how contamination of surface and ground waters by cyanide and toxic metals will be avoided through monitoring. What provisions will be made for post-operation surveillance to ensure that neutralization of heap piles and solution pond sites has been effective? Explain what mitigation actions will be taken should contamination be detected.

Ground water

1. Because of potential effects on the ecology of Piute Spring, ground-water pumping has been a particular point of controversy for the Castle Mountain Project. While we recognize that projected water use has been scaled down substantially from the earlier Castle Mountain Project proposal (p. 3.2-23), we have several concerns regarding the revised water use estimates for the project. Generally, we recommend a more thorough statement of assumptions underlying the revised estimates, and more detailed mitigation measures to protect area ecology should estimated water use and related impacts be understated.

(a) The water requirements of the project will vary with the scale of ore processing, subsequent neutralizing and dewatering of the tailings, and reclamation. The water use estimates in the DEIS/EIR assume processing of three tons of ore per year over a ten year period (p. 1.1-4). However, this is not a certainty; with the set-aside of lower grade protore and continuing exploration activities there remains a reasonable possibility that development of additional commercial grade deposits may occur. In this case, water demands could exceed the estimates in the DEIS/EIR.

(b) Moreover, it is not clear whether several water-using components of the project have been adequately accounted in the estimate of water demand (p. 3.2-23):

- What amount of water was included for neutralizing and decommissioning leach piles?
- What was the water allotment for the reclamation plan? Since revegetation of portions of the site is one of the reclamation objectives, irrigation of these areas may be required initially.
2. Although the model of potential impacts of groundwater withdrawals suggests that depletion of the Lanfair Valley Aquifer will not affect Piute Spring, some uncertainty remains regarding this conclusion (p. 1.1-10). This uncertainty is all the more unsettling because several years may elapse between water withdrawals and observed effects on the Spring. "Reevaluation" of the hydrological model in the event of drawdown at monitoring wells in excess of the estimated 60 feet (p. 1.1-10) is not in itself sufficient mitigation to protect Piute Spring.

The DEIS/EIR should identify the minimum flow in Piute Spring needed to protect designated beneficial uses and riparian habitat. Additionally, the DEIS/EIR should describe mitigation measures to reduce the rate of ground water withdrawals if monitoring of the ground-water table suggests that predicted impacts of withdrawals are understated. The discussion of mitigation should include water conservation and adjustment of the scale and timing of mining operations.

Air Quality

Our review of the air quality sections of the DEIS/EIR suggests that the project could contribute to violations of standards or "prevention of significant deterioration" (PSD) increments. The Clean Air Act (CAA) prohibits proceeding with any federal action that does not conform to the State Implementation Plan (SIP) (see 42 U.S.C. Section 7506). For this reason, the DEIS/EIR should explore additional project alternatives and mitigation measures.

1. The statement on page 2.4-5 that "there is no deadline for attainment of the California Ambient Air Quality Standards" (CAAQS) is misleading. The DEIS/EIR should record that the new California Clean Air Act in fact has established requirements for meeting state standards. Furthermore, the federal Clean Air Act prohibits any action not conforming to State Implementation Plans (SIPs). This requires ensuring that standards and PSD increments are protected.

2. There are several indications that the proposed project may violate certain standards. First, because the predicted ozone levels come very close to exceeding state standards, it is questionable whether this standard will be met (see pages 4.6-3 and 4).

There are also apparent problems with meeting state and federal particulates (PM10) standards. Stating that measured exceedances of the PM10 standards "would be considered part of the natural background of the area" (p. 4.6-4) is incorrect: under natural, undisturbed site conditions desert lands do not give rise to high levels of dust. Moreover, when conducting 24-hour modelling for fugitive dust, using the 18 micrograms per cubic meter annual average PM10 background estimate is inappropriate: the model should use a peak 24-hour value (see p. 5.6-6). This error appears again with the modelling of 24-hour and annual PM10 concentrations along the Searchlight Access Route (pp. 5.6-12 and 13).

The DEIS/EIR should make corrections in these assessments and then reevaluate conclusions regarding meeting national and state standards. Tentatively, it appears that traffic and onsite operations could contribute to violations of the standards.

3. In addition to the criteria for "significance" listed on page 5.6-1, the DEIS/EIR should state that impacts are significant if they affect PSD increments.

In this regard, the level of nitrogen oxide emissions identified on page 5.6-4 indicates that the proposed project could be subject to PSD regulation by EPA. The DEIS/EIR should explain the assumptions about project operations on which the emissions rate is based. Unless hours of operation will be restricted through a federally enforceable permit, the estimate should assume full-time operations at full capacity.

4. Overall, the mitigation proposals are very good. However, we suggest more specificity on the timing and extent of revegetation, since restoring ground cover will assist in mitigating dust problems.

Reclamation

1. Despite pages of detail on objectives, the DEIS provides little detail on site-specific treatment. While stated objectives of reclamation, including "reestablishment of pre-disturbance cover" (p. 6.4-2), are laudable, feasibility is uncertain. The DEIS/EIR acknowledges that for this locale

vegetative restoration is untried (p. 6.4-3) and also recognizes that recovery may be slow (50 years or more)-- a time period extending long past the estimated ten year operation of mining activities. We are concerned that the cost, time, and resource requirements (particularly water) of such a plan may be grossly underestimated. Failure to accomplish planned reclamation will have long-term repercussions for air and water quality, wildlife, and the scenic values of the East Mojave.

The DEIS should, at a minimum, discuss the following components of the reclamation plan (including restoration of natural vegetation): (a) identification (including acreages) of the areas targeted for reclamation, and clarification of the intended degree of treatment in each area (see p. 3.2-52); (b) estimation of the potential irrigation requirements; (c) means of assuring that needed maintenance will continue after operations cease, or while operations are suspended. The DEIS/EIR should specify the level of bonding appropriate to the intended scale and quality of reclamation.

Wildlife

1. On the whole the DEIS/EIR responds adequately to the need to prevent wildlife access to standing waters on the mining site: clearly, netting of ponds, use of the drip leaching system, and containment of leachate in pipes are important components of this design. However, the DEIS/EIR should also explain why smaller ponds (which are more easily covered by netting) or enclosed tanks in lieu of ponds were not considered as alternatives.

Relationship to adjacent lands

1. The DEIS/EIR does not discuss in sufficient depth potential incompatibility of the project with the intended character of the East Mojave National Scenic Area and sensitive resource areas, such as Wilderness Study Areas (WSAs) and areas of critical environmental concern. We question the judgment that, after mitigation measures have been applied, there are no significant visual, air quality, or noise impacts from mining and mine access routes on adjacent lands. For example, the DEIS asserts that increased dust, emissions, and noise "would originate from outside the boundaries of the [Castle Peaks] WSA and would not be considered impacts on the WSA" (p. 5.10-6, *emphasis added*). This logic counters California State Bureau of Land Management instructions indicating that, in weighing the "significance" of mining project impacts, applicants should consider "the project's likely effect on unique characteristics of the geographic area

such as proximity to historic or cultural resources, park lands, wetlands..., or ecologically critical areas" (Instruction Memorandum CA-89-55).

SUMMARY OF RATING DEFINITIONS AND FOLLOW-UP ACTION*

Environmental Impact of the Action

IO—Lack of Objections

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC—Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

EO—Environmental Objections

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EJ—Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of environmental quality, public health or welfare. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1—Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2—Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3—Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From: EPA Manual 1640, "Policy and Procedures for the Review of Federal Actions Impacting the Environment."



United States Department of the Interior

FISH AND WILDLIFE SERVICE
LAGUNA NIGUEL FIELD OFFICE
24000 Avila Road
Laguna Niguel, California 92656

May 23, 1989

MEMORANDUM

To: Area Manager, Bureau of Land Management, Needles Resource Area, Needles, CA (Attn: John Bailey)

From: Acting Field Supervisor

Subject: Draft Environmental Impact Statement/Report, Castle Mountain Project, (1793 (CA-069.05)) (1-6-89-TA-874)

The Fish and Wildlife Service (Service) has reviewed the referenced document, which describes plans to develop a heap leach gold mining operation on approximately 910 acres of a 2,735 acre site in the Mojave Desert of eastern San Bernardino County. The proposed operation includes two mine pits, overburden piles, heap leach piles, cyanide ponds, a well-field, and ancillary roads and buildings.

The biological communities of the project area include creosote bush scrub, Joshua tree woodland, blackbush scrub, and grasslands. A perennial stream, fed by Piute Spring, supports a significant riparian community approximately 15 miles to the southeast of the proposed project. Wildlife species found in the area are those typical of desert scrub communities. No federally listed threatened or endangered species occur on-site, but the desert tortoise (*Xerobates agassizii*), a candidate species for listing under the Federal Endangered Species Act, occurs at the mine site in low densities and along the proposed access roads in low to high densities.

In general, the Service is concerned with the incremental impacts to desert scrub habitat that the proposed project entails. Desert habitat, which may require much larger acreages to be biologically productive than other upland communities because of climatic extremes, is being rapidly fragmented. While the Castle Mountains Project itself will only affect a small portion of the Lanfair Valley, its indirect impacts will extend beyond the boundaries of the immediate disturbance. These impacts need to be considered cumulatively in light of other ongoing or planned gold mining activities, the proposed expansion of Fort Irwin, solar power development, urbanization, and other commercial and recreational uses.

An additional major concern of the Service is the assertion made in the draft environmental impact statement/draft environmental impact report (DEIS/DEIR) that water use at the mine will not adversely affect the riparian habitat at Piute Spring. The recharge rate that was calculated for the Lanfair Valley may well overestimate the amount of water that reaches the groundwater table. Rainfall figures are based strictly on averages from different elevations taken from desert areas in the western United States. These include Nevada where greater percentages of the water associated with winter rainfall and snowfall are capable of soaking into the groundwater table before being evaporated. The Castle Mountains, in the eastern portion of the Mojave Desert, can receive both winter and summer rains with the great yearly variation between events that is typical of desert weather. Therefore, the "conservative" approach claimed in the DEIS/DEIR with regard to recharge rates may not actually be that conservative, in that the low rates of recharge estimated for the Lanfair Valley may actually be even lower as noted above.

We understand that the U.S. Geological Survey, in 1984, released a report which described the Lanfair Valley/ Piute Spring hydrologic regime as one where the recharge and outflow were approximately equal. If this is the case, water pressure changes brought about by the cone of depression formed under the well field may well result in the cessation of flows to the spring, even though the water table in the adjacent Lanfair valley area may not be significantly lowered.

Finally, with regard to the potential effects on Piute Spring, the DEIS/DEIR calls for a yearly monitoring report to assess the effects of the pumping on the groundwater table. This monitoring schedule is inadequate and could result in the cessation of flows to the spring and irreparable damage to the riparian habitat before remedial measures could be implemented. We strongly suggest a much more frequent monitoring program with stations able to detect water quality and quantity changes (including water pressures). These stations should be located in a manner that could detect any changes along the direction of groundwater movement between the wells and Piute Spring.

The DEIS/DEIR does not contain any attempt to provide for compensation for lost tortoise habitat. Tortoise habitat losses should be quantified and appropriate compensation measures devised prior to the issuance of a final EIS/EIR.

The Service recommends that the open pits be backfilled with overburden at the termination of the project or as the pits become depleted of ore. The Service's Reno, Nevada office has encountered adverse effects accruing to wildlife from the accumulation of rainwater in the bottom of these pits. Run-off which washes over rock surfaces which are normally not exposed to the surface can suspend chemicals that are deleterious to wildlife when concentrated in ponded rainfall.

Discussions of the impacts of the natural gas pipeline from Searchlight to the mine site are inadequate. Installation of such a line would likely result in the creation of a road through an area that currently is roadless, even if the Searchlight access route is not developed. This improved access will undoubtedly be used by the public and result in further habitat degradation. Therefore, the Service recommends that the Ivanpah Valley route be used for both traffic and gas lines. The installation of a tortoise-proof fence along this road and a mandatory employee bussing program should greatly offset the impacts of the increased traffic along this existing road.

The Service offers the following specific comments on the DEIS/DEIR:

Water Requirements and Supply, pages 3.2-23 and 24. Projected water use for the summer months is 495 gallons per minute (gpm), while the DEIS/DEIR uses an average consumption figure of 450 gpm for its annual average. Given that water availability at Piute Spring would be most critical in the summer months, it may be more appropriate (and a more conservative approach) to base water use (and thus anticipated impacts) on the summer figure rather than an annual average.

Initial surface disturbances at well-sites are estimated to be 100 by 100 feet in area, with reclamation occurring in the area outside of a 25 by 25 foot area of permanent disturbance. We recommend that the vegetation within the temporary disturbance area be crushed rather than bulldozed. This method of clearing should hasten revegetation.

Project Traffic, page 3.2-34. It is unclear from the discussion contained in the DEIS/DEIR whether participation in the bus or van pool for employees will be mandatory. The Service strongly recommends that this be a condition of project approval. This program would not only reduce the number of vehicle trips, thereby reducing vehicle-wildlife collisions, but would also allow for stricter control of speed limits and eliminate most opportunities for employees to collect wildlife, such as the tortoise.

Revegetation, pages 3.2-49 and 50. The Service recommends that the Bureau of Land Management (BLM) and the applicant select a qualified arid lands revegetation specialist and contract with this person prior to the publication of the FEIS/FEIR. This will permit a more detailed revegetation proposal to be presented in the final environmental document, which the Service also believes will be an important means of attempting to mitigate the adverse impacts of the proposed project. This plan should contain the goals of the revegetation effort and the means that would be implemented to correct any failures of the initial efforts.

Because restoration of habitat values will be a slow process that will not begin until sometime after the initiation of mining, we recommend that the BLM select disturbed sites in the project

vicinity and begin revegetation efforts on these sites concurrently with the onset of mining. The Service recommends that the applicant initiate these efforts on an area equal to the size of the area that will eventually be disturbed by mining operations. This measure would result in at least some offsetting of the temporal losses of habitat value, as well as allowing an early testing of methods to be used later in the reclamation phase.

The Service believes that efforts should be made to transplant all barrel cacti and Joshua trees that will be disturbed. Likely candidate sites would be the previously disturbed areas mentioned in the preceding paragraph and the cleared zones around the water wells. This recommendation, if implemented, would more quickly replace habitat values, as the larger Joshua trees provide greater habitat values and, because of the slow growth rates of this species, the value of the transplanted smaller trees would not be realized for many years.

Recent work on revegetation of desert lands has indicated that fertilization can result primarily in the production of weedy species. It may be more valuable to provide the revegetated stock with inoculations of appropriate microflora to promote growth. Again, the expertise of one experienced in revegetation of desert habitat types is needed.

Bonding, page 3.2-54. The footnote on this page indicates that revegetation efforts would be "completed as determined feasible." This statement seems to indicate that there is some doubt that revegetation efforts can be successful. However, the findings of non-significance in relation to vegetation impacts are based at least in part on the ability of the applicant to restore the project area. Therefore, the findings of non-significance should either be revised or the environmental documents should be revised to guarantee the success of the restoration efforts.

Water Resources, Proposed Action, page 5.3-1. This portion of the DEIS/DEIR indicates that an impact to the riparian habitat at Piute Spring would be considered significant only if that habitat was to be "substantially affected or destroyed" by reduced flow conditions. The Service strongly disagrees with this criterion as an indicator of significance. Riparian communities in California are extremely high in wildlife values. Because of the very arid nature of the surrounding scrub communities, their value increases even more in the desert. Therefore, any action which could result in any reduction in these values should be avoided. We also believe that the BLM's policies of avoiding the long- and short-term impacts associated with the destruction, loss, or degradation of wetland riparian areas (BLM Manual 6740 - Wetland and Riparian Area Protection and Management) would preclude the establishment of significance levels for impacts in the DEIS/DEIR that would permit any degradation of the values at Piute Spring. The DEIS/DEIR should be revised to indicate that no adverse effect on the riparian and wildlife values at the spring will be permitted.

Wildlife, page 5.5-1. This section identifies potentially significant impacts to wildlife as being those which "(s)ubstantially affect a threatened or endangered species." Although no federally listed species occur within the proposed project area, the preparers of the DEIS/DEIR, as well as the BLM, should be aware that the Federal Endangered Species Act does not permit any adverse effect to accrue to a listed species without completion of formal Section 7 consultation. Section 7 consultation is likely to result in the development of measures to avoid impacts to the species and its habitat and to reduce the take of individuals. Should jeopardy to the species be possible, reasonable and prudent alternatives would be provided.

Cyanide Solution, pages 5.5-6 and 7. Although large animals will be effectively excluded from the cyanide ponds, chain link fencing will be unable to prevent the access of many species of birds to this water source. Therefore, the use of hardware cloth or sheet metal at ground level should be combined with a closer spaced (0.5 inch or less) wire screen fencing in place of the chain link fence to prevent small birds from entering the heap leach areas. We also encourage the use of similar material to cover the tops of the ponds. This would eliminate the use of netting, in which birds and bats could become entangled.

The use of a drip system on the top of the leach pile should aid in reducing the amount of water needed and in the elimination of ponding that could lead to wildlife deaths. However, a sprinkler system is still proposed for use on the sides of the pile. The Service believes that use of a drip system on the sides would further reduce water needs and the potential for ponding and strongly suggests that this method be adopted.

We wish to remind the BLM and the applicant that the Federal Migratory Bird Treaty Act provides protection to most of the wild birds in the United States and virtually all of the species which could be expected at the project site. It is a violation of this Act to harm or kill, intentionally or not, any of these species. Because of this, the Service believes that the utmost care must be taken to prevent wildlife access to any toxic substances which may occur on-site.

The Pautuxet Wildlife Research Center of the Service is in the process of evaluating the impacts of heap leach operations on native wildlife. We encourage the BLM and the applicant to participate in this research effort by submitting the final designs of the cyanide operation and its fencing system, as well as records of wildlife kills and any dead animals, to:

Don Clark
Pautuxet Wildlife Research Center
Laurel, Maryland 20708
FTS 956-7262 or (301) 498-0262

Traffic, page 5.5-11. The Service disagrees with the statement made on this page that the cost of fencing to keep tortoises off the access roads could be redirected towards other measures that would enhance tortoise habitat. The DEIS/DEIR correctly indicates that roads have been identified as a steady drain on the tortoise populations located adjacent to them and that the increased traffic due to the project could result in a further drain in this area. Therefore, the impact of traffic on the tortoise is a direct result of the project and should be mitigated as such. Tortoise-proof fencing through tortoise habitat is a very appropriate measure to attempt to offset this impact and should be implemented, if combined with culvert crossings to prevent fragmentation of habitat.

Construction of the tortoise-proof fences should extend for a distance or be anchored to a topographic feature that would eliminate the potential for tortoises to walk around the end of the fence and be trapped on the road. The fence design and extent should be fully developed through discussions with the BLM, the Service, and the California Department of Fish and Game (Department) prior to the publication of the FEIS/FEIR and the details of the design should be included in that document.

Regulatory Framework, pages 6.3-1 and 2. The applicant and the BLM should be aware that the discharge of fill materials into waters of the United States is regulated under Section 404 of the Clean Water Act. The applicant should contact the U.S. Army Corps of Engineers at the following address to determine whether the work projected to occur within the site's washes is regulated:

U.S. Army Corps of Engineers
P.O. Box 2711
Los Angeles, California 90053
Attn: Regulatory Branch
(213) 894-5606

Vegetation, page 6.4-3. The Service recommends that livestock be excluded from all revegetation areas until the termination of the project and the maturation of the revegetated plants.

Wildlife, pages 6.5-3 to 5. The applicant should be required to provide a tortoise-proof fence around the perimeter of the project site to prevent any removed tortoises from returning to the mine area.

The Service believes that the bird most likely to use the "raptor" ledges to be developed on the sides of the mine pits are ravens. Because the Service, the BLM, and the Department are undertaking measures to reduce raven production in the desert, developing additional breeding sites for this species is inappropriate.

In conclusion, the Service is concerned with the incremental loss of desert scrub habitats, continued fragmentation of tortoise habitat, potential impacts to a significant desert riparian area, and the very dubious potential of restoring the vegetation on over 900 acres of desert habitat. We are unaware of a single case where successful revegetation efforts have succeeded in restoring valuable wildlife habitat in a reasonable time frame. Additionally, the DEIS/DEIR makes continued references to operations continuing beyond the projected ten year life of the mine, should better technology become available that would enable the profitable extraction of more gold and silver. For these reasons, the Service believes that the subject operation will result in unnecessary and undue degradation of public lands and the wildlife values found on these lands. The proposed operation will not only result in a significant decrease in the local wildlife values, but will greatly impair the public enjoyment of these values.

As is stated on page 2.2-1 of the DEIS/DEIR, the "BLM is required to approve any operations as long as such operations will not cause unnecessary or undue degradation to public lands." The Castle Mountain Project, as currently proposed, will result in severe degradation and should not be approved by the BLM.

This concludes our comments on the subject project. If you have any questions, please contact Ray Bransfield of my staff at (714) 643-4270.

Peter A. Altine
for Brooks Harper

cc: USACE, Los Angeles, CA (Attn: Regulatory Branch)
USEPA, San Francisco, CA (Attn: David Powers)
CDFG, Long Beach, CA
County of San Bernardino, San Bernardino, CA

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WESTERN REGION
450 GOLDEN GATE AVENUE, BOX 36063
SAN FRANCISCO, CALIFORNIA 94102

JD

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L7619 (WR-RP)

April 27, 1989

Memorandum

To: Manager, Needles Resource Area, Bureau of Land Management, Needles, California

From: Associate Regional Director, Resource Management and Planning, Western Region

Subject: Environmental Impact Statement for Castle Mountain Project, San Bernardino County, California (DES-89/1)

We have reviewed the subject environmental statement and have no comments on either the content of the statement or the proposal. We appreciate the opportunity to review the document.

cc: Chief, Environmental Compliance
Division, WASO-762

State Agencies





State of California
DEPARTMENT OF JUSTICE

3380 WILSHIRE BOULEVARD, ROOM 800
LOS ANGELES, 90010
(213) 736-2304

John Bailey
May 30, 1989
Page 2

to increase in the state.

In light of the unique environment at issue, it is particularly important that the draft EIS/EIR fully analyzes the potential impacts of the project, as well as possible mitigation measures. As will be discussed in detail below, we believe that the draft EIS/EIR is wholly unacceptable as an environmental review of a reclamation plan, as the plan it purports to review has not yet been developed. It also does not adequately address all of the potentially significant impacts on wildlife and relies on vague and undefined mitigation measures.

Reclamation Plan

The Surface Mining and Reclamation Act (SMARA) (Public Resources Code §2710 et seq.) requires a reclamation plan to have been submitted and approved before any surface mining operations can be conducted. Although the EIS/EIR states that a reclamation plan was submitted to the county in March 1988, we were informed that the plan was rejected by the county and is being revised by the Viceroy Gold Company to be submitted after the EIS/EIR is completed. We have also been told that the county intends for this EIS/EIR to fulfill CEQA review requirements, and does not plan to issue a supplemental or subsequent EIR specifically on the reclamation plan.

Such a process would not satisfy CEQA requirements. CEQA requires at a minimum that the reclamation plan be specifically identified and described so that its impacts and effectiveness can be evaluated. Obviously, such an evaluation can only take place after the plan has been developed and its details are known. In addition, SMARA requires at least one public hearing on the reclamation plan after it is completed.

One of the most significant issues with respect to a reclamation plan is whether it will require Viceroy to backfill the huge pits it excavates. That would not only eliminate the pits, but also the mounds of leached ore and overburden that will be left behind. However, under the "reclamation plan" vaguely outlined in the EIS/EIR, the pits would not be backfilled, but would be "left intact for potential future mining use should low grade ore in pit walls become economically desirable." Even where there was "no significant mineralization in its walls," a pit would be only partially backfilled. The pits would not be revegetated but the upper walls would be "stained to reduce color contrasts."

The overburden and heap leach piles would be "contoured" and revegetated in accordance with the yet-to-be-developed revegetation program. Although we are not told in the draft EIS/EIR to what height the piles would be graded, pictures show the piles would be fairly long, with flattened tops and clearly

JOHN K. VAN DE KAMP
Attorney General

May 30, 1989

John Bailey
Bureau of Land Management
Needles Resource Area
Post Office Box 888
Needles, CA 92363-0888

Dear Mr. Bailey:

Draft EIS/EIR for the Castle Mountain Project

This office was informed by both you and Joe Bellandi, of the San Bernardino County Planning Department, that the original deadline for submitting comments on the above referenced project was extended and that any comments received by the last day of May would receive full consideration. These comments on the draft EIS/EIR prepared for the Castle Mountain project are submitted on behalf of John K. Van de Kamp, Attorney General of the State of California, acting pursuant to his powers under the California Constitution and the California Government Code to protect the environment of California. These comments are not offered on behalf of any other State agency or official.

The EIS/EIR is intended to be used by the Bureau of Land Management (BLM) and the County of San Bernardino to fulfill their environmental review obligations under the National Environmental Policy Act and the California Environmental Quality Act, respectively. Thus, this office has analyzed the draft EIS/EIR under both statutes.

It is evident from the draft EIS/EIR and from the size of the project itself that the project has the potential to significantly impact the physical and visual integrity of the East Mojave National Scenic Area and the California Desert Conservation Area. Visitors from throughout Southern California value the desert area for its natural environment and recreational opportunities.

In addition, the project could also significantly affect wildlife in the area, most importantly the desert tortoise, which is being considered for listing as a threatened species under both the state and federal Endangered Species acts, and the desert bighorn sheep, whose population the Department of Fish and Game is trying

visible from different vantage points. The draft EIS/EIR refers to these piles as forming "mesas" at the base of the mountains. Clearly the topography of the area would be changed considerably. Thus, if the project is "reclaimed" as currently proposed, there would be significant visual impacts, as well as potential impacts on wildlife habitat and safety. The EIS/EIR's conclusion to the contrary is simply not supported by the facts.

With respect to backfilling, it should be noted that the Division of Mines and Geology of the California Department of Conservation believes that the "quantity and quality" of the residual ore deposits left in the pits should be studied to determine whether backfilling could be done without affecting real future mining potential. (Memorandum from Dennis J. O'Bryant to Gordon F. Show and John Bailey, May 1, 1989.) It would seem that before backfilling is ruled out as infeasible, Viceroy should at least have to demonstrate that the pit walls contain ore of a sufficiently high grade that it is reasonably likely that it will become economical to mine sometime in the foreseeable future.

Vegetation and Wildlife Habitat

More than 33% of the vegetation on the site would be lost as a result of the proposed mining facilities and access roads. The EIS/EIR says that revegetation of portions of the site would occur through the project reclamation plan and natural processes. However, as the revegetation plan has not yet been developed, it is impossible to evaluate to what extent it will restore the vegetation and wildlife habitat at the site, and natural revegetation is estimated to take from 30 to 60 years to achieve pre-disturbance levels, according to the draft EIS/EIR. The California Department of Fish and Game states that revegetation programs in the desert have been "less than successful and may take a much longer time than the 30-60 year period stated in the document." (Memorandum from Pate Bontadelli to Gordon K. Van Vleck, May 5, 1989.)

The EIS/EIR says this potential loss of vegetation and habitat is insignificant because it would affect only about 0.4% of the vegetation in the 340-square mile Lanfair Valley. A potential loss of 910 to 1,110 acres of vegetation and wildlife habitat in a National Scenic Area and Desert Conservation Area, including some critical desert tortoise habitat, cannot be considered "insignificant." The Department of Fish and Game clearly considers the potential loss significant and believes that Viceroy should be compelled to replace any habitat that is destroyed. We concur in the assessment that such a loss would be significant.

Wildlife

Bighorn Sheep are known to inhabit the Castle Mountains and surrounding mountain ranges. While stating that the specific range of the bighorn is not known, the draft EIS/EIR nevertheless concludes that the loss of 890 acres (really from 910 to 1,110) of forage area would not significantly affect the population. The DFG stated in its comments:

The Castle Mountain range provides important bighorn sheep habitat and supports a sizeable population. Once this habitat is lost, the bighorn sheep population would be permanently affected and, unless transplanted, would be lost. This potential loss is inconsistent with Department efforts to expand and improve the desert bighorn sheep population in the State. The document fails to adequately address this potential loss and to define an action plan to prevent such loss from occurring.

Such a loss would clearly be a significant impact and the document provides no legitimate basis for concluding that it will not occur. In fact, there is guaranteed to be a loss of a significant portion of this habitat at least during the 10-year operating life of the project and the minimum 30-year revegetation period. This interim loss is not addressed at all in the document.

In addition, the EIS/EIR does not address the impacts of the Searchlight Access Route on bighorn sheep at all. The DFG has stated that this road would bisect the migratory movements of bighorn sheep from the New York, Castle Hart, and Plute Mountain ranges. The potential impact of this bisection on the sheep must be examined.

The EIS/EIR also states that 60% of the existing mine shafts and adits on the site will be removed, yet inexplicably calls the impact on the bats, owls and ringtails who use those areas as habitat "short-term." If the habitat is being destroyed it is hard to understand how that impact can be temporary. Similarly we cannot agree that this impact can be termed insignificant simply because the noise from the project will have already driven many of the animals away. Clearly there will be a loss in population and habitat of the affected animals that may be significant.

Several mitigation measures proposed to protect the desert tortoise, bighorn sheep and other wildlife involve monitoring of their effectiveness. Yet, the EIS/EIR nowhere states what will be done if the measures prove ineffective or how their effectiveness will be measured.

John Bailey
May 30, 1989
Page 5

Finally, fencing of the access roads is proposed to protect tortoises from being struck by cars, yet according to the EIS/EIR, BLM would have the option of accepting, in lieu of fencing, funds equivalent to the cost of providing the fencing, to be used for habitat enhancement, land acquisition, or studies to benefit the desert tortoise. Clearly the fencing cannot be considered a mitigation measure if it is not going to be mandated.

Hazardous Wastes

Generation, treatment, storage and disposal of hazardous wastes are regulated by the state Department of Health Services (DHS). We are informed by DHS that if Viceroy is mining old mine tailings rather than new areas, the whole operation would be regulated by DHS because mine tailings are a hazardous waste. In any event, once the mine has stopped operating and the leach pads and solution ponds are being cleaned up, DHS would regulate the process. This is not discussed in the EIR/EIS.

In addition, even if the heap leach process itself were not regulated, other activities at the site might be. For example, used motor oil, a hazardous waste, would be stored on site. If the company were to store such waste for more than 90 days it would need a permit from DHS. The company also plans to "detoxify" oils and solvents. Depending on what is meant by the word, that could constitute "treatment," which also requires a permit from DHS. Yet, according to the distribution list, the EIS/EIR was not circulated to DHS. More detailed information is needed so that it can be determined whether these activities are regulated by DHS.

Conclusion

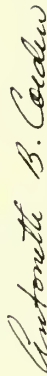
The California Legislature enacted CEQA in response to "a growing awareness and acceptance of the natural environment in the lives of [California] citizens, and the vital necessity of its protection and preservation." (Citizens for Quality Growth v. City of Mount Shasta (1988) 198 Cal.App.3d 433, 437.) NEPA is designed to ensure that "agencies will be fully aware of the impact of their decisions when they make them" (Trout Unlimited v. Morton, 509 F.2d 1276, 1283 (9th Cir. 1974) and seeks to "facilitate widespread discussion and consideration of the environmental risks and remedies associated with the pending project," thereby augmenting an informed decisionmaking process." LaFlamme v. F.E.R.C., 842 F.2d 1063, 1069 (9th Cir. 1988). Absent preparation of environmental documents that fully explore all of the potential impacts of this project, that describe in detail proposed mitigation measures and that do not purport to analyze projects not yet developed, this critical desert area

John Bailey
May 30, 1989
Page 6

will be denied the protection required by CEQA and NEPA.

Very truly yours,

John K. Van de Kamp
Attorney General



Antonette B. Cordero
Deputy Attorney General

State of California

GOVERNOR'S OFFICE
OFFICE OF PLANNING AND RESEARCH
1400 TENTH STREET
SACRAMENTO 95814

GEORGE DEUKMEJIAN
GOVERNOR

(916) 323-7480

RECEIVED
MAY 12 1989

DATE: May 8, 1989

TO: Mr. John Bailey
U. S. Bureau of Land Management
Needles Resource Area
P. O. Box 888
Needles, CA 92363-0888

FROM: Office of Planning and Research
State Clearinghouse

RE: Draft Environmental Impact Statement/Environmental Impact Report,
Castle Mountain Project, San Bernardino County.
(SCI# 88062708)

OFFICE OF PLANNING AND RESEARCH

10 TENTH STREET
SACRAMENTO, CA 95814

May 12, 1989

John Bailey
U.S. Bureau of Land Management
101 Spikes Road
P.O. Box 888
Needles, CA 92363

Subject: Castle Mountain Project
SCI# 88062708

Dear Mr. Bailey:

The State Clearinghouse has submitted the above named draft Environmental Impact Report (EIR) to selected state agencies for review. The review period is now closed and the comments from the responding agency(ies) is(are) enclosed. On the enclosed Notice of Completion form you will note that the Clearinghouse has checked the agencies that have commented. Please review the Notice of Completion to ensure that your comment package is complete. If the comment package is not in order, please notify the State Clearinghouse immediately. Remember to refer to the project's eight-digit State Clearinghouse number so that we may respond promptly.

Please note that Section 21104 of the California Public Resources Code requires that:

"a responsible agency or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency."

Commenting agencies are also required by this section to support their comments with specific documentation.

These comments are forwarded for your use in preparing your final EIR. Should you need more information or clarification, we recommend that you contact the commenting agency(ies).

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact John Keene at 916/445-0613 if you have any questions regarding the environmental review process.

Sincerely,

David C. Munenkamp
David C. Munenkamp
Chief
Office of Permit Assistance

Enclosures

cc: Resources Agency

As the designated California Single Point of Contact, pursuant to Executive Order 12373, the Office of Planning and Research transmits attached comments as the State Process Recommendation.

This recommendation is a consensus; no opposing comments have been received. Initiation of the "accommodate or explain" response by your agency is, therefore, in effect.

Sincerely,

Robert P. Martinez
Robert P. Martinez
Director

Attachment

cc: Applicant

Memorandum

To : Dr. Gordon F. Snow
Assistant Secretary for Resources

Mr. John Bailey
U. S. Bureau of Land Management
101 Spikes Road
Needles, CA 92363

From : Department of Conservation—Office of the Director

Date : May 1, 1989

Subject: Draft Environmental
Impact Report/
Environmental Impact
Statement (EIR/EIS)
for the Castle
Mountain Project,
SCH# 88062708

The Mine Reclamation Program staff of the Department of Conservation's Division of Mines and Geology has reviewed the Draft EIR/EIS for the Castle Mountain Project, the Biological Resources Survey, and the Evaluation of Potential Effects on Lanfair Valley Aquifer and Piute Springs. The following comments were prepared by James Pompy, Michael Sandeckl, and Gail Newton of the Mine Reclamation Program staff.

- o The Surface Mining and Reclamation Act of 1975 (SMARA, Public Resources Code Section 2710 et seq.) requires that a reclamation plan be submitted to and approved by the lead agency prior to project approval. The reclamation plan must be submitted as a separate document, filed on a form provided by the lead agency, who, in this case, is San Bernardino County. We recommend that the reclamation plan be included as an Appendix to the EIR/EIS. Also, it should be noted that SMARA requires at least one public hearing on the reclamation plan, after it is completed. Our Mine Reclamation Program staff will provide the County with technical assistance in the review of this plan, if requested.
- o Given the disseminated nature of the deposit and the economics of gold recovery, more emphasis should be placed on the evaluation of the quantity and quality of the residual deposit. The evaluation may be helpful in assessing whether or not pit backfilling can be accomplished without impacting future mining potential.
- o The preliminary considerations given to revegetation and wildlife habitat are appropriate. The suggested "elements" should be detailed in the reclamation plan.
- o Table 1 of the "Biological Resources Survey," prepared by Patrice Gould, lists nineteen plant species which qualify for State-listing as having the potential to occur on the project site. Three of the species were recorded on the site, but the biotic document states that the rest may not have been visible at the time of the survey (e.g. annual species). The Draft EIR/EIS discusses only five of the species listed in Table 1. If the potential exists for the

Dr. Gordon F. Snow
Mr. John Bailey
May 1, 1989
Page Two

remaining fourteen species to occur on the project site, then additional surveys during the correct flowering season or mitigation measures may be necessary.

- o It may not be appropriate to evaluate the response of discharge at Piute Springs to lowered ground water levels in the west well field based on modeling of fluid flow through a porous medium. Piute Springs is known to emerge from fracture or fault systems, which may transmit ground water in a much less predictable fashion. It has been suggested that the observed fluctuation of spring discharge could be related to a relatively-isolated collection (recharge) area within the larger Lanfair Valley aquifer recharge area or within the fractured and faulted Piute range itself. The documents should address this issue, particularly in connection with east well field development.

- o Specific monitoring plans should be developed for any mitigation measures that are implemented. Bonding to ensure compliance should be carefully evaluated.

If you have any questions on these comments, please contact me at (916) 322-5873.

Dennis J. O'Bryant
Dennis J. O'Bryant
Environmental Program Coordinator

cc: Joe Bellandi
San Bernardino County
Office of Planning

State of California

The Resources Agency

M e m o r a n d u m

To : The Honorable Gordon K. Van Vleck
Secretary for Resources
1416 Ninth Street
Sacramento, CA 95814

The Honorable Gordon K. Van Vleck -2-

Date : May 5, 1989

May 5, 1989

Attention Gordon F. Snow, Ph.D.
Projects Coordinator

From : Department of Fish and Game

Subject: Draft Environmental Impact Statement/Environmental Impact Report
(EIS/EIR), Castle Mountain Project, U.S. Bureau of Land
Management, San Bernardino County - SCH 88062708

We have reviewed the Draft EIS/EIR prepared for the U.S. Bureau of Land Management (BLM) and the County of San Bernardino describing potential environmental impacts resulting from development of the Castle Mountain mining project as proposed by the Viceroy Gold Corporation. The objective of the proposed project is to develop a commercial open pit mine using a conventional heap leach process to recover gold. The ore would be processed at a rate of approximately three million tons per year for a 10-year period. The project area is comprised of 2,735 acres encompassing approximately 2,620 acres of federal land administered by the BLM and 115 acres of potential mining claims administered by the County. The project area is located in the Hart Mining District on the southwest side of the Castle Mountains in Lanfair Valley within the East Mojave National Scenic Area. We have the following comments for your consideration:

In our comments to the BLM on previous mining projects the Department of Fish and Game has expressed its concern regarding the increasing use of the cyanide heap leach process to recover gold. Heap leach mining has potential cumulative effects on local and possibly migrating wildlife. We reiterate that measures are needed to prevent wildlife mortality at each mining operation utilizing the heap leach process within the jurisdiction of the BLM and the County and that the California Environmental Quality Act (CEQA) requires a follow-up monitoring program. Enforcement of rules and regulations and routine inspection of facilities are also necessary. We request that the Department be kept informed of the results of the monitoring and the enforcement activities. Additionally, we urge that the potential cumulative impact of the heap leach process on wildlife resources, particularly those species that are attracted to the proposed heap leach ponds there, be evaluated. We strongly recommend that approval of further heap leach projects be held in abeyance until this evaluation has been completed. While the process may be a demonstrated means of extracting gold from low grade ore, it may result in long-term detrimental impacts to desert wildlife.

The water supply need for the project, approximately 725 acre-feet or more per year, would be from approximately 10 wells from the West Well Field located approximately two miles northwest of the project site. The document fails to evaluate the potential impact of this water extraction on springs and other water sources in the area of the West Well Field, particularly Indian Spring, Talc Spring, Kidney Spring, Willow Spring, Hidden Spring, Coats Spring, Stagecoach Spring, and Dove Spring. These water sources are extremely important to upland game, deer, bighorn sheep, and the desert tortoise. The project sponsor should be required to complete a detailed study in order to determine potential impacts associated with proposed extraction activities. Should this study indicate that such potential impacts to water sources would result from proposed water extraction, then these impacts must be fully compensated. Irrespective of the results of the study, the project sponsor should be required to monitor the effects of the proposed project upon water sources. These monitoring records should be made available to the BLM and the Department for review, and if a drawdown is noted, then an alternate water supply must be provided for the project.

The document also mentions that two upland game water guzzlers that would be affected are to be relocated. The Department should be consulted regarding selection of new sites for the watering facilities.

Approximately 1,110 acres of wildlife habitat would be lost due to the open pit mining operation and construction of access roads, well fields, water pipelines, electrical transmission lines, and natural gas pipelines. Potential impacts to sensitive desert resources, particularly the bighorn sheep and desert tortoise, would occur over a period of time extending well beyond the life of the project. Measures in the document indicate that habitat restoration would occur through revegetation and reclamation programs and by natural plant succession. Revegetation programs in the desert have generally proved less than successful and may take a much longer time than the 30-60 year period stated in the document. Also, there is the issue of loss of desert tortoise, bighorn sheep, and other wildlife habitat in the interim period until habitat for these species has been reestablished to preproject quality. This is a significant impact, and it should be thoroughly discussed in the document. The document does not provide compensation for the loss of desert tortoise and bighorn sheep habitat. Tortoise surveys within the project area indicate that the site contains good tortoise habitat which supports a moderately high population. The loss of 2,735 acres of this habitat would seriously affect the desert tortoise which is presently being considered for listing as a threatened species under both the California and Federal Endangered Species acts. The loss of this valuable tortoise habitat cannot be fully

May 5, 1989

mitigated/compensated; however, if the project is approved, we believe that the acquisition, protection, and management of five acres purchased for each acre destroyed is necessary to minimize the adverse impacts of this mining operation. The land should be purchased in a Category 1 tortoise habitat as identified by the Department and title transferred to an appropriate public agency or conservation organization for protection and management in perpetuity for the benefit of the desert tortoise.

As noted above, the desert tortoise is a State Candidate species and the California Endangered Species Act prohibits the take of State Candidate species (Fish and Game Code sections 2080 and 2085). It seems probable that the development of this mining project would result in the take of desert tortoises.

Bighorn sheep have been observed within the Castle Mountain range and in areas in the surrounding mountain ranges. The Castle Mountain range provides important bighorn sheep habitat and supports a sizeable population. Once this habitat is lost, the bighorn sheep population would be permanently affected and, unless transplanted, would be lost. This potential loss is inconsistent with department efforts to expand and improve the desert bighorn sheep population in the State. The document fails to adequately address this potential loss and to define an action plan to prevent such loss from occurring. The loss of habitat, water sources, and effects of project operation will undoubtedly adversely affect this protected species. The project sponsor has indicated a possible willingness to install bighorn sheep watering facilities in off-site areas. While this may serve to attract and concentrate bighorn sheep and keep them from moving into the project area, it does not compensate for the loss of habitat and animals. We recommend this issue be thoroughly addressed in the document and that measures to offset these impacts be provided.

The discussions of improvements and vehicular use of the Ivanpah Access Route and the Searchlight Access Route discussed potential impacts to desert tortoise but failed to discuss potential impacts to bighorn sheep. The greater amount of potential impact would occur via the Searchlight Access Route due to bisection of migratory movements of bighorn sheep from the New York, Castle Hill, and Piute Mountain ranges. We recommend that measures be provided in the document to protect desert tortoise and bighorn sheep from the potential effects of heavy, high-speed vehicular use of the access roads. We recommend against the use of wire fence and suggest using rail fencing and modified nine-foot diameter culverts at road crossings.

The document contains a comprehensive description of the project but does not provide adequate mitigation/compensation for potential impacts to desert resources and habitat losses, particularly for the desert tortoise and bighorn sheep. Therefore, we urge the BLM to require the project sponsor to

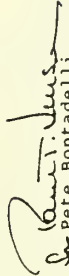
May 5, 1989

provide a more in-depth assessment of potential impacts of the project upon desert biological resources. This in-depth assessment should be in the form of a Supplemental Draft EIS/EIR designed to address all of those general and specific concerns expressed in this memorandum. We strongly recommend against certification of this Draft EIS/EIR, and, for reasons previously expressed, we find that this document is inconsistent with National Environmental Policy Act and California Environmental Quality Act requirements related to full public disclosure of project impacts and the incorporation of feasibly implementable mitigation measures.

Due to the potential impacts to desert wash environments, diversion, obstruction of the natural flow, or changes in the bed, channel, or bank of any river, stream, or lake will require notification to the Department as called for in the Fish and Game Code. This notification (with fee) and the subsequent agreement must be completed prior to initiating any such changes. Notification should be made after the project is approved by the lead agency. It is the policy of the Department to oppose the authorization of any projects which would result in the loss of either wetland acreage or wetland habitat values.

Our specific comments regarding the contents of the document are attached.

Thank you for the opportunity to review and comment on this project. If you have any questions, please contact Fred Worthley, Regional Manager of Region 5, at 330 Golden Shore, Suite 50, Long Beach, CA 90802 or by telephone at (213) 590-5113.


Pete Bontadelli
Director

Attachment

cc: U.S. Fish and Wildlife Service - Laguna Niguel Field Office

ATTACHMENT

1. Page 1.1-13, Table 1.1.1. The statement is made that "Several measures to isolate wildlife from processing solution shall be incorporated into project plans. Fencing around solution ponds shall exclude larger animals. Sheet metal shall be used at and below ground level to exclude small burrowing animals." The word "fencing" should state chain link fencing as stated in the draft at the bottom of page 3.3-17.
2. Page 3.2-23, Section 3.2.5.1. If water wells are drilled in land owned by the State of California, a State Lands Commission permit will be required. This will necessitate coordination with the Department and issuance by the Department of a Biological Opinion.
3. Page 3.2-24, Section 3.2.5.2, Power Requirements and Supply. Power transmission poles may serve as nesting and/or roosting places for ravens. These can be serious predators on tortoises, so the poles should be constructed with devices which would preclude their use by ravens.
The Draft EIS/EIR does not adequately address impacts of the planned natural gas pipeline which will extend from Searchlight to the project site. All impacts of this pipeline should be discussed as well as mitigation/compensation measures needed to offset such impacts. Acreage disturbed by this development should be included in the project's area of land disturbance for compensation purposes.
4. Page 3.2-52, Section 3.2.8.3, Bonding. The acreage included in the bonding calculations for revegetation should also include the Ivanpah access road, the well field access road, the gas line and its access road, as well as other areas of disturbance identified in this section.
5. Page 6.5-2, Section 6.5.1.2, Heap Piles. The drip irrigation and sprinkler system for applying cyanide on the heap piles should be monitored to ensure that puddling and ponding of cyanide-bearing water does not occur. Any such pools would prove attractive to wildlife with fatal results.
While the mitigation measures applied to the cyanide treatment process will likely prevent wildlife losses, the system should be monitored weekly by a biologist hired by the project sponsor. Wildlife losses should be documented and data furnished at least monthly to BLM and the Department. Significant die-offs should be immediately brought to the attention of these agencies. The weekly monitoring should extend for at least two years.

Relocation of tortoises due to conflict with Project construction should be coordinated with the Department in addition to the BLM.

The Department firmly believes that tortoise-proof fencing is necessary where access roads to the mine extend through tortoise habitat. Additional surveys along the roadways in the Lanfair Valley may be necessary to more closely delineate tortoise habitat there. As discussed in the Draft EIS/EIR, culverts are also necessary to allow passage of tortoises across the roadways and prevent fragmentation of their habitat.

The Department opposes the clause in the Draft EIS/EIR (page 6.5-4) which allows the installation of tortoise fencing to be at the discretion of the BLM and allows fencing money to be used for other purposes relating to tortoise management. While the other purposes are worthy of funding, they do not mitigate the impacts of the proposed mining operation on tortoise populations existing in that area.

STATE OF CALIFORNIA
STATE LANDS COMMISSION
LEO J. MCCARTHY, Lieutenant Governor
GRAY DAVIS, Controller
JESSE R. HUFF, Director of Finance

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, California 95814
CLAIRE T. DEDRICK
Executive Officer

GEORGE DEUKMEJIAN, Governor

DEIR/S CASTLE MTN. P.U.T. -2- MAY 15, 1989



May 15, 1989

U.S. Bureau of Reclamation
ATTENTION: John Bailly
Needles Resource Area
101 West Spike's Road/P.O. Box 888
Needles, California 92363

County of San Bernardino
ATTENTION: Joe Bellandi
Environmental Public Works Agency
385 N. Arrowhead Avenue, 3rd Floor
San Bernardino, California 92415

Dear Messrs. Bailey and Bellandi:

The Staff of the State Lands Commission has reviewed the Draft Environmental Impact Statement/Environmental Impact Report (DEIR/S) for the proposed Castle Mountain Project (State Clearinghouse No. 880622708) and offers the following comments:

1. Section 6.5.1.2., top of page 6.5-3, states: "Netting: Measures to discourage birds and bats shall include covering with netting with close-spaced (1-inch or less) mesh, or liner material." Section 7.3.4. suggests that impacts to wildlife from netting will be "essentially eliminated."

The document should examine whether wildlife would be caught or trapped in such material and should discuss why the potential effects on wildlife caught or trapped in the netting are acceptable, and

explain how such animals could be released from the nets. It should also suggest, for public review, appropriate parameters of a monitoring program and the appropriate threshold to determine that nets should be replaced with liners.

2. Section 3.2.4.3.4., bottom of page 3.2-17, states: "The ponds would also be covered with netting or other suitable covering acceptable to BLM to deny access to birds and bats."

In addition to BLM, the appropriate methods of pond covering must, in our view, also be acceptable to the U.S. Fish and Wildlife Service and the California State Department of Fish and Game.

3. Section 3.2.5.7.4., top of page 3.2-33, states: "A spill prevention and preparedness plan would be prepared and submitted to BLM and the County."

We believe that it is important for such a plan to be included as a part of Viceroy Gold Corporation's proposal and for its effectiveness in mitigating specified adverse environmental effects be analyzed in this document.

4. Section 3.2.7.5.2. references the applicant's withdrawal of its application to the State Lands Commission for up to eight exploratory drilling holes in Section 36, T. 14N., R. 17E., SBM.

If and when the applicant resubmits an application for exploratory drilling to the Commission, the Commission may require supplemental environmental documentation to be prepared.

5. Section 2.4. REGULATORY COMPLIANCE should include the State Lands Commission which must issue a permit for Well W-4, Figure 3.2.9. which was drilled without authorization from the Commission. The applicant has been notified that the Commission will rely on this EIR/S in its considerations. A statement to this effect should also be added to Section 2.2, INTENDED USES OF THE EIR/S.

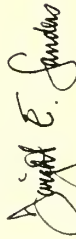
DEIR/S CASTLE MTN. PJT.

-3-

MAY 15, 1969

Thank you for the opportunity to comment on this Draft EIR/S. If you have any questions or if we may be of further assistance to you, please call me at (916) 322-7827.

Sincerely,



DWIGHT E. SANDERS, Chief
Division of Research
and Planning

DES:maa

CC: Claire T. Dedrick, Executive Officer
James F. Trout, Assistant Executive Officer
Robert C. Hight, Chief Counsel

Local Agencies





Department of
Comprehensive Planning

RECEIVED
BUREAU OF PLANNING

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NEEDES, CA
NEEDES, CA

RICHARD B. HOLMES
DIRECTOR

RICHARD T. BERFAS
ASSISTANT DIRECTOR

CLARK COUNTY BRIDGER BUILDING
225 BRIDGER AVENUE, SEVENTH FLOOR
LAS VEGAS, NEVADA 89155
(702) 455-4181

May 15, 1989

United States Department of the Interior
Bureau of Land Management
Needles Resource Area
Post Office Box 888
Needles, CA 92363-0888

Dear Sir:

We are enclosing our comments on the Castle Mountain Project Draft Environmental Impact Statement/Environmental Impact Report. We have limited our comments to the impacts that the proposed project will have on the Nevada side of the border.

We are concerned about the impact that traffic along the Searchlight Road would have on the Desert Tortoise population. We fully support the commitment of the applicant to construct and maintain tortoise-proof fencing along the route. We would urge that the applicant further participate in the funding to develop a 10,000 acre Desert Tortoise study site in the Crescent Peak Allotment Pasture 4 as planned by the Bureau of Land Management.

Our basic concerns involve the impacts of employees living in Nevada while the tax revenues from their employers go to California. Induced population increases will affect Clark County road construction and maintenance and social and physical infrastructure needs in residential areas. It seems highly likely that Searchlight would be the most heavily impacted single locality. We have not seen mitigations proposed that would adequately address the needs on the Clark County, Nevada, side of the border.

Thank you for this opportunity to comment on the draft. If we may clarify any of our statements, please feel free to contact us.

Sincerely,

RICHARD B. HOLMES
Director

RBH:BT:djg
enclosure

COMMISSIONERS
Bruce L. Woodbury, Chairman • Paul J. Christensen, Vice-Chairman
Jay Bingham, Manuel J. Cortez, Thelma M. Dondora, Karen Hayes, William J. Pearson
Donald L. "Pat" Shalmy, County Manager

CLARK COUNTY, NEVADA
COMMENTS ON CASTLE MOUNTAIN PROJECT
DRAFT
ENVIRONMENTAL IMPACT STATEMENT/
ENVIRONMENTAL IMPACT REPORT

3.2.6 Project Traffic and Site Access

The majority of commuting traffic generated by the employees of the mine will be coming from or returning to locations in Clark County, Nevada. The preferred alternative for access leads directly from the project site to Searchlight. The document assumes that most employees will reside in Searchlight and other Nevada locations. In order to minimize the impact on Piute Valley Desert Tortoise populations, the Castle Mountain Project proposes the use of shuttle buses for their employees. Whether busing is used for employee access to the site or not, the 312 or 108 Average Daily Traffic (ADT) count is a significant increase from that of today. An additional factor that has not been considered is the potential for an incremental increase in ADT due to the improvement of either the Ivanpah or Searchlight Access Routes. Significant areas of private land are interspersed with BLM land throughout the Lanfair Valley. An improved roadway entrance to the valley from the north could help to create an increased demand for access on the part of residents and sightseers alike. On page 3.2-45 an operations viewing area and interpretive/information site is proposed but there is no estimate of the traffic generated by this attraction. The additional ADT will affect Clark County Road A668 even if the Ivanpah Access Alternative were selected as the general public seeks to reach community services by the closest route. In either case, the upgrading of the road should include pavement adequate to handle the loads of the large trucks required for construction and other activities over the life of the project. Upgrading of the routes by grading and graveling with turnout and signage would seem to be inadequate for the purposes of the roads and raises questions of liability for accidents on narrow road-haulage roads are not practicable. Taxes from the project, located in California, will not be available to improve or maintain Clark County roads. Viceroy Gold Corporation should be required to pave the road to Searchlight and maintain it throughout the life of the project, either directly or through appropriate contributions to Clark County.

In Section 5.11.2, Population, a bus and van pool service is proposed from the Las Vegas Valley to the project site, with pickups in the Las Vegas Valley and near Searchlight. Pickup points should be set aside for car parking during the shift, with adequate spaces provided and access to public rights-of-way that will not impede other traffic near the pickup points. It should be the responsibility of the Viceroy Gold Corporation to construct and maintain these sites in the same way that they propose to improve and maintain segments of the access roads.

5.11.1.2 Population. Potential population impact is underestimated. The draft EIS/EIR compares the worst-case situation, in which 800 persons might

move into the Searchlight area, with the impact of such a move on the overall population increase in Clark County. While it is true that this increase would represent only 0.2 percent of the anticipated growth in Clark County between the years 1990 and 2000, it represents an increase of 127 percent in the Searchlight population, from 532 to 1,382. Even if only a fraction of the mine's employees move into Searchlight, substantial development of infrastructure will be required. The Searchlight water system is at capacity and the National Guard had to provide drinking water in tank trucks last summer. Sewerage, schools, streets, and police protection are among the services that will require fundamental extensions and improvements.

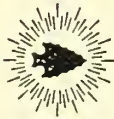
The Viceroy Gold Corporation should recognize its financial responsibility to develop needed infrastructure, physical and social, in the areas in which its employees live. Since the mine is to be located in San Bernardino County, California, no direct taxes will accrue to Clark County, Nevada, the projected home of the mine employees. This imbalance should be rectified before the proposal is approved.

djg

ENVIRONMENTAL HEALTH SERVICES

385 North Arroyohead Avenue • San Bernardino, CA 92415-0160 • (714) 387-4646
320 East "D" Street • Ontario, CA 91764 • (714) 391-7570
1505 Chic Drive • Victorville, CA 92382 • (619) 243-8141

PLEASE REPLY TO ADDRESS CHECKED



COUNTY OF SAN BERNARDINO
ENVIRONMENTAL
PUBLIC WORKS AGENCY

PAUL F. RYAN, R.S., MPPA
Director

Also serving the cities of
Adelanto
Bentley
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Big Bear Lake
Chino
Chino Hills
Colton
Fontana
Grand Terrace
Highland
Huntington Park
Loma Linda
Victorville

April 28, 1989

U.S. Bureau of Land Management
Needles Resource Area
101 West Spike's Road
P. O. Box 888
Needles, CA 92363

Attention: John Bailey

Subject: Castle Mountain Project - Draft EIS/EIR - February 1989
State Clearing House No. 88062708

John, Bill Heath and I have appreciated your assistance in helping us find and bring into compliance, illegal non-hazardous waste dumps in the desert areas of our county. As you know, in this role our Department is acting as the Local Enforcement Authority (LEA) for the California Waste Management Board (CWMB).

Previously, I had generally assumed that current environmental review procedures for large mining projects would preclude the creation of new illegal dumps. Recently, I have become aware of several major desert mines with illegal dumps, at least one of which completed EIS/EIR procedures.

In reviewing the Castle Mountain Project draft EIS/EIR language under Section 5.7.1.3, I have concern that current wording may inadvertently lead them to the creation of a new illegal mine dump. More specific language in the EIS/EIR documents may help reduce this possibility.

Specific language under Section 5.7.1.3 on domestic and non-hazardous industrial waste might also assist the applicant's planning for the very significant costs of such non-hazardous waste disposal in remote areas of the county.

Inexplicably, 5.7.1.3 seems to promote reuse/recycling for hazardous waste only. This denies the reality of growing and stable markets for many non-hazardous waste commodities. Reuse/recycling for certain non-hazardous wastes may help contain costs better than hauling all such wastes to a legal landfill off-site, or creating a legal landfill on-site. At a minimum, the Project should have a reuse/recycling written policy and procedure for all wastes so that where cost effective, wastes are diverted from landfill burial.

To help reduce an illegal dump here, section 5.7.1.3 should specify that all non-hazardous wastes be stored on-site in 20 cubic yards or larger roll-off refuse bins (or equivalent) and transferred at least weekly to a permitted Class III landfill. The identity of such landfill(s) should be stated.

The major unanswered issue as to non-hazardous waste disposal is ultimate disposal. There are no class III landfills conveniently available to the Project in California. Nevada may (as most states) severely restrict out-of-state waste importation in order to conserve its landfill space. The nearest legal California sites are at Needles and Baker.

The City of Needles operates their landfill primarily for the benefit of their citizens and nearby county residents who formerly paid land use waste fees through the County Solid Waste Management Department (SWM). The City appears to be under no obligation to accept the Project's wastes. The City should be contacted by the Applicant directly in this matter for details.

SWM operates the Baker landfill for that area's land owners paying land use waste fees. The Project's patented lands appear to be outside that area paying such fees. The Project's leased BLM lands may be exempt from such fees. Therefore, the Project's right to use the Baker site (or any SWM desert landfill) might be absent. Also, this landfill might soon become a transfer station. Specifics should be obtained from SWM by the Applicant.

Under 5.7.1.3, paragraph 3 in the draft states: "At some point during the project life, the Applicant may request approvals to dispose of certain non-hazardous wastes within the project over burden pile. The types of materials disposed in this manner would include tires, scrap metals, and wood."

This statement is vague, extremely misleading, and hostile to the recycling ethic the County is trying to establish. The statement should be deleted in its entirety.

Such "approvals" it references are not at all minor. They are complex and include all typical EIS/EIR due process considerations and approvals from the Air Pollution Control District, Regional Water Quality Control Board, and the California Waste Management Board. Since there is some risk of redundant EIS/EIR procedures and needless extra expense to the Applicant to site a future Class III landfill here, the Applicant may benefit by including it in its application now if on-site non-hazardous waste disposal is assumed or anticipated as a probability. The Applicant is done a disservice if led to believe any "short cuts" exist to getting on-site waste disposal approval.

A new law, (AB 2448 - Eastin-1987) Government Code 66796.22 mandates substantial financial reserves (or equivalent) be set aside for closure and postclosure maintenance of landfills. The Applicant should carefully consider the financial impact of these

requirements prior to committing to an on-site landfill.

Paragraph 3 of 5.7.1.3 then concludes with reference to "tires, scrap metals, and wood" burial. As earlier discussed, the reuse/recycling potential for such items should first be explored. Tires, scrap metals, and wood are among those commodities with greatest potential for reuse/recycling.

In reference to some liquid waste disposal items (and also mobile home/office set-downs), the Applicant should be reminded to check with the County office of Building and Safety for necessary permits/approvals for these and other items.

John, again thanks for this opportunity to comment and your continuing assistance on the illegal dump problems.

I can be reached at (619) 366-4190 for further comment or explanation.

Sincerely,



Mark Stevens
Registered Environmental Health Specialist

MS:bp

cc: Len Smith, Field Representative to Marsha Turoci
Don Dier, CWMB Staff
Bob Burrell, CWMB Staff
Harry Harvey, City of Needles
Michael Lerch, EPWA-Planning
Gary Givens, EPWA-Bldg. & Safety - Joshua Tree
Ken Jeske, SWM
Dick Hornby, DEHS
Bill Heath, DEHS

SAN BERNARDINO COUNTY MUSEUM

2024 Orange Tree Lane • Redlands, CA 92374
(714) 792-1334 • 792-0052 • 825-4825 • 825-4823



COUNTY OF SAN BERNARDINO
GENERAL SERVICES AGENCY

DR. ALLAN D. GRIESEMER
Director

March 28, 1989

Needs Resource Area
Bureau of Land Management
attn: John Bailey
Post Office Box 888
Needles, CA 92363-0888

re: DRAFT EIS/EIK, CASTLE MOUNTAIN MINE

Dear Mr. Bailey,

The Castle Mountain Project DEIS/EIK fails to adequately address impacts to significant nonrenewable paleontologic resources.

The statement 4.2.6 #2 describes hydrothermally-altered clays. However, it does not discuss impacts to the Tertiary lacustrine sediments that have been reported from within the project boundary and that are noted on the paleontologic sensitivity map of San Bernardino County.

The Tertiary lacustrine sediments should receive a field assessment by a qualified vertebrate paleontologist who should then develop a "Plan to Mitigate Impacts to Paleontologic Resources". The Plan should include, but not necessarily be limited to, the following:

1. Full-time monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor. The monitor should be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediments which are likely to contain the remains of small fossil mammals. The monitor must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. The most cost-efficient method of salvage of small fossils is to remove sediments containing the fossils to stockpiles offsite. The fossils can be removed by screen washing elsewhere while excavation continues on site.
2. Preparation of recovered specimens to a point of identification, including washing of sediments to recover small vertebrates. This will allow the fossils to be described in a report of findings and reduces the volume of matrix around specimens being stored.

3. Curation of specimens into a museum repository with retrievable storage.

4. Preparation of a report of findings with an appended itemized inventory of specimens. The report and inventory, when submitted to the appropriate Lead Agency, signifies completion of the Plan to Mitigate Impacts to Paleontologic Resources.

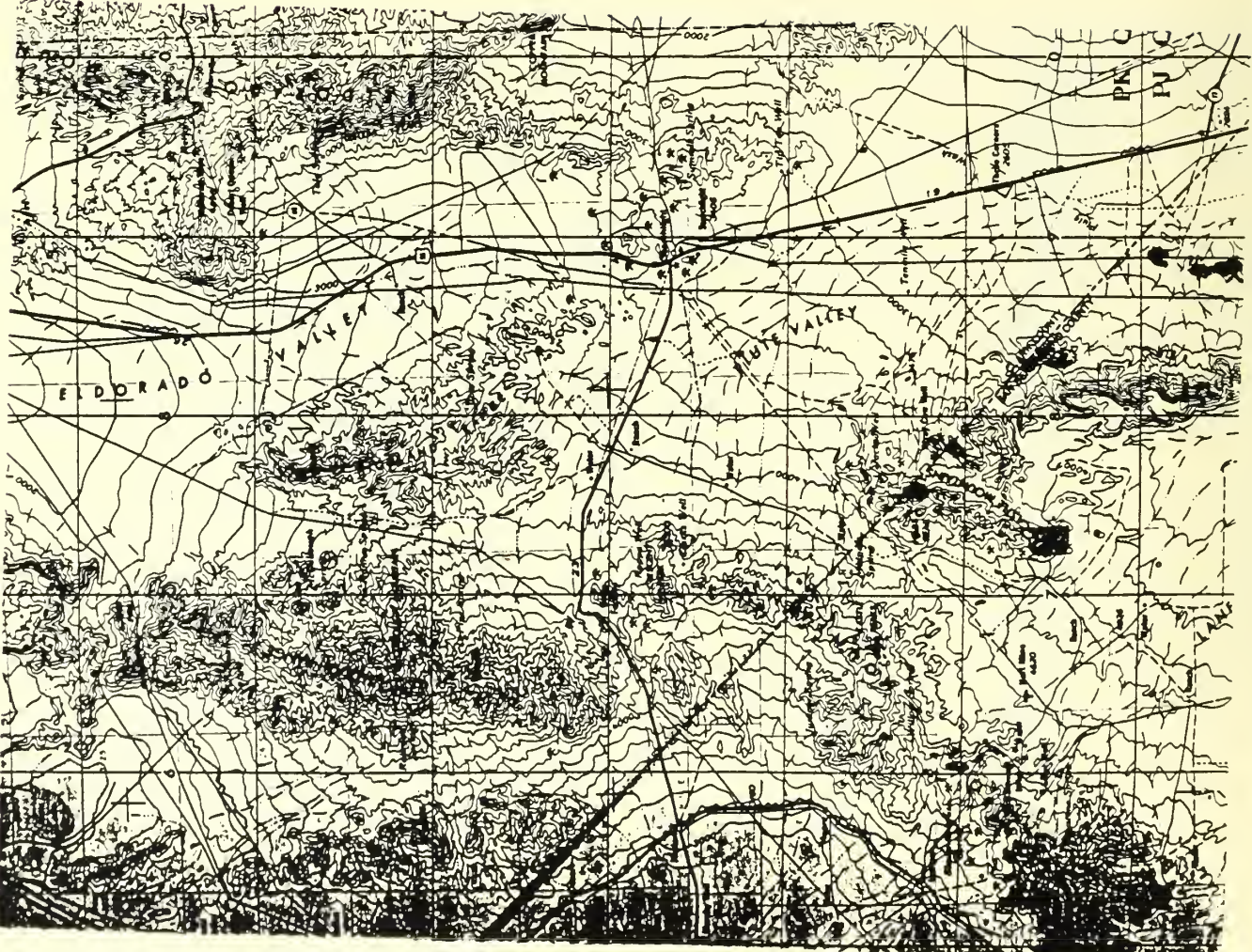
The discussion of mitigation of impacts to woodrat middens is adequate in the Draft report.

Sincerely,

Dr. Allen D. Griesemer
Museums Director

ADG:REK/JR

1989 MAR 30 PM 1:47



C.2 Organizations



Business/Commercial Representatives



THE ARGEE CORPORATION

8055 East Tufts Avenue, Suite 700
Denver, Colorado 80237
Telephone (303) 779-5360

RECEIVED
1985 MAY 15 14 10 49
67

May 11, 1989

Mr. John Bailey
Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888

Dear Mr. Bailey:

Recently, The Argee Corporation received a copy of the Castle Mountain Project summary of the Draft Environmental Impact Statement/Environmental Impact Report.

The Argee Corporation is in support of this project going forth.

Upon review of the documents mentioned above, we see no adverse effect on the environment by operating an open pit gold mine using a conventional heap leach process.

The Argee Corporation has performed contract mining services for many years in various states without any major incidents harmful to the environment or wildlife.

The Viceroy Gold Corporation's plan of operation seems to go beyond the established methods for protection of the area's environment. We see no reason that this project should not be approved.

Sincerely,

THE ARGEE CORPORATION

Richard V. Hauck
Director of Marketing

RVH:slp

cc: J. Belandi, Environmental Public Works Agency

Factor
1111

Astro Minerals
3 Army Street
Henderson, NV 89105

June 12, 1989

United States Department of the Interior
Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888

ATTENTION: John Bailey
Re: Castle Mountain Project

I have reviewed the Castle Mountain Project Draft EIS/EIR and find that this project located in Lanfain Valley of San Bernardino County, California, would be beneficial to the social and economic well being to the people in the region. The region would be improved by providing jobs in an area of high unemployment. The region needs improvement in the economic base to provide higher paying jobs to increase the living standards of families of working persons who are now unemployed or living near the poverty level.

The Draft EIS/EIR prepared by Environmental Solutions, Inc. of Irvine, California on Viceroy Gold Corporation proposed open pit heap leach mine in the Hart Mining District, in Lanfain Valley is very good.

Environmental Solution, Inc. has expended a great deal of effort on this report. Their report indicates that there will be no adverse long term impact to the environment, and any short term disturbances will be mitigated below a level of any significance.

I recommend that the applicant, Viceroy Gold Corporation, Castle Mountain Project be approved. This project is in the best interest of the people as a whole, rather than a few persons who want to lock up the desert for themselves.

Sincerely,
Dick Burns
Dick Burns

Avocet Enterprises

1875 N. First Ave.
Upland, California 91786
(714) 985-8182



Mr. John Bailey
Bureau of Land Management
Needles, Ca

May 5, 1989

Dear Mr. Bailey: Re Castle Mountain Gold Mine.

The proposal is beyond belief. How could such a disaster be contemplated?

The EIR is flawed without exception. The use of dynamite & leach pits will have devastating effects on migrating and resident wildlife.

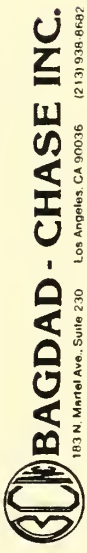
There is no economic justification for allowing such a project.

Sincerely,
Henry E. Schuch, Jr., Ph.D.
Smith-Ransom Professor
Chapman College



No more "guillotine" neck

TLS
6/1/89



183 N. Mandel Ave., Suite 230
Los Angeles, CA 90036 (213) 938 6682

10 May 89

U.S. Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles Calif. 92363

Dear Mr. Bailey,

Having read the Castle Mountain Project EIS Summary I can see no reason that would not allow Viceroy Gold to proceed as outlined in this report.

The significant benefits to the local economy in jobs and tax revenues would far outweigh the small effect on the environment. Provided Viceroy follows the plans specified in their EIS report.

Because of my long term association with Viceroy Gold and it's principals I know them to be honest and responsible. Viceroy's concerns for the environment are shared by myself and the company I represent, Bagdad Chase Inc..

Sincerely,

Paul Buller, Director

TLS
6/1/89

Dear John Bailey, Area Manager B & M.
We at Baker Truck Service are in support of the Castle Mountain, Viceroy Gold mining project.

We feel that under B & M supervision the mining in the east Mojave will not hurt the environment, and give jobs to people. We are in favor of this.

Marko Johnson
Employees

P.O. Box 339
Baker, Ca 92309

RECEIVED
MAY 15 1989
U.S. BUREAU OF LAND MANAGEMENT

Handwritten initials

BECK'S OFFICE FURNITURE
& Design INC.

Baughman & Turner, Inc.
Consulting Engineers & Land Surveyors

2325 W. CHARLESTON BLVD. PHONE 870-8771
LAS VEGAS, NEVADA 89102-2195

RECEIVED
MAY 1 1989
BUREAU OF LAND MANAGEMENT
NEEDLES, CALIF.

April 26, 1989

Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, California

Attn: John Bailey

RE: Castle Mountain Project

Dear Mr. Bailey:

For nearly a year we conducted surveying for Viceroy Gold Corporation in their exploratory drilling stage. In that time, we were treated courteously, paid for our services in a timely manner, and held a good rapport with all of their people.

In all the time we were in the field for Viceroy, the area was kept clear of litter, disturbances to the ground area were kept at a minimum, and the desert decor has been upheld well.

I would not hesitate to recommend approval for their mining operation. I'm sure from our past experience with these people they will do everything necessary to maintain the ecology and return the site to a neat configuration in the future.

Very truly yours,

Handwritten signature: Charles E. Cave

Charles E. Cave
R.I.S. 6625, Nevada

CFC/lm

May 15, 1989

John Bailey
Bureau of Land Management
P.O. Box 888
Needles, California 92363

Dear Mr. Bailey:

We have done business with the mines in Nevada for many years. We have found the Mining Industry to be good corporate neighbors, and in recent years, have found them to be responsible in their interaction with the environment.

We urge you to approve Viceroy Gold Corporation's, Castle Mountain Project near Searchlight, Nevada.

Thank You,

Handwritten signature: James F. Beck

James F. Beck

JFB:le

RECEIVED
BUREAU OF LAND MANAGEMENT
MAY 19 1989
NEEDLES, CALIF.

ON DELIVERED BY TELETYPE

[Handwritten signature]

BOND GOLD COLLOSSEUM MINE
P.O. Box 888
Needles, Nevada 89309
702 367-8883
702 367-8666 Faxmail



S. BAILEY

RECEIVED
1889 APR 17 11:42

BOND
GOLD COLLOSSEUM MINE

April 18, 1989

1889 APR 24 11:17

Mr. John Bailey
Bureau of Land Management
P.O. Box 888
Needles, CA 92363-0888

April 14, 1989

Mr. John Bailey
Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA. 92363-0888

Re: Castle Mountain Project Draft EIS/EIR

Re: Viccrov Gold Corporation's Castle Mountain Project

Dear Mr. Bailey:

After reviewing the summary Draft Environmental Impact Statement/Environmental Impact Report, Bond Gold Bullfrog Inc. would like to lend its support to the Castle Mountain Project. The Bullfrog Mine, like many mines in Nevada, is located in a similar geographic area and faces similar environmental issues.

Recent Nevada mining history has shown that mining operations such as the Castle Mountain Project can be done with no significant adverse effects to the environment. The mining and recovery methods proposed by Viccrov are standard in the industry. Proposed mitigation measures for potential effects to the environment have been well planned and are more than adequate.

Sincerely,
[Handwritten signature]

J.P. Bingham,
Project Manager

JPB: kap

Dear Mr. Bailey,

I have reviewed the Castle Mountain Project Draft EIS/EIR and would like to comment on item 11 under Wildlife which concerns the Desert Tortoise.

I am the Environmental/Safety Coordinator for Bond Gold Colosseum at their Colosseum Mine Project. My job involves making sure that we follow the required mitigation in our EIS/EIR. Our access road crosses some low density tortoise habitat. The type of mitigation which our EIS/EIR requires us to do is similar to that which is recommended for the Castle Mountain Project.

In the two years we have been in operation, we have had no tortoise casualties on our access road. Tortoise are seen most frequently in the spring and rarely the rest of the year. Any time a tortoise is found on the road, it is moved using the BLM's recommended procedure. We are comfortable with and confident in our required mitigation.

In the Draft EIS/EIR for the Castle Mountain Project it is stated in 11.2 "Tortoise fencing and culverts shall be constructed along portions of the Searchlight Access Route and Ivanpah Access Route segments passing through crucial desert tortoise habitat." Based on our experience, I feel fencing their access routes is unnecessary. Fencing and culverts will be expensive to install and maintain because the access routes are in low land subject to flooding. Why not wait to see if fencing is necessary first. Our mitigation measures work for our project, why not give them a try at Castle Mountain.

Sincerely,

[Handwritten signature]
Sally L. Snell
Environmental/Safety Coordinator

cc: M. Attaway

7/11/89
Bec/C



Brown & Root U.S.A.

Brown & Root U.S.A. Inc.
Post Office Box 1
Houston, TX 77001-0003
1-409-66-3165

S. A. Zander
Senior Vice President

May 10, 1989

John Bailey
Bureau of Land Management
Needles Resource Area Office
P. O. Box 88
Needles, California 92363-0888

Gentlemen:

The Heavy Civil and Contract Mining Group of Brown & Root U.S.A., Inc. is pleased to comment on Viceroy Gold Corporation's proposed Castle Mountain Project located in eastern San Bernardino County, California.

Brown & Root has over 10 years experience conducting medium to large contract mining projects in California and Nevada. Our experience indicates that these projects can be conducted in total compliance with Federal, State, County, and Local permit requirements. Providing dust abatement to meet clean air standards is an accepted requirement. Though every project is site specific, we have used chemical additives on heavy traveled haul roads, mechanical water sprays in the mine and stockpile areas, and spray bars or jet sprays on drop points on the crusher and the conveyors. By using a combination of these methods together with continuous monitoring, air quality standards can be met or exceeded.

Brown & Root, together with mine Owners, design and construct surface water drainage and holding ponds for beneficial water usage and erosion abatement. It is our policy to gather waste oil and other contaminated liquids to sump tanks. These sump tanks are emptied by licensed disposal firms.

We also place high priority on housekeeping throughout the entire project. This improves the appearance of the project, increases job efficiency and promotes a safe environment.

Brown & Root's work force recruitment policy is to utilize the local work force to the maximum extent possible. This assures that the majority of the project payroll stays in the local economy. Additionally, we train and upgrade operators and craftsmen skill levels. It is also our policy to utilize local dealers and vendors for parts, supplies, and equipment.

a Halliburton Company

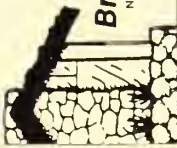
Mr. John Bailey
Page 2
May 10, 1989

Several of our employees have visited with Viceroy personnel regarding The Castle Mountain Project. We are aware of the proposed mining, crushing, and processing procedures and are favorably impressed with Viceroy's concern for the environment.

Hopefully our observations and comments may assist BLM in the evaluation of the Castle Mountain Mine.

Sincerely

S. A. Zander



Brubaker-Mann, Inc.
NATURAL COLORED CRUSHEO ROCK

30984 SOAP MINE ROAD • BARSTOW, CALIFORNIA 92311 • (619) 256-2520 (619) 256-8317

MINED AND MILLED IN BARSTOW, CALIF
LARGE SELECTION OF NATURAL COLORS

OFFICERS

President
William J. Mann
V.P. of Administration
Julie Mann Rohn
V.P. of Operations
Jennifer Henderson
Secretary and
Chief Financial Officer
Dorothy E. Mann

DR

APR 28 1989
MAY 1 1989

April 28, 1989

John Bailey
Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888

RE: Castle Mountain Mine

Dear Mr. Bailey:

I have read the draft EIS/EIR for the proposed Castle Mountain project prepared by Environmental Solutions, Inc. I support this project fully. The EIS/EIR clearly identifies potential adverse impacts and related mitigation measures and concludes that the project would not have a significant impact on the environment. It will have a very positive impact on the economy of the region. I see no reason to deny the project based on these facts.

Sincerely,

Julie Mann Rohn
Julie Mann Rohn
V.P. of Administration

C & C MINING & LAND COMPANY

JAMES W. COLE
President

628 NORTHBRIDGE DRIVE
BOULDER CITY, NEVADA 89005
(702) 293-2895

P.O. BOX 184
PICOCHÉ, NEVADA 89043
(702) 962-5488



March 10, 1989

Mr. Everell Hayes
U.S. Bureau of Land Management
P.O. Box 888
Needles, CA 92363

Dear Mr. Hayes,

I am writing you in support of the "Castle Mountain Gold Project". I believe that we need to support mining projects not only for the economic benefits that are derived from the employment of people, the taxes collected, the investment in mining and milling equipment which helps our overall economy, but to keep the mining industry alive and well.

Few people realize that 600# of newly mined metal is used each year by every man, woman and child in the U.S.

Most, or all of the people, against mining projects live in homes where all around them are metals or non-metals which make life more pleasant. They drive cars which are 80% metals from the mines. Power, water and telephone to your homes require metal for transporting.

Mining is a complicated business, as minerals are only found in certain environments or where Mother Nature deposited them.

The Castle Mountain project will bring hundreds of jobs to well-needed communities like Searchlight, Nipton, Boulder City, etc.

To those that ~~think~~ ^{think} have everything, they should think to the future when ~~thinking~~ ^{thinking} they need a job that produces a product.

TO:	
AM	
Res.	
Sec.	
EM	
ORP	
VIS	
Wild	
C. Panzer	
Hand	
Return by	
Return to	

Sincerely,

James W. Cole
James W. Cole



CAPITOL NORTH AMERICAN

1780 South Mojave Rd
LAS VEGAS, NEVADA 89104
(702) 457-5351

15 May 1989

Bureau of Land Management
ATTN: John Bailey
Post Office Box 888
Needles, California 92363

RE: Viceroy Gold Corporation

Dear Sir:

I live in Boulder City, Nevada and was reading the Las Vegas Sun, April 17, 1989, edition, Business Section, that mentioned Viceroy Gold Corporation and their mining operation at Castle Mountain in San Bernardino County, California. I am in favor of this company's proposal to move into the Southern Nevada and California area.

As I understand, Viceroy Gold Corporation's employees would be living in Needles and Baker, California as well as Searchlight and Boulder City, Nevada areas. This would provide approximately 100 jobs for Capitol North American Van Lines over the next eight to ten years with employee transfers and new hires.

I disagree with the environmentalists who claim the desert tortoise' habitat would be destroyed or even how they could be endangered especially if Viceroy Gold Corporation is willing to put up or build fencing to restrict the tortoises. Also they would be using buses on the Searchlight access road to restrict extra traffic flow.

Please approve this project for the Viceroy Gold Corporation.

Should you like to contact me my home number is: (702) 294-0484.

Respectfully,
Hugo Rydelch

Hugo Rydelch
Representative

HR:cmh

cc: Jeff Arnold, Viceroy Gold Corporation

AGENT FOR northAmerican VAN LINES

John Bailey
1989 MAY 31 10 53 AM '89

Bureau of Land Management
Box 888
Needles, CA 92363

To whom it may concern:

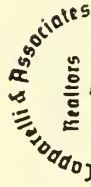
I am writing to let you know that I am very much against the proposed development of a massive cyanide heap leach operation in the East Mojave Scenic Area. The Castle Mountain project, located near the Nevada border, would use thousands of tons of toxic chemicals each year, and destroy at least nine hundred acres of the Scenic area, an area meant to be saved for the enjoyment of people, and the survival of natural species.

Desert tortoise habitat will be impacted by road and mine construction, and big horn sheep habitat will be lost. The potential impact on Piute Spring would be devastating.

Please do all that you can to see that the Canadian Viceroy Corporation is not allowed to destroy the habitat of countless birds and wildlife species.

Please let me know your feelings on this matter.

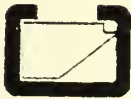
Thank you for your time and consideration.



John F. Cappelli

The Shrine of Home
P.O. BOX 949
54415 NORTH CIRCLE DRIVE
IDYLLWILD, CA 92340

UNITED STATES GOVERNMENT PRINTING OFFICE: 1969



CASHMAN EQUIPMENT COMPANY

May 15, 1969

Mr. John Bailey
Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363 0888

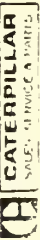
Dear Mr. Bailey:

We reviewed with great interest the summary of the DEIS/EIR submitted by Viceroy Gold Corporation. We heartily endorse and support their operation and would like to comment on three different but relevant factors affected by their proposed operations:

- The U.S. need for accelerated mineral development and production.
- Regional economic implications, and
- Environmental implications.

The U.S. clearly is not competitive in the world mineral market because U.S. policy precludes assistance to mining like other countries provide for their miners (such assistance is construed as subsidies to our domestic industry by the Office of Management and Budget, or viewed as unfair competition to one target segment of private enterprise over another segment). With this severe disadvantage over other countries' mining advantages, our miners should at least not be denied access to public lands that can clearly support multiple use including competent, responsible, mining activity.

The regional economic implications of the proposed mining activities in the California Desert District are far reaching. Nevada mining represents over 9,800 jobs. 1986's 6,500 mining jobs represented 1.35% of the total 481,000 jobs in Nevada, yet this 1.35% of the total workers generated more revenue than all the employees in Nevada's gaming and hotel industries. They accounted for \$194.6 million in payrolls, averaging \$30,600 per worker (the highest paying section in Nevada). \$1.5 billion



POST OFFICE BOX 1017 • 69877 • LAS VEGAS, NEVADA 89127
POST OFFICE BOX 1520 • 89811 • RENO, NEVADA 89510
POST OFFICE BOX 3074 • 73807 • ELKO, NEVADA 89601

Mr. John Bailey
Bureau of Land Management
May 15, 1989
Page Two

was invested in Nevada operations through 1986 with an additional \$675 million in investment planned by 1990. \$25 million in state and local taxes were paid in 1986 with 1987 tax payments exceeding \$40 million. In 1987 they had an output of over \$1 billion.

In an Executive Summary titled "Economic Impacts of Nevada's Mineral Industry," John L. Dobra, Ph.D., at the University of Nevada in Reno described many indirect impacts, or multiplier effects of the Mining Industry. He states that for each job in the mining industry, three-quarters of an additional job is created in rural parts of Nevada and one-half of an additional job in urban parts of the State. In 1987, that was over 17,000 jobs in Nevada.

Two other indirect impacts include an increased state wide output of goods and service (up by \$1.4 billion in 1986), and increased state-wide earnings (up by approximately \$366 million in 1986). Quite frankly, blocking mining development of the California Desert District will prevent California rural and metro development in terms of jobs and healthy commerce, plus will shut off an extremely lucrative source for California State tax revenues from an earning segment of your population that is not at all a drain on state resources.

Finally, the environment implications from Viceroy Gold Corporation's operations are also far reaching since they are a "model" corporation citizen in the regard. Our company, the Caterpillar heavy equipment dealer for Nevada and Eastern California, has a daily interaction with Viceroy Gold so you might say we are experts on their operations and procedures. It has been our first-hand experience that they are very concerned with the spirit of environment law just as much as the letter of the law. Whenever environmental concerns have come up, they have always exceeded the letter of the law if there was some doubt that such compliance was not ample (e.g. numbers of water wagons during windy days, diesel engine emission compliance via rigid maintenance standards, etc.).

Viceroy Gold Corporation will continue to comply with all environmental restrictions because they have a responsible

Mr. John Bailey
Bureau of Land Management
May 15, 1989
Page Three

attitude. In all their purchase and maintenance activities, which our company is closely involved in, environmental impact is always a factor they consider.

Cashman Equipment Company is very committed to our territory which includes BLM's California Desert District. We feel strongly that your area should be open for responsible multiple use, and we know that Viceroy Gold Corporation can help our national and California economies. In short, they have been and would continue to be part of the solution instead of part of the problem.

Sincerely yours,

William T. Hicks

Bill Hicks
Cashman Equipment Company
BHMS/rsl



CHILTON Engineering and Surveying Ltd.

May 11, 1989

Mr. J. Bellandi
Environmental Public Works Agency
Land Management Department
Office of Planning
385 No. Arrowhead Avenue
San Bernardino, Calif. 92415-0180

Mr. Bellandi:

I wish to go on record as favoring the Castle Mountain Godl Project for the following reasons:

The Castle Mountain Project is being funded totally by private capital and will create 150 new jobs for the economic benefit of the area.

The encouragement of vital private capital investment of this type would have a major impact on the deficit financial situation the United States finds itself in today.

Agencies such as your own are supported by fees and taxes paid by the private enterprise and resource development, such as a mining venture which creates new capital, both locally and nationally, is necessary for supporting all public agencies.

I have reviewed the draft Environmental Impact Statement/Environmental Impact Report and note that of the 46 listed potential effects to the environment not one has a significant or adverse affect upon same after proposed mitigation measures.

I strongly encourage approval of the Castle Mountain Project.

Sincerely,

CHILTON ENGINEERING & SURVEYING, Ltd.

Mark Chilton

Mark Chilton, P.E.
President

MC:1b

Clark's
**MOBILE HOME
PARK**

1989 MAY 10 10:11:14

May 7, 1989

ANN PRICE,
manager
Box 69, Baker, Ca. 92309
(619)733 4541

Needles Resource Area
Attn: John Bailey
P. O. Box 888
Needles, Ca. 92363

Re: Viceroy Castl^g Mt. Project

Dear Mr. Bailey,

As a native of the desert, I feel the Viceroy Project in the Castle mountains will be a benefit to the whole country. It will give the desert economy a much needed boost.

The reclamation plans are more than adequate. The land is so vast, the few acres that will be disturbed would hardly be significant even without restoration.

The few environmentalist who would stop the project have never lived on the desert. They have no idea what it is like to make a living in this harsh but beautiful land. We need every viable economically feasible project we can get.

The environmental people would have all of the land "locked up" but minerals are where they were deposited, not where the Sierra Club would like them to be. I don't see the people who would stop all mining giving up their toys, cars, t.v.s. and other possessions that originally came from the earth. These people would have our country dependant on forei^gn trade entirely. What do they want? A one world government? Bring the United State's standards down to the third world's?

I urge you grant the final permits as soon as possible so Viceroy and our desert can get on with the business of mining and realizing its potential.

Sincerely, yours,

Lois Clark

Lois Clark

C.D.D. Needles RA

Routing	Date	Initials
TO:		
AM:		
Res:		
Sec:		
EM:		
CRP:		
NIS:		
Wild:		
C. Krueger		
Return By:		
Return To:		



CUMMINS INTERMOUNTAIN, INC. 150 GLENDALE AVENUE, SPARKS, NEVADA 89431 TELEPHONE (702) 331-4983

C. S. Grigg & Sons
PETROLEUM, INC.
P.O. BOX 190
KINGMAN, ARIZONA 86402
(602) 753-3599

May 22, 1989

Mr. J. Bellandi
Environmental Public Works Agency
Land Management Dept.
Office of Planning
385 No. Arrowhead Av.
San Bernardino, Ca 92415-0180

Dear Mr. Bellandi:

We would like to express our concerns regarding the Castle Mountain Gold Project. This project will be a benefit to a large number of people and we oppose the halting of this project for environmental reasons.

We have every reason to believe that this project will undertake upon itself the responsibility to meet every concern that arises regarding environmental welfare. It is unreasonable to stop this project because of environmental concern when there are other reasons to put the project through.

One reason is that a project of this size would benefit this area to a great extent. The economic value of this project would be incredibly important to the businessmen in the area. The small businessman is important to our nations economy, without them, there would be a great many services that would not be available to the public. The businesses in the area need this kind of economic support, because without it, they cannot survive.

The private citizens will also benefit from a project of this type because it will provide a large number of jobs.

The government would also benefit from this project because of the great amount of revenue that it will receive as a result of taxes, upwards of 60 million dollars in state and local taxes.

We believe that this project should go through because of all the benefits that it will bring to the people in the county and the state of California.

Sincerely yours,

Fred C. Grigg

JUN 13 1989

May 15, 1989

U.S. Bureau of Land Management
Needles Resources Area
Post Office Box 888
Needles, CA 92363-0880

Attention: John Bailey

Subject: Castle Mountain Project
San Bernardino County, CA
1793 (CA-069.05)

Applicant: Viceroy Gold Corporation

Dear Mr. Bailey:

I have read the Draft Environmental Impact Statement/Environmental Impact Report (DEIS/EIR) for the proposed Castle Mountain Mine.

I feel Viceroy Gold Corporation proposed mine would be good use of public land in this remote area. The advantages of employment, and the development of water resources and roads, far exceed the disadvantages listed in Impact reports.

Very truly yours,

Ken Mirch
Mining Manager

sh:KM

cc: Tom Rudy - ICI

Howard A. Bradley - Viceroy Gold Corporation

Degussa ◊

Degussa
Corporation

April 19, 1989

Mr. John Bailey
U.S. Bureau of Land Management
Needles Resource Area
101 West Spike's Road
P.O. Box 888
Needles, CA 92363

RE: Viceroy Gold's Castle Mountain Project

Dear Mr. Bailey:

I attended the April 18, 1989 public hearing regarding the Castle Mountain Project in San Bernardino and would like to submit to you the following brief comments regarding sodium cyanide, its transportation, toxicity, monitoring, and destruction as touched upon in the draft EIS/EIR Summary prepared by Environmental Solutions, Inc. of Irvine, CA.

Please note that Degussa Corporation is not under contract with Viceroy Gold; however, we feel that it would behoove us, as a company that has extensive experience with cyanide, to clarify some basic facts.

TRANSPORT & PACKAGING: Until Degussa Corporation constructs its NaCN plant at Theodore, Alabama, we will continue to import this product from Europe. Currently, shipments are received through the Port of Oakland, California, and transported via truck to our warehousing location at Sparks, Nevada. Material is held there until it is delivered by truck to the customers in the nine western states.

Material is shipped to the United States in 20-foot ocean containers. Each container holds 18 woven polypropylene bags inside plywood boxes with a product net weight of 1,000 kg. Upon discharge from the vessel, the entire container is placed on a specially designed chassis. This chassis is equipped with a twist-lock tie-down corner lock which is D.O.T. approved. In addition, the container chassis was specially designed to "stretch" to a length of 39 feet to meet the D.O.T. and California D.O.T. "bridge formula" weight/length restriction. Degussa holds an exemption from the U.S. D.O.T. to transport NaCN in 1,000 kg plywood boxes. We have been transporting this material in international commerce as well as in domestic transportation and have never had a release of this material from its package. I feel very comfortable that this package and method of transport has eliminated any concerns in the movement of this product.

Degussa ◊

Degussa
Corporation

In addition, all packages and the transport container are properly marked and labeled to meet international and U.S. D.O.T. regulations (ie: poison label).

Attached please find a copy of D.O.T. Exemption E-6874 (fifth revision) dated July 16, 1985 along with the December 22, 1988 amendment.

DRIVERS (Carrier): Our carrier and drivers have been selected due to their experience, time in service, and insurance coverage which meets D.O.T. requirements.

As Degussa maintains a 24-hour, 7-day a week emergency response center at our Theodore facility and has a response team available to quickly respond, we have not required our drivers to be trained in clean-up of this product due to its nature (poison). We have instructed our carrier to isolate the area and to notify Degussa immediately of any accidental discharge of product (none has ever occurred). We feel that these instructions are in the best interest of the driver and Degussa Corporation.

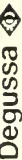
TOXICITY: As is well known, cyanide is a toxic reagent and must, therefore, be handled very carefully to avoid damage and/or accidents. The mining industry in the U.S. has an excellent track record in this respect and has been able to demonstrate that cyanide toxicity is manageable in the mining environment, i.e. without undue hazards to operators. All involved are cognizant that site specific measures are called for to avoid damage to the environment or users of water from potentially affected aquifers, streams, lakes, etc. These range from very careful containment to detoxification of liquid and solid wastes.

Cyanide has been used in many industries for over a century. More specifically, the mining industry uses over 150,000 tons worldwide in a responsible fashion by simply adhering to well-established safety standards. All manufacturers are capable of conducting safety seminars for mine personnel.

CYANIDE DESTRUCTION: Many well-known methods of cyanide destruction are available to the mining industry which can effectively reduce cyanide concentrations well below current environmental limits. Cyanide also degrades naturally to form nontoxic compounds. UV light contributes strongly to the destruction of CN in tailing ponds.

The destruction of cyanide is accomplished using a variety of methods capable of monitoring both soluble cyanide compounds and gaseous hydrogen cyanide. Silver nitrate titrations, as well as several other procedures, can measure cyanide to levels well below one ppm. Gaseous hydrogen cyanide can be detected by devices manufactured by Monitox or Draeger.

RECEIVED
OCT 18 1985
400 S. MICHIGAN AVE.
WASHINGTON, D.C. 20530



Degussa
Corporation

If so desired, we would be more than happy to further elaborate on specific questions that you may have in connection with safe cyanide handling or any other related matter. Please feel free to call on us or our Mining Laboratory at Degussa's Applied Technology Center. Our experts stand by to be of further assistance.

Very truly yours,

Gunter W. Schmitt

Gunter W. Schmitt
Regional Manager

GWS/lsm



US Department
of Transportation
Research and
Special Programs
Administration

DOT-E 6874
(FIFTH REVISION)

1. ICI Americas Inc., Wilmington, Delaware is hereby granted an exemption from those provisions of this Department's Hazardous Materials Regulations specified in paragraph 5 below to offer packages prescribed herein of certain Class B poisons for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes the transport of sodium and potassium cyanides in non-DOT specification wooden boxes, and provides no relief from any regulation other than as specifically stated. Each of the following is hereby granted the status of party to this exemption:

Degussa Corporation, Teterboro, New Jersey - PTE-1
Mitsui & Co., (U.S.A.), Inc., New York, NY - PTE-2
E. I. du Pont de Nemours & Co., Inc., Wilmington, DE - PTE-3

2. BASIS. This exemption is based on ICI Americas Inc.'s application dated October 1, 1984, submitted in accordance with 49 CFR 107.105 and the public proceeding thereon. The granting of party status is based on the following applications submitted in accordance with 49 CFR 107.111 and the public proceeding thereon:

- Degussa Corporation's application dated September 11 1984.
- Mitsui & Co.'s application dated October 4, 1984.
- du Pont's application dated May 7, 1985.

3. HAZARDOUS MATERIALS (Descriptor and class). Sodium cyanide, solid, potassium cyanide, solid, and mixtures of sodium cyanide and potassium cyanide, solid; classed as a Poison B.

4. PROPER SHIPPING NAME (49 CFR 172.101). Sodium cyanide, solid, or potassium cyanide, solid, or sodium cyanide and potassium cyanide mixture, solid; as appropriate.

5. REGULATION AFFECTED. 49 CFR 173.370(a)(13), 172.101.

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle, rail freight and cargo vessel.

7. SAFETY CONTROL MEASURES. Packaging prescribed is a strong non-DOT specification 1/4" thick plywood box measuring approximately 45" X 45" X 42" on a pallet base having an inside 10-mil polyethylene liner or a 2000 denier woven polypropylene bag with an inner 10-mil polyethylene liner and containing not more than 2,000 net pounds of product. Each box must be of riveted construction and securely closed with not less than four 3/4" steel bands.

8. SPECIAL PROVISIONS.

- a. Persons who receive packages covered by this exemption may reship them pursuant to the provisions of 49 CFR 173.22a.

Continuation of 5th Rev., DOT-E 6874

Page 2

- b. A copy of this exemption must be carried aboard each vessel used to transport packages covered by this exemption.
- c. Shipments are authorized only in full containerized lots or in water tight metal-bodied covered motor vehicle, when there are no packages of any other materials on the vehicles.
- 9. Any incident involving loss of contents of the package must be reported to the Office of Hazardous Materials Regulation as soon as practicable.
- 10. EXPIRATION DATE. October 1, 1986.

Issued at Washington, D.C.:



Alan L. Roberts
Associate Director for
Hazardous Materials Regulation
Materials Transportation Bureau

JUL 16 1985
(DATE)

Address all inquiries to: Associate Director for Hazardous Materials Regulation,
Materials Transportation Bureau, Research and Special Programs Administration,
U.S. Department of Transportation, Washington, D.C. 20590. Attention: Exemptions
Branch.

Dist: USCG, FHWA, FRA

Detoxify Cyanide... Safely

At best it was a problem. At worst it was hazardous. Many mining operation, plating shop, hardening shop and chemical process waste waters contain CYANIDE.

And conventional treatments often resulted in cyanogen chloride and chlorinated hydrocarbon formation.

No more. Now Degussa technology uses HYDROGEN PEROXIDE to detoxify cyanide. Easily. Automatically. Economically.

Our process uses continuous monitoring to regulate the dosage of hydrogen peroxide precisely.


The result. No oxidant wasted. Even when toxic substance content varies widely.

The advantages? No cyanogen chloride or chlorinated hydrocarbons are formed during the treatment. No additional salting-up of the effluent. Best of all, after the treatment, any excess hydrogen peroxide breaks down into two of nature's safest substances: oxygen and water.

Want more? Consider this. As one of the world's largest producers of hydrogen peroxide, with a brand new 80 million pounds year plant in Alabama, Degussa has all the design engineering help and technical service you need... when you want it.

At the end of the rainbow, a bright new source for hydrogen peroxide. With a wealth of experience in cyanide detoxification.

The Degussa Technology Team.
Hydrogen Peroxide Department
Route 46 at Hollister Road
Teledoro, NJ 07608
Telephone: 201-288-6500


Degussa
Degussa
Corporation

1445 High Chaparral Drive
 Reno, Nevada 89511
 May 3, 1989

Mr. John Bailey
 Bureau of Land Management
 P.O. Box 888
 Needles, CA 92363-0888

Dear Mr. Bailey:

I am writing in regard to the Draft Environmental Impact Statement for the Castle Mountain Project in eastern San Bernardino County. I was in attendance at the Public Meeting in Barstow, California on April 11, 1989, where representatives of the BLM and San Bernardino County received public testimony on the proposed project. Although I was unprepared to speak at the meeting, I feel compelled to respond based on some of the comments that were presented at the meeting.

I reviewed parts of the Draft Environment Impact Statement and find it to be a well organized and thoughtful document. Most of the critical environmental concerns of the proposed project area are addressed along with recommended procedures to mitigate environmental impact. Although some constructive criticism was made at the meeting, such as Gerald Freeman's point about rerouting the access road to reduce the frequency of tortoise crossings, most criticism was misguided and unsupported by facts or hard data. For example, Joyce Birk of the San Gorgonio Chapter of the Sierra Club called the EIS the worst she has seen and the project a "disaster waiting to happen". Reasons for why she felt this way were not clearly expressed but appear to be derived from antiquated concepts that mining recklessly befouled the environment in the past and is continuing to do so. Appealing to yesterday's practices as an indicator of the present or future is a

clever rhetorical tactic, but is clearly untenable in light of today's stringent regulations, heightened environmental awareness, and improved technology to minimize impact. Another critic tried to demonstrate the inadequacy of the draft EIS/EIR by commenting that the report failed to note specifications of the leach pad liners. However, the report cites reference as to where that information can be found, viz. the California Regional Water Quality Control Board. Furthermore, the critic's argument is pointless anyway because it's in the company's best interest to use sound, non-leaking leach pads, otherwise the gold-bearing solutions and profits go "down the drain". The disturbing point here is how opponents to the project, in many cases, exclude and/or distort facts so as to suit their needs and advance their cause. As a scientist trained to observe and report objectively as possible, I find such practices totally unprofessional, insulting, and reprehensible.

In summary, I ask officials of the Bureau of Land Management and County of San Bernardino to lean on facts and not to be swayed by emotional hyperbole and bluster. I think that when the facts are in and objectively evaluated the Castle Mountain Project will be approved as an environmentally responsible mining operation.

Sincerely,
 ECHO BAY EXPLORATION INC.



Dave R. Boden
 Exploration Geologist



W. V. Hinds
Vice President of Operations

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MAY 12 11 55 AM '89

[Handwritten signature]

[Handwritten initials]

103 MAY 15 11:11:09

RUM
NEELES RESOURCE AREA
P.O. BOX 888
NEELES, CA 92363

DEAR SIRs,

I SUPPORT THE CASTLE MOUNTAIN PROJECT (CYANIDE HEAP LEACHING MINE).
I AM INTERESTED IN THE HEAP LEACHING METHODS IN USE, BEING A
RECREATIONAL GOLD MINER. I BELIEVE THAT THIS IS A RESPONSIBLE
OPERATION AND, OVERALL, WOULD BE MORE BENEFICIAL TO THE TAXPAYER THAN
ANY ALTERNATIVE.

SINCERELY,
[Handwritten signature] *May 11 1989*
HOWARD F. GARR,
SENIOR ENGINEER, QUALITY ASSURANCE
ELECTRONIC ENGINEERING CO. OF CA.
SANTA ANA CA 92643
(714) 835-6000 X2470

May 8, 1989

Vice Manager
U.S. B.L.A.,
SANTA ANA RECREATION AREA
P.O. Box 888
Needles, California 92363

To Whom It May Concern:

We have reviewed portions of the Environmental Issues and
Mitigation Measures Summary Report. The report seems very
thorough and fair. It is our opinion this mining activity
would only act positively in the Castle Mountain area. With
the creation of well over 100 full time jobs with local
paycheck, 50 million dollars in state and local taxes,
strict compliance with all the regulatory agencies. This
project can only be a boost to all aspects of the economy,
and not be a detriment to the ecology in any form.

We have dealt with Viceroy Gold in the past and have found
them to be completely professional in all aspects of their
work.

Respectfully,

[Handwritten signature]

W. V. Hinds
Vice President / Operations

WVH/wt

cc: Mr. Wade Elliott

6749 Academy Rd. N.E., Suite A
Albuquerque, NM 87109
(505) 298-6220
FAX (505) 298-9015

4400 MacArthur Blvd., 5th floor
Newport Beach, CA 92660
(714) 955-1919
FAX (714) 955-1923

THE Farmers Insurance Group OF COMPANIES

GARY GEORGE
1369 East Citrus
Redlands, CA 92374
Bus: (714) 798-1911
5/31/89

BUREAU OF LAND MANAGEMENT
P O BOX 888
NEEDLES, CA 92363

3/21/89 Dear Mr. Bailey: Thank you for informing us of the progress of Castle Mountain Project. We are of the opinion that any development of remaining wild land is to put us all a step nearer an irreversibly dying planet and even more inhumaneness (cruelties) to other life forms so that we do not even deserve this earth. The only proper use we can see for virgin or minimally developed lands is that of the order of the Amerinds (Am. Indians) prior to their being sequestered onto reservations. Short of this "radical and extremist" viewpoint, I can only comment that one does about the best one can. Since 1964, gold has held a relatively high price (historically relative), which tends to indicate it is in demand in our market economy. However, perhaps this need is frivolous? Does one upset the ecology of a region that humans may satisfy a mere whim? That there is sufficient gold to meet bonafide human needs is borne out by the substantial reduction in the price of gold in recent months. Mr. Bailey, thank you for being there. Cordially, F. T. Toole,
ENVIRONMENTAL STUDIES ASSOCIATES,
Los Angeles, Ca.

SIRS:

I AM WRITING YOU THIS MEMORIAL DAY TO REMIND YOU OF THE OPPOSITION BY MANY CONCERNED CITIZENS TO THE OPEN PIT MINING AT HART, ALSO KNOWN AS THE CASTLE MOUNTAIN PROJECT. I URGE YOU TO CONSIDER THE INEVITABLE DAMAGE TO HABITAT AND THE FRAGILE PIUTE SPRING WATER SUPPLY AND OPPOSE THIS PROJECT.

OPEN PITS AND CYANIDE PORNDS ARE A BLIGHT ON THE NATIONAL SCENIC AREA. THEY DESTROY SOMETHING OF IRREPLACABLE VALUE AND BRING NO BENEFIT TO THE CITIZENS OF CALIFORNIA. THIS MINING OPERATION WILL PAY NO ROYALTIES TO EITHER THE STATE OF CALIFORNIA OR THE U.S. GOVERNMENT. INDEED, THIS PARTICULAR MINING COMPANY IS THE PROPERTY OF FOREIGN INVESTMENTS, SO THE GOLD WILL BE PULLED OUT OF U.S. SOIL AND SENT OVERSEAS!!!

BUT FAR BEYOND THE PURELY ECONOMIC CONSIDERATIONS ARE THE ENVIRONMENTAL CONCERNS. THIS MIND WILL IMPACT DESERT TORTOISE HABITAT AND DESTROY RICHORN SHEET HABITAT. GENTLEMEN, THE POTENTIAL RISK MAKES THIS SHORT-SIGHTED PROJECT UNTENABLE. I URGE YOUR OPPOSITION.

REGARDS
Gary J. George
GARY J. GEORGE

CC: REP. JERRY LEWIS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, C.C. 20515



1111 Brickyard Road • P.O. Box 30429 • Salt Lake City, UT 84130
801 / 486-2411

May 8, 1989

Bureau of Land Management
Needles Resource Area
P. O. Box 888
Needles, CA 92363-0888

Attention: Mr. John Bailey

Re: Viceroy Gold Corporation
Castle Mountain Project
Draft Environmental Impact Statement/Report

Gentlemen:

As contractors providing both construction services and mining programs, we have read the environmental impact statement filed by Viceroy. Our interest in the project is the potential for providing contractor services to the company but also in the company's analysis of environmental impact potential and proposal for mitigation of potential irreversible damage to the environment. We believe that proper preparation and commitment to a viable program is essential to its successful operation.

It would appear that this study and resultant statement with regard to the company's recognition of impact potential has been thoroughly addressed. This would therefore imply willingness to accept and implement proper abatement programs.

Sincerely,

GIBBONS COMPANY

F. Vance Davidson
F. Vance Davidson
Vice President-Sales & Marketing

FVD:sp

cc: County of San Bernardino
Environmental Public Works Agency



GILBERT WESTERN CORP.

5201 Green St., Suite 250
P.O. Box 57950
Salt Lake City, Utah 84157-0950
(801) 264-8532

May 8, 1989

U.S. Bureau of Land Management
P.O. Box 888
Needles, CA 92363

ATTENTION: John Bailey

Re: Castle Mountain Project

Dear Mr. Bailey,

The Castle Mountain Project, which is currently under review, has the full support of our organization. Through our contact with Viceroy Gold Corp., we are aware of the integrity of their organization as it deals with the environment, the community and its people. The Castle Mountain Project will have a significant positive impact on the area's economy from its payroll to county and state taxes.

Our firm, which is licensed in California, plans to be the successful bidder in the construction of the Castle Mountain Project. We encourage you to proceed with this project for the beneficial use of our natural resources.

Sincerely,

GILBERT WESTERN CORP.

Frank T. Scott

Frank T. Scott
Secretary

FTS/kh

cc: File

Bureau.TPJ

818

Trink



HAYCOCK DISTRIBUTING CO., INC.

P. O. Box 340, Las Vegas, Nevada 89125 • Phone: 382-1620



JOHN HAYCOCK
PRESIDENT

April 24, 1989

Bureau of Land Management
Needles Resource Area
PO Box 888
Needles, Calif. 92363-0888

Attn: Mr. John Bailey

Dear Mr. Bailey:

Having thoroughly reviewed the published summary of the draft EIS/ EIR for Viceroy Gold Corporation's proposed Castle Mountain Project, we would like to go on record as being in support of this project. We believe that they have presented a very adequate Environmental Impact Study.

We have done business with Viceroy Gold Corporation in the past, and find them to be a most responsible corporate citizen, one whom we would certainly feel comfortable entrusting that portion of the desert southwest.

We are also familiar with other heap leach projects in the area, and are impressed with the technology and many steps available to protect our environment.

Again, please consider us in support of the proposed Castle Mountain Project.

Sincerely,
HAYCOCK DISTRIBUTING CO., INC.
John Hayden
John Hayden
Chairman of the Board

CH/SS

RECEIVED
GROCERY — GAS — SECOND HAND SHOP
SEARCHLIGHT, NEVADA 89046

December 23, 1988

Mr. Everett Hayes, Area Manager
U. S. Bureau of Land Management
Needles Resource Area
P. O. Box 888
Needles, CA 92363

Dear Mr. Hayes:

We are writing to urge approval of the Castle Mountain Gold Project being proposed by the Viceroy Gold Corporation and any other qualified use of the desert by developers who meet the high standards being proposed by Viceroy Gold.

After reading and listening to the representative views of this company both verbally by their officials and through written publications, we feel they are totally justified in proceeding with a sound business proposition - free enterprise which is and should be available to anyone who meets the permit requirements.

Most impressive is the fact that Viceroy Gold is concerned enough with the environment to make their reclamation process a continuous process beginning before groundbreaking and beyond the life span of the mine - surely a plan which should meet any reasonable environmentalist. And, taking the permit process step by step, meeting the requirements of all entities involved ought to produce approval as an end result; if that is the purpose of the permit process.

The economic impact is so advantageous to everyone concerned. The local areas need the employment, the communities need the influx of dollars to thrive, and last, but not least, the taxes produced will be a boon to all entities receiving them as it seems there is always the complaint of lack of tax funds to provide necessary services.

The only restrictions that should be allowed on the use of the desert, or any lands, is the meeting of reasonable caretaking and the provision of benefits for a wide and varied number of individuals who in turn benefit communities and taxinn agencies.

Your efforts to support the Castle Mountain Project will be appreciated.

Sincerely,
Gerardine Eads
Gerardine Eads

TO:	
AM	
Res	
Sec	
LM	
ORP	
VIS	
Wild	
C. Ralinger	
Return By:	
Return To:	

HOLMAN'S

of Nevada Inc.

1515 West Charleston Blvd., Las Vegas, Nevada 89102 8896
PHONE (702) 478-1916

May 11, 1989

Area Manager
U.S. Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363

Dear Sir:

I am writing to express my support for the proposed Castle Mountain Gold Project.

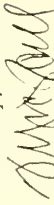
Holman's is a company that sells technically oriented products to a professional clientele, including drafting and engineering supplies, and surveying instrumentation and accessories. The mining industry in our state represents a significant section of our customer base and its resurgence has assisted in the growth of our business.

As important as the mining industry is to our business its total economic impact for the state is even greater. I understand that the Castle Mountain Gold Project will create over 150 new jobs, invest in excess of 190 million dollars and pay 60 million dollars in tax revenues. Obviously this project will have significant positive economic benefits for this area.

I understand that there exists a segment of the population that has expressed opposition to this project based on environmental concerns. As a concerned citizen, Boy Scout leader and one who enjoys the outdoor activities of camping and hiking, I too am anxious that we protect our precious and fragile environment. I too believe that economic considerations should not outweigh environmental concerns. I have reviewed the summary of the Environmental Impact Report/Environmental Impact Statement for the proposed Castle Mountain Mine and am convinced that the developers are not only taking all possible steps to protect the environment of the area but also that their reclamation plans will leave the area in better shape than before.

It is clear in my mind that the proposed project will not adversely affect the area and its economic impact will be a significant benefit. I urge you to approve its plans for development.

Sincerely,



Deric Hill
Vice President

Engineering & Drafting Supplies
Surveying Instruments & Accessories
Electronic Calculators
Computers
Metal Detecting
- And Related Items

1989 MAY 15 10 40 AM '89



SIDNEY M. BLUMNER, PH.D.

Inland Economic Consultants

~~6644 6988 4968~~ • (714) 985-8347

April 17, 1989

Bureau of Land Management
To Whom It May Concern:

I am writing this letter to protest the possible operation of the cyanide leach system by the Canadian Viceroy Corporation in the East Mojave National Scenic Area of Southern California. As one who is concerned with the environment, and a Professor of Economics with a speciality in Environmental Economics, I am very upset to see this operation under consideration. I believe that the cyanide operation will adversely impact on the following environmental concerns.

1. Open cyanide solution ponds at Castle Mountain will adversely impact on birds and other wildlife who will use the cyanide ponds as a water source.
2. In addition, the construction of the road and the operation of the facility will adversely impact on the desert tortoise habitat, a reptile which is already endangered in the Mojave Desert.
3. Big-horn sheep which frequent area will have their habitat destroyed. This is an endangered animal which appears to be having a difficult time continuing in this area due to the intrusion of man. To further destroy the habitat with the cyanide pits will hasten the sheeps demise.
4. It is possible that the cyanide operation will also cause a drop in the water table at Piute Creek a critical area of the region which supports bighorn sheep and other animals and birds.

For all of the above reasons, I wish to indicate that the Candian Viceroy Corporation should not be allowed to operate their facilities in the East Mojave Desert.

Yours truly,



Sidney M. Blumner, PhD.
Professor of Environmental Economics

cc. Jerry Lewis, Congressman
Alan Cranston, Senator
Peter Wilson, Senator

C.2-23

MAY 17 1989
MAY 15 1989

"OUR BUSINESS IS PICKING UP"

JAKE'S



**CRANE, RIGGING &
TRANSPORT INTERNATIONAL**
6109 S. Industrial Rd., Las Vegas, NV 89118
(702) 736-4082 • (800) 553-5253

John Bailey
U.S. Bureau of Land Management
May 12, 1989
Page 2

toward preservation of the very delicate ecology of the California Desert. Therefore, Jake's Crane & Rigging is very confident in supporting the Viceroy Gold Corp. in its safe and environmentally sound development of the Castle Mountain Gold Project.

Very truly yours,

D. Ross Carder
Executive Vice President

cc: Viceroy Gold Corp.

May 12, 1989

John Bailey
Area Manager
U.S. Bureau of Land Management
Needles Resource
P.O. Box 888
Needles, CA 92363

Dear Mr. Bailey:

The Viceroy Gold Corporation has been a preferred customer of Jake's Crane & Rigging for approximately 5 years, working with them in the field of assembly and repair of heavy mining and industrial machinery. During this time span, we have been very impressed with their high degree of professionalism with regards to protection of the environment not only within the boundaries of their mining and support areas, but also with regard to any access roads (both public and private) that connect to major highways. We've found all their projects to be well managed and closely supervised, with particular emphasis on always maintaining safe and sound operating practices.

In regards to the published Environmental Impact Report, several of our employees take a strong interest in the protection of the desert tortoise. This and several other environmental issues have been addressed with a very strong positive attitude



Jim Good Marketing

P.O. Box 717
Shafter, California 93263
(805) 746-3783

5-15-89

Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, Ca. 92363

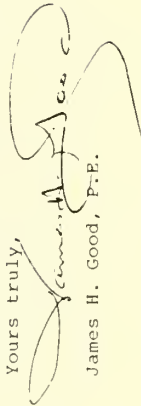
Attn: John Bailey

Dear Mr. Bailey,

We would like to voice our support in favor of Viceroy Gold's Castle Mountain Project located in San Bernardino County, Ca.

After a complete tour of the proposed mine site, I believe the overall project is justified and would not be detrimental to the existing area.

Yours truly,



James H. Good, P.E.

1989 MAY 15 PM 4:07



LEDCOR CONSTRUCTION INC.

100 WEST PENDER ST
VANCOUVER BC V6C 1K8
1989 MAY 22 10 48 AM (PH) (404) 681 1500

May 15, 1989.

Bureau of Land Management,
Needles Resource Area,
P.O. Box 888
Needles, California
92363-0888

Attention: Mr. John Bailey

Dear Sir:

RE: Castle Mountain Project
Draft Environmental Impact Statement/Report

The draft EIS/EIR notes that with appropriate mitigation measures, the Castle Mountain Project will have no significant adverse environmental impacts.

The detail and thoroughness of the report is commendable and adds a high level of certainty to the conclusions reached.

through our dealings with the applicant, Viceroy Gold Corporation, we have been impressed with their commitment to reduce environmental impacts below a level of significance through the adoption of guidelines and procedures in their project planning and design.

Yours truly,

LEDCOR CONSTRUCTION INC.

G.E. Hoar
G.E. Hoar,
Vice President Mining

GEH/sp

cc: County of San Bernardino
Environmental Public Works Agency
385 North Arrowhead, 3rd Floor
San Bernardino, California 92415-0182
Attention: J. Bellandi, Mining Geologist

Legend METALLURGICAL Laboratory

125 Manuel St.
Reno, Nevada 89502
Phone: (702) 786-3003

John Bailey

U. S. Bureau of Land Management
Needles Resource Area
101 West Spike's Road
P.O. Box 888
Needles, CA 92362

Attention: John Bailey

Dear Mr. Bailey:

I have studied with great interest the draft EIS/EIR on the Castle Mountain Project in San Bernardino County, California.

This report extensively addresses the concerns that all of have who want to protect the environment while still providing an economic climate which promotes business and diversification.

This draft examines a great many potential effects and realistically provides procedures which can reduce the effects and significance to acceptable levels. I feel that the applicant has provided a more than adequate EIS and deserves to proceed with their project. This project is in an area that has both historic and recent mining activity and can coexist with other interests and users of this area.

Sincerely,

Mark F. Lewis
Mark F. Lewis
Manager

Legend Metallurgical Laboratory, Inc.
125 Manuel Street
Reno, Nevada 89502
Ph (702)786-3003

1989 MAY 11 10 30 AM

Marsh & McLennan

Marsh & McLennan, Incorporated
5729 Howard Hughes Parkway, Suite 240
Las Vegas, Nevada 89109
(702) 691-0191

May 8, 1989

Area Manager
U.S. Bureau of Land Management
Needles Resource Area
PO Box 888
Needles, CA 92363

Dear Sir:

As the insurance broker for Viceroy Gold Corporation, I am aware of the sizeable amount of capital spent to date by Viceroy on the Castle Mountain mine project. I also understand that another thirty to forty million dollars will be spent on the project.

I believe that this mine will add much needed economic diversification to Clark County, especially Searchlight, Nevada. I understand the mine will add 150 new jobs, which will create a very large payroll.

I would like to go on record as being very much in favor of Viceroy Gold Corporation's Castle Mountain Gold Mine Project.

Sincerely,
Ronald D. Cory
Ronald D. Cory
Account Executive

LOST DUTCHMAN CONSTRUCTION, INC.

1475 EAST GREG STREET • SPARKS, NEVADA 89431 • TELEPHONE (702) 356-5515

May 12th, 1989

Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, California 92363-0888

Attention: Mr. John Bailey

Dear Gentlemen:

Modern mining, this day and age has become a very complex industry. In order to protect the animal habitat and the environment including water, laws are in place and enforced by government agencies such as the Bureau of Land Management, the Environmental Protection Agency, and the United States Forestry Service. Mining company's prior to commencing operation of a project submit a mine plan which is reviewed by a governmental agency known as the Mine Safety and Health Association. In San Bernardino County, California, all of the sensitive issues pertaining to heap leach gold mining have been addressed. The aforementioned laws protect the use of land by the Castle Mountain Property and after having read all of the documents demonstrated in their summary, I am satisfied that this project would be a prudent use of public lands.

Sincerely yours,

Lost Dutchman Construction, Inc.

Glenn Neely
Glenn Neely
Senior Vice President

bailey

MAY 12 1989

MAY 15 1989



1983 MAY 13 11 2 55

May 15, 1989

United States Department of the Interior
Bureau of Land Management
Needles Resource Area
P. O. Box 888
Needles, CA 92363-0888

Attention: Mr. Joho Bailey
Re: 1793 (CA-069.05) Draft EIS/EIR
Castle Mountain Mine Project
San Bernardino County, CA
Applicant: Viceroy Gold Corp.

Dear Mr. Bailey:

Thank you for providing this opportunity to assist in your evaluation and determination to issue the necessary permits for the construction and operation of the subject project. My name and residence are:

John D. Stockton, E.M.
620 South Pinto Place
Tucson, AZ 85748
(602) 296-0667

I am a graduate mining engineer (Engineer of Mines, professional degree, Colorado School of Mines) with 33 years of varied experience and responsible charge in the mining industry. Positions include the operation, design engineering, and construction of mines and process plants located in several U. S. states and foreign countries.

When a new venture such as this is developed, it is very important that the mining company provide the means to protect the well being of employees, the general public, the environment, the ecology, and the aesthetics of the area, with a minimum of disturbance. It is my opinion that Viceroy Gold Corporation has demonstrated this concern and responsibility by providing more than adequate measures as documented in the DEIS/EIR. It is important to note that a mining company is required to initiate the programs to comply with the documented measures, and is subject to investigation by various governing agencies for the adequacy and continuance of these programs.

I was in attendance at the first public hearing held during the evening of April 18, 1989, at the San Bernardino County Government Center, where over seventy persons made oral comments. The majority were emotionally opposed to this project without factual or documented basis. I believe that the mining industry needs to provide understandable information to the general public about the design and operation of projects such as this, and that we do appreciate their concerns. For instance, Mr. Larry Todd spoke about cyanide solutions used for the leaching of precious metals. However, no one commented about the design, specification and selection of materials that will be used to construct and operate the plant.

During the past three and one-half years, I have been specifically involved with several mining and engineering/construction companies by providing technical assistance in the application, specification, selection and installation of piping system materials in metal processing operations in nearly every Western U. S. state. The company with which I am associated has and is providing many of these piping materials to nearly every hydrometallurgical process installation. I have provided information to the engineers on the Castle Mountain Project, and am familiar enough with the proposed design to state that this project will be a modern operation, but will not employ new or unproven technology.

Mine and Mill, an engineering company in Salt Lake City, UT, is responsible for the design of the process plant and leaching areas. They engineered a very similar plant for Sunshine Mining Co., at the Snow Caps Mine near Independence, CA; it has been operating very successfully without incident since start-up.

Much of the process piping is High Density High Molecular Weight Polyethylene (HDPE). This material has been proven in virtually unlimited applications since the 1950's and is recognized by industrial, public works and utility operations as an extremely rugged, very long life, and reliable piping material. There are thousands of miles of this material in the State of California alone. It is used in the transport of potable water, effluents, sanitary wastes, industrial wastes, gases, slurries, and most chemical solutions. It is not biodegradable, is ultra violet protected, is extremely crack resistant, has no food value that will attract animals, and is resistant to gnawing and impact. Joining is usually accomplished by fusing, which provides a joint that is as strong as the pipe, as well as providing a leak-proof continuous pipe.

ADMINISTRATIVE OFFICES:

3411 1506 AVENUE W. AMBUSH/AM TERRACE, WA 98044 (206) 775-8600 FAX (206) 775-3458
Regional Offices: 6145 HANCOCK WAY E. WAINWORTH, CA 94786-9000 BERRY ROAD, THURSDEN, TX 75784
114 W. 4000 SOUTH HUNTERS HILL RD. SALT LAKE CITY, UT 84107 • 214 W. 10111 ARROYO RD. #201 AMERIBUILD, AK 99518
10311 PENNSYLVANIA ST. THURSDEN, AZ 85714

ADMINISTRATIVE OFFICES:

3411 1506 AVENUE W. AMBUSH/AM TERRACE, WA 98044 (206) 775-8600 FAX (206) 775-3458
Regional Offices: 6145 HANCOCK WAY E. WAINWORTH, CA 94786-9000 BERRY ROAD, THURSDEN, TX 75784
114 W. 4000 SOUTH HUNTERS HILL RD. SALT LAKE CITY, UT 84107 • 214 W. 10111 ARROYO RD. #201 AMERIBUILD, AK 99518
10311 PENNSYLVANIA ST. THURSDEN, AZ 85714



The versatility of HDPE has been proven in installations near the Castle Mountain Project; such as the Molycorp Mountain Pass Operation, and Bond Gold Colosseum, Inc.

Viceroy Gold Corp., and it's engineers are making certain that their process is a closed loop system with an extra measure of protection to the environment. The leach pads will be lined with fused sheets of HDPE prior to the placement of ore and the application of leaching solution. Various ponds for water and process solutions, as well as any ditches, will also be lined with HDPE sheets.

The HDPE carrier piping used to supply the leach system and to return the leachate, will be placed inside a containment pipe, or placed on HDPE liner. In the unlikely event that a carrier pipe develops a leak, the containment will hold or direct the leakage for collection.

The leach drip tube system is also manufactured from polyethylene. It will be placed on top of the ore heaps to uniformly distribute the leaching solution. Compared to a total sprinkling system, drip tube systems offer the advantages of drastically reduced evaporation losses and lower quantities of sodium cyanide and related chemicals. Overspray and wind-blown carry away to the surrounding area are eliminated, and ponding is practically non-existent.

Valves are strategically located to control the piping systems, and to isolate areas when maintenance is required.

In conclusion, I have found the Viceroy Gold personnel to be a responsible, concerned and competent staff. I heartily recommend that the permits necessary to construct and operate the Castle Mountain Project be issued to Viceroy Gold, Inc.

Respectfully submitted:

John D. Stoclon

ADMINISTRATIVE OFFICES

24115 56th AVENUE W. MOUNTAIN VIEW, WA 98043 • (206) 774-6000 • FAX (206) 774-6100
 Regional Offices: 6 HANCOCK WAY • WAINSBOROUGH, CA 94786 • 909 435-9000 • BERRY ROAD • BURBANK, CA 91504
 145 W. 400 SOUTH FRONTAGE RD. SALT LAKE CITY, UT 84107 • 214 W. 1ST E. AMHERST, OH 44001 • 419 935-0100
 1101 E. PENNSYLVANIA ST. PITTSBURGH, PA 15203

887
(10/1/87)



McCLELLAND LABORATORIES, INC.

1016 Carg Street, Sparks, Nevada 89431 702 / 356-1100
FAX 702 / 356-8017

Mr. John Bailey/Bureau of Land Management
May 9, 1989

-2-

We recommend that the Castle Mountain project be approved for commercial production.

May 9, 1989

Thank you for your efforts and consideration in this matter.
Sincerely,

Mr. John Bailey
BUREAU OF LAND MANAGEMENT
Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888

Dear Mr. Bailey:

This letter concerns comment in support of Viceroy Gold, Inc. proposed heap leach operation at Castle Mountain. I have reviewed the draft EIS/EIR summary, and agree that no significant impact will result from a commercial production operation.

I have been involved in precious metal extractive metallurgy projects for nearly 22 years. Sixteen of those years at the U.S. Bureau of Mines, Reno Research Center. From 1983 through 1986 I managed a metallurgical laboratory for an engineering company. I began my own metallurgical laboratory in January 1987. During those 22 years, especially the last six years, I have been involved in project development and commercial production phases of most of the currently producing heap leach operations in the Western U.S. From my experience, it is obvious that Viceroy Gold, Inc. has been diligent in showing a compliant attitude and concern for development of a project that will not adversely affect the environment. I feel that Viceroy Gold, Inc. should be commended for their effort in minimizing total project impact.

We (MLL) have been contracted by Viceroy Gold, Inc. to confirm metallurgical behavior of the Castle Mountain ore deposit, and to confirm detoxification procedures and metals attenuation. Data obtained to date, gives no indication of adverse effect in any of the above areas of concern.

Gene E. McClelland
Gene E. McClelland
Metallurgist/President

GEM:vjm
enclosure

RECEIVED
MAY 15 1989
MAY 15 1989

MICHAEL J. ROSENTHAL, M.D., INC.
600 N EUCLID AVENUE, SUITE 203 UPLAND, CALIFORNIA 91786



Mine & Mill Engineering, Inc.

302 West 5400 South, Suite 200
Murray, Utah 84107, U.S.A
Telephone (801) 261-5544

1989 MAY 11 PM 3:10
John Bailey

John Bailey
Bureau of Land Management
P.O. Box 888
Needles, CA 92363

May 8, 1989

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 APR 28 11:11:06
John Bailey

Mr. John Bailey
United States Department of the Interior
Bureau of Land Management
Needles Resource Area
Needles, California 92363

SUBJECT: DEIS/EIR - Viceroy Gold Corp.

Dear Mr. Bailey:

Mine and Mill Engineering was retained by Viceroy Gold Corp. in early 1987 to provide detailed engineering design on the leach pads, ponds, process facility, utilities and general surface facilities on the Castle Mountain Project.

At this time we wish to confirm that Mine and Mill Engineering has undertaken or is in process of completing the design on the following gold/silver heap leaching operations. All of these production plants utilize sodium or potassium cyanide as the leaching agent with final gold recovery undertaken in a carbon or Merrill Crowe plant. Our experience in cyanide heap leaching technology is second to none in the US or overseas and addresses well the problems of spill containment, acid/cyanide contamination, liner failure, surface and sub-surface pipeline (carrying toxic solutions) design, fume control and related subjects.

We are proud to have been selected by British Petroleum to undertake the detailed engineering design, procurement and construction management assistance on the Barney's Canyon Gold Project in Salt Lake City, Utah. This 6500 IPD cyanide heap leaching facility is a complex undertaking built on steep ridges and gullies on the eastern flank of the Oquirrh Mountain in Salt Lake. To complicate matters even further the leach pads and recovery ponds are located within two miles of the Copperton town water wells. The project therefore came under intense scrutiny of the various regulatory agencies. In addition, Barney's Canyon is home to large elk and deer herds and has a much higher animal and bird population density as compared with the Castle Mountain Project. Needless to emphasize, the fencing requirements to protect wildlife was of paramount importance.

I have included a newspaper clipping on another large cyanide heap leaching project designed and constructed for Pegasus Gold Corp. at Beal Mountain. This project is located in the Deerlodge National Forest and brought on line early in 1989.

Dear Mr. Bailey

I am writing to you about my concern over the Castle Mountain Goldmine proposed for the area in the Eastern Mojave Desert which has potential development as the Mojave National Park. We have destroyed and despoiled enough of our natural resources in this century. The prospect of allowing gold mining for private benefit and allowing destruction of more Southern California habitat especially with gold refining processes that will consume the scarce water supply in that area and leave it permanently contaminated with cyanide upsets me profoundly. Please do everything in your power to cause the Bureau of Land Management to adopt a permanent NO-ACTION ALTERNATIVE.

Sincerely,
Michael J. Rosenthal, M.D.
Michael J. Rosenthal, M.D.

MJR/j1

Mr. John Bailey
Page 2
April 24, 1989

Freeport McMoran Gold Corp.
Jerritt Canyon Heap Leach Facility
Near Elko, Nevada
Built 1986, 1500 TPD

Freeport McMoran Gold Corp.
Big Springs, Nevada
Built 1987, 2000 TPD

Galactic Resources Ltd.
15000 TPD heap leach facility
built near Summitville, Colorado
Built 1985

Hycroft Resources, Inc.
20000 TPD heap leaching operation
at Sulfur, Nevada
Built 1987

Pegasus Gold Corp.
8000 TPD heap leaching facility
at Beal Mountain, Montana
Built 1988

BP Barneys Canyon Project
in Salt Lake County, Utah
6500 TPD heap leaching facility
is under construction.

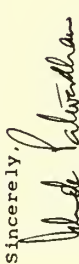
Galactic Resources Ltd.
Ivanhoe Project near Midas, Nevada
9000 TPD plant scheduled for start
up in 1990. Currently in detailed
design.

We feel confident that we can incorporate into the Castle Mountain Project features from these other projects that will enhance the safety and well being of operating personnel, wildlife and the environment.

Mr. John Bailey
Page 3
April 24, 1989

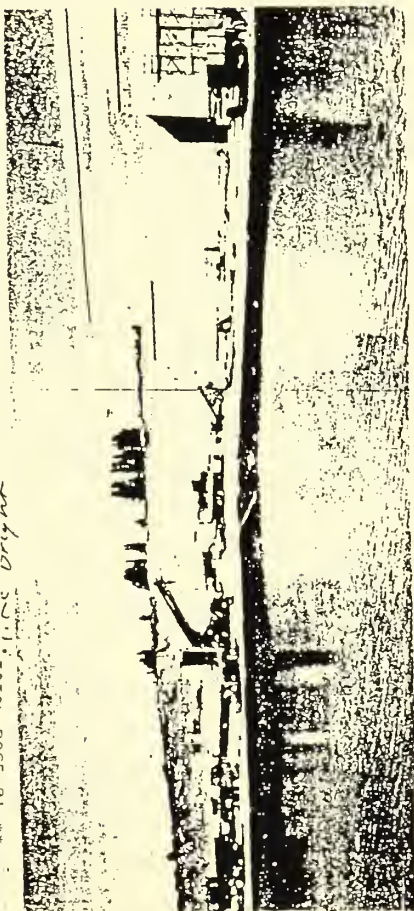
Mine and Mill Engineering, Inc. supports this project fully and feels privileged to be associated with Viceroy Gold Corp. in development of this project.

Sincerely,



Ashok Patwardhan, P.E.
Project Engineer

AP:mj



The process building and barren solution pond last November as construction crews rushed development before the worst of the cold weather set in.

13.2 million project won permits in record time

Will produce 33,000 ounces annually; more reserves expected to be found

By Karen Walenga
Staff Reporter

Pegasus Gold Inc.'s new Beal Mountain precious metals project in southwestern Montana is gearing up for full production this spring.

The openpit, heap-leach operation in Silver Bow County is slated to produce 33,000 ounces of gold this year at an estimated cash production cost of \$212 per ounce.

Then, for the next six to seven years, output is expected to be 33,000 ounces annually, according to Mike Arneith, Pegasus' manager of investor relations at the company's corporate offices in Spokane.

The Beal Mountain project, located approximately 17 miles southwest of Butte, went into the startup mode as of March 1st, Arneith told PAYS DIRT March 8th. During the next month (by early April), the operation should attain planned production levels, he pointed out.

Construction of the \$13.2-million operation was completed last year on schedule and within budget, according to Arneith and Pegasus shareholder relations representative Susan Schenk.

As explained by Arneith, Pegasus conducted pre-commissioning of Beal Mountain during 1988 and was conducted last year; the ore was crushed and placed on the leach pad, processing got under way, and Beal Mountain produced a "token" amount of gold in 1988, he said.

Mining will be suspended at Beal Mountain each winter, but leaching will continue year-round.

round except during extremely harsh winter weather conditions, the manager noted.

At present, Beal Mountain has an estimated life expectancy of more than 10 years. Ore reserves currently stand at 11,144,000 tons grading on the average of 0.046 ounces of gold per ton, according to Arneith.

Expected more ore reserves

Additional exploration also is under way at the site and Pegasus believes there is a good possibility of expanding the reserves. The firm has a total of 6,400 acres of claim holdings at Beal Mountain, with approximately 1,200 acres currently permitted for operations.

Openpit mining at Beal Mountain is conducted under contract for Pegasus by N.A. Degerstrom Inc. of Spokane. The mine has a stripping ratio of 1.37:1 (waste to ore), with 6,000 tons of ore produced daily. Ultimately, the openpit will measure 1,500 feet by 1,400 feet by 600 feet in depth, Schenk noted.

The ore is crushed and agglomerated, then built up in 15-foot lifts (to a maximum height of 60 feet) at the Beal Mountain leach pad. The single leach pad, which will be developed and enlarged in phases as required, overall will be able to accommodate 12 million to 14 million tons of ore, with up to 4.5 million tons of ore under leach at any given time, according to Schenk.

The leach cycle runs from 30 to 45 days. Pegasus sprinkles the ore with a weak alkaline sodium cyanide solution to dissolve the contained gold, then processes the pregnant solution through the carbon recovery plant at Beal Mountain.

The gold-bearing solution is passed through columns of activated carbon. The carbon adsorbs the gold, and the cyanide leaching solution is recycled to the leach pad. Next, the gold is stripped from the carbon, electroplated onto wire wool, then melted and cast as doré bullion. Pegasus also reactivates the carbon and returns it to the processing operation.

The company predicts a 65 percent recovery rate for gold at Beal Mountain. The project can handle a solution flow rate of up to 1,500 gallons per minute, according to Schenk.

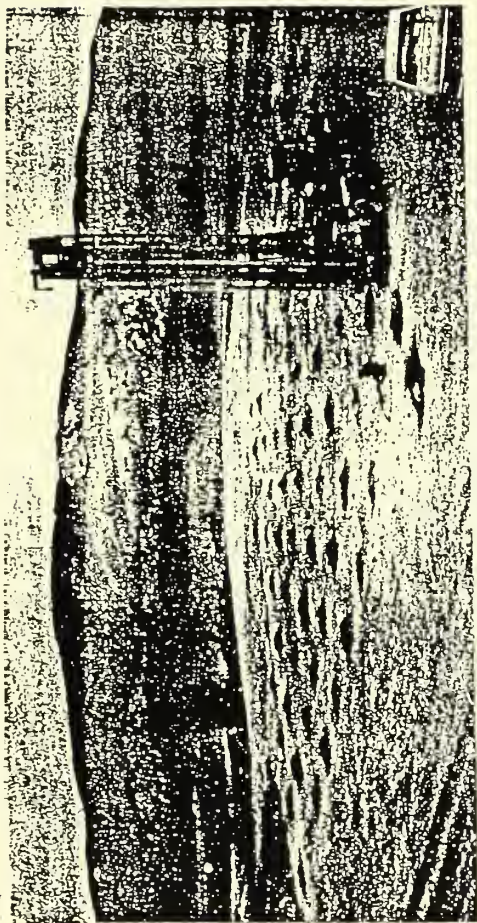
When in full operation, the project will have an approximate 80-member work force, with 30 Pegasus employees and about 48 workers on Degerstrom's crew, she noted. In the winter, Beal Mountain will have approximately 30 employees, with 15 for Pegasus and 15 for Degerstrom.

Has long mining history

The mining history of the area dates back to the late 1800s. Arneith said, pointing out that prior to the turn of the century, a group of Chinese immigrants ran a placer gold operation downstream from the present-day Beal Mountain site.

More recently, a number of other companies looked into the Beal Mountain property, and there were "some false starts" due to permitting problems, he noted.

Pegasus, however, not only secured the necessary operating permits from the Montana Department of State Lands and the U.S. Forest Service, but also received last December 1988 Rocky Mountain PAY DIRT for March 1989



Drilling blast holes last fall as stripping and mining began to take shape at Beal Mountain in preparation for startup.

Beal Mountain . . .

ber the Northern Regional Forester's Excellence Award.

The Forest Service honored the company for its "commitment to developing an environmentally sound gold mine operation at the Beal Mountain project in the Deer Lodge National Forest," Northern Regional Forester John Mumm pointed out. (See December 1988 Rocky Mountain PAY DIRT.)

The award recognized Pegasus' cooperative spirit in developing Beal Mountain, minimizing the project's impacts, and addressing concerns of area residents. Arneith noted. He added that the company went beyond what was required by government authorities.

Record permitting time

And in addition to doing so, Pegasus still is able to complete the permitting process in record time, the manager said. He pointed out that permitting began in February 1988 and the firm was able to begin construction in July.

The speed with which Beal Mountain was permitted reflects the high degree of communication and cooperation Pegasus has established with the Montana Department of State Lands, Health and Environmental Sciences; Fish, Wildlife, and Parks; and the U.S. Forest Service," Pegasus said.

"The level of cooperation from these agencies was invaluable in assisting the company in designing the Beal Mountain project to meet Montana's stringent environmental standards," the company added.

Also assisting Pegasus with development of

Of Mines And Men

Old Durango roundhouse is destroyed by fire

Railroad buffs, including many mining people, were greatly concerned when a February 10th fire destroyed the historic roundhouse in Durango of the Durango & Silverton Railroad.

Inside the roundhouse at the time of the early morning fire were all six of the line's old-time steam locomotives used for the rail tours between Durango and Silverton, southwestern Colorado's leading tourist attraction. Luckily, the engines did not appear seriously damaged and are now undergoing cleanup and repair. The railroad is expected to begin its summer season on May 6th as scheduled.

Charles Bradshaw Jr. of Orlando, Florida, owner of the railroad, said the roundhouse will be rebuilt to its original specifications. The walls were still standing and appear to be in good shape.

The roundhouse dated back to when the railroad arrived in Durango in 1881, although

Percent

As previously reported, Pegasus also has two other mining operations in Montana: the Zoriman-Landsky gold and silver project in Phillips County and the Montana Tunnels gold-silver-lead-zinc project in Jefferson County, about 30 miles from Beal Mountain. Also, the company produces gold at its Florida Canyon and Relief Canyon operations in Nevada's Pershing County.

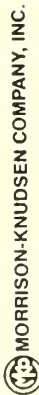
there were changes and additions made over the years. Bradshaw said it would be rebuilt so that it looks "exactly the way it did."

The rails into Durango were part of the extensive narrow-gauge operations of the Denver and Rio Grande Western throughout the southwestern quadrant of Colorado to serve many mining and agricultural developments.

The line into Durango was part of its operations between the San Luis Valley into extreme southwestern Colorado and northwestern New Mexico.

From Durango, the line was extended northward to Silverton and Red Mountain, serving the communities and their mines. The D&RGW operated the lines until the 1980s when it began shutting them down for economic reasons and removing the rails. It operated the line between Durango and Silverton as a tourist attraction for a number of years but decided a few years ago to shut that down also, but Bradshaw bought it and turned into a profitable operation that attracts tens of thousands of riders annually.

CONTRACTORS
ENGINEERS
DEVELOPERS



MORRISON-KNUDSEN COMPANY, INC.

REGISTRATION OFFICE
MORRISON-KNUDSEN COMPANY
1000 BROADWAY, SUITE 1000
NEW YORK, N.Y. 10018

STEVEN Y. CHI
MORRISON-KNUDSEN AND MINING SERVICES GROUP

May 11, 1989

Mr. John Bailey
U. S. BUREAU OF LAND MANAGEMENT
Needles Resource Area
P. O. Box 888
Needles, CA 92363-0888

Subject: Castle Mountain Project
DEIS/EIR Comments

Dear Mr. Bailey:

Morrison-Knudsen Company, Inc. (M-K) is a diversified engineering, construction and mining company with more than 45 years of surface mining operations experience. We possess the environmental, geological, engineering and operational expertise which qualifies us to analyze projects such as Castle Mountain.

Personnel from M-K's Mining Group have examined the proposed project site and have recently completed a comprehensive review of the DEIS/EIR documentation submitted to your office by Viceroy Gold Corporation. Based on our evaluation we encourage your agency and the county of San Bernardino to issue the necessary permits and approvals to allow the Castle Mountain project to proceed.

M-K considers the DEIS/EIR document to be complete and to provide a thorough analysis of the area, operational plan and potential project impacts. We believe Viceroy Gold Corporation undertook development of this project with the full recognition and acceptance of NEPA and CEQA requirements and associated responsibilities. The document provides proof of Viceroy's acceptance of their responsibilities for this project.

Environmental Solutions, Inc. has accomplished an excellent, in depth analysis of the project and potential impacts on the environment. It is obvious that the Viceroy engineering design has considered all of the necessary environmental and regulatory issues to allow an optimum

MORRISON-KNUDSEN COMPANY, INC.
Mr. John Bailey
May 11, 1989
Page Two

operation with minimal impacts to the site and surrounding areas. The protective measures and reclamation plans proposed for the Castle Mountain project not only eliminate or mitigate adverse effects on the ecological community but can also serve as guidelines for the rehabilitation of other past or future mining activity throughout the state.

The proposed mining and recovery operations are prudent and proper for the location and conditions existing at the Castle Mountain site. The operating methods to be implemented are state-of-the-art and utilize modern, well established, conventional mining and heap leaching gold recovery techniques designed to minimize effects on the environment. Processing technology utilized by Viceroy has been proven to be effective in other similar operations and does not create any new impacts. The regulatory agencies are well acquainted with the mining methods and gold recovery techniques proposed for the project and as such have the knowledge and experience to effectively and efficiently monitor, analyze and regulate the mining operations to insure the safeguarding of the environment.

The project planners have rigorously considered alternatives in each aspect of the proposed action and have generated a plan that minimizes the affect on the environment. As a mining engineering and mine operational firm, as well as a company that has completed numerous environmental assessments and engineering projects throughout California and the U.S., it is our professional opinion that the plans submitted by Viceroy Gold Corporation and their consultants are complete and accurate and properly address the mitigation of all potential impacts.

Very truly yours,

Steven Y. Chi

:jls

04042

MALCO CC NV

702.365.6801

11 46



NALCO CHEMICAL COMPANY

1000 EAST WILLOW STREET, SUITE 200, CARSON CITY, NEVADA 89601

The Permanente Medical Group, Inc.

2025 MORSE AVENUE
SACRAMENTO, CALIFORNIA 95825
(916) 973-5000

- ANTHONY, J. D. - PRESIDENT
- FRESNO
- GILROY
- MARTINEZ
- MILPITAS
- OAKLAND
- Petaluma
- SACRAMENTO
- VALLEJO
- WALNUT CREEK

May 15, 1989

TO: Bureau of Land Management, Attention: John Bailey
Needles Resource Area
P. O. Box 888
Needles, California 92363-0888

FROM: C. Scott Campbell
P. O. Box 248
Lake Arrowhead, California 92357
Education: B.S. Mining Engineering
Penn State University
Employer: Nalco Chemical Company

This statement summarizes my thoughts on the draft FIS. I attended the public hearing in San Bernardino, but made no comment at that time.

My work has taken me to virtually all the mining operations in Southern California and Nevada. Based on my knowledge of the industry and the environment, I feel Viceroy Gold has done an excellent job of addressing environmental concerns. In each instance of "potential effects" they have offered mitigation measures at or above industry standards. For example, pond netting and wildlife education programs. With the use of drip irrigation water use will be held to a minimum.

Gold has been extracted from the Hart Mining District by various methods for the last 100 years. Viceroy is far more environmentally conscious than any of the land's previous inhabitants. I feel that the project should be approved.

Sincerely,

C. Scott Campbell

C. Scott Campbell
District Representative
Mining and Minerals
Processing Chemicals

CSO/19B

CLIFFORD W. SKINNER, JR., M.D. - NIVALPERRANIO, M.D. - HARVEY L. KROESE, M.D. - JACK ROZANCE, M.D.
Physician-in-Chief Assistant Physician-in-Chief Assistant Physician-in-Chief Assistant Physician-in-Chief

JERRY NEWMAN
Administrator

May 12, 1989

John Bailey
Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, California 92363-0888

Dear Mr. Bailey:

I strongly urge you to oppose the Castle Mountain project. Having this project could very easily ruin Piute Creek in the Lanfair Valley. The possibility of ruining this water sources, plus the possibility of cyanide poisoning, and possibly destroying the habitat of the elf owl, makes this project unworthy of the BLM.

Sincerely yours,

Gregory Leo

Gregory Leo, M.D.

CL:bas

MAY 22 1989





PETROLANE TRANSPORT ■ 2901 Orange Ave. P.O. Box 851 ■ Long Beach, California 90801 ■ (213) 595 6371
(213) 424-8547

5-3 FOR FRAME -SPECIALS AND IMPACT-

Mr. John Bailey
Bureau of Land Management
Page Two
May 15, 1989

May 15, 1989

RECEIVED
MAY 15 1989
12 10 PM
NEEDLES RESOURCE AREA

Mr. John Bailey
Bureau of Land Management
Needles Resource Area
101 West Spike's Road
P. O. Box 888
Needles, CA 92363
FAX 619-326-3509

Dear John:

I am writing this letter in support of the Castle Mountain Project proposed by the Viceroy Gold Corporation. My employer, Petrolane, is the largest supplier of LP Gas (propane) in the nation and is a potential supplier to Viceroy. This letter will address the proposed fuel situation at the mine and discuss our general impressions of Viceroy's plan to mine in San Bernardino county.

The Castle Mountain Project would be well away from any potential natural gas service. The problem of fuel supply could have been answered in several ways. The proposed mine could have opted for diesel fuel or a fuel oil which would provide cheap BTUs, but would burn dirty, polluting the environment with NOx emissions. Allowing black clouds from a soot covered smokestack does nothing to enhance the environment. The proposed mine site is outside the South Coast Air Quality Management District, so their stringent air quality rules would not apply. Instead of choosing to burn fuel oil, Viceroy is planning to install a clean burning propane system, even though the initial costs will be higher than putting in fuel oil tanks.

Propane is a non-toxic gas. You find it as a propellant in your shaving cream, whipped cream and cheese whiz. The NOx emissions from propane are very low and comparable to natural gas. There is no particulate emissions from propane. There are no evaporative emissions and propane does not pollute the aquifers or soil.

I have travelled extensively through northern Nevada and visited several mine sites. The modern mine industry has done an excellent job of protecting the environment and operating in a safe and clean manner. Thriving towns have emerged from these desolate, depressed areas providing workers with good salaries and an excellent living environment.

Viceroy Gold's plan for mining with as little environmental impact as possible is as good or better than any mine I have done business with or visited. I have found Viceroy Gold to be a responsible, up front customer and urge the Bureau of Land Management to approve this mine proposal.

Petrolane is a California based corporation. The propane to be burned at the mine is produced locally and local drivers will be employed to deliver it.

If you would like to ask any questions regarding propane or would like me to clarify any points made above, please do not hesitate to call.

Sincerely,

David A. Childress
Industrial Marketing
Representative

DAG:jb

PLUESS-STAUFER (CALIFORNIA) INC.

P.O. BOX 825, LUCERNE VALLEY, CA 92396 TEL (619) 248-7306 FAX (619) 248-9115

JM
5/10/89
OKA

Mr. John Bailey
BUREAU OF LAND MANAGEMENT
Needles Resource Area
P.O. Box 888
Needles, CA 92363

YOUR REF OUR REF

LUCERNE VALLEY

May 12, 1989
HJA/ar

Re: Viceroy's Castle Mountain Project

Dear Mr. Bailey:

Based on the EIS report concluded and made available on the above project, we were able to familiarize ourselves with the procedure that Viceroy Resource Corporation is proposing.

According to this document, we believe that there are no substantial adverse impacts on the environment and consequently the project should be approved.

We appreciate having been given the opportunity to participate in the project by expressing herewith our opinion.

Sincerely,
PLUESS-STAUFER (California) Inc.

Hans J. Achemann

Hans J. Achemann

1989 MAY 15 10 52
68



RAM

PROJECT MANAGEMENT ASSOCIATES

P.O. Box 3526
Carson City, Nevada 89702
702-883-7235
May 15, 1989

RECEIVED
BUREAU OF LAND MANAGEMENT
1229 MAY 18 AM 9 58
NEEDLES RESOURCE AREA

John Bailey

Area Manager
U.S. Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, California 92363

ATTENTION: John Bailey

RE: Castle Mountain Project

Having reviewed the plans for the Viceroy Gold Corporation's Castle Mountain mine development project I am writing to indicate my support of that project.

Viceroy is to be commended for their conscientious efforts to avoid and mitigate any undesirable environmental impacts while at the same time providing very positive economic impacts for the area. The number of jobs created both during construction and for the permanent operation of the mine will help to re-establish a stable economic base in both the California and Nevada communities which will be affected. In addition the multi-million dollar capital investment will increase the property tax base of San Bernardino County.

Over the expected life of the project it is estimated that nearly \$200 million will be invested in local economies and up to \$60 million will be paid in state and local taxes. Because of the significant economic benefits as well as the improvements to wildlife habitats, visual and cultural resources that will result from this project I urge that it be approved as soon as possible.

Richard L. Neyburn

Richard L. Neyburn, F.S.E.

HJA/jr

R.S. SHOEMAKER LTD.
P.O. BOX 888
GRASS VALLEY, CA 95947

1989 MAY 22 AM 11:51

May 17, 1989

Mr. John Bailey
Bureau of Land Management
Needles Resource Area
P. O. Box 888
Needles, CA 92363-0888

Re: Castle Mountain Project

Dear Mr. Bailey,

I am writing to you to express my support for the Castle Mountain Project. It is very clear from the Draft EIS/EIR that the project will have no significant deleterious impact on the area and it should be allowed to proceed.

There are many heap leach operations in the United States and I do not know of one that has had any significant effect on the environment. One in particular in your neighboring Imperial County was highly commended by your immediate past Secretary of the Interior, Mr. Hodel. The Castle Mountain Project, as proposed, should be equally impressive.

Our California Senator, Mr. Alan Cranston, has proposed that a large area of the southern part of our state should be considered a Wilderness Area. Unfortunately, Senator Cranston does not realize that designating areas as Wilderness merely locks up public land for the virtual private use by the relatively small percentage of the U. S. population who are environmental activists. I am sure you are aware of a recent study which showed that areas of Nevada which have been designated as Wilderness have already demonstrated a 20% decrease in usage by the public. I hope you also know of the 1988 remark by one of the officers of the Sierra Club who said that the handicapped people could be driven to the boundaries of Wilderness areas to look at them from those sites.

In brief, the Castle Mountain Project will be an asset to the area, not a detriment. It should be allowed to proceed.

Very truly yours,

R. S. Shoemaker

R. S. Shoemaker

RSS:js

TELEPHONE 916-272-0107

TELEX 506794 SHOEMAKER UD

*John
Ewells*

5-8-89

*Dear Sir:
I am a resident of
Grant Light and I feel the
mine will help the needs
of this town.
Wincerely Gold Corp.
has done a good job in
forming us, as to how
this thing will go to
Foster Phase Project.
Castle Mountain Project.
Mrs Beverly Conn
Rentaria Mated
of Maryegee
Search Light Rd,*

RECEIVED
MAY 15 11:27
MAY 15 11:27

**Searchlight
Nugget
Casino**



BAILEY
Junction Highways 95 and 164
Post Office Box 187
Searchlight, Nevada 89046
Phone 702-297-1201

May 8, 1989

Bureau of Land Management
Needles Resource Area

Attention: Mr. John Bailey
P. O. Box 888
Needles, California
92363-0888

I am writing this as a business woman in southern Nevada and I also serve on the Searchlight Town Advisory Board. Viceroy has been very careful to keep this area well informed on their Castle Mountain Project.

The State of Nevada was founded on mining, we have been very famous for the role our mining interests took during the Civil War, and responsible mining is just as important to our nation today. Searchlight was founded by early day miners and with its ups and downs over the past 100 years, it is still an important element in our economy. Nevada's senior Senator Harry Reid was born in Searchlight to a prominent mining family.

I realize that this project is located in California but in area such as ours everything that happens within a 100 miles radius is important. I believe that Viceroy will improve many of the old scars to the environment that occurred when the first mining was done in Lanfair Valley.

I feel so strongly that if responsible mining interest in this country are not allowed to develop our supplies of gold, silver platinum and other metals and minerals, we are going to find ourselves at the mercy of the Soviet Union, Africa and other third world countries who do not have these qualms about turtles and cows. I truly believe that we should have learned a hard lesson from our experience with middle east oil...

I read the article concerning the cows at the YKL Ranch, I have to inject at this point that a few cows from the various ranches in this area get killed each year by cars on the highways and this has been happening for years. Does this mean we won't be able to drive the highways anymore?

Sincerely,

Verlie Joing
Verlie Joing
Owner



SCOTIA, INC.

May 11, 1989

Area Manager
U.S. Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, California 92363

Dear Sir:

I am writing to you in support of the Castle Mountain Project. It is our belief that this project will be an asset to the area in many respects.

Beside the obvious economic benefits of the creation of new jobs and infusion of capital into the local economies, there will be significant tax payments made to the various taxation authorities.

I assume one of your primary concerns with this development is that of environmental protection. Having been in the business of assisting various mining operations in the development of their processing plants, Scotia, Inc. is well aware of the many programs, permitting processes, and ongoing monitoring of operations that is undertaken with the development of a mining operation. I ask you to consider and examine all proposed methods which address all reasonable concerns about the environment.

The mining industry does not want to be in conflict with environmentalists. We strive to address all concerns to everyone's satisfaction. I am certain that the Castle Mountain Mine will be an asset to the area in all respects.

Sincerely Yours,

Warren D. Barber

Warren D. Barber
Vice President

WDB:bf

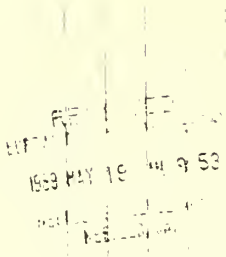
Emley

RECEIVED

MAY 15 4 11:05

NEEDLES AREA

NEEDLES



Mr. John Bailey
P.O. #
Box 888
Fredder, CA 92363

Mr. Bailey

As a business owner, we are very dependant on local business as well as the tourist trade. We hope that Vicery Mine would give to the local economy, as well as local business is something we really feel.

The fact that Vicery has given to protect the environment of our desert, which we as residents all care about, is far above that of many other mining operations located in this area.

We feel Vicery, not only for our business, but to better ourselves

and its residents.

Thank you for your time and consideration of this issue.

Bob and Sandy Wood
Narcisight Storage & Bait
Box 710
Newcastle NV 89046



SERROT CORPORATION

P.O. BOX 1519 • 7575 REYNOLDS CIRCLE • HUNTINGTON BEACH • CALIFORNIA 92647 • (714) 848-0227
TELEX 683477

Encl 1 - 200
MRS

May 11, 1989

Needles Resource Area
Post Office Box 888
Needles, CA 92363-0888

ATTN: John Bailey

RE: Castle Mountain Project
San Bernardino County, CA

1989 MAY 15 11 04 51

Dear Mr. Bailey:

I am responding to the above referenced matter.

Serrot Corporation would encourage the BML to approve the Draft EIS/EIR submitted by Viceroy Gold Corporation and issue permitting for the Castle Mountain Project.

Serrot Corporation has reviewed the Lining specifications for the Leach Pad and Ponds and found them superior in design to others already approved and installed in California Mining Projects.

Viceroy has chosen High Density Polyethylene liners for the Leach Pad and Ponds which has a twenty year minimum life expectancy in weatherability.

They have also chosen to use a 60 mil thickness liner at added expense rather than a 40 mil thickness liner.

The High Density Polyethylene liner comes in one piece rolls 22'6" in width and approximately 420' in length. This provides a job having less seams.

Seaming on the HDPE liners will be done by the extrusion welding process which is done at lower temperatures and adds plastic rather than melting two plastics together and compressing them together for a weld.

Testing on the seams will be done using a vacuum test and spark test. This is a double test to assure there are good seams on the liner.

The installation of the liner will be done by full time experienced crews to assure a high quality job.

High Density Polyethylene has no physical attraction for any animals so the wildlife present will not be attracted to the liner.

Serrot Corporation has supplied and installed High Density Polyethylene liners to the following presently operating California Mines:

- | | |
|------------------|---------------------|
| Carson Hill | Angels Camp, CA |
| Cactus Gold | Mojave, CA |
| Billiton | Mojave, CA |
| Sunshine Mining | Independence, CA |
| Rand Mining | Randsburg, CA |
| Beaver Resources | Kramer Junction, CA |
| Chemgold | Mesquite, CA |
| American Girl | Glamis, CA |
| Goldfields | Mesquite, CA |
| Genesis Gold | Ridgecrest, CA |
| Vanderbilt Gold | |

In have enclosed for your reference, our qualifications package which includes our Quality Assurance program, HDPE Material Specification, Reference List of past projects, Standard Warranty and Standard details.

I hope this will help you feel more assured of the adequate design and specifications Viceroy has submitted.

Serrot Corporation again supports the approval by the BML of the Castle Mountain Project, San Bernardino County, California Draft EIS/EIR.

Sincerely,

SERROT CORPORATION

John A. McCafferty
Sales Manager - Mining Industry

encl: Serrot Qualifications Package
60 mil HDPE weld sample
Serrot Brochure



CONSTRUCTION SERVICES
P.O. Box 7762, Salt Lake City, Utah 84107

May 15, 1989

Area Manager
U.S. Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, California 92363

ATTENTION: John Bailey

RE: Castle Mountain Project

This letter is in support of the Viceroy Gold Corporation's Castle Mountain project.

I am familiar with this project and applaud Viceroy's plans to avoid or mitigate all adverse environmental impacts caused by the development of a major new gold mine at the old Hart Mine site.

The economic benefits of this project are many and will provide a positive contribution to the local area which has been in economic decline for a number of years. The original capital investment will provide a significant tax base and the operation will provide employment to some 200 construction workers and 125 full time permanent employees. Construction and mining wages are the highest of any industry sector.

The processing of the ore represents state-of-the-art technology and provides for optimum environmental protection that has been successfully demonstrated at other mine locations throughout the desert southwest.

Las Vegas, Searchlight and other desert communities are major benefactors of this project and I recommend it highly for your approval.

Lloyd C. McEwan
by
Lloyd C. McEwan
President

John Bailey
Suburban Propane

2171 N. Fine
P.O. Box 12647
Fresno, CA 93778-2647
209-252-8811
Telex 0355-463 VANGAS FSO

April 20, 1989

U. S. Bureau of Land Management
Needles Resource Area
101 West Spike's Road/P. O. Box 888
Needles, CA. 92363
Attention: John Bailey

TO: [unclear]
FROM: [unclear]
SUBJECT: [unclear]

Propane tanks are tested to more than four times their normal pressure of 100 PSI, and are made of high strength metal, making them 20 times as puncture resistant as a typical gasoline or diesel tank. Thus leakage and puncture are greatly minimized.

Long term no-attainment of ambient air quality standards is a serious problem for California that needs increased attention and innovative solutions. Propane is the most successful alternative fuel in California, the United States and the World.

Sincerely,

Steven C. Chappell

Steven C. Chappell
Assistant Manager
Supply & Wholesale

SCC:jeo

Dear Mr. Bailey:

In response to the Castle Mountain Project Environmental Impact Study, referring to use of propane or LP Gas as a source of fuel for the majority of onsite power to reduce NOX and fuel emissions.

I would like to relay to you the following facts about the integrity of using LP Gas or Propane as a motor fuel.

Liquefied Petroleum Gas (LPG) is a Hydrocarbon Gas (C3 H8) and has been in use as a low-carbon no-lead, 104 Octane Motor Fuel since the early 1920's.

LPG is an environmentally sound, economically attractive fuel, with a proven track record.

LPG is presently listed on the South Coast Air Quality Management District "Clean Fuel" list. LPG is a nontoxic gas that emits less carbon monoxide and has fewer hydrocarbons than gasoline. Evaporative emissions are negligible with LPG, as it is always stored in sealed tanks, unexposed to the atmosphere, even in refueling. LPG contains negligible particulates, a major source of diesel visual pollution. Similarly, sulfides are virtually absent in LPG emissions. (Sulfides are an active ingredient in acid rain).

Initial NOX studies show LPG emissions to be better than diesel, and at similar levels to methanol and ethanol. LPG exhaust is lower in aldehyde (including formaldehyde) emissions than methanol, ethanol, or gasoline.

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY -4 PM 1:48
NEEDLES RESOURCE AREA
NEEDLES, CA



815 Park Boulevard, Suite 100
Boise, Idaho 83712
(208) 345-0660

May 1, 1989

Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888

Attn: Mr. John Bailey

Dear Mr. Bailey:

We have reviewed the draft EIS/EIR for the Castle Mountain Project, San Bernardino County, California. This letter constitutes Sunshine Mining Company's formal response to that document.

The following comments are offered under the main topics considered:

Geology

The most important issue here has to do with the potential for chemical spills as a result of earthquake damage such as ground movement or slope failure. The mitigation measures described adequately address this concern. The use of HDPE liner material should provide for some flexibility in the event of an earthquake, as opposed to an asphalt liner.

Water Resources

Hydrogeologic studies appear to have adequately evaluated the effect of well drawdown on the local water table. The deepening of wells, both existing and proposed, are acceptable mitigation measures to insure that present users are protected and that flow from Piute Spring is maintained.

Established guidelines by the RWQCB are adequate to prevent contamination of the ground water by leakage of cyanide solutions. Even if a leak were to occur, the depth to the water table and the propensity for cyanide to degrade and form stable, non-toxic compounds in nature would rule out the possibility of contamination.

The disruption of natural drainage patterns is not a significant issue, since these so seldom contain any surface waters.

Vegetation

The temporary loss of vegetation in the project area will not affect any endangered plant species and, because the total impact accounts

for only .4% of the acreage of Lanfair Valley, should therefore not be considered significant.

Wildlife

Mitigation measures which have been proposed by the applicant should be adequate to minimize the long term effect on wildlife, including those listed as special interest species. An employee education program should be helpful in reducing the human impact on the desert tortoise, particularly if it is combined with a strict disciplinary action policy. Plans for bussing employees should also prove significant in minimizing the effect on the tortoise.

Planned measures for preventing wildlife mortality due to contact with cyanide solutions have proven effective at other similar operations, and should work equally well here.

Air Quality

Existing Federal and State air quality regulations should be more than adequate in protecting the environment in the project area. Fugitive dust is, by far, the most important issue, and dust generated by natural forces makes the proposed project extremely insignificant by comparison.

Health and Safety

Existing MSHA, Cal-OSHA, ICC, and Mine Land Reclamation requirements should be adequate to address health and safety concerns of employees and the general public.

Visual Resources

Because the project has been designed in accordance with "best practices" as defined in the East Mojave National Scenic Area Plan and because of the ultimate reclamation work planned, the overall long-term visual impact of the project will not be significant.

Cultural Resources

This issue has been effectively addressed in planned mitigation measures under the proposed plan.

Land Use

The proposed project constitutes an appropriate and beneficial use of public land that should not interfere with other uses in the area.

Socioeconomics

The applicant has adequately addressed the potential impact of 150 new jobs in the area. Because mines' rate of pay is generally higher than other forms of employment, the project should have a beneficial effect on the local communities of Mountain Pass and Searchlight.


Infrastructure

This issue has been adequately addressed in planned mitigation measures under the proposed plan.

Sunshine Mining Company believes that the applicant has submitted a thorough and professional EIS/EIR which should be sufficient in its scope to enable the BLM to make an informed decision with respect to the project. Sunshine also believes that the overall benefits of this project will far outweigh any possible adverse impacts. Also, the project is large enough to provide a relatively long-term boost to the local economy, even at lower metal prices. The project area does not possess any unique environmental concerns that have not been adequately addressed in the applicant's proposed mitigation measures. Sunshine therefore supports the PROPOSED ACTION.

Thank you for the opportunity to comment on this project.

Respectfully submitted,
SUNSHINE MINING COMPANY


Allan R. Young, P.E.
Operations Manager

ARY:rs

*read
back*

*REC'D
MAY 11 11 02 AM '89*

1989 MAY 11 11 02 AM '89

Area Manager
U.S. Bureau of Land Management
Neeles Resource Area
P.O. Box 888
Neeles, CA 92363

May 8, 1989

Dear Sirs,

I am writing to explain why I am in favor of Viceroy's plans to develop a mine in Castle Mountain.

This earth is here to be used for the benefit of Man, and Man has a responsibility to protect and preserve the earth.

In the U.S. there are some areas suited for people to live, cities etc.. Other areas are suitable for farming, and other areas are desert and desolate. These desolate areas can be made productive and beneficial to man by using the resources contained therein.

I love and care for my county and want the natural resources taken care of and the environment to be protected. I believe common sense needs to be used. Viceroy wants to make money, and they have spent thousands making environmental studies, and learning how to make the environment safe and usable.

This mine will be a benefit to our county's economy. Our company worked one year for Viceroy - this money sustained nineteen people. We paid thousands of dollars in taxes to the state and our county.

We have drilled for many companies in our thirty years of business. Viceroy is one company that made certain all precautions were taken to avoid any adverse effects on the environment.

Viceroy is an outstanding company to work for. They want to make money, but they are concerned with the local area and the people who live there and work there.

Sincerely,
Diane Tracy
Tracy Drilling Company

*Tracy Drilling Co
East Pt
1700000 11/15/85*

*789
BANK*

5-9-89

Dear Sirs

*I support mining in this area.
Viceroy is a responsible company
and should be allowed to continue
this project.*

*Robert L. Applin
V.P. TNT Develop. Inc.
P.O. 34 Searchlight, Nev.
89046.*

1989 MAY 15 11:25



RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 18 AM 9 57
NEEDLES, CALIFORNIA
NEEDLES, CA

Corporate Headquarters
FIRST INTERSTATE TOWER
3800 Howard Hughes Parkway
Las Vegas, Nevada 89109
(702) 737-7400

[Handwritten signature]



W. A. Murphy, Inc.

EXPLOSIVES DISTRIBUTORS

P. O. Box 4807, 4144 North Arden Drive, El Monte, California 91734-0807
Telephones: (818) 444-9271 or (213) 283-8048 • FAX (818) 575-2848

May 10, 1989

May 15, 1989

Mr. John Bailey
Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888

Bureau of Land Management
P.O. Box 888
Needles, CA 92363-0888
Attn: John Bailey

Gentlemen:

We have been aware of Viceroy's Castle Mountain Gold project for about 2 years. We have worked with Viceroy's personnel and find them to be responsible.

Viceroy's Environmental Impact Statement shows no negative environment impacts.

Therefore we urge you to approve their projects.

Sincerely,

[Handwritten signature: Jamie Stainer]
Jamie Stainer
President

JS/pf

RE: Support of the Viceroy Gold Project

Dear Mr. Bailey,

As a supplier of explosives to the mining and construction industries since 1934, W.A. Murphy, Inc. has been involved in numerous projects. We are currently supplying some of the largest open-pit operations in the California desert region. The desert region has been supported by the mining industry for over 100 years and currently produces \$1.5 billion in mineral commodities.

With the advent of environmental concerns, the permitting process of various state and local agencies and the regulation of Bureau of Land Management, the mining industry is a proven friend.

W.A. Murphy, Inc. owns approximately 640 acres in San Bernardino County, the full-time employees at this site depend on projects such as Viceroy Gold.

As a supporter and a potential supplier, we are very interested in this project's approval.

Very truly yours,

W. A. MURPHY, INC.

[Handwritten signature: Bill McCordle]

Bill McCordle

LAS VEGAS HILTON
3000 Prudhoe Road
Las Vegas, Nevada 89109
(702) 737-1000

RENO CANNON
INTERNATIONAL AIRPORT
Reno, Nevada 89502
(702) 322 0921

FLAMINGO HILTON
3555 Las Vegas Boulevard South
Las Vegas, Nevada 89109
(702) 796 7001

423
Bailey

YKL RANCH P.O. Box 8

SEARCHLIGHT, NEVADA 89046 • 702-297-1218
8 May, 1989

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 15 AM 11:17
NEEDLES AREA
NEEDLES, CA.

Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles CA 92363-0888

Attn: John Bailey

Gentlemen,

I call your attention to the Castle Mountain Project as described in the Draft EIS and EIR of February 1989 and to the Searchlight Access Road projected therein. We have strongly protested this road several times since it was originally projected but, obviously, Viceroy Gold Corporation has not seen fit to consider our objections in spite of several face to face conversations on the subject.

This road is merely a convenience for Viceroy and not a necessity without which they cannot operate, since they already have an adequate improved road, if a slightly inconvenient one, via the Ivanpah Access Route. On the other hand, the construction, maintenance and use of an improved road as projected for the Searchlight Access will create havoc to the livestock operation on the Crescent Peak Allotment. This projected road will interfere directly with livestock access to several important waters and the fast traffic, which would result from such a road, would surely result in cattle collision and death and destruction to both livestock and vehicles and people.

While Viceroy states that they would be willing to reimburse us for animals which are killed by vehicle collision, they cannot with the liberty inflicted upon crippled ones, nor can they adequately reimburse us for the full value of those which are killed or crippled. I will not go into the damage to wildlife which might result from this road, since I believe this has been adequately covered elsewhere.

It appears unreasonable to allow a convenience to interfere with an existing operation of the age and stability of the Grazing operation on the Crescent Peak allotment and we suggest that the Searchlight Access Route be denied.

Respectfully,

Karl F. Weikel

Civic Organizations



BAKER AREA
Chamber of Commerce

POST OFFICE BOX 131 ● BAKER, CALIF. 92309
December 4, 1988

Bureau of Land Management,
Needles Resource Area
Ev Hayes, Director
901 3rd St.
Needles, Ca. 92363

Re: Castle Mt. Mining Project

Dear Mr. Hayes;

The Baker Area Chamber of Commerce would like to go on record as supporting the Castle Mountain mining proposal.

The economic benefit to the surrounding communities, the tax benefit to the county and school district and the product benefit to the national economy far out weigh any environmental concerns.

San Bernardino County, the State of California and the Bureau of Land Management are all watching Viceroy Corporation and their project. We feel the mining process and the reclamation program are very well monitored so as not to be a hazard to the environment.

All agencies involved are to be commended.

Sincerely,

Ann Price
Ann Price, president

C.D.D. Needles RA

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BAKER AREA
Chamber of Commerce

POST OFFICE BOX 131 ● BAKER, CALIF. 92309

May 8, 1989

NEEDLES RESOURCE AREA
P. O. Box 888
Needles, Ca. 92363

Attn: John Bailey

Re: Viceroy Castle Mt. Project

Dear Sir;

We feel this is a GOOD project. It will benefit not only the communities surrounding the operation, but San Bernardino County as a whole through taxes and employment.

The EIS/EIR has shown that the negative impact on the area will be very slight and that reclamation will be an ongoing effort. The project will be monitored constantly. If something should have a negative effect on the environment it can be corrected immediately.

Viceroy has more than met all of the requirements of all the agencies that are concerned. We think it is time to let them start mining and realize a return on the millions of dollars they have spent

Sincerely yours,

Ann Price
Ann Price, president

C.D.D. Needles RA

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MAY 10 11:15

Bailey

CRESI FOREST PROPERTY OWNERS ASSOCIATION
1001 408 CHESTNUT CALIFORNIA 91701



April 18 1989

B.L.M.
Congressman Jerry Lewis
Senator Pete Wilson
Senator Alan Cranston
Congressman George Brown

1989 APR 20 11 2 33

Re: The Open Pit Mine & Cyanide Ponds
Mojave Scenic Area

What price for mankind? That we will even consider this is a test of our National thinking. Because we as a Nation have been careless for ever about our environment should we continue? Of course not. Should we still apply the rules or lack of rules of the wild West of the 1800's of course not.

We as a nation - have. maybe are learning that improper development is really destruction. Please donot OK this Foreign effort. Vote No NO

may we request your views?

Bill STOFFEL
C F P O A

copies to each



henderson chamber of commerce

May 12, 1989

Mr. John Bailey
Needles Resource Area
101 Spike's Road
P.O. Box 888
Needles, CA 92363

Dear Mr. Bailey:

The Henderson Chamber of Commerce has been closely aware of the Castle Mountain Project for over a year. In fact, on July 21, 1988 Viceroy Gold did a presentation on the project to approximately one hundred Henderson civic and business leaders. Our interest was that with the improvement of the old Searchlight access road, the Henderson area would likely be the major source of some of the anticipated 125 employees that would work at the Castle Mountain Project. The Henderson community was born as the result of industry and we recognize the economic ripple effect that jobs bring to an area. We feel comfortable with the Draft Environmental Impact Statement and the Environmental Impact Report, prepared by Environmental Solutions Inc., it adequately reviews the issues concerning the project and should comfortably clear the way for a successful and environmentally safe operation.

Sincerely,

HENDERSON CHAMBER OF COMMERCE

Gary Johnson
Executive Director

GJ/mks

NEVADA

100 E. Lake Mead Drive
Henderson, Nevada 89015
702/565-8951

Conservation/Environmental Organizations





THE CALIFORNIA NATIVE PLANT SOCIETY
 DEDICATED TO THE PRESERVATION OF CALIFORNIA NATIVE FLORA

Needles Resource Area, BLM
 P.O. Box 888
 Needles, CA 92363-0888
 Attn: John Bailey

Re: Castle Mountain Project, San Bernardino Co. [1793 (CA-069,05)]

Dear sir,

Under the mining laws, a person has a statutory right, consistent with Department of Interior regulations, to go upon open Federal lands for the purpose of mineral prospecting, exploration, development, extraction, and other uses reasonably incident thereto. This statutory right carries with it the responsibility to assure that operations include adequate and responsible measures to prevent unnecessary or undue degradation of the Federal lands and to provide for reasonable reclamation.

Is the Viceroy Gold Corporation, a subsidiary of B. & B. Mining Company of Canada, a "person" in the above context? What royalties will be paid to the United States for extraction of these non-renewable resources?

Is the East Mojave National Scenic Area, proposed for National Park status in the California Desert Protection Act, considered to be "open Federal lands" in the above context?

BLM policy presumably requires a surety bond to guarantee the completion of project reclamation to the satisfaction of BLM and San Bernardino County. The bond would be maintained in an amount at least equal to the estimated total cost of reclamation for the acreage being disturbed. The EIS/EIR provides complete and detailed information regarding disturbed areas, reclamation procedures and other project elements. Why hasn't an initial bond amount been determined and deposited, or an irrevocable letter of credit payable to the United States and San Bernardino County delivered?

The larger of the two mine pits would cover 90-110 acres, approximately 1/2 x 1/2 mile long and wide, and 600 feet deep. Fifty million tons of overburden would be removed. The California Surface Mining and Reclamation Act states that "...the reclamation of mined lands...will permit the continued mining of minerals...Reclamation may not be required where the retention of a stable highwall or other mine workings is needed to preserve evidence of mineralization." In spite of all the words devoted to reclamation in the EIS/EIR, the above quote constitutes a loophole one could drive an 85 ton haul truck through.

The project would require an average 450 gallons per minute of water, delivered by eight inch pipeline. This is 725 acre-foot per year (one acre-foot = 325, 851 gallons). It is estimated the "...the majority of water withdrawn would be naturally recharged within thirty years following project completion...". Note the use of the word majority; nature would more likely require fifty years to recharge the aquifer. (Why would commercial users of fossil water from public lands be allowed to take it free of charge?) The draw-down of the water table would invariably impact on Piate Spring flow, with significant damage to the riparian vegetation and wild-life habitat.

About 910 acres of vegetation (Joshua tree woodland, blackbush scrub, and creosote bush communities) would be disturbed or destroyed. No plants known to be sensitive, threatened or endangered occur on the site. Recovery of native vegetation could take sixty years in this arid environment. The EIS/EIR provides for complete and detailed reclamation data, if implemented.

Thank you for the opportunity to comment.

Sincerely,

Duffie Clements

Duffie Clements
 Desert Representative, NPS
 909 12th Street, Suite 116
 Sacramento, CA 95814

California Native Plant Society
 San Diego Chapter
 P. O. Box 1396
 San Diego, CA 92112

copy: H. Allen
 K. Cooper
 M. Huffman
 D. Jensen
 B. Steele
 J. Stewart
 file

APR 27 1988



**CITIZENS FOR MOJAVE NATIONAL PARK, INC.
P.O. BOX 106 BARSTOW, CALIFORNIA 92312**

John Bailey

Needles Resource Area
PO Box 868
Needles, CA 92363-0888
attn John Bailey

Dear John,

We have thoroughly reviewed all the dEIS on the proposed Castle Mountain mine, attended two of the hearings, read all the available newspaper articles, and have come to the following conclusions:

1. We support the NO PROJECT alternative. For BLM and the dEIS to claim that the proposed project has "no adverse environmental impact" is absurd and ridiculous.
2. In the future, we will probably oppose any project in EHSNA which has an EIS prepared by a private company. BLM must be the preparer of the EIS. On this proposal it is obvious that the tail wagged the dog. BLM must gain expertise if it is to continue to be a steward of our public lands. The draft EIS is not adequate. The jejune analysis of potential effects, mitigation measures, and non-significance after mitigation formula used in this dEIS is self-serving. The EIS process has been perverted by Environmental Solutions.
3. There is no assurance of an adequate bond. This project must have a "worst case disaster" bond. The worst case scenario is a toxic waste spill, killing wildlife, plantlife, heavy metals leaching into the aquifer, bankruptcy, and no reclamation, and the drying up of Piute Creek. A bond of \$5,000,000 would hardly begin to cover these costs. After the oil spill at Valdez, Alas! a--BLM should not trust the environmental guarantees of any exploitive company. Until a worst case scenario bond is assured to the public, we must insist on the NO PROJECT alternative. The public has no assurance that the company might go bankrupt and fail to do adequate reclamation and cleanup. Taxpayers can no longer afford to continue picking up after irresponsible companies. We are not aware of any major mining reclamation that BLM has ever supervised.
4. We insist that the water for the project be taken from outside EHSNA. At risk is Piute Creek, the only year-round flowing creek in the East Mojave. Piute Creek (with its ACEC and WSA) is much too valuable to place at risk. We insist on the NO PROJECT alternative until we are assured that the water for the proposed mine comes from outside the National Scenic Area. We are painfully aware that BLM has no experience or expertise in maintaining rare desert riparian habitats. We will not allow an Arizon Canyon disaster to happen to Piute Creek. The hydrology report in the dEIS does not assure us, nor do BLM's verbal assurances of monitoring assure us.

Overdrafting, which is certain to occur, should this project be approved, will almost certainly cause the cone-of-depression around the proposed West Well field to be diverted away from the natural flow to Piute Spring. The dEIS and BLM say that losing this water from Lanfair Valley will cause no adverse environmental impact. Other hydrologists state otherwise.

Piute Creek is a beautiful five mile riparian oasis, and we love to visit and revisit it. Under no circumstances will we allow any proposal to threaten Piute Creek. The water of Piute Creek is worth more than any amount of gold.

5. We will not allow for a toxic waste dump in a National Scenic Area. If the proponents want to have a cyanide leaching pond for the project, they will have to locate it outside EHSNA. We will not permit a potential superfund area in EHSNA. We insist on the NO PROJECT alternative until the cyanide heap leaching process is located outside EHSNA.

The presence of water in the cyanide leach ponds serves as a fatal attraction to wildlife. This water is toxic and animals and birds attracted to it will be killed. There must be a closed cyanide pond spill at the Morningstar Mine, and the mining company and BLM's fumbled attempts at cover-up of wildlife mortality.

6. We will not permit continued tortoise mortality in EHSNA. EHSNA contains perhaps the largest populations of this species of desert tortoise in the world. 150 new vehicles per day driving through Ivanpah or Piute Valley Crucial Desert Tortoise Habitat is unacceptable. Unless the project can be scaled down to only about 25 vehicles per day (which might be feasible were the cyanide pits and other activities located outside EHSNA), we must insist on the NO PROJECT alternative in order to stem tortoise mortality.

Fencing and construction of culverts in crucial desert tortoise habitat has not yet proved to be a satisfactory means to maintaining current tortoise populations.

7. Under this draft EIS, Nevada gets the jobs, Canada gets the profits, Japan gets the gold, and America gets the mining scars and toxic waste dump. We Californians get nothing. Enclosed as part of our comments is the San Bernardino county newspaper's editorial cartoon of April 24 and the editorial of April 22. These two newspaper articles are an integral part of our comment.

8. The dEIS has no analysis, no understanding, and no vision of what a National Scenic Area is. The dEIS assumes that this project is going to occur on just any BLM land and that the usual BLM giveaway mentality prevails. We insist on the NO PROJECT alternative in a National Scenic Area until we can be assured that the water, cyanide pits, and tortoise impact will all be outside of EHSNA.

Viceroy plans to remove 90 million tons of soil in its search for microscopic gold. Major components of the proposed project would include the mine pits, overburden pile, crushing and ore transport facilities, heap leach pads, solution storage ponds, gold processing plant, and soil storage areas. Nothing in the above description has anything to do with a National Scenic Area. They are all ugly.

9. The draft EIS is a perfect example of why BLM's Desert Plan has failed. BLM's designations of Class I (Limited Use), ACEC (area of critical environmental concern), Outstanding Natural Area, crucial desert tortoise habitat, recommended wilderness, National Scenic Area --all these designations are meaningless when miners want to remove 90 million tons of soil and dry up valuable water resources. The proposed Castle Mountain mine shows the necessity and urgency of the 1.5 million acre Mojave National Park. The National Park Service would ensure that water supply came from outside of the park, the cyanide ponds be completely closed and located outside the park, and that crucial desert tortoise habitat be unaffected.

We are greatly disappointed that BLM would trash EHSNA for a mess of pottage. The NO PROJECT alternative is the only alternative that BLM can select unless it plans to lose the total 1.5 million acres of the National Scenic Area to the National Park Service.

Sincerely,
Peter Blirt
Peter Blirt, President

enclosures Two newspaper articles to be included as an integral part of this letter

Defenders
OF WILDLIFE

May 12, 1989

Mr. John Bailey
Needles Resource Area
U.S. Bureau of Land Management
P.O. Box 888
Needles, CA 92363-0888

Re: Draft Environmental Impact Statement/Environmental Impact Report (DEIS/EIR) for the proposed Castle Mountain Mine Project in San Bernardino County, California.

Dear Mr. Bailey:

Defenders of Wildlife submits this letter as our comments and recommendations on the above-referenced DEIS/EIR. Please consider our input, and include this letter in the appropriate public record.

At the outset, we support, endorse, and urge BLM and San Bernardino County to adopt the "No Action Alternative" for this proposed project. In other words, Defenders opposes this project, because we believe that it poses many significant adverse environmental impacts. We generally do not accept assertions in the DEIS/EIR that significant adverse environmental impacts can and/or will be reduced through mitigation to less-than-significant levels.

For example, the cyanide heap leach process for gold mining is known to cause serious adverse impacts, including the poisoning of migratory birds and other wildlife species. BLM has not adequately reduced or eliminated these wildlife poisonings with respect to other cyanide mining operations. Thus, we question BLM's credibility and commitment vis-a-vis assurances of wildlife protection in this DEIS/EIR. We know from experience that positive language, including mitigation commitments, in environmental documents does not necessarily translate into effective implementation and tangible environmental protection. This proposed project could cause wildlife poisonings, and could result in toxic waste problems. The Morningstar Mine revelations underscore these concerns.

Next, the DEIS/EIR predicts that despite substantial groundwater extraction, there will be "...no noticable effect" at Piute Spring. We question this prediction. Piute Creek, which flows from Piute Spring, is a beautiful riparian oasis. It is the only year-round flowing creek in the East Mojave. It provides critically important surface water and riparian habitat to support diverse and abundant wildlife populations. Indeed, bighorn sheep, deer, and many other

species rely upon this water and habitat for their continued survival. The proposed project would extract groundwater from the same source that feeds Piute Spring. We believe it is cavalier for BLM to place these natural values in jeopardy on the basis of a prediction. If BLM is serious about ensuring "...no noticable effect" at Piute Spring it should at least require that if ongoing monitoring demonstrates any reduction in water flow or riparian vegetation at Piute Spring, all Viceroy Corporation groundwater pumping will immediately cease.

In addition, we believe that this proposed project will have cumulative adverse effects on already-declining desert tortoise populations, especially those in two crucial desert tortoise habitats (Ivanpah Valley and Piute Valley). While many of the tortoise mitigation measures look good on paper, the reality is that a project of this magnitude will undoubtedly spawn increases in tortoise road-kills, shootings, collections, and habitat losses. Any project which draws people to tortoise habitats tends to harm tortoise populations. Moreover, BLM's ability to effectively mitigate for the loss of tortoise habitats, and to successfully relocate tortoises, remains to be proven. The "bottom line" is whether BLM can stop and reverse the downward spiral of tortoise populations. Thus far, BLM has not stopped these declines.

If approved, this project may demonstrate a "business as usual" management approach by BLM, which would not bode well for tortoise recovery. In essence, BLM must start giving the tortoise the benefit of the doubt, rather than the developers.

Finally, we are distressed that BLM is considering approval of a project of this magnitude within the East Mojave National Scenic Area. If approved, this project would include huge mine pits, crushing and ore transport facilities, heap leach pads, solution storage ponds, gold processing plant, and soil storage areas. This massive level of development is not consistent with protecting the natural and scenic integrity of the East Mojave National Scenic Area.

Again, please oppose this project and adopt the "No Action Alternative" Please also send us, at the Sacramento address on the letterhead, a copy of the Final EIS/EIR for this project.

Thank you very much for your assistance, and for considering our views.

Sincerely,

Richard Spotts

Richard Spotts
California Representative
Defenders of Wildlife

cc: Ed Hastey
Gerald Willier
Joe Bellandi
Viceroy Gold Corporation
Environmental Solutions, Inc.
Interested parties

RS/JS

CALIFORNIA OFFICE: 5604 ROSEDALE WAY, SACRAMENTO, CALIFORNIA 95822 • (916) 442-6386
NATIONAL OFFICE: 1244 NINETEENTH STREET, NW • WASHINGTON, DC 20036 • (202) 659-9510

Handwritten notes:
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Defenders
OF WILDLIFE

FAULKNER



DESERT BIGHORN COUNCIL

Established to promote the advancement of knowledge concerning the Desert Bighorn Sheep and the long-range welfare of these animals

May 10, 1989

Mr. John Bailey
Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363

1989 MAY 15 11:11

Dear Mr. Bailey:

The Desert Bighorn Council was established in 1957 to promote the advancement of knowledge concerning the desert bighorn and the long-range welfare of these animals. It is comprised of biologists from state and federal agencies and the private sector engaged in the management, protection and scientific study of the bighorn. The technical staff of the Desert Bighorn Council has reviewed the Draft Environmental Impact Statement: Castle Mountain Project. We wish to make the following comments.

Hart Mountain is good bighorn habitat and a critical part of a chain of mountains--Castle, Hart and Piute--that make up the range of 25 or more bighorn. The proposed open pit mine will destroy a significant portion of the habitat and has the potential of reducing the population, perhaps below a level that would sustain itself. Therefore, the habitat lost must be mitigated for. Off-sight water development to improve carrying capacity is the measure most often considered. The site of water development is most critical in order to be effective. Other mitigation measures might include paying for reintroductions or purchasing habitat in private ownership.

We trust these comments will be considered. The technical staff of the Desert Bighorn Council would be pleased to provide assistance in this matter if desired.

Sincerely,

Richard A. Weaver
Richard A. Weaver
Chairman, Technical Staff

— The San Diego Union

Sunday, April 2, 1989

Though dated, survey provides insight into wildlife recreation

A curious letter arrived last week from the U.S. Fish and Wildlife Service. It was the cover letter for the 1985 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation. That's right, the 1985 survey? That's the U.S. Postal Service that owes? On the other hand, the letter wouldn't have been held up in the mail, for it was dated March 24, 1989. In his letter, FWS press officer David Klinger explained:

"Before you jump to the conclusion that our data is already four years out-of-date, a word of explanation: we have conducted our national survey every five years since 1955, and a pattern has been to undertake it polling in the calendar year AFTER the end of our target year. To learn what American hunters, anglers and other recreationists did in 1985, we polled beginning in 1986, followed by a year of data analysis and refinement. And, yes, delays in the release of the Census and in printing its report accounted for the additional time lag."

Well, under any circumstances, I'm glad to receive some valid figures about the recreational habits of nearly 77 percent of the U.S. population that enjoys wildlife activities. To arrive at these figures, operators from the Census Bureau, experts at this sort of thing, polled 11,000 households — most by telephone. Information about household members 6 and older was obtained from adult members of the household. A 93-percent response rate was achieved.

Later, 33,973 fishermen and hunters and 30,177 non-consuming users — those 16 and older — were personally interviewed in a detailed manner. Altogether, 82 percent of the hunters and fishermen and 88 percent of the non-consuming users responded.

The totals show some astonishing figures:

Some 46.4 million people fish, or more than one in every four adult Americans.
Some 18.7 million hunt, or one in every 10 adult Americans.
Some 109.6 million, or half of the adult population, actively feed, observe or photograph wildlife.

purpose, and (2) whether the activity is residential (within a mile of the home) or non-residential (more than a mile from home).

The sum of participants in each division, because of the varied interests expressed, is greater than the total number of participants.

The purpose of this report, is not keyhole-peeping or idle curiosity, as FWS explains:

"The survey not only gives public and private natural-resource managers a statistical basis for gauging participation in sports like hunting, angling and bird-watching, but gives industry a comprehensive picture of the economic potential of this broad market of wildlife enthusiasts."

The geographical breakdown of participation is not as fine-tuned as one would prefer. For example, California participants are lumped with Oregon, Washington, Alaska and Hawaii into the Pacific Region. And Texas, which prefers to be considered individually, is mixed in with Oklahoma, Arkansas and Louisiana in the West South Central Region.

Still, there's no denying the scope of participation.

As Sugar Ferris of *Bas'n Gal* magazine points out: "There are 7 1/2 times as many anglers now as in 1955" — in just over 30 years.

The cash spent to participate is a staggering figure: \$5.7 billion. That's an almost incomprehensible figure, right up there with the national debt.

For comparison, if a 40-year-old man had stuffed a \$100 bill in a Piggy bank every day from the day he was born, he would have accumulated only \$1.46 million — "only," being a relative term, yet barely worth noting in the scope of things today.

By individual recreation interest, the breakdown is \$28.1 billion for fishing, \$10.1 billion for hunting and \$14.3 billion for non-consuming activities.

The money sportsmen spend in pursuit of their recreation is well-known in Washington, and it's why greedy and avaricious congressmen are forever trying to raid the Wallop-Breaux and the Pittman-Robertson funds, which are supported by taxes paid by sportsmen and are to be used to enhance hunting and fishing and boating opportunities.

OUTDOORS
ROLLA WILLIAMS

Americans spend \$5.7 billion annually on wildlife-associated activities. Of this total, \$28.1 billion was spent on fishing, \$10.1 billion on hunting and \$14.3 billion on pastimes like bird-feeding and wildlife photography.

There are duplications in some of the figures, since outdoor folks often are active in three or four different pursuits, as they stated to the pollsters.

Observed then-FWS director Frank Dunkle: "Nine out of 10 sportsmen (those who fished or hunted) also reported participating in non-consumptive activities, such as observing, feeding, or photographing wildlife, apart from their sport."

Yet, if a San Diegan, for example, fished for bass and crappie and yellowtail and rock cod and went hunting for deer, sometimes elk or wild hog, if he sought migratory birds like waterfowl, doves or band-tail pigeons; if he chased small game such as rabbits or quail or squirrels or turkeys, if he was away from San Diego County where the latter two are legal game — if he did all of these things, he only showed up once in the "total, all-fishing" figures and once in the "total, all-hunting" listings. The breakdown by species is where he is listed more than once.

Thus, the 46.4 million fishermen and the 16.7 million hunters are valid figures, a one-time count — as are the 109.6 million non-consuming users.

Altogether, it is explained, fishermen and hunters completed 28,011 interviews, and there were 26,671 completed interviews with non-consuming participants — all 16 or older.

Three types of fishing are reported: (1) freshwater, except the Great Lakes; (2) the Great Lakes; and (3) saltwater. Hunters included those who sought (1) big game, (2) small game, (3) migratory birds and (4) other animals.
The non-consuming users fell into two categories: those whose wildlife use is (1) the primary purpose of the activity or secondary to some other

DPC
-3-

**THE
DESERT TORTOISE COUNCIL**



5319 Cerritos Avenue
Long Beach, CA 90805

RECEIVED
MAY 16 1989

May 12, 1989

Mr. John Bailey
Bureau of Land Management
Needles Resource Area
101 West Spike's Road
P.O. Box 888
Needles, CA 92363

Dear Mr. Bailey:

This letter constitutes the response from the Desert Tortoise Council on the Draft Environmental Impact Statement (DEIS) for the Castle Mountain Project located in San Bernardino County, California. The Desert Tortoise Council supports the Bureau of Land Management's (BLM) decision to prepare an Environmental Impact Statement for this proposed massive gold mining project as opposed to the Environmental Assessment and Finding of No Significant Impact.

Upon review, the Desert Tortoise Council finds that this DEIS is generally well written when compared to other environmental documents prepared for mining projects. Nevertheless, we find that the level of impact analysis and mitigation to the desert tortoise and its habitat are inadequate.

The following constructive comments are provided to assist the BLM in fulfilling its responsibility under the National Environmental Policy Act for preparing an accurate and thorough analysis and disclosure of the environmental effects of the Castle Mountain Project and alternatives:

1. P. 1.6-6. The No Action Alternative is rejected as a viable alternative unless the mining operation would result in "unnecessary and undue degradation" of the environment. The Council believes that rejecting the "no action alternative" under this criterion is inappropriate. Such an option is available only for the activities occurring on the mining claims as regulated under the 43 CFR 3800 regulations. Proposed activities off claims that would be approved through a Title V Right of Way under the Federal Land Policy and Management Act,

namely access roads, powerlines, wells and pipelines are discretionary actions and their approval or denial cannot be based upon the "unnecessary and undue" criterion because its definition and use are strictly limited to the regulations governing locatable mining activities.

We recommend the BLM review its authority and responsibility for granting the proposed Rights of Way for access roads, pipelines, powerlines and wells and develop criteria for their approval or denial that are not inappropriately linked to the 43 CFR 3800 regulations.

2. P. 1.1-8. An analysis of the impact of existing and historical land uses on the desert tortoise and its habitat should be provided. Not all the identified cumulative impacts are those that would result from the proposed action. For example, to what degree has the desert tortoise population in LanFair Valley and the general project area been impacted by livestock grazing, etc.?

3. P. 1.1-11. The long period of time (30-60 years) anticipated for recovery of vegetation on disturbed areas should be considered a significant impact. Furthermore, it is unlikely all disturbed areas will recover at the same rate, and some may not recover for very long periods of time to the lack of soil and the effects of erosion by wind and water, invasion by exotic species, etc.

4. P. 1.1-12. The Council supports Employee briefings and training about the status of and need to protect the desert tortoise. In addition, we strongly encourage the use of sufficient numbers of inspectors/compliance officers to ensure conformance with project stipulations and regulations for protection of the desert tortoise.

5. P. 1.1-12. The DEIS should contain information regarding the techniques used to assess the desert tortoise population in the project area plus the results of the surveys. Merely stating that some active tortoise burrows were noted in the project area is inadequate considering the biological status of the tortoise.

6. P. 1.1-13. A more thorough impact analysis of noise generated at the project site and by vehicles accessing the area should be conducted. At the Desert Tortoise Natural Area in the western Mojave Desert, the BLM requested that Kern County limit vehicle noise entering the Desert Tortoise Natural Area from a proposed vehicle test track for protection of the desert tortoise and its habitat. The county, in turn, required that

the maximum sound pressure level entering the Natural Area not exceed 45 dBA. We would like to emphasize that the BLM stated that 45 dBA was an interim level because additional research is required to more fully understand the tortoise's requirements for low-noise conditions for predator detection and vocal communications.

The DEIS should address whether or not increases in vehicular traffic to and from the project area in both Ivanpah and Piute Valleys result in a significant increase in the noise levels that may adversely impact the desert tortoise.

7. P. 1.1-13. Monitoring of raven populations in the project area does not, by itself, constitute mitigation should their numbers increase significantly due to the project. Rather, if an increase is detected, the BLM should be prepared to implement a specific plan for reductions of ravens to pre-project levels. Such a plan should be in place and approved for implementation prior to project construction.

Posting speed limit signs will probably be ineffective in slowing traffic speed. An effective enforcement program needs to be developed and implemented. Vehicle speed reductions through signing and project stipulations have been ineffective in slowing vehicle speed in at least two other mining operations in the Mojave Desert on public land. How could the BLM and the project proponent possibly limit vehicle speeds in tortoise habitat as a whole considering the large acreage and distances involved?

We are pleased to see the requirement for fencing and culverts within crucial tortoise habitat. We recommend monitoring to determine if culverts are used by tortoises during the life of the project. Studies of tortoise distribution and density in crucial habitat adjacent to the access roads should be determined before the project is implemented and monitored annually for the duration of the project to determine if the increased traffic has displaced tortoises from their territories.

If adverse impacts are detected, additional mitigation should be implemented to avoid additional loss of tortoises.

8. P. 1.1-18. Under mitigation, there is a provision for relocation of livestock waters if they become impacted by the proposed project. Under the BLM's Rangeland Plan for the desert tortoise, there are constraints on the addition of new water sources into desert tortoise habitat due to the impact of livestock congregation and trampling and possible increase in predators of the desert tortoise.

9. P. 2.4-1.2. The relationship of the Federal Endangered Species Act to the California Endangered Species Act should be stated. Under the latter law, the desert tortoise, as a candidate for listing as threatened in California, is to be treated as if it were listed until such a time that the California Fish and Game Commission determines that listing is not warranted.

10. P. 2.5-5. Again, as stated above, tortoise relocation, if required by BLM, should be conducted according to a plan with concurrence from tortoise biologists in the BLM and Department of Fish and Game. Also, as noted previously, raven monitoring, by itself, does not constitute mitigation should a significant increase in ravens occur.

11. P. 3.2-46. How will one environmental specialist monitor the effectiveness of wildlife mitigation measures? The Council is concerned about the adequacy of this monitoring program. A monitoring program should be developed and approved by biologists in the BLM and sufficient funding committed for implementation.

12. P. 3.4-1. The impact analysis of the access route options is based only on direct habitat disturbance (2 percent or 20 acres). However, the effects of vehicle noise and intrusion into tortoise habitat could result in impacts considerably beyond the limits of the road bed. Indirect impacts should also be evaluated.

13. P. 3.4-3. Again, the use of the "unnecessary and undue" criterion is appropriate only for use with the 43 CFR 3800 regulations for locatable mineral development on mining claims and not in conjunction with Title V Rights of Way under the Federal Land Policy and Management Act.

14. P. 4.5-5. Please note that the California Fish and Game Commission is considering listing the desert tortoise as a threatened species throughout California, and thus, it is a candidate for listing. In addition, the U.S. Fish and Wildlife Service has determined that listing of the desert tortoise under the Endangered Species Act throughout its range is warranted but precluded by higher priority listing actions.

15. P. 5.5-1. The 20 acres of habitat lost due to the upgrading of the Searchlight road access plan is a direct loss, but secondary losses will occur that are not accounted for. Please address the impacts to desert tortoises and their habitat resulting from increased noise and intrusion into the habitat. We suggest that a starting point include a review of the study

relocated to an area free of tortoises due to the potential for adverse impact to tortoises due to increased predator populations and activities and drowning in the guzzler tank.

18. P. 6.4-2. Stockpiling soil should only be done on previously disturbed areas that are not in a recovery stage. Where would the striped vegetation be located and what measures would be employed to minimize the loss of soil due to wind and water erosion?

19. P. 6.4-3. We recommend that any vegetation salvage sales be conducted by the BLM with funds provided by the mining company and not with public funds.

20. P. 6.5-1. Please note that the desert tortoise is under consideration for listing as threatened under the California Endangered Species Act by the California Fish and Game Commission and is afforded special consideration and protection under the provisions of the California Endangered Species Act and the California Environmental Quality Act.

21. P. 6.5-3. We believe that any relocation of desert tortoises be done by a qualified personnel acceptable to the BLM and Department of Fish and Game and not the mining operations staff. Furthermore, we believe qualified instructor acceptable to the BLM and the Department of Fish and Game should be instructing mine project staff regarding the proper handling techniques for moving desert tortoises off a road or within the operations area.

We believe the "buffer distance" needed between tortoise burrows and mine operations should be determined by biologists and acceptable to the BLM. Again, the effect of vehicular traffic on roads within tortoise habitat can be significant as documented by field studies conducted by Nicholson.

22. P. 6.5-4. We suggest that a one-week interval be established for the inspection and maintenance schedule for tortoise fences and culverts.

The applicant should conduct tortoise inventories through the use of a contractor acceptable to both the BLM and the Department of Fish and Game. Tortoise inventories should only be conducted by qualified biologists and conform to standards for surveys established by the BLM and the Department of Fish and Game.

We are again alarmed over the suggestion that the culverts under the access roads in crucial tortoise habitat only be installed

of the effect of roads on desert tortoises conducted by Nicholson.

16. P. 5.5-3. Relocating tortoises is not a proven mitigation. Studies of relocated tortoises by the Department of Fish and Game indicate that significant levels of mortality and long-distance movements occur. Any relocation of tortoises as mitigation should be considered experimental and conducted under the guidelines of a plan that has been accepted by tortoise biologists from the Bureau of Land Management and the Department of Fish and Game.

Revegetation efforts will not result in a repopulation of a disturbed area by wildlife to pre-project levels. The process of revegetation is slow and occurs in stages, and wildlife diversity and abundance is directly related to this process. Wildlife occurrence on the revegetated areas may not match pre-project levels for very long periods of time, perhaps as much as 60-100 years or more.

17. P. 5.5-11. We are pleased to read that fencing of crucial tortoise habitat is proposed to eliminate direct mortality due to vehicle traffic. However, we believe that additional impacts may result adjacent to roads from increased noise and intrusion into the habitat. Defining pre-project desert tortoise populations in the crucial habitats within 0.5 miles of the proposed access roads and monitoring those populations annually for the life of the project is very important.

We disagree with the option of depositing funds in a BLM account equivalent to the amount that would be required for the fencing mitigation to fund alternatives such as habitat enhancement, land acquisition, or studies. The mitigation should be implemented for this particular project. Studies are not within the definition of mitigation or compensation.

Regarding compensation, we are particularly alarmed that there is no mention in the DEIS for compensation for habitat losses and impacts to the desert tortoise due to this project. We strongly recommend compliance with the Tortoise Workgroup Report for the California Desert Conservation Area for compensation for impacts to tortoise habitat. The option of deleting the requirement for fencing both sides of the access roads the crucial habitat and purchasing off-site habitat for the tortoise is circumventing the compensation process for losses or impacts to crucial tortoise habitat.

The guzzler in the area of the Searchlight access road, if located within or adjacent to tortoise habitat, should be

after three years of monitoring and only if an adverse impact is documented. If impacts are documented within three years, it would not be related to tortoises being unable to cross from one side of the road to the other. Rather, such an impact would be due to vehicle noise and intrusion into the habitat. Culverts are necessary for maintaining biological continuity within a population and allowing for movements of individuals.

Again, we do not believe that BLM should collect from the operator the funds required for fencing the access roads in crucial tortoise habitat and then use them for general habitat enhancement, land acquisition for additional studies. The reasons for our position on this portion of the DEIS have been stated previously.

23. P. 6.5-5. Garbage collection areas should have an on-site caretaker to ensure that dumpster lids remain closed and that overflow garbage be disposed of properly and in a timely manner.

24. P. 6.8-3. Little analysis of the impact of the proposed natural gas pipeline following the Searchlight access road has been done. We believe it is necessary to determine the direct and indirect impacts to tortoise habitat due to this portion in the DEIS.

25. P. 7.1-2. Please note that recovery of wildlife in disturbed areas would vary depending on the degree of success of the reclamation efforts and would not occur at the conclusion of the project activities. Wildlife recovery will be a very slow process and may require very long periods of time, perhaps 60-100 years or more, depending on the species, site characteristics after reclamation/revegetation, etc.


26. P. 8.3-4. We are alarmed to read that the project proponent and the BLM consider that implementing the Castle Mountain Project with the mitigation measures identified in the DEIS would actually benefit the desert tortoise! Mitigation measures are, by definition, capable of reducing impacts, not eliminating them.

Loss of habitat, both direct and indirect, is a serious cumulative impact to the desert tortoise. Compensation for losses of tortoises and habitat would allow for their replacement off the project area. However, compensation does not make for more tortoises and tortoise habitat. Incremental losses of tortoises and their habitat are occurring throughout the species range. We find it unfortunate that the DEIS does not contain any provisions for using the compensation program to offset the impacts that would occur to desert tortoise form the Castle Mountains Project.

The Desert Tortoise Council appreciates the opportunity to review and comment on the DEIS for the Castle Mountain Project. Again, we wish to emphasize that our comments are meant to be constructive and assist the BLM and San Bernardino County in preparing an accurate and thorough final EIS for the project and to develop a Record of Decision that fully accounts for the cumulative impacts to the desert tortoise that would result from implementation of the Castle Mountain Project.

We request that responses to our comments and questions be provided in writing, either directly to the Desert Tortoise Council by letter or in the final EIS. If clarification of any issues or questions raised in this letter by the Desert Tortoise Council is required, please do not hesitate to contact us in writing.

Sincerely,


Daniel Pearson
Co-Chairman

THE DESERT TORTOISE COUNCIL



5319 Cerritos Avenue
Long Beach, California 90805

RECEIVED
BUREAU OF LAND MANAGEMENT
MAY 18 1989

May 15, 1989

Mr. John Bailey
Bureau of Land Management
Needles Resource Area
P.O.B. 888
Needles, California 92363

Mr. Bailey:

Following are additional comments on the Castle Mountain Project Draft EIR, EIS.

9. p. 2.1 & 2.2. The impacts identified in these sections will result in a direct loss of desert tortoise habitat and should be compensated for.

What criteria will be used to determine the effectiveness of the wildlife mitigation and the revegetation? These criteria should be agreed upon by biologists from BLM and California Department of Fish and Game.

The operator proposes to restrict activities during the bat hibernation period which is a valuable temporary mitigation measure. However, this will not offset of compensate for the loss of the habitat once the areas are mined.

12. p. 3.2. The construction of storm drainage berms will result in additional habitat loss which must be compensated for. The operator should be required to phase its operation so that once the activities in one area are completed, the area can be reclaimed and revegetated.

The DEIR does not identify how much area will be destroyed by the installation of the wells, service road and pipeline to the mine. Also, a power line will be required and its impacts need to be addressed.

Also, the project will require a State Lands Commission permit of use of land of the State of California and, therefore, prior to issuance of the permit the Commission must comply with the State endangered species act. This will require consultation with the Department of Fish and Game and issuance of a biological opinion from the Department.

Mr. John Bailey -2- May 15, 1989

The power transmission poles which will be needed to supply power to the mine may serve as raven nesting and roosting sites. Construction techniques should be used which will discourage raven use.

The DEIR does not identify the impacts and/or Mitigation/compensation measures which will be needed for the construction of a natural gas pipeline from Searchlight, Nevada to the mine site. The California Environmental Quality Act requires that all cumulative impacts in the past, present and reasonable foreseeable future be considered, and this has not been done. The pipeline is definitely in the foreseeable future as the project proponent states that they are planning to use the EIR/EIS to meet the requirements under Title V.

14. p. 3.2-56. The haul road crossing of the ephemeral streambed and the impacts on vegetation, erosion, and other impacts must be described completely. The operator must obtain a streambed alteration agreement from the Department of Fish and Game prior to any work within the streambed, including, but not limited to, the haul road or diversion ditch.

The operator proposes to neutralize chemicals on site and incorporate them into the overburden. This approach is not acceptable as it may cause contamination of the ground water table and may prohibit revegetation. The operator should be required to transport all toxic chemicals off site to an acceptable dump site.

The operator should be required to transplant all barrel cactus and Joshua trees or agree to replace any lost trees at a minimum ratio of 25 to 1.

The nursery operations should be coordinated with BLM and the Department of Fish and Game biologists. Design and operations should be approved by Fish and Game biologists.

15. p. 3.2-8. The proposed bonding does not include any funds for impacts from the well fields, pipeline, access roads, and possible gas line from Searchlight, Nevada. The bond should be a sufficient amount to cover the cost of replacement of all habitat values that are going to be lost for 30-60 years, the time it may take for the habitat to be restored.

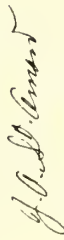
Regarding compensation, we are particularly alarmed that there is no mention in the DEIS for compensation for habitat losses and impacts to the desert tortoise due to this project. We strongly recommend compliance with the Tortoise Workgroup Report for the California Desert Conservation Area for compensation for impacts to tortoise habitat. The option of deleting the requirement for fencing both sides of the access roads of the crucial habitat and purchasing off-site habitat for the tortoise is circumventing the compensation process for losses or impacts to crucial tortoise habitat. The fencing should be installed and the purchase of land as acquisition should be done to compensate for lost habitat, not instead of fencing. Furthermore, this fund should be monitored by representatives from all the concerned agencies and groups, not solely by BLM.

Mr. John Bailey

-3-

May 15, 1989

The Desert Tortoise Council appreciates the opportunity to review and comment on the DEIS for the Castle Mountain Project. Again, we wish to emphasize that our comments are meant to be constructive and assist the BLM and San Bernardino County in preparing an accurate and thorough final EIS for the project and to develop a Record of Decision that fully accounts for the cumulative impacts to the desert tortoise that would result from implementation of the Castle Mountain Project. We request that responses to our comments and questions be provided in writing, either directly to the Desert Tortoise Council or in the final EIS. If clarification of any issues or questions raised in this letter is required, please do not hesitate to contact us in writing.



J. A. St. Amant
Co-Chairman

cc: Board of Directors

1-2-6
F. J. W.



**ECOLOGY CENTER
OF SOUTHERN CALIFORNIA**

P.O. BOX 35473, LOS ANGELES, CA 90035 • TELEPHONE 213-559-9160

May 11, 1989

Bureau of Land Management
Needles Resources Area
P.O. Box 888
Needles, Ca. 92363

Dear Mr. Bailey,

The statewide members of the Ecology Center of Southern California urge you to support the "no project" alternative to the proposed Castle Mountain Mine project.

The Castle mine project would endanger the water supply of Piute Creek, result in the deaths of desert tortoises, and kill, maim, and endanger all wildlife in the vicinity of the cyanide heap leach mining operation.

The Castle Mountain Mine operation would further destroy our fragile environment at a time when other nations are struggling to protect theirs. Your task is to manage the land wisely by supporting the "No Project" alternative.

Yours for a clean and liveable California.

Sincerely,

Anna Harlowe

Anna Harlowe
Issues Coordinator
Ecology Center of Southern California

303 MAY 15 1989 43



RUSSELL D. BUTCHER
Southwest & California Representative

1520 MAY -3 4 1988 35

May 2, 1989

RE: CASTLE MOUNTAIN PROJECT
DRAFT EIS/EIR

Mr. John Bailey
Needles Resource Area
Bureau of Land Management
P.O. Box 888
Needles, CA 92363

Dear John:

National Parks and Conservation Association, a nonprofit membership organization founded 70 years ago to promote the protection, enhancement, and public understanding of the national park system and related public lands, appreciates this opportunity to comment on the February 1989 draft Castle Mountain Project environmental impact statement/environmental impact report.

If we had our druthers and circumstances were different, we would certainly prefer that mining projects on the scale of the Castle Mountain Project not occur in the East Mojave National Scenic Area (EMNSA). But we recognize the reality of valid existing mineral rights held by the Canadian firm, Viceroy Gold Corporation. We also recognize that this part of the EMNSA is not a naturally pristine piece of landscape; that the proposed project lies within a historic mining district and associated surface disturbances.

We are, nevertheless, concerned that the activities of the proposed project, as they may affect the environment, be carefully mitigated to the greatest extent possible--from initial site preparation, through mineral development, to ultimate reclamation.

Issues of particular concern are the following:

(1) The need for safe containment of the cyanide solution used in the heap-leaching process--including the protection of waterfowl, shorebirds, and other forms of wildlife that would be killed if they succeeded in reaching the solution ponds. We are pleased to see that the EIS/EIR stipulates that the solution ponds are to be fenced and covered with mesh or netting to keep wildlife away. We do not know

2-NPCA re Castle Mtn. project

whether birds at least occasionally become caught in such netting or mesh, but we suggest that a fine mesh be utilized (perhaps with one-inch openings, rather than four-inch), if in fact this seems appropriate from the wildlife protection viewpoint. We also urge that the structures supporting the mesh over the ponds be sturdy enough to withstand the strong winds that sometimes sweep across the Mojave Desert.

(2) The need for an assured contingency plan for groundwater withdrawals, should there be evidence that Piute Spring is being impaired. We urge that such a clearly stipulated, assured contingency plan be provided in the final EIS/EIR. Even though the hydrological studies for this project have concluded that (p. 5.3-6) "Based on these analyses, it is concluded that the proposed pumping from the West Well Field would have no noticeable adverse effect [sic] on Piute Spring," the document should include a backup water option, in the event that the hydrological prediction proves otherwise.

We also suggest that the document include some meaningful comparisons with other kinds of human uses of water--so the reader can more easily visualize the maximum figure for the Castle Mountain Project. For instance, how does this quantity of water compare with 'x' number of homes or a field of cotton over the same period of time? The proposed quantity might also helpfully be compared with other mining operations, as, for example, Santa Fe Pacific Minerals Corporation's Lee Ranch coal mine near Grants, New Mexico, which we understand uses roughly ten times the amount of water anticipated by the Castle Mountain Project. Comparisons like the above could help give the reader a better understanding, in human terms, of just what the statistics mean.

(3) Access roads to the mine and the related need to protect the desert tortoise from increased risk of road mortalities. Both the Searchlight and Ivanpah routes pass through areas of tortoise population densities. The Ivanpah road, for eleven miles, passes right through the center of the densest part of such a population in Ivanpah Valley; while the Searchlight road, for four miles, passes through the edge of another population area in Piute Valley, Nevada. If both routes are utilized for mining access, as the draft EIS/EIR favors, we urge that both roads be outfitted with fencing that the tortoises cannot get through and with culverts, through which the animals can freely pass from one side of the road to the other. Perhaps a pilot tortoise-protection project should be tested first, as with a couple of miles along the Ivanpah road in the heart of the densest population, to be certain these mitigation measures actually work as expected.

C.2-71

3-NPCA re Castle Mtn. project

We do favor the use of the Searchlight road for the bulk of mine-related traffic (commuting, etc.), even though this route would initially require more upgrading than the Ivanpah road would. Not only is this the most direct route from Nevada, where many of the company's employees would be expected to live, but it would reduce the potential for conflict on the Ivanpah road between mining traffic and other traffic including visitors to that part of the EMNSA. The Searchlight road, by contrast, would be, or should be, exclusively for mine-related traffic and not encouraged for public use.

At the end of the life of the mining operation, the Searchlight road should be returned essentially to its pre-mining condition, or even completely restored to a natural condition. We have seen such mining access roads on the BLM's Arizona Strip District upgraded at the startup of mineral development and then successfully downgraded or completely restored to a natural condition after the conclusion of mining. So there's no question that this rehabilitation work can be done and done well. We urge, therefore, that provisions for post-mining access road rehabilitation or downgrading be clearly stipulated in the final EIS/EIR.

(4) Post-mining reclamation/landscape restoration. Ultimate reclamation or landscape restoration is a major and environmentally significant element of the proposed project. We are pleased to learn that Viceroy will not only rehabilitate surface disturbances of its own making, but is willing to restore some adjacent historic mining surface disturbances, as well. This is outstanding, and is similar to what we've seen in the high-desert of the Arizona Strip.

(5) Assurance is needed that there will be adequate BLM oversight monitoring, to ensure that environmental stipulations are being fully implemented as anticipated by the EIS/EIR. Such monitoring is essential to a determination of whether and just how thoroughly these stipulations are in fact being carried out. We urge that such a meaningful monitoring plan be clearly indicated in the final EIS/EIR. In this regard, we also suggest that a new BLM staff position for the Needles Resource Area be created, to be filled with a full-time, fully qualified person who would be responsible for monitoring mining activities throughout the resource area, including the East Mojave National Scenic Area.

We are encouraged that Viceroy Gold Corporation so far seems most eager to be a good corporate citizen with regard to its proposed activities in the East Mojave of California. Discussions we have had with one of their representatives

4-NPCA re Castle Mtn. project

strongly suggest that the company aims to go at least the "whole nine yards" in doing all that is needed to sensitively protect the environment.

We hope that the final EIS/EIR can be strengthened in the several ways suggested above.

Please do not hesitate to call us, John, if you think we can be of further help.

With best regards,

cc: NPCA headquarters

Russell D. Butcher

ORRICK, HERRINGTON & SUTCLIFFE

Mr. John Bailey
May 2, 1989
Page 2

Federal Land Policy and Management Act of 1976, which expressly amends the 1872 Mining Law, the Class L limitation provides a legal basis for denial of the Castle Mountain Project.

Third, independently developed data indicates that the proposed groundwater pumping for the Castle Mountain Project would adversely affect Piute Springs, which is a federal reserved water source located in a wilderness study area. This would violate Section 603(c) of FLPMA.

Fourth, granting the rights of way for the water supply pipelines for the Castle Mountain Project would not be in the public interest as is required for approval under Title V of FLPMA and the right of way regulations at 43 C.F.R. § 2809. This mine is an inappropriate use of the land and water resources of EMNSA, and BLM should exercise its discretion to deny rights of way for such a use.

Fifth, the analysis of backfilling the open pits as a visual resource mitigation alternative is conclusory and inadequate. Specific data about the cost of such backfilling must be provided. Also, the claim that the mining law mandates that the pits be left open for possible future mining is legally frivolous.

Sixth, inadequate analysis is provided about wildlife mortality from the cyanide leach ponds. It does not appear that BLM can assure that the Castle Mountain Project would comply with the Migratory Bird Treaty Act.

Seventh, too little attention is paid to the issue of desert tortoises. As you know, the desert tortoise population is in decline throughout the California Desert. The Castle Mountain Project, and especially the vehicular traffic associated with it, would likely contribute to that decline. The posting of signs, modest fencing and "driver awareness" are not enough to mitigate against this impact.

Finally, if the Castle Mountain Project proceeds, a substantial bond must be posted to ensure reclamation. We recommend a bond in the range of \$5-10 million.

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May 3, 1989

Bureau of Land Management
Needles Resource Area
P. O. Box 888
Needles, CA 92363-0888
Attn: John Bailey

Re: Castle Mountain Draft EIS

Dear Mr. Bailey:

These comments to the Draft EIS for the Castle Mountain Project are made on behalf of Desert Survivors, a California non-profit corporation. As you know, Desert Survivors was one of the appellants of BLM's original approval of the Castle Mountain Project, and I was surprised to see that it was not listed in the Draft EIS.

Desert Survivors has many concerns about the Draft EIS and believes it is inadequate. First, BLM is well aware that Senator Alan Cranston and Representative Mel Levine have authored and introduced legislation in Congress to transform the East Mojave National Scenic Area, in which the Castle Mountain Project is located, into a National Park. This proposal has attracted a broad range of support. It is inexcusable that the Draft EA fails to discuss the impact of the Castle Mountain Project on that park proposal.

Second, the 1980 Desert Plan under which BLM manages the EMNSA designates that area as Class L, which is defined as activities of low intensity. By no stretch of the imagination is the Castle Mountain Project a low intensity use of the land. Because the Desert Plan was formulated pursuant to the

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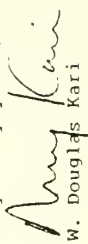
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ORRICK, HERRINGTON & SUTCLIFFE

Mr. John Bailey
May 2, 1989
Page 3

Please provide a specific response to each of the
above items.

Very truly yours,


W. Douglas Kari

WDK:je
1516k

cc: Deborah Reames, Esq.
Norbert J. Riedy, Jr.
Peter Burk

May 10, 1989

Re: Castle Mountain Draft EIS/EIR

Dear Sir:

This project, as it is now proposed, is unacceptable. It makes the idea that designation of a National Scenic Area or Class I lands protects resources a joke. It unnecessarily endangers Piute Spring, one of Nature's Treasures according to the March 1989 ELM Newbeat. It makes a mockery of the ELM's own motto "Take pride in your California Desert Conservation Area . . . A National Treasure" by turning our desert over to a foreign mining company for destruction.

If this mine, located in this very scenic and sensitive area, is to proceed, the only way to prevent unnecessary and undue degradation is to get the water for mining outside the Scenic Area, transport the ore for processing outside the Scenic Area, and after the ore is processed bring it back into the pits and fill them up. Nothing short of this will adequately protect the resources in this area.

Even if this is done, there need to be more stringent reclamation requirements. For example, revegetation should be required, not just attempted. All plants should be salvaged, and replanted when mining is ended. If necessary to ensure survival, drip irrigation should be installed on a temporary basis. If revegetation can not be done, the project should not be permitted. Zero migratory bird deaths are the only acceptable standard under the Migratory Bird Treaty Act, and unless the heap leach piles, as well as ponds, are covered, and the standard of zero deaths can be met, the project should not proceed. Better measures to exclude desert tortoise from roads should be implemented, including more patrols and fencing. A full time ELM ranger (so he will not be subject to intimidation and harassment), paid for by the proponent (so taxpayers money will not be spent), should be hired to check and ensure compliance with all conditions of the permit and applicable laws, with full authority to shut down the operation for non-compliance. It should be clear that bonding for the entire cost of reclamation will be required. What happens if the price of gold falls, or if for other reasons the project is abandoned in midstream? In short, more regard for the land and animals, and more regard for the resources other than the minerals is required.

This proposal is a test, one which the ELM so far has failed, first by trying to slide this proposal through without full environmental analysis, and then by not requiring sufficient reclamation and mitigation be included in the project as proposed. It interprets too narrowly its

mandate to protect resources, by giving undue emphasis to the costs of reclamation. The reclamation and mitigation required depend on where the mine is, and the value of the other resources, scenic, plants, wildlife, not the cost - what has to be done to protect all the other resources. has to be done, regardless of the cost. Reclamation and mitigation costs are the same as the Mine Dept and Mill Dept costs - these costs may also be too high, and may make an ore deposit uneconomic.

Approval of this project, in this location, means there is none of the desert that is safe from this type of destruction. It emphasizes the necessity to reform the 1972 mining law, and to secure passage of the California Desert Protection Act.

Sincerely,

Stan Hays
Stan Hays
Chair, Sierra Club California/Nevada
Mining Committee
P. O. Drawer W
Independence, Ca 93526

5/10/89
Pm/ST

COMMENTS OF THE SIERRA CLUB LEGAL DEFENSE FUND
ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT/
ENVIRONMENTAL IMPACT REPORT
FOR THE CASTLE MOUNTAIN PROJECT

I. INTRODUCTION

These comments regarding the Castle Mountain Project Draft EIS/EIR ("DEIS/EIR") outline the concerns of the Wilderness Society, the California Wilderness Coalition, the Sierra Club, Dr. Robert Curry, Dr. Howard Wilshire, and Dr. Robert Stebbins. The comments of Drs. Curry, Wilshire, and Stebbins are attached. The Wilderness Society and Desert Survivors are also separately submitting their own sets of comments.

The Castle Mountain DEIS/EIR is deficient with respect to its description of the existing environment, its characterization of potential environmental impacts, and its consideration of mitigation measures and alternatives.

The document fails to meet the requirements of the National Environmental Policy Act. Moreover, the proposed project fails to meet the requirements of the Federal Endangered Species Act, the Federal Land Policy and Management Act of 1976, and the Migratory Bird Treaty Act.

II. THE DEIS/EIR INADEQUATELY DESCRIBES THE EXISTING ENVIRONMENT

The National Environmental Policy Act (NEPA), 42 U.S.C. §§ 4321 et seq., and the Council on Environmental Quality regulations, 40 C.F.R. §§ 1500 et seq., require that environmental impact statements accurately describe the existing environment. 40 C.F.R. § 1502.5 mandates that "[t]he environmental impact statement shall succinctly describe the

environment of the areas to be affected or created by the alternatives under consideration." 40 C.F.R. § 1502.24 states that "(a)gencies shall insure the professional integrity, including scientific integrity, of the discussions and analyses in environmental impact statements." Draft environmental impact statements are subject to the same requirements. 40 C.F.R. § 1502.9.

A. GEOLOGY AND HYDROLOGY IS INACCURATELY DESCRIBED

The DEIS/EIR is grossly inadequate in its description of the existing geology of the area. It is incorrect in its assumption that the Tertiary Volcanic rocks of the Piute Range extend beneath the Castle Peaks. The "bedrock Exposure" is improperly shown as overlying the Quaternary alluvium in the Lanfair Valley Hydrogeologic Cross-Section. The descriptions of the Tertiary volcanic sections and the Quaternary alluvial units are grossly over-simplified. See maps attached at the back of Dr. Wilshire's comments. Furthermore, the DEIS/EIR incorrectly assumes that there is a "buried ridge of bedrock" between the Castle Mountains and Bobcat Hills, and thus incorrectly hypothesizes that such a ridge might form a groundwater barrier between Piute Spring and the West Well Field. Moreover, Piute Spring does not occur at the surface intersection, in Piute Gorge, with the Piute Valley water table. Instead, the Spring is fed by the Lanfair Valley groundwater system.

The description of the area's hydrogeology is similarly faulty. The entire hydrogeologic model on which the DEIS/EIR is based assumes an unconfined aquifer. There is no evidence to

support such an assumption. In fact, the Hydrogeologic Cross-Section itself shows confining conditions for the eastern 7.5 miles of the valley, and it is possible that those confining conditions continue all the way to the eastern border of the well field. Moreover, the rise in water table experienced immediately after drilling is indicative of the confining of the aquifer in that area. If the aquifer is indeed confined or partly confined, then many of the other assumptions which the DEIS/EIR makes will also be invalid. For example, recharge would not occur whenever there is infiltration.

Additionally, Tertiary alluvial units of large lateral extent could provide a major portion of the discharge at Piute Spring. Such a scenario could indicate serious impacts on Piute Spring from pumping from the proposed well field, and make the DEIS/EIR's assumption of negligible impacts incorrect.

The data from test pumping is not helpful. The testing performed and the data collected for the wells are not revealed with enough detail to be able to assess the validity of assumptions and methodology. The single most important well (PS-1) was allowed to cave in, and thus provides no data. However, caving in could be caused by pressure release from a confined aquifer, and thus might provide useful information in and of itself.

The other well in the critical area (PS-2) was not drilled deeply enough to provide a complete picture of potential deeper confined aquifers. Moreover, the DEIS/EIR variously places the water level in PS-2 at 3050 and 2977 feet elevations. If the higher elevation is used, the flow from Lanfair Valley could lead

directly toward Piute Spring, and thus the proposed pumping would have a significantly greater impact on the Spring than predicted.

The quoted hydraulic conductivities and porosities are inappropriate for many of the rock types of the area, and are applied uncritically to the entire Tertiary section, regardless of the degree of fracturing. All of the computations based upon transmissibilities of groundwater in Quaternary and Tertiary rocks are faulty and cannot be used to predict the effects of groundwater pumping from the West Well Field on Piute Spring.

No meteorological data was collected during the period of preparing the DEIS/EIR. The precipitation data base used includes data from higher elevation areas with different characteristics (shape, aspect towards storm tracks, and width of high elevation areas) than the Lanfair Valley/ New York Mountains area. Precipitation in the former areas probably exceeds that which is likely in the vicinity of the project. Annual precipitation for elevations above 6000 feet is estimated at 11 inches, whereas 8 to 10 inches would be a more realistic figure. Moreover, using the Maxey data base to estimate infiltration, the DEIS/EIR uses a figure of 3 percent infiltration for 8 inches of precipitation and above. 1 percent infiltration for 8 to 9 inches of precipitation, 2 percent for 9 to 11 inches, and 3 percent for 11 to 13 inches are more reasonable figures.

The DEIS/EIR fails to take into account the fact that in higher elevation bedrock areas, the moisture from short periods of precipitation tends to evaporate from the rock surfaces directly, and thus not to contribute to recharge. While the DEIS/EIR estimates that in the "worst case", recharge occurs at

the rate of 2000 acre-feet per year, a better estimate would be 800 to 1100 acre-feet per year over the area of effective recharge.

Furthermore, the DEIS/EIR assumes that there is excess recharge above the 200 to 300 acre-feet per year of discharge from Lanfair Valley to Piute Valley in the vicinity of Piute Spring, and that the excess flows into adjacent basins. However, there is no evidence for this. In fact, the hypothesized underflow in directions different from surface drainage contradicts the evidence of subsurface flow being directly parallel to surface topography. Moreover, approximately 570 acre-feet of recharge is directed toward the northeast subbasin that feeds Piute Spring, which is much less than would be necessary to support the "excess recharge" hypothesis of the DEIS/EIR.

B. BIOTA IS NOT ADEQUATELY INVENTORIED

It is not clear how methodically the species and related resources in the area of the site were inventoried. For example, if the discovery of the creosote bush clonal rings were merely random finds by Gould, then a systematic survey for clonal rings would have to be conducted. Furthermore, a systematic survey of ancient wood rat middens should be carried out. Moreover, the Least Bell's Vireo is not mentioned as a species that could frequent the vicinity. If a thorough investigation was not conducted to determine the presence or absence of the Vireo, then one should be conducted.

Under the Federal Endangered Species Act (FESA), 16 U.S.C. § 1531 et seq., the action agency (here, the Bureau of Land Management (BLM)) has the duty to inquire of the Fish & Wildlife Service (F&WS) whether any endangered species "may be present" in the area of the proposed action. 16 U.S.C. § 1536(c)(1). The area of the proposed action, or "action area" is defined as meaning "all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action." 50 C.F.R. § 402.02. Any effects which are "reasonably certain to occur", and those which "are interrelated or interdependent with" the project in issue must be taken into account when defining the action area for the F&WS inquiry. 51 Fed.Reg. 19,930; 50 C.F.R. § 402.02.

Therefore, the BLM has the duty to inquire of F&WS whether there are any endangered or threatened species within not only the actual site, but at Piute Spring, which would be affected by pumping with reasonable certainty, in Wilderness Study Area 267, parts of which will likely be subjected to loud noises and nighttime light from the Oro Belle pit, and in Wilderness Study Area 266, which appears to be near some of the wells in the West Well Field (e.g. W-7). If such an inquiry leads to the conclusion that there may be endangered species present within the area of the proposed action, then BLM would be required to prepare a biological assessment to determine whether such species are "likely to be affected" by the proposed project. 16 U.S.C. § 1536 (c)(1).

III. THE CONSIDERATION OF IMPACTS FROM THE PROPOSED PROJECT IS GROSSLY INADEQUATE

Despite the length of the DEIS/EIR's discussion on environmental impacts from the proposed project, its conclusion that there will be no significant impacts at all after mitigation is grossly inaccurate.

A. IMPACTS TO WILDERNESS STUDY AREAS ARE NOT SUFFICIENTLY ADDRESSED

The Federal Land Policy and Management Act of 1976 (FLPMA) requires that:

"During the period of review of [Wilderness Study Areas] and until Congress has determined otherwise, the Secretary [of Interior] shall continue to manage such lands according to his authority under this Act and other applicable law in a manner so as not to impair the suitability of such areas for preservation as wilderness, subject, however, to the continuation of existing mining and grazing uses and mineral leasing in the manner and degree in which the same was being conducted on October 21, 1976: Provided, That, in managing the public lands the Secretary shall by regulation or otherwise take any action required to prevent unnecessary or undue degradation of the lands and their resources or to afford environmental protection."

FLPMA § 603(c) (43 U.S.C. § 1782(c)) (emphasis added in part). Since the Castle Mountain operation has not yet commenced, and since the exploration program was not even begun by the Applicant until 1983, it is clear that the Castle Mountain project would not be "grandfathered in" under the existing use provisions.

Many of the hydrogeological assumptions made in the DEIS/EIR go against the weight of the scientific evidence. If the assumptions are incorrect, the project could have grave impacts on the Piute Spring Wilderness Study Area and the Area of Critical Environmental Concern. The cone of depression would not

be limited to the vicinity of the well field if the aquifer were confined or partially confined. Furthermore, any change in pressure caused by pumping could reduce the flow at Piute Spring within a matter of seconds. If a significant portion of water originates in Tertiary alluvial units, or if the flow from Lanfair Valley leads directly towards Piute Spring, then the pumping could drastically alter the discharge at the Spring. Of course, any decrease in flow at Piute Spring would impact the biota dependent on it. This would certainly constitute an impairment of the wilderness value and an unnecessary or undue degradation of the land and its resources in violation of FLPMA § 603(c).

Wilderness Study Area 267 would likely suffer impairment and unnecessary or undue degradation in the form of exposure to loud noise and night lighting from the Oro Belle pit, which is very close to the boundary of the study area. Wilderness Study Area 266 could similarly suffer from the noise associated with the operation of the wells in the West Well Field.

B. IMPACTS TO WILDLIFE ARE IMPROPERLY DISMISSED

Any exposed cyanide solution attracts migrating birds, and could thus violate the Migratory Bird Treaty Act (MBTA), 16 U.S.C. §§ 703 et seq. The MBTA makes it unlawful by any means or in any manner to kill any migratory bird. 16 U.S.C. § 703. The unauthorized killing of even a single bird may be a criminal offense, whether or not it was intentional. 16 U.S.C. § 707; see United States v. Corbin Farm Service, 444 F. Supp. 510, 532-36 (E.D. Cal. 1978), affd. 578 F.2d 259 (9th Cir. 1978).

There may be severe effects to other types of wildlife as well. Sprinklers along the sides of the pad may lead to wildlife exposure to cyanide leaching solution. If there is any distance between the edge of the pad and the connecting pipes, there would be a large area of exposure to wildlife.

Burrowing animals, and snakes and other creatures which use the burrows, could get under the fence which is around the solution ponds. Birds and bats might get tangled up in the netting covering the solution ponds, and creatures may be able to get through the chain link mesh if the netting is not securely fastened.

The impacts of the proposed project on the desert tortoise (*Gopherus agassizii*), a Category 1 Candidate species under FESA, could be serious. As a Category 1 species, the tortoise is entitled to protection by the Secretary of Interior pursuant to 16 U.S.C. § 1533(b)(3)(c)(ii).

Increased runoff along the edges of roadways could lead to an enhancement of vegetation, which would in turn lead to a concentration of wildlife directly adjacent to the roadways. This would increase the negative impacts on wildlife.

C. OTHER IMPACTS ARE IGNORED

The excavation of the pits will disrupt at least lower order drainages. And the pits themselves will have centripetal drainage, which will diminish runoff to downstream tributaries. Neither of these impacts are mentioned in the DEIS/EIR. The mine waste dumps will disturb at least lower order drainages and

increase stream gradients, thus accelerating upstream headcutting.

The heap leach piles will have physical characteristics which subject them to accelerated wind and water erosion, slump, and subsidence, as compared with waste dumps. The DEIS/EIR fails to take this into account. Moreover, the placement of the heap leach piles adjacent to main drainages will probably lead to sidewall erosion during flood stages. The pits themselves will pose safety hazards, and will be permanently unproductive ecologically.

The pits, spoils, and heap leach piles will be visual impairments. The grading methods utilized will not yield landforms resembling the local natural landforms. Moreover, staining the upper walls of the pits may actually pollute the environment with the compounds in, and the breakdown products from, the staining materials.

Toxic chemicals used in processing, such as cyanide, and soluble heavy metals which result from the process, such as cadmium, lead, and zinc, may pose a long-term threat to groundwater resources underlying the site.

D. CUMULATIVE IMPACTS ARE NOT GIVEN SERIOUS CONSIDERATION

Cumulative impacts are not adequately analyzed by the

DEIS/EIR. For example, livestock grazing within the general area is not mentioned as a cumulative impact problem, even though such grazing could destroy much of the native grasses. Moreover, the impacts from other mining operations in the area, as well as from future mining operations by the Applicant itself, are given only superficial analysis.

IV. MITIGATION AND RECLAMATION MEASURES ARE INSUFFICIENT

A. THE REVEGETATION PROGRAM IS TOTALLY LACKING IN SUBSTANCE

The revegetation plan as proposed in the DEIS/EIR makes no reference to the large body of literature on the problems involved with arid land reclamation, including two books by the National Academy of Sciences and hundreds of scientific papers on the subject. The revegetation plan is overly optimistic in its projections of 30 to 60 years for "complete reestablishment of desert vegetation." Natural replacement of a single creosote bush in the Mojave Desert under ideal conditions has been calculated to take more than 50 years, and complete recovery in disturbed areas could take much longer. Moreover, the single reference cited in the estimate of natural recovery rates has little application to the proposed Castle Mountain project, since the area studied in the cited report had far less disturbance, a more favorable climatic regime, and a very different vegetative community than that of the Castle Mountain site.

The "learn as we go" posture taken by the DEIS/EIR flies in the face of known problems with revegetation in general and arid lands in particular. For example, stockpiling soil destroys soil texture and structure, and kills off the soil biota necessary for productivity. Therefore, it is naive to think that soil can be stockpiled for 10 years and still be useful.

Moreover, there is presently no vegetation expert, let alone a specialist in revegetation of arid lands and native plants, commissioned by the Applicant to oversee the revegetation process

In short, the DEIS/EIR fails to estimate the difficulty and cost of a successful r-vegetation program, and makes it impossible to establish the appropriate levels of bonding for the reclamation process.

B. OTHER MITIGATION AND RECLAMATION MEASURES ARE INADEQUATE

The metal portion of the fence around the solution ponds should go at least one foot, and preferably two feet, into the ground in order to block tunnels constructed by burrowing rodents and other creatures. The fencing along the exposed desert side of the heap leach pads should be similar to that used around the solution ponds, with the metal base going well into the ground. A simple barb-wire fence is not adequate to inhibit the movement of many kinds of wildlife.

Sprinklers should not be used even on the sides of the heap leach pads. Connecting pipes should be installed at the edges of the pads so that the cyanide solution is not exposed before being drained into the recycling system.

Netting used to cover the solution ponds must be securely fastened, and the environmental consultant at the site should carefully observe whether birds and bats can pick up the netting in time to avoid getting entangled in it. Flotation devices should be tightly secured by a flexible border that is anchored to the ground or to an attached structure. Pet dogs and cats should not be allowed onto the site. Staining materials should be tested for toxic materials and break down products before being introduced into the natural environment.

A monitoring plan should be undertaken in order to assess and minimize the impacts to Piute Spring. And finally, backfilling of the pits should be undertaken, as discussed infra.

V. THE RANGE OF ALTERNATIVES GIVEN IN THE DEIS/EIR IS ARTIFICIALLY NARROW AND LEAVES OUT IMPORTANT OPTIONS

Consideration of alternatives is "the heart of the environmental impact statement." 40 C.F.R. § 1502.14. The DEIS/EIR offends NEPA by considering an improperly narrow range of alternatives and by dismissing the alternative of backfilling the pits after completion of the project.

The California Surface Mining and Reclamation Act of 1975 (SMARA) defines "reclamation" as

"the combined process of land treatment that minimizes water degradation, air pollution, damage to aquatic or wildlife habitat, flooding, erosion, and other adverse effects from surface mining operations, including adverse surface effects incidental to underground mines, so that mined lands are reclaimed to a usable condition which is readily adaptable for alternate land uses and create no danger to public health or safety. The process may extend to affected lands surrounding mined lands, and may require backfilling, grading, reseeding, revegetation, soil compaction, stabilization, or other measures."

SMARA, Cal. Pub. Res. Code § 2733 (emphasis added). Therefore, California law gives authority to require backfilling to minimize the damage to wildlife habitat, flooding, erosion, "and other adverse effects" which are likely to result from the Castle Mountain mining activities.

Although the entire contents of the spoils dumps can not be backfilled into the pits, due to expansion of rock volume, 70 percent of the contents could be replaced. Furthermore, the area

occupied by the spoils dumps would be greatly reduced by angle of repose dumping over the smallest possible land surface, which would be possible if backfilling were planned. Disruption of the drainage patterns and diminished runoff to downstream tributaries would be greatly reduced by backfilling. Safety hazards, ecological uselessness, and visual impairment would similarly be reduced. Moreover, possible long-term dangers from pollution of groundwater by the spent heap leach piles would be minimized.

Alternatives for processing, such as carbon in-pulp leaching, were also eliminated from detailed consideration, even though they might have been more environmentally sound than the heap leach method proposed to be used in the project.

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April 12, 1989

Deborah S. Reames
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Dear Ms. Reames,

As you requested, I have reviewed the hydrologic and geologic data and assessments related to the Castle Mountain Project, Hart Mining District, San Bernardino County, California. In addition to the documents reviewed for my analysis of the Plan of Operations cited in my letter of December 18, 1987, and subsequent materials provided by your office, I have relied primarily upon the Castle Mountain Project Draft EIS, received 3-15-89; and upon the Environmental Solutions, Inc. technical report *Evaluation of Potential Effects on Lanfair Valley Aquifer and Piute Spring*. I received an initial copy of that document from the consultants in mid-March and a revised copy April 3, 1989. References herein are to the *Draft EIS* (deis), and to the *technical report* (tr). I have not seen the report of the Mark Group (1988) that is cited throughout the deis and the tr.

In outline format, my findings are as follows:

1. The Environmental Solutions documents reviewed are a vast improvement over the initial Plan of Operations document upon which BLM had originally asked us to make decisions. The hydrologic technical review document (tr) is to be commended for the great improvements it makes over the earlier Kennedy/Jenks/Chilton hydrologic report of August, 1987. I had originally criticized the 1987 report as non-conservative based upon the presumed very high recharge rates assumed for the Lanfair Basin (3286 ac-ft per annum) and the assumptions made about lack of potential influence of drawdown upon Piute Spring. The present consultants have used a value of 400 acre-feet per year as the recharge to the well-field recharge area. This is still almost 2-times what I originally estimated (240 ac-ft) and what I believe conservative analysis demands based upon the data-base and field conditions. The present consultants estimate basinwide recharge of 3500-4000 ac-ft/an (tr 3-30), although acknowledging that other methods of estimation yield smaller values. For their modeling, the consultants choose a value of 2000 ac-ft basinwide infiltration, which, I will show, is definitely higher than probable. The deis is thus not based upon conservative analysis. The U.S. Geological Survey report of 1984 estimated total basin

recharge to be on the order of 200-700 ac-ft year¹. I estimate that it takes 570 ac-ft of recharge annually to provide the ±100 ac-ft of underflow that feeds Piute Spring annually. This is about one-half the value assumed for the deis. Despite significant reductions in proposed groundwater withdrawal (originally 1650 ac-ft/an, then 1130 ac-ft/an; now 725 ac-ft/an), the present consultants recognize and acknowledge that the proposed withdrawal rate exceeds safe-yield and that the groundwater resources are thus to be mined.

2. Despite the considerable improvement in the present documents, errors and non-conservative assumptions continue to be carried forward from earlier documents. Some of the suggested drilling and testing has been accomplished, but not as much as was initially deemed minimally necessary. Further, the testing done and the data collected are still not revealed in sufficient detail to assess the validity of interpretations made in the deis. The conditions of flow at and below Piute Spring are much better defined, but the critical issues of flow and groundwater conditions in the Lanfair Valley just above the spring area are still lacking. One well was apparently allowed to cave in and to thus not provide data. The other test well in the critical spring-area vicinity was not drilled deep enough (PS-2) to provide complete data on potential deeper confined aquifers and the data collected on water levels (tr 3-34) is not presented in a fashion so as to allow analysis. Fig. 3.6 shows the water level in PS-2 to be about 3050 ft elevation, while Fig. 3.8 notes it at 2977 ft on pages 3-14 and 3-23 of the tr respectively. The discrepancy is very significant in calculating groundwater flow conditions to Piute Spring at 2892 ft elevation. I estimate that the aquifer feeding Piute Spring is clearly confined by the lake beds and caliche in the eastern part of the Lanfair Basin and that wells penetrating it will show rising water tables after first encountering the water table. Those data and observations are critical to interpretation of hydrogeologic conditions. If a well caves because of rising water levels, that too is an important observation.

The discrepancy in well PS-2 level data result in a doubling of the groundwater gradient (tr 3-33), and if the higher levels are plotted on the very critical Potentiometric Surface Map (Fig 3.8, tr 3-23) along with similar high levels for the caved well PS-1, a map emerges with flow directions pointing directly at Piute Spring and concentrating the flow at that spring. This would lead to rather different interpretations than those presented by consultants which would have us believe that Piute Spring is but one site along a general zone of flow from Lanfair toward Piute and Ferner valleys. The latter interpretation is necessary if we accept the consultant's conclusions about high recharge rates and thus availability of water for the mining operation. (See for example, tr Sect 3.3.5.2 re Sacramento Wash, and the entire Sect 3.5.4)

¹ Frewald, David A., 1984. Groundwater Resources of Lanfair and Ferner Valleys and vicinity, San Bernardino County, Calif., U.S. Geological Survey Water Resources Investigation Report 83-4082. -- based upon varied Lanfair Basin discharge of 100-670 ac-ft/an plus well withdrawals and the basin equilibrium model assumed.

3. Despite continued admonitions and claims of scientific conservatism in the hydrogeologic investigations and conclusions, the record demonstrates non-conservative assumptions. The science of groundwater hydrology is inexact. Geology must involve considerable interpretation, projection, and modeling of conditions that can only be inferred based upon very incomplete observable records at the ground surface. Thus, hydrogeologic analysis for environmental assessment must be based upon conservative methods that will provide a worst-case or worst-probable-case model. Without such an allowance for errors, environmental effects cannot be reasonably estimated with any factor of safety. In the case of the Castle Mountain Mining Project, much more hydrogeologic emphasis seems to have been placed upon securing adequate water supplies for the mine than upon assessing the effects of their withdrawal upon the regional environment. In this particular case, there is little doubt that there is ample water for the mining operation somewhere in the Lanfair Valley aquifer systems. The issues are not adequate water supplies, but the implications of mining of that water in excess of safe yield levels upon future generations of surface-water dependent organisms and ecosystems in the eastern Mojave Desert region. That part of the work, which was to be the focus of the Environmental Impact assessment process is greatly shortchanged by the non-conservative assumptions made throughout the purported analysis.

4. A primary unsupported assumption is that the subsurface geologic conditions are as cartooned in the Hydrogeologic Cross Section, Fig 3.5 (tr 3-9; deis Fig 4.3.5, 4.3-15). The entire model developed in the tr and the deis is based upon an assumption of "open" hydrogeologic conditions in the Lanfair Basin (tr 3-21 #2). Although they use the term "semi-confined" and imply local confining units and response of wells as if confined when pumped for short periods such as in their testing program, they ask us to accept on faith the assumption that "Eventually...the system behaves as an unconfined aquifer" *op cit*. This is an absolutely critical assumption, without which the entire hydrologic assessment stands or falls. In the tr we are told that the well field was assessed for two cases - one confined and the other unconfined. Analysis of the well field itself is of little public concern, and should be included in the deis only to: 1) establish that there are adequate water supplies for the proposed mining operation, and 2) demonstrate continuity or non-continuity of hydrogeologic conditions between the area of proposed withdrawal and Piute Spring. The level of analysis done at the well field should have also been done in the eastern basin near the spring.

The tr, at page 5-7, item #4, tells us that, in the case of the analysis of a confined aquifer condition, "...the aquifer would be depleted in an unrealistically short period. The Mark Group concludes that the confined condition is not realistic...". They then go on, pp. 5-7ff, to provide results of the unconfined aquifer model *only*. In other words, the Mark Group seems to be saying that if the system is actually confined, there are serious implications for the whole project, so that consideration will not be evaluated(!) All of the analysis is thus based upon the assumption of a completely open surface unconfined aquifer system. This means that recharge occurs wherever

infiltration occurs and means that aquifer thickness is measured by the difference in elevation between the static water level and some presumed water-poor basement rock. For the purposes of analysis of potential interference with flows at Piute Spring, the open aquifer model implies that cones of depression will be limited to the vicinity of the well-field and that great quantities of saturated alluvium feed Piute Spring from areas not to be affected by operation of the well field.

Not only is such an open-aquifer assumption not supported by the evidence presented, it is specifically contraindicated by much evidence. The Hydrogeologic Cross-Section (deis 4.3.5, p. 4.3-15) itself shows confining conditions for the eastern 7.5 miles width of the valley under inferred lava flows and the observed lake sediments. There are *no* data from drilling logs east of the test supply wells at the mine site (Well W-1) of sufficient depth to define the western limits of the confining lake beds. If the lake surface elevation as exposed in lake sediments near Piute Spring represents the level of the lake when those sediments were deposited, then that elevation should project westward to demonstrate the possible existence of such confining sediments all the way to the border of the well field.

Further, the west well field does show hydrologic confining conditions with a rise in water table immediately after drilling (tr 3-21). To explain that observation away as "delayed yield" is to beg the question and is definitely non-conservative. The West Well Field data can easily be interpreted as indicating confined conditions below about 3700 ft elevation. The data base allow perfectly reasonable geologic projection of confining conditions eastward to Piute Spring at an elevation of 2892 ft. To disprove such a hypothesis would have been easy with test wells of sufficient depth between Piute Spring and the well fields. There is no explanation for the non-collection of such data, and little support for the assumptions made in the deis.

Well W-5 in the west well field apparently was pushed to a depth to reveal gravel beds or permeable aquifer units beneath volcanic rocks as is shown on the cross-section deis 4.3.5. Such conditions indicate confinement locally, and are probably typical in conditions such as these where Tertiary stratigraphy is much more complex than is illustrated or modeled by the consultants. The Piute Range volcanic sequence differs from the Castle Peaks eruptive sequence, although of contemporaneous age. The interfingering of these sequences and the complexity is not shown and apparently is not even known to the consultants. Conservative analysis would allow for the existence of Tertiary alluvial units of considerable lateral extent, not only as shown in Fig 4.3.5 as confined to the area of Well W-5. Such units may very logically provide a major portion of the discharge of Piute Spring, which could be drastically altered by pumping from the proposed well field.

Caliche over lake sediments provides a very effective confining layer. The volcanic rocks may or may not act as aquitards (rocks resistant to vertical flow). The data

subject to almost immediate flow reduction when pumped at or below its point of confinement. Although the travel-times for water molecules may be on the order of 100 to 1000 years (100 with reasonable conductivities), the *pressure* change travel time is a matter of seconds. A pressure difference induced by pumping or by preventing recharge travels hundreds of miles per hour, and would affect spring flow virtually immediately. In theory it should be possible to test the hypothesis of a closed versus open aquifer system if we could very accurately measure changes in spring-flow. Unfortunately, we cannot measure the diffuse and complex flow pattern that interacts with vegetation and soil moisture reservoirs to arise finally as Piute Spring flow to an accuracy of better than ± 40 -50 percent. We would have to be able to measure it to the hundredth percent to test the hypothesis of a closed system. In reality, if the aquifer were of rather limited extent and mostly confined east of the mine-site, we would not expect significant measurable differences in spring flow to be observed for 50 to 200 years. By then it would be too late to insure maintenance of flow through imported water in the magnitude of 10's of ac-ft per year unless bonding and contingency plans far in excess of conventional requirements were to be imposed. The issue of adequate monitoring, not addresses in the deis, will be covered in another outline topic.

5. A major non-conservative assessment in the hydrologic section of the deis is that of recharge. The water-balance model developed by the consultants in the tr assumes that the spring flows comprise a total of about 100 ac-ft per year. I have no reason not to accept this figure as representative. They estimate about 400 ac-ft per year of recharge above the well-field. They speculate that this recharge combines with recharge elsewhere in the basin to feed the spring and to flow out of the basin elsewhere into Fenner Basin and into Piute Valley in subsurface fashions that do not contribute to the spring flow. We would probably both agree that the total discharge of water from Lanfair Valley to Piute Valley in the immediate vicinity of the spring is on the order of 200 to 300 ac-ft per year. Much of that evaporates from soil without getting into the channel of Piute Spring, or is intercepted by vegetation before becoming measurable runoff.

The model presented in the deis assumes a recharge rate from precipitation that combines to provide a basin-wide recharge of 2000 ac-ft per year. The consultants then assume various hydraulic conditions for geologic materials and thickness of saturated aquifers to estimate an outflow from the basin today that is about equal to the estimated recharge. They thus use one estimate to validate another estimate. This circular reasoning is, in fact, the state of the art in this professional field, and I cannot fault it. The estimates they make are internally consistent. The model they develop must presume that there is *excess* recharge over and above the 2000-3000 ac-ft/yr necessary to support Piute Springs. This excess, they conjecture with no direct evidence whatsoever, is presently lost to adjacent basins by underflow through permeable units and/or watergaps which are low bedrock areas filled with alluvium so that subsurface drainage moves in directions different from surface drainage. They

presented do not illustrate the range of hydraulic conductivities that would be expected in this complex series of rocks, so the biases of the modeling cannot be evaluated. The values quoted (deis 4.3-14) for the volcanic rocks imply that they are all rather "tight" and not able to conduct a significant flow of groundwater. This is not in accord with the literature and very improbable for some of the Tertiary volcanic rocks in this area. In fact, permeable volcanic rocks capped by impermeable and self-fracture-healing lake sediments overlain in turn by a 20-30 foot section of soil K-horizon (well developed caliche) as described (tr 3-13) would create a very effective confined aquifer.

If Marty Mifflin's well L-2, a dry hole to 3600 ft elevation, is justly and fairly contoured using standard conventions and if the water surface elevation before "pumping" to develop the well² of ± 3050 ft is used for well PS-2 instead of 2977 ft, then the shape of the Potentiometric Surface map (deis Fig 4.3.6, p. 4.3-17) looks very different. A "valley" in the potentiometric surface shows up, with all flow leading directly toward Piute Spring. Under these conditions, the disturbance caused by the proposed pumping of the west well field would have a significantly greater effect upon Piute Spring flow than is presented in the deis. Further, under these contouring conditions, it becomes easier to explain why the east well field option was not seriously considered for a water source for the mining operations. Very little water would exist in that east well field. Under the model proposed by the consultants and modeled in the tr in Section 5 which purports to show no impact upon the spring from 10-years of aquifer pumping in the west-well field, there should be adequate water in the east well field. Either it is an open system and water flows from west to east and is available in the east field, or it is a closed system and only the west field has adequate water. One cannot argue whichever case supports the conclusion one wants for the particular sections presented. One cannot evaluate a proposed action such as this using Walt Disney's 1st Law: *Wishing will make it so....* A conservative approach would present both closed and open system models.

A closed aquifer system, as is reasonable in this particular case, could have deleterious effects upon Piute Spring in a short period of time. If conductivities assumed by the consultants and completely unconfined systems are assumed, I must concur with their conclusions that effects of pumping 16 miles from Piute Spring would have minimal effects, and even those would only be measurable over very long time frames of centuries. However, confined or even partly confined aquifer systems behave very differently. A confined aquifer where a head or pressure system is necessary to maintain the spring discharge across the intervening fault zones is

² We are told that in the *initial release* of the tr (p. 3-34) that the depth to water in well PS-2 was anomalously low because the Mark Group's "... attempt to develop that well for conducting permeability tests". Such activity would be highly meretricious and desired in an open investigation. In a second release of the same tr, we are told that the anomaly is "... probably related to the Mark Group's attempt to bail the well in order to assess aquifer parameters and collect a water quality sample". Added data in the second release tr show that the well had not recovered its original level by the end of November, 1988. Mifflin's well L-2 is reported as striking water but then losing that water after penetration of a confining layer that precluded the water table.

assume this despite all actual evidence that subsurface water moves directly parallel to surface topography.

These excess water flow assumptions are necessary, in their model, to permit mining development and to mitigate the drawdown of the unconfined aquifer. Only with adequate recharge rates can the models they propose stand up, and then only if the aquifer is unconfined. Even with the excess water hypothesis, they conclude that there will be a net withdrawal of water from the well-field in excess of that recharged to it (400 ± 100 ac-ft/yr recharge for the well field itself, with 725 ac-ft/yr withdrawal). Without the excess water hypothesis, which is unsupported from any data base whatsoever, the drawdown model and shape of the cone of depression for the very non-conservative model would probably indicate need for a different well field design and would certainly indicate a much larger area of influence caused by water mining. This entire train of assumptions is non-conservative and, in fact, contrary to evidence that does exist. That evidence was reviewed in the 1984 USGS report, which concluded that the total discharge of the basin was on the order of 100 to 630 ac-ft per annum. The consultants supporting the Castle Mountain Project application have consistently tried to estimate recharge based upon assumed precipitation and infiltration values that are dubious.

The basin recharge (tr Section 3.5.1) was estimated by the Mark Group based upon Larry Maxey's 1949 Nevada data base that indicated infiltration of no precipitation in areas with less than 8 inches annual precipitation, and 3 percent infiltration to the water table for regions with 8 to 12 inches of annual precipitation. Since precipitation data do not exist for the Lanfair Valley area, an elevation-weighted estimate is created, based upon regional California, Arizona, and Nevada stations (tr p. 3-2, Fig 3.1, and Fig 3.9, p. 3-31). The method is sound, however the data base is not conservative.

The Maxey infiltration data are based upon all of Nevada with areas of considerable snowfall and winter precipitation which is more effective at wetting the soil and soaking into it. The elevation-weighted precipitation estimates are based upon data stations with monsoonal (summer northward-flowing moist air) precipitation east of the Mojave Desert as well as stations within it. The summer thundershower precipitation events are less effective at groundwater recharge than are the winter events. The Castle Mountain site receives both kinds of precipitation events, and the dominance of one type over another changes over long periods of time over multiple decades. Desert mountain range precipitation is as much a function of the shape of the range, including a spect toward storm tracks and width of higher elevation areas parallel to storm travel direction, as it is of elevation alone. In the case of Lanfair Valley and the New York Mountains at its head, the range is narrow and precipitation-bearing air masses can break through many lower divides without dropping much moisture for both Pacific frontal and subtropical air flow patterns from the northwest and southeast respectively.

Thus, absent other evidence to the contrary, the conservative interpretation of the precipitation estimation data would be to adopt a potential precipitation of 8-10 inches for the highest elevations above 6000 ft. In fact, the deis (p. 4.3-2) adopts 11 inches as that precipitation value and 9 inches above 5000 ft. If the recharge area is to be defined as all of the area where 8 inches or more precipitation falls, then the cutoff they assume is at about 4400 elevation. For the area above that elevation, they assume a 3 percent infiltration effective recharge value for the entire area above 4400 ft. Note that they have chosen the top end of the Maxey value which represents the 8 to 12 inch precipitation range zone. Since 0-8 inches has zero recharge, it is implausible to assume that from 8 inches and above will have 3 percent. More reasonable would be a value of 1 percent for 8 to 9 inches; 2 percent for 9 to 11 inches, and 3 percent for 11 to 12 or 13 inches (which is not represented in the Lanfair Valley recharge area). A reasonable value of recharge would be 2 percent for the non-bedrock areas of the entire >4400-ft recharge zone. For the higher bedrock areas, short-period rainstorms or snowstorms tend to evaporate from the rock surfaces directly and not contribute to recharge. Apparently, no consideration has been given to this geologic component of recharge.

I estimate that .015 ft or .02 ft of recharge occur annually in the area of effective recharge (2% of 9 in. or 3% of 8 in.). Over the recharge area this amounts to about 800 to 1100 ac-ft/yr of recharge. The deis "worst-case" analysis model uses a figure of 2000 ac-ft/yr, presumably inflated based upon the unsupported precipitation estimates.

It is possible to verify the precipitation estimates. One method involves use of vegetation in thin-soil sites that is dependent upon seasonal precipitation. The vegetation acts as a "proxy" meteorological station. It cannot be used alone nor can it be used to differentiate between slightly different precipitation amounts, but it is useful for corroborating evidence and does integrate conditions over several years, which a short-period rain gauge does not. During the time of preparation of the deis, it is surprising that no meteorological data were collected. Such would be a very important component of any hydrologic analyses.

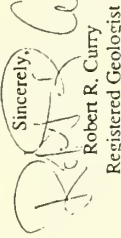
Conservative methods would thus suggest a reasonable recharge of about one-half of the value assumed in the deis. With that value, we may estimate about 570 ac-ft per year as the amount of recharge directed toward the northeast subbasin that feeds Piute Springs. Five hundred seventy ac-ft is uncomfortably close to the estimate of 200-300 ac-ft necessary to support the spring annually. A conservative analysis would show that the basin is delicately balanced hydrologically with recharge about equal to outflow and that a majority of that outflow feeds the Piute Spring area. That is precisely the conclusions reached by the U.S. Geological Survey in their 1984 report.

In short, the delicate hydrologic balance, coupled with lack of confined aquifer modeling for at least the part of the basin from the mine-site eastward, leads to the conclusion that the proposed mining plan cannot be accepted based upon a deficient environmental impact analysis.

The issue of monitoring is very inadequately addressed in the deis. A much more extensive monitoring well field would be necessary to adequately test and assess the open or confined character of the aquifers that may be pumped before the project is approved. Since the assumption is being put forward that the system to be pumped is only an unconfined system which will not depress groundwater levels much beyond the mine-site itself, an adequate monitoring well network may not seem necessary. However, it is reasonable to propose that the east well field wells may not respond rapidly to drawdown of some wells of the west well field due to inadequate depth and hydrologic isolation of multiple aquifer systems. My own thinking on this has changed considerably as the limited data have been collected. I had thought, in 1987, that the unconfined aquifer hypothesis was reasonable. The data in the deis refute that. Now a monitoring network adequate to test water levels and gradients adjacent to Piute Spring (shallow, cased, capped wells on the south, north and at two positions along the canyon course) would be necessary to better understand and evaluate impacts of unforeseen hydrogeologic interconnections. At least two additional deep wells through the lake beds between the mine site and the spring in Lanfair Valley would also be mandatory. If multiple confined units were found in those wells, provisions to isolate and test static water levels in each water-producing unit would be necessary. Often multiple wells are safer.

Evaluation through monitoring of the recharge estimates would also be necessary, with both precipitation stations and methods of direct recharge monitoring on alluvial fans. The recharge map (r Fig 5.6) could provide a guide for placement of recharge stations. It appears that consultants have reapportioned bedrock-rejected recharge elsewhere in alluvium. That hypothesis should be tested. I very much doubt that it works as hypothesized.

Operation of the well field itself will self-monitor the internal assumptions locally. If cones of depression do not develop as rapidly as assumed, then more complex interrelationships with partial or complete vertical isolation or slowly-leaking aquifers may merit changed monitoring plans.

Sincerely,

Robert R. Curry
Registered Geologist

CASTLE MOUNTAIN

Comments on the Castle Mountain Project, San Bernardino County, California Draft Environmental Impact Statement Environmental Impact Report by Dr. Robert Stebbins.

First of all, there are some positive things to bring out. This present document indicates some marked improvements in a number of areas. For example, the drip method of leaching the heap leach pads is now to be used. There is one negative aspect: the sprinklers continue or are proposed to continue at the sides of the pad. And this will in considerable part negate the value of going to the drip method. If there are large numbers of sprinklers along the sides of the pads, we still have the problem of birds and other animals getting into the water, birds preening and so on, and getting the leachate. However, greatly reduced sprinkling is certainly a positive step. The closed system of pipes to convey the leachate is also a very good step forward. The plan to vanpool the employees to and from the area, thus reducing traffic on the access roads is excellent. The plan to hire an environmental specialist or contracted consultant to monitor the effects on wildlife and the success of the various wildlife and vegetation programs is also an excellent plan. The reduction in water use from an estimated 1,140 acre-feet a year to an estimated 725, resulting mainly from the drip method, is a positive step. The plan to provide the employer education as to wildlife values is certainly a desirable activity.

Let me discuss the wildlife sections of the document first. As I mentioned, there are still problems with the heap leach method of using sprinklers along the sides of the pads, where the pads slope. I realize that there will not be significant ponding in such areas, but there still is a problem. I hope that there will be a way found to eliminate sprinkling altogether. Also, it's not clear to me what happens to the solution that works down through the pad and moves out to the sides on the plastic liner that covers the ground surface. Will there be a distance between the edge of the pad and the connecting pipes where this water will be exposed? Or is the water to be conveyed in pipes inserted into the sides of the pad? This is not clear. I think we still have a problem if water is flowing even a short distance from the edge of the pad into these pipes. Once again, the leachate is exposed to wildlife over quite an extensive area, if that is the case. I'm concerned about some aspects of the Plan for fencing around the solution ponds because it's not made clear how deep the metal portion of the fence to be located at the base of the fence is to go into the ground. I recommended some time ago at least one foot into the ground to block burrows, and I understand the consultant to the company, Dr. Bard Bradstrom, has urged that the metal go down two feet, which in my view would be much more desirable to intercept gopher burrows and other tunnels used not only by the burrowing rodents, but also

Greenhouse Effect is beginning to come on and we're going to have more drought years ahead, even a reduced amount of draw down, that the Castle Mountain Project is expected to make would be undesirable.

I wish to end now on some rather general comments concerning the whole program of open-pit heap-leach mining. First of all, I must say that the Castle Mountain Project people appear to be doing a thorough job of minimizing the damage to the environment in connection with their mining operation. They are to be commended for their efforts in this regard. So this is not an indictment of this particular company. I am concerned about the whole process of gold mining by this method. We are going to sustain, in my view, as a naturalist, really quite extensive environmental damage. This is a prolonged type of mining that goes for ten-twenty years, maybe longer; mines are springing up like wildfire; Nevada, I understand, now has over 165 or so mines; many are appearing in California. These are in effect small villages; lights will be present at night; there will be traffic, dust, sounds of machinery; little towns is what they amount to. But on top of that they, especially those that are not run so carefully, pose an extensive mine field in the pathway of migratory birds and the wildly ranging bats; worse than a minefield. Really, lethal traps when the leachate is not adequately protected from the environment. So, in addition to the disturbance of having many of these centers of activity in our remaining wildlands, particularly our arid lands which are so treasured now as places to get away from it all, how can one enjoy, for example, out in a place in the desert, a desert noted for its tranquility, it's quiet, it's great vistas unmarred by the signs of man; how can one get the enjoyment that is so needed these days, the relief from the pressures of city dwelling, if one goes out there and sees lights at night (the lights can be seen from great distances); hear the sounds (you can begin to pick up on the sounds within a mile or so of these mines); the dust, the increased traffic in the areas; I see this mining program as coming at a really very substantial cost to the enjoyment of the general public. And it is a kind of mining that is not directed toward a strategic metal that is absolutely essential for industrial survival of industrial society. It's mainly an activity that will bring about wealth for relatively few people; it will employ some people, of course, but it is not a kind of activity that is greatly needed, it seems to me, within our present social framework and I have to ask myself at what point, how do we bring about a cessation? How much public land are we going to give over to this kind of long-term activity, this long-term disturbance, where do we draw the line? How does one get a handle on saying, well now we have enough of these mines; we've sacrificed enough tranquility, enough wildlife, enough serenity, you might say, for this kind of activity that benefits a relatively small segment of society? Take the wilderness areas that are adjacent to the Castle Mountain Project. Imagine yourself in the Palute Wilderness Area, Fort

Palute, Wilderness Study Area 267. This mining operation is right next to that wilderness area. I can imagine people that are attracted to that environment will be disturbed by looking down on the lights at night, hearing the sounds of the machinery, and so forth if they are in that general area of the wilderness area. Three or four miles to the northwest is Wilderness Study Area 266, the Castle Peaks Wilderness Study Area. It also is likely to be impacted. So much depends on what one's feeling is towards the environment out there. I think more and more people are discovering the need to have some solitude, not have to look at a lot of human activity; we get enough of that around our homes and in our cities. To me, the highest premium in these arid lands now is to stress the nine forms of recreation, not environmentally damaging recreation but nature study, camping, picnicking, horseback riding, use of vehicles on roads and trails and in designated use areas; this is the kind of activity we should be stressing in our arid lands now, as our general population increases and the pressures of city life become ever more burdensome.

The second issue is even if we now find some way to limit this kind of mining activity, find some way to say enough is enough, who will provide the long-term oversight as to the carrying out of the contract made between the mining interests and the respective agencies involved. Personnel will change over the many years of a given mine's activity, and how much dedication will there be to seeing to it that the contract is respected, that the net over the solution ponds is not allowed to develop a lot of tears, that the leachate is kept in bounds in the piping or ditch systems, that the revegetation program efforts are really seriously carried out, or at least that efforts are made to carry them out over the long haul. I worry that we're going to have so many of these mines that there will be a lax attitude and a failure to follow up and thus, although things look good on paper, in actual practice we may have great difficulty in minimizing the various kinds of damage that can occur.

REVIEW OF CASTLE MOUNTAIN PROJECT DEIS-H.G. WILSHIRE 4/9/83

RECLAMATION PROPOSAL

The depth of investigation of reclamation procedures recommended in the DEIS is clearly revealed by the fact that the bibliography contains not a single reference to the large literature on the problems encountered in arid land reclamation in general and the Mojave Desert in particular. Several books, including ^{two} ~~one~~ by the National Academy of Sciences, and hundreds of scientific papers have been published on the subject, mainly between 1977 and present. Instead of a thorough review of problems and solutions, the DEIS proposes a learn-as-you-go project and pretends that everything we need to know will be learned in the lifetime of the project.

As is well known from a long history of open pit mining, the following kinds of problems will be encountered in minimizing the effects of mining: 1) the excavation of the pits will disrupt at least lower order drainages; 2) the pits themselves will have centripetal drainage, which will diminish runoff to downstream tributaries; 3) the mine waste dumps will disturb at least lower order drainages and increase stream gradients; this will accelerate upstream headcutting; 4) heap leach piles will have physical characteristics different from waste dumps and will be subject to accelerated wind and water erosion, slump, and subsidence; their placement adjacent to main drainages will assure sidewall erosion during flood stages; 5) the pits will be safety hazards, permanently unproductive, and visual impairments; 6) spoils and heap leach piles will be visual impairments; 7) stockpiling soil for the duration of the operation will degrade the soil productivity; 8) revegetation of disturbed arid lands has been well-studied and entails a number of

recognized problems where the goal of post-mining land use intimately involves the vegetative cover, as is the case in the proposed project. The treatment of these well-known problems by the DEIS is as follows:

1) 2) 3) 4) 5) 6) 7) 8) 9) 10) 11) 12) 13) 14) 15) 16) 17) 18) 19) 20) 21) 22) 23) 24) 25) 26) 27) 28) 29) 30) 31) 32) 33) 34) 35) 36) 37) 38) 39) 40) 41) 42) 43) 44) 45) 46) 47) 48) 49) 50) 51) 52) 53) 54) 55) 56) 57) 58) 59) 60) 61) 62) 63) 64) 65) 66) 67) 68) 69) 70) 71) 72) 73) 74) 75) 76) 77) 78) 79) 80) 81) 82) 83) 84) 85) 86) 87) 88) 89) 90) 91) 92) 93) 94) 95) 96) 97) 98) 99) 100)

1) and 2) are not addressed at all by the DEIS, and item 5) is addressed only insofar as erection of barriers to access to the pits and reduction of visual impact by staining the upper walls is concerned. However, technically feasible solutions to all are possible by backfilling the pits. The question of backfilling is dealt with only under the heading of Alternatives Eliminated from Detailed Consideration. The reasons given for rejecting backfilling are: a) open pit mines "...are not suitable for backfilling, from both operational and economic standpoints; b) because the volume of the mined rock is greater than that of the pit, complete backfilling would not eliminate the impact of ore and overburden disposal"; c) complete backfilling is only feasible for strip mining, where overburden can be placed on adjacent areas, thereby minimizing costly double handling; d) "Reclamation may not be required where the retention of a stable highwall or other mine workings is needed to preserve evidence of mineralization" (emphasis added); since there is no sharp boundary between presently economic grade ore and uneconomic ore, "Backfilling could preclude future recovery of this mineralization in the mine pits." ^{Items a) and c) are} incorrect assessments; the only difference between backfilling strip mines and open pit mines is that generally backfilling can proceed as mining proceeds in strip mines, but must be left to the end of mining in open pits; otherwise, there are no technical difficulties that would preclude backfilling, and the location of the spoils dumps is already justified on a proximity basis. What backfilling would accomplish is truly minimizing the adverse impacts

Items 5) and 6), visual impacts: visual impacts of the dumps are supposedly to be reduced by rounding off the edges and restoration of the soil and vegetation: likely problems of soil and vegetation restoration are discussed below: a far more effective method of reducing the visual impacts of the dumps is to out as much of them as possible back into the holes they came from: the grading methods will not yield any landform resembling the local natural landforms. The technique of staining the upper walls of the pits to make them less noticeable has potential adverse effects that are not examined: what chemical compounds will be used? what are the likely breakdown products of these compounds? how long will they persist in the environment? how mobile are they? what are their effects on plants and animals? Again, the most beneficial and lasting solution is backfilling.

Item 7: The DEIS tacitly assumes that stockpiled soil replaced on the dumps will be good as new. This assumption ignores a substantial literature on the problems encountered in reusing stockpiled soils: since soil texture and structure are destroyed in the process of stockpiling, replaced soil lacks the productivity of the original soil; the longer the soil is stockpiled, the less productive it becomes because the soil biota die. Thus, to reconstruct even a marginally productive soil requires much more thought and planning than is evidenced in the DEIS. A thorough examination of prior experience should provide a much more accurate assessment of necessary procedures and costs (as well as information needed to establish appropriate levels of bonding).

Item 8: Far more information is available on the results of letting nature take its course and on positive reclamation efforts in disturbed lands having closely similar climate and vegetative community to those of the

of mining, as required by federal law, by eliminating completely unproductive land in the form of pit walls, the effects of the pits on drainage, and the safety hazards represented by the pits; item b): although the entire spoils dump may not be accommodated in the pits, the area occupied by the dums would be very greatly reduced by storing the spoils with the idea of backfilling ^{or using} _A over the smallest possible land surface, which would both reduce the area impacted and minimize the final impact by allowing restoration of drainages; item d): this same rationale would be applicable to coal strip mines where the "feather edge" of the deposits may someday be minable, but the public has chosen instead to require backfilling: the argument given in the DEIS indicates that a minute amount of gold in the sidewalls of the pits outweighs all of the negative effects of backfilling, which, in fact, is simply a disguise to hide the applicant's unwillingness to pay for truly minimizing the adverse effects of the operation.

Items 3) and 4) are addressed by the DEIS only in terms of reducing visual impacts by grading off the edges of the dumps: the likely impacts on drainages and acceleration of erosion are dismissed without any understanding of the problems encountered in hundreds of western U.S. open pit mines. There is no discussion of the differences in material characteristics of leached ore and spoils, or of the implications of those differences for accelerated erosion and problems of stabilization of the dumps. The authors of the DEIS clearly have no appreciation of the scale of potential floods in the area or of the consequences of siting the leach oads where they are proposed to be.

Homestead no. would have shown that Tertiary volcanic rocks of the Piute Range overlie the Castle Peaks Tertiary volcanic rocks. Modern studies have shown that the basal units of these sections are of closely similar age, but the eruptions that formed the Piute Range section continued for some 4 million years after the Castle Peaks eruptions ceased. The two sections are separable, and although some authors have suggested that the Castle Peaks volcanic rocks extend under the Piute Range, nobody has ever suggested that the Piute section extends beneath the Castle Peaks as shown in Fig. 4.2.5! In addition, what is labelled "Bedrock Exposure" on Fig. 4.3.5 is shown to overlie Quaternary alluvium! Thus, the section shown in Fig. 4.3.5 is *partly* upside down. Moreover, there is no basis whatsoever for showing Cretaceous granitic rocks beneath the entire section of Fig. 4.3.5: the "projected *anyform*" is a complexly faulted anticline with a core of Precambrian gneiss, which must be present beneath part of Larzair Valley.

An adequate field examination or literature review would show that major parts of both the Piute Range and Castle Peaks Tertiary sections are composed of poorly consolidated conglomerates, coarse sandstones, and volcanic breccias that have hydraulic characteristics a lot closer to the Quaternary alluvium than to lava flows. Yet, a very small range, well below that of "unconsolidated sediments", of hydraulic conductivity is quoted (p. 4.3-14), with a very low porosity, for "volcanic rock", and is presumed to apply to the entire Tertiary section. Moreover, the quoted hydraulic conductivity and porosity appear to be applied uncritically to highly fractured rocks.

That the "chain" of bedrock exposures between Castle Mountains and the Bobcat Hills (p. 4.3-8) is not a "buried ridge of bedrock" could have been assessed, and shown to be false, on the basis of modern aeromagnetic maps

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proposed project area than is indicated in the DEIS. A single reference (USGS, 1959) to natural recovery rates of 30-60 years has little application to the problem at hand because the degree of disturbance of the USGS study area was far less severe than will be the case for the proposed project, a more favorable climate prevails in the USGS study area, and the vegetative community is quite different. What is known from numerous published studies is that reclamation, even to the limited future uses envisioned by the DEIS, will be difficult and expensive. So much is known, it seems very unreasonable to undertake a learn-as-you-go project such as proposed by the DEIS. Although a stated goal of reclamation is to minimize impacts to wildlife habitat, there is no substantive discussion of the feasibility of retaining anything approaching the plant species diversity and cover now extant, or of the procedures by which this can be most nearly accomplished.

GEOLOGY AND HYDROLOGY

The treatment of the geology, on which hydrologic speculations are based, is not competent. There is a great deal of site-specific modern geologic and geophysical information in the public domain that is not cited, and the field examination(s?) conducted in support of the DEIS is woefully inadequate. The result is egregious errors of fact, erroneous rock-unit correlations, naively oversimplified characterization of the hydraulic properties of Tertiary bedrock, and misrepresentation of structural relations, among other problems. Field examination, or at least a competent review of existing literature, should have been made of the stratigraphy of Tertiary rocks exposed in the project area. A transect between Guzi Spring and Old

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of the area. The speculation that if it existed, such a ridge could form a groundwater barrier between the West Well Field and Fiute Spring, again reveals the naive view of stratigraphy and structure of the Tertiary rocks held by the DEIS authors. Not only that, the speculation is contradicted by the statement (p. 4.3-19) that groundwater flow beneath Lanfair Valley is toward the east because of the difference in elevation of Lanfair and Fiute Valleys even though the Fiute Range intervenes (that is, the groundwater systems of the two valleys must be connected, and the water flow through the Fiute Range).

The statement (p. 4.3-19) that Fiute Spring occurs at the surface intersection (in Fiute Gorge) and the Fiute Valley water table is unsubstantiated, and is finally contradicted on p. 4.3-26 where it is correctly stated that Fiute Spring is fed by Lanfair Valley groundwater. Geologic reconstructions beneath Lanfair Valley, based on the available modern geologic and geophysical information, show that the West Well Field is directly connected to the water supply for Fiute Spring.

As with the Tertiary volcanic sections, the Quaternary alluvial units are lumped as though they were a single unit. In fact, at least 7 mappable Quaternary units exist, which have different geomorphic characteristics, and no doubt different soil and other surface characteristics. These, along with variable stratigraphic characteristics, will affect infiltration and transmission of groundwater. Thus, all of the computations based on transmissibilities of groundwater in Quaternary and Tertiary rocks are faulty and cannot be used to predict the effects of groundwater withdrawal from West Well Field on Fiute Spring.

Although the geology described in the DEIS is demonstrably wrong, the kinds of information on which groundwater flow and alluvium/bedrock

hydraulic conductivities are based cannot be assessed because the data are not reported. No indication at all is given of the manner in which the Mark Group conducted their investigations, or of the number or type of samples used to determine hydraulic conductivity/porosity measurements. For all the reader knows, the ranges quoted on p. 4.3-14 are for two samples each of "unconsolidated sediment" and "volcanic rock." The stratigraphy, structure, and physical characteristics of the Quaternary and Tertiary rocks in this area are complex, but the DEIS glosses over the complexities with unaccountable generalizations, idle speculations that are contradicted by existing reports and information, and ~~scientific~~ errors of interpretation that are internally contradicted in the DEIS itself. In all, the public can have no confidence in the quality of the assessment, the predicted consequences of the project, or the likely performance of any applicant following its guidelines.

A few references in case of need--should not be supplied in the review:

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TESTIMONY ON THE CASTLE MOUNTAIN PROJECT

Contact Scott Simons
Chairman, Sierra Club - Mojave Group

Sierra Club-Mojave Group opposes the Castle Mountain Project. The objections we have are numerous, but as chairman, I'll confine this discussion to a few points

It is outrageous that a foreign firm can strip mine our desert, leave behind hazardous wastes and pour [4] square miles of torn up desert, rob the desert of billions of gallons of water, take the resources of the people of the United States, and pay absolutely no fees for robbing us like this

The Environmental Impact Statement leaves some very important safety points unresolved

Back ground As much as 3,000 tons of cyanide would be used at the mine each year They will be pouring this toxic chemical into heaped up pads of dirt and rock What happens to this vast pile of chemical laced dirt once the company quits operation? A Federal court in the nation's capital just ruled that this residue should be classified as hazardous waste We will be left with a 1/2 square mile accumulation of toxic material piled about 30 feet high throughout Further, if cyanide in this heap comes in contact with acids, it becomes very deadly hydrogen cyanide gas

A high official of the Environmental Protection Agency told me that he views mine operations such as this one as potential superfund sites. Imagine that! A superfund site in the nation's first Scenic Area The Canadians get the gold and profits We get a possible superfund site

Questions that remain unanswered in the EIS include
1) What happens if we get a strong acid rain on the heap leach pads Will the entire pile start oozing hydrogen cyanide gas? Will control procedures for hydrogen cyanide prove effective in a desert downpour?

2) Since a federal court has already ruled that these piles remain hazardous even after mining operations finish, will this be a danger long after the mining company has moved on? The company will be monitoring this situation while it is extracting minerals Are they willing to maintain inspections for as long as the pile remains toxic, or will the U.S. taxpayers be picking up this expense?

This is an important question Heavy metals are known to concentrate in leached ore piles Erosion could naturally expose them after many years Even after the heap is rinsed to reduce residual cyanide content to the level stipulated by the Regional Water Quality Control Board, there is reason to fear that the pile will still be hazardous The discussion in 5.7.1.2 does not allay my fears about heavy metals, nor apparently, the fears of the federal court

Again, what kind of long term monitoring and payments will the Canadian Company be liable for? And even more basic, why should American soil be polluted and the American public put at risk so that some foreign firm can rob us of millions of dollars?

3) Strong acids are typically used in this type of mining to regenerate the adsorption medium What safeguards will be taken to insure beyond doubt that over the long life of this project, such potent acids won't come into contact with the sodium cyanide solution? Safety plans on this matter are left somewhat nebulous They are left to the future to decide I don't understand why these are not stated in the text of the EIS What safeguards are being built in before the government regulators come on site? Surely, if the company is so concerned about safety, these items should already have been considered Or will there be only grudging acceptance of government regulations?

The EIS flatly states that "The leaching operations associated with the proposed action could result in emissions of hydrogen cyanide [HCN] gas." It then goes on to talk about continuous PH control of the leaching solution

But what happens when something goes seriously wrong? In the case of the oil spill in Alaska, at Three Mile Island, at Bhopal, and the like, we've all seen how much vaunted safety features can fail What happens then? Are there emergency evacuation procedures? What happens to wildlife in the area in the case of catastrophe? Who is responsible for cleanup? What kind of public warning will be given? How will it be given? Who pays if there is a major disaster? Will U.S. taxpayers pick up the bill?

4) A lot of space is given to the proper training of company employees They will drive slow, they will be trained to handle toxic chemical spills,

they will be drilled in safety procedures.

As the captain of the Exxon Valdez proved, it takes only one alcoholic to mess up the best laid plans. What specific company standards are there concerning alcohol and drug abuse? Will there be random testing? Testing with cause? What about the employee who shows up groggy on Monday morning? Will there be immediate suspension for a week if someone drives too fast? What will happen to employees who speed home on a Friday night? Will drivers of material's be paid by the hour which would encourage speeding?

Considering the inadequacy of the EIS and the long term hazards that this project imposes, it is quite clear that the No Action Alternative is in the best interests of the people of the United States

Thank You,
Scott Simons
Scott Simons

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 - JOHN E. LARSON
 - GLENN W. SUDPFER
 - GEORGE TAYLORSON
 - RONALD D. HICKAREY
 - SAMUEL HICKAREY
 - BRIT W. WILSON
 - JOHN E. LARSON
 - RENE G. JARREVAL

May 4, 1989

Mr. John Bailey
Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888

Re: Draft EIS/EIR, Castle Mountain Project

Dear Mr. Bailey:

I am writing to express support for the Castle Mountain Project. As you know, the Society for the Conservation of Bighorn Sheep supports the concept of multiple use of the public lands. The measures proposed in the Draft EIS/EIR for protecting other environmental resources in the Castle Mountain area indicate to me that, given the commitment by the project sponsor to implement and maintain those measures, mining will be compatible with other uses of the area, such as wildlife habitat.

The draft EIS/EIR proposes that a reclamation plan be implemented to accelerate the recovery of most areas that would be disturbed by this project. I have no doubt that revegetation will be successful on most disturbed sites. The vegetation that has reestablished itself on the embankments of the abandoned Barnwell to Searchlight railroad demonstrates that successful revegetation will occur in this area. The density and diversity of vegetation on such embankments is virtually indistinguishable from adjacent, undisturbed areas. The requirement that test plots be established early in the mine's life will enhance the effectiveness of revegetation efforts at the site, and will accelerate the rate of recovery to predisturbance levels.

Mr. John Bailey
May 4, 1989
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Mining will cause a temporary loss of a very small portion of the available wildlife habitat in Lanfair Valley until disturbed areas have been revegetated, and the open pits could represent a permanent loss of a smaller area for some wildlife species. However, based upon my personal observations of the pits at Kaiser Steel's iron mine, I would expect that the pits at Castle Mountain will be utilized as habitat by Bighorn sheep after mining operations cease. Owing to the very low levels of heavy metals in the wall rock of the Castle Mountain pits, surface run off which enters the pits will be safe for wildlife to drink, and over time, some vegetation will reestablish on the benches and floor of the pits.

From the perspective of minimizing impacts to desert tortoise, it appears that commuter traffic should be directed along the Searchlight access route, which will pass through a much shorter length of crucial tortoise habitat, with tortoise densities that are about one-fifth the densities in the center of Ivanpah Valley. Fencing along the access roads should be restricted to minimize interference with the movement of Bighorn sheep. Given that the commuter traffic will be concentrated around the hours of shift changes, I do not expect it will interfere with Bighorn migration patterns.

The conclusion that groundwater withdrawals for the Castle Mountain Project will not interfere with the natural flow at Piute Spring appears reasonable. I note that monitor wells around the proposed well field will be used to assess the accuracy of the computer modeling which supports that conclusion. I believe, however, that the Final EIS/EIR should discuss what will occur if the monitor wells show a greater-than-expected drawdown. Could water be developed from a different aquifer if excessive drawdown were to occur? Where would that be, and how long would it take to bring it into service?

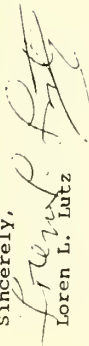
In general, the springs throughout the area provide an adequate supply of water for the wildlife population. The Draft EIS/EIR states that the project sponsor will pay for the removal and relocation of two wildlife watering guzzlers. Improvements that were made some time ago in the vicinity of Dove Springs are in need of repair. Perhaps this could be done by the project sponsor concurrently with its other changes to water sources. The measures proposed in the Draft EIS/EIR to prevent wildlife from coming into contact with water containing cyanide leaching chemicals use procedures that are effective at other heap leach operations.

Mr. John Bailey
May 4, 1989
Page 3

I support the findings in the Draft EIS/EIR that the Castle Mountain Project, if implemented with the mitigation measures discussed in that document, will have no significant adverse affect on wildlife.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in dark ink, appearing to read "Loren L. Lutz". The signature is stylized and written in a cursive-like font.

Loren L. Lutz

sent *John*

WILDERNESS IMPACT RESEARCH FOUNDATION

556 SIXTH STREET
ELKO, NEVADA 89801
702.738.2000

A. Grant Gerber
Chairman

May 10, 1989

MAY 15 11:42

John Bailey
Area Manager
U.S. Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363

Mr. J. Bellandi
Environmental Public Works Agency
Land Management Dept.
Office of Planning
385 No. Arrowhead Avenue
San Bernardino, CA 92415

Re: Castle Mountain Gold Project

Dear Sirs:

Our review of the Castle Mountain Gold Project by Viceroy Gold Corporation, indicates that this a project that should go forward. The temporary disruption of any wildlife population will be offset by the ultimate increase in availability in forage that will be provided by Viceroy.

The creation of in excess of 100 new jobs, the resulting increased tax base, community projects and other benefits, by far, out weigh any claimed negative impacts by the preservationists.

This is an appropriate project and should be supported and approved by the Bureau of Land Management.

Thank you.

Very truly yours,

A Grant Gerber
A. GRANT GERBER *5/10/89*

AGG/nmn
cc: Wade Elliot

03 JUN 15 PM 4:07



THE WILDERNESS SOCIETY

CALIFORNIA NEVADA REGIONAL OFFICE

May 12, 1989

Attn: John Bailey
Needles Resource Area
101 West Spike's Road
P.O. Box 888
Needles, CA 92363-0888

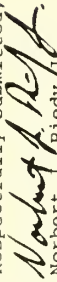
RE: Comments of The Wilderness Society and the Natural Resources
Defense Council on the Castle Mountain Project Draft
Environmental Impact Statement and Environmental Impact
Review.

Dear Mr. Bailey:

Thank you for this opportunity to review and submit comments
on the Castle Mountain Project draft EIS/EIR.

As you will see from our comments, and those of the Sierra
Club Legal Defense Fund and Desert Survivors, which we
incorporate by reference, the Castle Mountain EIS/EIR fails to
meet the standards set out by state and federal law and
regulation. This failure provides the Bureau of Land Management
with an inadequate assessment of potential environmental impacts
of the proposed project.

We hope the Bureau will exercise all the resources it has
available to it to prevent impacts to the East Mojave National
Scenic Area.

Respectfully submitted,

Norbert J. Riedy, Jr.
Johanna H. Wald

I. INTRODUCTION

This document constitutes the comments of The Wilderness
Society (TWS) and the Natural Resources Defense Council, Inc.
(NRDC) on the draft environmental impact statement and
environmental impact report (EIS/EIR) on the proposed Castle
Mountain mine and related developments. TWS and NRDC are both
national, nonprofit environmental membership organizations. TWS
has over 275,000 members, approximately 55,000 of whom are
California residents. NRDC has over 100,000 members,
approximately 30,000 of whom reside in California. Both
organizations have long been concerned about the significant
environmental impacts associated with mining activities and have
sought to ensure that such activities be conducted in an
environmentally responsible manner and only where reclamation is
assured.

In March of 1988, the Viceroy Gold Corporation (Viceroy), a
subsidiary of a Canadian corporation, applied for federal and
local permits to develop a mineral claim on Castle Mountain. An
earlier plan of operations for the project had been approved by
the Bureau of Land Management (BLM) in 1987, but was withdrawn
following the filing of a formal appeal. This 2,735 acre project
site and an associated claim block covering a much greater area
(approximately 30 square miles) controlled by Viceroy are
situated in an environmentally sensitive area in the East Mojave
National Scenic Area, which itself is within the California

Desert Conservation Area, a region recognized by federal legislation as a "total ecosystem that is extremely fragile, easily scarred, and slowly healed." The National Scenic Area designation was made in recognition of the "rich diversity of outstanding natural, scenic, and cultural resources in the area." The area supports a wide variety of plant and animal life, including candidate species for listing under state and federal endangered species legislation.

Viceroy proposes to directly disturb more than 900 acres of public land and indirectly affect many more to recover gold. Before the project may proceed, the Bureau of Land Management must approve Viceroy's plan of operation, and San Bernardino County must approve the reclamation plan. Surface Mining and Reclamation Act of 1975 (SMARA), Cal. Pub. Res. Code Sec. 2770. The National Environmental Policy Act (NEPA), 42 U.S.C. Sec 4321 et seq., and the California Environmental Policy Act (CEQA), Cal. Pub. Res. Code Secs. 21000 et seq., require that these governmental approvals be preceded by preparation of an adequate EIS and an adequate EIR respectively. Pursuant to the Council on Environmental Quality regulations, 40 C.F.R. 1500.4(n), and the State EIR Guidelines, Cal. Admin. Code Sec 15062, the BLM and San Bernardino County agreed to issue a joint EIS/EIR in compliance with both laws.

TWS and NRDC believe that the Draft EIS/EIR is fundamentally inadequate to meet NEPA and CEQA requirements. We also believe that the Draft EIS/EIR fails to demonstrate that reclamation of the site will be successful as required by SMARA. On the contrary, the Draft EIS/EIR reveals, despite its inadequacies, that the proposed project is virtually certain to result in widespread and significant adverse impacts. It also reveals that the proposed reclamation will be unsuccessful in reclaiming the site for post-mining uses, which should include -- among other possible uses -- wildlife habitat, recreation, grazing, preservation of rare plant communities, and enjoyment of the area's scenic values. Under the circumstances we have no other alternative but to oppose the project.

TWS and NRDC recognize that there are many critical flaws and omissions in the technical information and analyses contained in the document. We hereby endorse and incorporate herein by reference the comments of Desert Survivors, Sierra Club Legal Defense Fund, Dr. Robert Stebbins, Dr. Robert Curry, Dr. Howard Wilshire, and Dr. Bruce M. Pavlick.

II. THE DRAFT EIS/EIR FAILS TO COMPLY WITH NEPA/CEQA REQUIREMENTS

The functions of an EIS and an EIR are similar. First, they compel the decision maker to give serious weight to environmental considerations in determining what action to take respecting the

proposed project. See, e.g., Foundation for North American Sheep v. Department of Agriculture, 681 F.2d 1172, 1177 (9th Cir. 1982); People ex rel. Department of Public Works v. Bosio, 47 Cal. App. 3d 495. Second, they encourage public participation in agency decisionmaking by requiring "full disclosure" of environmental consequences. See, e.g., Trout Unlimited v. Morton, 509 F.2d 1276 (9th Cir., 1974); People v. County of Kern, 39 Cal. App. 3d 830. Third, they provide an evaluation of the proposal's benefits in light of environmental risks and in comparison with alternative courses of action. See, e.g., NRDC v. Morton, 458 F.2d 827 (D.C. Cir., 1972); No Oil, Inc. v. City of Los Angeles, (13 C.3d 68). By providing full disclosure of the environmental effects of a project in advance, the EIS/EIR serves as a basis for early resolution of conflicts without needless expenditures of time, money and effort. However, when the EIS/EIR fails to fully disclose environmental effects, delay and poor decisions result.

The draft EIS/EIR on the Castle Mountain mining project is fundamentally inadequate to perform these functions. The document considers an inadequate range of alternatives to the proposed action, ignores or defers consideration of significant environmental impacts, and provides virtually no quantitative information on the project's costs or benefits. These shortcomings frustrate public participation in agency decisionmaking and render the draft EIS/EIR largely useless as an

informative document--for use either by the decision making agencies or by the public.

A. THE DRAFT EIS/EIR FAILS TO DISCUSS A MEANINGFUL RANGE OF ALTERNATIVES.

NEPA's requirement that an EIS discuss alternatives to the proposed action (42 U.S.C. Sec 4332 (c)(iii)) has been described as the linch-pin of the entire EIS. California v. Bergland, 483 F. Supp. 465 (E.D. Cal. 1980), aff'd in part, rev'd in part sub nom. California v. Block, 690 F.2d 753 (9th Cir. 1982). NEPA and the CEQA regulations require that an EIS "[r]igorously explore and objectively evaluate all reasonable alternatives" to the proposed action. 40 C.F.R. Sec 1502.14(a) (emphasis added). Without such a discussion, the decision maker cannot make an informed choice about whether to proceed with the proposed action. See California v. Bergland, supra. Moreover, failure to discuss an adequate range of alternatives prevents compliance with CEQA's requirement that project approval be withheld if there are "feasible alternatives...which would substantially lessen the significant environmental effects of the project." Cal. Pub. Res. Code Sec. 21002.

The Draft EIS/EIR purports to analyze three alternatives, but in fact considers only two: "no action" and the "proposed action" alternative. The remaining alternative is more

accurately described as a variation of the proposed project with a mitigation measure imposed. Clearly, mitigation measures are not interchangeable with alternatives, particularly under CEQA. See Cal. Admin. Code Secs. 15143(c) and (d).

Because the Ivanpah Access Route Alternative really constitutes the proposed action with one additional mitigation measure rather than an alternative, and thus only the no action and proposed action alternatives are considered, the Draft EIS/EIR fails to comply with CEQA's and NEPA's mandates to consider a meaningful range of alternatives. See California v. Bergland, supra; Cal. Admin. Code Sec 15143(d). Indeed, except for the "no action" alternative, the proposed "alternatives" have nearly identical environmental impacts. The only difference is that one access route rather than two would be utilized in the Ivanpah Access Route Alternative.

In effect, the Draft EIS/EIR assumes that Castle Mountain's mineral resources will be developed, instead of exploring alternative methods of obtaining gold, the need for this project, the benefits of a smaller operation, or the value of this one project to the economy or national security. The narrow range of "alternatives" considered in the Draft EIS/EIR clearly shows that the BLM and San Bernardino County have failed to take the "hard look" at the proposed project which NEPA and CEQA require. NRDC v. Bergland, supra 483 F. Supp. at 483.

The Draft EIS/EIR ignores alternatives to any mining of the deposit. The purpose of mining the deposit is described as follows:

The Castle Mountain Project is proposed as a private industry undertaking. Federal Government policies encourage private enterprise in the economic development of domestic mineral resources to help assure satisfaction of the nation's industrial and security needs. P. 3.2-1.

There is nothing in the draft EIS/EIR to substantiate the implied claim that this particular mining venture is necessary to help satisfy the "nation's industrial and national security needs." Even assuming gold satisfies either of these needs, the Draft EIS/EIR should have considered alternative methods and sources of obtaining this metal as well as examined the benefits, if any, to the nation's security of this one gold mine in comparison to its impact on the values of a national scenic area.

Another alternative method of assuring adequate supplies of this mineral which the Draft EIS/EIR ignores is to restrict their non-military uses and/or require adequate stockpiling to mitigate the effects of a supply interruption. The fact that implementation of such options is beyond the agency's control does not make it inappropriate for consideration. See, e.g., Sierra Club v. Lynn, 502 F.2d 43 (5th Cir. 1974); EDF v. Corps of

Engineers, 492 F.2d 1123 (5th Cir. 1974) (both requiring consideration of alternatives beyond the agency's control).

It is not the function of the agencies preparing the Draft EIS/EIR to assure Viceroy the highest return on its investment. Rather, their function is to "identify ways that environmental damage can be avoided or significantly reduced." Cal. Admin. Code Sec 15006(2). The State EIR Guidelines, in particular, make it clear that an alternative may not be rejected because it reduces the applicant's profit margin: they require that the discussion of alternatives must focus on alternatives capable of eliminating any significant adverse environmental effects or reducing them to a level of insignificance, even if these alternatives would be costly or impede the project's objectives. Cal. Admin. Code Sec 15126(d)(3).

The Draft EIS/EIR's analysis reflects the view that not only will Castle Mountain be mined, but also that it will be mined in a manner acceptable to Viceroy. In its discussion of "Issues to be Resolved", the draft EIS/EIR states, "[t]he primary issue to be resolved is the choice among two alternatives for right-of-way." P. 1.1-3. This also is reflected by the narrow range of "alternatives" considered (as discussed above), and by the fact that the Draft EIS/EIR improperly rejects some genuine alternatives (as opposed to mitigation measures) to the proposed

action and entirely fails to mention others, in violation of both NEPA, 40 C.F.R. Sec. 1502.14, and the CEQA guidelines.

The Draft EIS/EIR mentions and rejects the alternatives of locating all or a portion of the processing facilities outside of the project site. Relocating the overburden, leach piles, and processing facilities outside of the National Scenic Area would clearly affect the project's impacts to the Scenic Area.

The Draft EIS/EIR also ignores the alternatives of withdrawal, condemnation and delay of the mining project. The former two options would permit the environment of the affected area to be protected fully. See NRDC v. Berkland, 458 F.Supp. 925 (D.D.C. 1978), aff'd, 609 F.2d 553 (D.C. Cir. 1979). See also Section III below. Delay of the project could allow time for development of a reclamation plan that is technologically and economically feasible, thereby avoiding potentially irreversible damage. It would also allow time to obtain information about several critically important environmental consequences which the Draft EIS/EIR ignores or about which it defers analysis. For instance, delay would allow time to conduct the reclamation research recognized as necessary by the draft EIS/EIR.

Delay could also help avoid conflicts with potential wilderness areas and national parks. The Viceroy claims within the defined project area and those reaching beyond are primarily

located within a proposed national park and adjacent to, and apparently within, wilderness study areas. (The WSAs are protected from any mining activity that would impact their wilderness values, unless the claims are pre-FLPMA.) This area has long been recognized for the significant value of the resources in and around the project site. The National Park Service has recognized the area as warranting National Park status and protection, because of the many values in the area. The Bureau of Land Management currently manages the area as part of the East Mojave National Scenic Area and under the limited use class provision of the California Desert Management Plan so as to "protect the area's outstanding natural, scenic and cultural resources." All of these designations and proposals were initiated because of the tremendous natural, cultural, scenic, and recreational values of the East Mojave National Scenic Area where the project mine is located. Legislation is currently pending before the United States Congress that would designate the project area a national park and adjacent lands as wilderness. It is not possible to tell from the information presented in the Draft EIS/EIR what the nature and extent of such conflicts between the project and park or wilderness designations might be. In any event, consideration of at least one alternative which preserves wilderness and park values pending Congressional designation is clearly required. Scoping comments of TWS specifically pointed out the existence of the national

park and wilderness proposal, yet the draft EIS/EIR fails to address this important concern.

Finally, alternatives to the use of cyanide for extraction of the gold were not considered. A July 1988 study commissioned by the California State Legislature and prepared by the Mining Waste Study Team of the University of California at Berkeley contained the following statement:

Because cyanide is widely used and because it is extremely toxic, there is concern that accidental contamination of ground and surface waters could threaten public health. Because of this perceived threat, some mining operations in the state have been prevented from using cyanide in their operations. Instead, these mines employ thiourea which, although listed as a carcinogen under Proposition 65, is less acutely toxic than cyanide. Reportedly the recovery of gold is almost as good with thiourea as it is with cyanide." P. xx.

Indeed the report went on to state that "recent evidence from the field suggests that cyanide is more persistent than is predicted by current models." id. at xxi. Yet, the draft EIS/EIR does not consider the alternative of using any method other than

cyanide leaching to extract the gold and does not reveal the questions that still exist as to the safety, both short and long term, of using cyanide.

- B. The Draft EIS/EIR fails to discuss adequately the environmental impacts of the proposed project.

The Draft EIS/EIR spends hundreds of pages discussing the environmental consequences of the alternatives. While the length of this discussion is impressive, its substance leaves much to be desired. The document acknowledges impacts, such as likely loss of bighorn sheep foraging habitat and loss of desert tortoise habitat, but the discussion is couched in terms so vague or uncertain as to render the conclusions essentially meaningless. Virtually none of the impacts is quantified, even within a given margin of error. In many cases, the discussion of impacts is based on assumptions which are unsupported. As the result of these deficiencies, the Draft EIS/EIR lacks an adequate depiction of the environmental impacts that will result from approval of the proposed project or the "alternative" thereto.

The Draft EIS/EIR's failure to discuss fully and informatively the environmental consequences of the proposed project and its permutation (i.e., "Ivanpah Access Route Alternative") completely frustrates two of the principal purposes of an environmental impact statement: "to require decisionmakers

to examine and consider environmental factors before acting [and to serve] as an environmental 'full disclosure' statement, permitting...the public to evaluate the environmental consequences on their own." California v. Bergland, supra, 483 F. Supp. at 482. Clearly, the draft's impact analysis will have to be amended considerably in order to comply with NEPA's and CEQA's requirements.

1. Impacts are not properly identified.

Viceroy's proposed mining project is a complex project which includes a number of fairly new chemical processes and technologies. The Draft EIS/EIR fail to describe the nature and extent of its the potential impacts clearly.

The document's failure to identify all possible impacts is evidenced by its failure to recognize that, despite its use for many years in mining, the use of cyanide has many unknowns. According to the University of California Mining Waste Study Team report mentioned above, evidence from the Grey Eagle Mine suggests that "cyanide appears to be much more persistent than would be predicted from existing knowledge on attenuation." The report urges investigation of "the long term persistence of cyanide residues...to ensure proper procedures are used to prevent future environmental problems from abandoned" mines. P. 17. The report goes on to state, "because of its increasing use,

close attention should be paid to wastes containing cyanide. At least two mines in the state (the Noranda Grey Eagle and the Picacho mines) continue to have problems with cyanide releases from the waste management facilities. Also the large number of gold mines presently in production and continuing to come on-stream will represent a huge inventory of cyanide treated waste. We recommend that the immobilization and destruction of cyanide in cyanide waste from gold mining operations be investigated in the field." id. at xxiv. (Bolding in original)

The lack of such information, moreover means that the Draft EIS/EIR fails to provide the necessary basis for the written findings which the County must make regarding "significant effects" prior to approving the project. See, e.g. State EIR Guidelines, Cal. Admin. Code Sec. 15091; Pub.Res. Code Sec. 21081.

2. The Draft EIS/EIR Improperly Defers Discussion of Important Environmental Impacts.

As indicated above, both NEPA and CEQA are "environmental full disclosure laws". Compliance with their respective mandates requires that "all environmental impacts of a particular project [be disclosed]. Only if this is done will the most intelligent, optimally beneficial decision be likely to result." NRDC v. Morton, 388 F. Supp. 829, 838 (D.D.C. 1974), aff'd., 527 F.2d

1386 (D.C. Cir. 1976), cert. denied, 427 U.S. 913 (1976). The Draft EIS/EIR patently fails to satisfy this requirement.

That this document lacks a complete description of all potential impacts is unquestionable. For example, while the Draft EIS/EIR outlines the need for and the eventual installation of a natural gas pipeline for the Castle Mountain project, it provides no detailed description of the pipeline, its length, its location, whether or not it would be removed at the end of the project, or its potential impact.

The document also neglects to consider whether planned reclamation will actually be successful. Instead, the draft EIS/EIR describes a reclamation research program that will be undertaken to determine what reclamation is feasible.

It is not appropriate, as the Draft EIS/EIR suggests, to defer gathering current, detailed reclamation data until a later stage in the project's life. This information is not only necessary for comparing alternatives, but it also could be useful in generating true alternatives to the proposed project. Moreover, as discussed above, this information is necessary to an honest assessment of the project's environmental impacts, which in turn is crucial to fulfilling the basic functions of an EIS/EIR.

No justification -- other than lack of information -- is provided for deferring analysis of the impacts to the environment of a planned gas pipeline or of the success of the planned reclamation, and, we believe, none exists. The information about these impacts, which is lacking in the draft, such as the reclamation data discussed above, "is essential to a reasoned choice among alternatives" and alternative mitigation measures. CEQ Regulations, 40 C.F.R. Sec 1502.22. Moreover, the draft lacks any showing that the overall costs of obtaining it are exorbitant or the means to obtain it are not known. Indeed, as indicated, a research program has already been developed to determine the feasibility of reclamation. Id. Therefore, the information must be included. Id.

Clearly, the agencies' authority to impose conditions on subsequent activities will be reduced once approval of the project has been granted. Deferring consideration of the project's environmental impacts to subsequent decision points is a completely unacceptable substitute for timely consideration of impacts before the project is approved. Only at the pre-approval stage can a wide range of alternative approaches to particular problems be considered. Only at this stage can environmental concerns be addressed in a comprehensive fashion, rather than on a piecemeal basis. Consequently, the EIS/EIR must contain a comprehensive discussion of the impacts that will result from

project approval. See, e.g., NRDC v. Berkland, supra, 458 F. Supp. at 938.

3. The Draft EIS/EIR improperly dismisses discussion of the cumulative effects of additional mining which may be induced by the project.

Consideration of induced impacts is not only appropriate, it is required where those impacts are likely to be significant. See also Davis v. Coleman, 521 F.2d 661, 676 (9th Cir. 1975). The Viceroy Corporation controls mineral claims on approximately 30,000 acres in the vicinity of the proposed Castle Mountain project. It is conceivable that the company will attempt to produce minerals from these claims in the future, but the draft EIS/EIR fails to address the cumulative impact of any likely development of these claims. It should not be difficult to forecast a range of possible market conditions and evaluate which of the nearby deposits could be profitably mined.

Given the explosion of gold mining in recent years and the three large mines in or adjacent to the National Scenic Area near Castle Mountain (Coliseum, Morningstar, and Mountain Pass) and BLM's contention that there are valuable minerals throughout the East Mojave, a more detailed and realistic cumulative analysis would consider the development more mines in the vicinity.

Additionally, the cumulative analysis should consider the impacts of a number of mines in the region and failure to complete reclamation of each site. Since the draft EIS/EIR fails to provide any information indicating that revegetation can be successful at mine sites, the analysis should consider the impacts of a number of mines destroying natural habitat and leaving behind open pits and numerous square miles of unvegetated soils. Finally, the cumulative analysis should not limit itself to concurrent impacts of activities in the vicinity of Castle Mountain, but also additive impacts of consecutive activities. The impacts of the proposed project are not limited to the operating life of the mine.

4. The Draft EIS/EIR neglects to discuss the proposed project's effects on wilderness and national park qualities and conflicts with wilderness and Park designation.

The Draft EIS/EIR recognizes that the project site is located within the East Mojave National Scenic Area and adjacent to several wilderness study areas, but fails to adequately consider the impact to these resources. Nor does the document identify and consider impacts to pending legislation that considers these lands for wilderness and national park status. Pending a decision by Congress on whether to designate these WSAs wilderness, the WSAs must be maintained to preserve their

wilderness qualities. Interim Management Policy and Guidelines for Lands Under Wilderness Review, FLPMA Sec. 603(c).

The Draft EIS/EIR contains no assessment of the effects of the proposed project -- or even of the exploratory activities now underway -- on wilderness or park values of the project area. The document does not even indicate where the boundaries of the proposed park, wilderness, and wilderness study areas overlaps Viceroy's entire claim block. It is impossible to determine from the Draft EIS/EIR how much, if any, of the claim can be mined without conflicting with possible wilderness designation. As indicated above, such an analysis might reveal a true alternative to the proposed project -- one which involves mining less than the entire deposit. In any case, the impacts to these unique and irreplaceable resources must be analyzed.

a. The Draft EIS/EIR Understates the Potential for Impacts to the Fort Piute Wilderness Study Area through Mining of the Water in the Landfair Valley Aquifer.

Much more emphasis seems to have been put upon securing adequate water supplies for the mine than upon assessing the effects of their withdrawal upon the regional environment. The primary issue is not adequate water supplies, but the implications of mining water in excess of safe yield upon surface-water dependent organisms and ecosystems. Non-

conservative and unsupported assumptions made throughout the hydrological analysis have greatly shortchanged the environmental assessment process and have led to a failure to identify probable impacts to the integrity of the Fort Piute Wilderness Study Area, which is protected by Section 603(c) of the Federal Land Policy and Management Act.

Two major deficiencies in the hydrological analysis indicate that the conclusion reached in the draft EIS/EIR that there would be no significant impacts to the flow of water at Piute Spring within the Fort Piute WSA is incorrect. First, the analysis makes an assumption that "[eventually]...the [hydrologic] system behaves as an unconfined aquifer." Not only is an open-aquifer assumption not supported by the evidence presented, it is specifically contradicted by much evidence. Secondly, estimates of recharge are non-conservative and probably overestimate the amount of recharge the Landfair Valley aquifer is likely to receive. Despite admissions and apparent demonstrations of scientific conservatism in the hydrogeologic investigations and conclusions, the record demonstrates non-conservative assumptions.

The science of groundwater hydrology is inexact. Thus, hydrogeologic analysis for environmental assessment must be based upon conservative methods that will provide a worst-case or worst-probable-case model. Without such an allowance for errors,

environmental effects cannot be reasonably estimated with any factor of safety. A conservative analysis would show that the basin is delicately balanced hydrologically with recharge about equal to outflow and that the majority of outflow feeds the Piute Spring area. The delicate hydrologic balance, coupled with lack of confined aquifer modeling for at least the part of the basin from the mine-site eastward, leads to the conclusion that the environmental analysis is deficient and unable to support the conclusions presented.

5. The Draft EIS/EIR fails to demonstrate that the proposed reclamation will assure successful reclamation as required by SMARA, and improperly ignores the impacts that will arise from unsuccessful reclamation.

The extent to which the Castle Mountain area can be reclaimed following strip mining by Viceroy is a major determinant of the magnitude of impacts resulting from this project. The hazards associated with the failure to reclaim mined areas are the reason the State of California requires mining proposals to include reclamation plans which assure that "mined lands are reclaimed to a usable condition which is readily adaptable for alternative land use." SMARA, Cal. Pub. Res. Code Sec 2712(a).

SMARA's requirement that mined lands be reclaimed does not guarantee, of course, that reclamation is feasible. Indeed, the Draft EIS/EIR recognizes that Viceroy's proposed reclamation is unlikely to assure complete successful reclamation. Yet, the document's discussion of environmental impacts frequently assumes that reclamation efforts will be successful and no evidence is presented to support that claim.

a. As the Draft EIS/EIR acknowledges, Viceroy's proposed reclamation is inadequate to assure complete successful reclamation.

The Draft EIS/EIR clearly reveals the inadequacy of Viceroy's proposed reclamation. A learn-as-you-go method of reclamation as described in the draft is no substitute for analysis of the impacts of proposed reclamation during the environmental review for the project. Although a stated goal of reclamation is to reduce impacts to wildlife habitat, there is no substantive discussion of the feasibility of regaining the existing plant species diversity and cover. Neither are the procedures presented whereby reclamation can be accomplished.

Use of the mining site for wildlife habitat will require more than simple reseeding, contouring the overburden and ore piles, and staining rock. Assurances that the plant species proposed for use in revegetation will support indigenous wildlife

are absent. This is especially important where non-native species are relied on to revegetate mined areas. The draft EIS/EIR recognizes the possibility of exotic species colonizing the disturbed area, but does not adequately consider the negative impacts of this. In fact, the document reveals that the applicant and agency apparently believe it is not a negative impact if the level of exotic invasion is comparable to that occurring at other similar project sites. The intent should be to allow no exotic establishment. Thus, the Draft EIS/EIR itself reveals that the proposed reclamation is clearly inadequate to satisfy SMARA's requirement that successful reclamation be assured.

b. The Proposed Reclamation is incomplete, vague, makes unsupported claims, and is inadequate to assure revegetation.

The Draft EIS/EIR purports to describe a "reclamation plan." Unfortunately, the so-called plan shares the proposed draft's main defect: it does not contain specific, proven measures to assure successful revegetation. Instead, it offers vague mitigation proposals, unsupported claims that those proposals will suffice to assure revegetation, and even more vague assurances that if they fail, different methods that will work will be instituted. Thus described, it is apparent that no reclamation plan exists at all and is clearly inadequate to meet SMARA's requirements.

The final overburden and heap pile treatment proposed in the draft EIS/EIR is to return stored topsoil and reseed the piles. This proposal does have some intuitive charm, but ignores a substantial literature on the problems encountered in reusing stockpiled soils. Soil texture and structure are destroyed in the process of stockpiling and replaced soil lacks the productivity of the original soil. The longer the soil is stockpiled, the less productive it becomes because soil biota die. Thus, to reproduce even marginally productive soil on these piles of crushed rock requires more thought and planning than is evidenced in the DEIS. There is no documentation concerning required amounts, sources, effectiveness or cost. Therefore, the success of this proposal is questionable and the full range of alternatives has not been provided.

Backfilling as a part of the reclamation program is not adequately considered in the draft EIS/EIR. It is only discussed in the section which addresses the failure (or refusal) to consider certain alternatives. Backfilling should be considered in a detailed reclamation plan as part of the determination of potential impacts from the Castle Mountain project. It is clearly an option that offers a way to decrease impacts to wildlife habitat, natural drainages, and scenic values, as well as a way to decrease the adverse effects likely to occur to the overburden and ore piles such as erosion.

While the draft EIS/EIR suggests that the cost of backfilling is a reason it is not fully considered, the document fails to provide a detailed analysis of why the project can not be profitable and still backfill the pits. Without this analysis the reader has no way of determining that the exposed pits and rock piles left by the project are not unnecessary and undue degradation of public resources.

Reclamation involves more than revegetating the mined tailings, of course. Additional acres will be disturbed by the processing plant and other facilities, ponds, and ore storage pads. What about spillage of fuels and other hazardous materials? Won't they affect soil properties? What are the changes in soil properties that would occur that would make the resulting soil less productive than it was originally? What would the degree of this reduction be? The discussion in the Draft EIS/EIR is quite uninformative -- unacceptably so.

The reclamation outlines fails to provide a safe closure plan for the cyanide ponds. What measures will be taken to ensure residues are completely removed from the ponds and underlying soils? Will covers be required to ensure rainfall does not later transport these pollutants?

C. In spite of serious shortcomings of the reclamation outlined, the Draft EIS/EIR uniformly assumes that reclamation will be successful when it discusses the environmental impacts.

The Draft EIS/EIR assumes that revegetation will be successful. However, as we have just shown, there is no evidence to support the assumption that Viceroy's proposed reclamation is feasible -- technologically or economically. Therefore, the Draft EIS/EIR's discussion of environmental impacts is grossly deficient. This discussion should contain an analysis of the environmental consequences following unsuccessful reclamation.

D. The EIS Lacks An Analysis of Catastrophic Impacts

It is clear that, when there is uncertainty about the extent of the adverse impacts likely to result from a proposed action, NEPA and the CEQ regulations impose special obligations on federal agencies, including the Bureau of Land Management. As demonstrated above, key information that has not been included in the Draft EIS/EIR must be supplied. In addition, however, 40 C.F.R. Sec 1502.22(b) provides that, if information relevant to adverse impacts is incomplete, the agency must summarize the existing scientific evidence relevant "to evaluating reasonably foreseeable significant adverse impacts," and must evaluate those impacts, including "catastrophic consequences," even where their

probability of occurring is low. Certainly, as we have noted above, it is not unreasonable to expect that reclamation will not succeed, that toxic materials will be released or that diminution of the flow at Piute Spring will occur. In fact, as we have discussed, the Draft EIS/EIR reveals clearly that successful reclamation is highly problematic. The significance of reclamation failure, were it to occur, can hardly be denied given SHARA's mandate, to say nothing of the unique environmental resources potentially at risk.

For these reasons, it is incumbent upon the BLM and the County to examine the impacts of catastrophes involving at least reclamation, toxic materials on the groundwater, 100 or 1,000 year storms on project site, and the water resources at Piute Spring prior to approving this project. In particular, the impacts of a total failure of reclamation at different stages of the project and under different conditions must be analyzed.

E. The Draft EIS/EIR Fails to Propose Meaningful Mitigation Measures.

Despite its inadequacies, the Draft EIS/EIR reveals clearly that significant, widespread adverse environmental impacts are likely to attend approval of Viceroy's proposed project, including, for example, violation of the state reclamation requirement, ground-water contamination, ground-water mining and

impacts to Piute Spring, water quality degradation, and increased erosion. As the draft itself reveals, CEQA and NEPA require that these and other impacts be avoided by imposition of mitigation measures. The Draft EIS/EIR fails to propose sufficient meaningful mitigation measures to satisfy this non-discretionary obligation. To the extent mitigation measures are considered, they are inadequate or so vaguely described that they provide no basis for analysis.

Reliance on these vague mitigation promises that further study, monitoring and surveillance may reveal potential impacts, but do not in themselves mitigate impacts. The measures proposed offer no sure mechanism for moving from studying the problems to solving them. Mere assertions that problems will be solved in the absence of any proven or even proposed solutions will not satisfy the duty to develop solutions. If the BLM and San Bernardino County cannot, or will not, obtain the information needed to formulate genuine, specific mitigation measures, then they have insufficient information to determine whether there will be no significant environmental impact from Viceroy's proposed mining project.

Had the Draft EIS/EIR adequately analyzed the effectiveness of proposed "mitigation" measures, as it is required to do under both NEPA and CEQA, that analysis would undoubtedly have disclosed that there is little reason to believe that not just

the monitoring measures will mitigate the environmental impacts of the project.

F. Information has been Improperly Incorporated by Reference.

Both NEPA and CEQA authorize the incorporation of information by reference in EISS and EIRs respectively. The applicable requirements for both types of documents have been blatantly ignored in the instant draft.

The State EIR Guidelines provide that an EIR may incorporate a document by reference if the document "is a matter of public record or is generally available." Cal. Admin. Code Sec. 15150(a). The EIR must state where the document is available and must "briefly summarize [...] or briefly describe []" the contents of the incorporated material. Id. Secs 15149(b) and (c). Virtually identical requirements have been imposed for EISS. See CEQ Regulations, 40 C.F.R. Sec 1502.21.

Several documents, including several related to hydrology, are incorporated by reference into the Draft EIS/EIR. These documents include Viceroy's future reclamation plan which cannot be incorporated by reference because it is essential to an understanding of the project and its impacts. See, e.g., Akers v. Resor, 443 F. Supp. 1355, 1358 n. 5 (W.D. Tenn. 1978). The lack of sufficient summaries of information incorporated by

reference makes it virtually impossible to engage in meaningful review of the EIS/EIR.

III. The EIS/EIR fails to Demonstrate Compliance with the Mining Law of 1872.

As recognized in the Draft EIS/EIR, Viceroy's right to mine, if any, is subject to the imposition of conditions that will minimize environmental impacts and satisfy applicable laws. The document, however, fails to demonstrate the Viceroy has satisfied the statutory prerequisites for approval of its proposed mining project.

The Mining Law of 1872 provides that, if a "valuable mineral deposit" is found, 30 U.S.C. Sec 22, the prospector may stake a claim, mine and remove the deposit. Even assuming that the law grants those who satisfy this statutory prerequisite a "right to mine," a proposition that is not totally free from doubt, it is clear that regulation by the BLM of mining activities to protect the environment and minimize surface impacts is fit and proper. Indeed, as the Draft EIS/EIR acknowledges that the BLM is obligated to impose conditions on the Castle Mountain project which are necessary to protect the environment and assure full reclamation.

It is also clear that the costs of complying with these conditions as well as other costs associated with the proposed project including extraction, preparation for market, transportation, labor and reclamation, must be taken into account in deciding whether a valuable deposit has been recovered. See NRDC v. Berklund, supra. Only if the mining company can show that the proposed project is likely to make a profit after all costs are considered does a valuable claim exist. See, e.g., United States v. Coleman, 390 U.S. 599 (1968). The EIS is the appropriate and necessary vehicle for determining whether a valuable deposit has been discovered as well as for determining whether reclamation and other environmentally protective objectives can be accomplished. See, e.g., NRDC v. Berklund, supra. The Draft EIS/EIR, however, fails to provide the information needed for rational decisionmaking on this critical issue.

For the environmental costs of a project to be taken into account, it is obvious that all likely impacts must first be identified and then that specific terms and conditions to prevent or mitigate those impacts must be established. The steps necessary to achieve full reclamation must also be established and the costs of complying with all these requirements must be set forth along with all other costs against the predicted "benefits". Only with this information can the decision maker--and the public--determine if a prudent person, cognizant of the

mandate to protect the environment while mining and committed to reclaiming fully the degradation resulting therefrom, would commence extraction of these deposits, given their character.

As discussed above, the Draft EIS/EIR ignores or defers analysis of significant environmental impacts and lacks particular mitigation measures tied to specific impacts and to particular stages of the project. In lieu of such measures, the EIS/EIR substitutes vague management constraints, the compliance costs of which are impossible to estimate. The reclamation described is extremely general and non-specific, as even a cursory comparison with Homestake Mining Company's reclamation plan for its McLaughlin project reveals. Thus, another reason for condemning the "after the fact" approach taken in this document is that it prevents the costs of complying with measures required to protect the environment from being established and incorporated into the decisionmaking process.

Since the Draft EIS/EIR fails to address the kind of measures for which costs can be estimated, it is perhaps not surprising that no reclamation budget is supplied. According to the BLM, however, Viceroy was prepared to spend between 7 and 21 cents per ton for reclamation of this project --even before its environmental impacts were fully revealed. BLM, Gold Mining Inspection -- California Desert Conservation Area, Appendix 1 (May 1988). The next version of the EIS/EIR should explain

exactly what reclamation practices would be covered at each end of this range as well as at different points within it.

The next version, unlike the Draft EIS/EIR, should also provide cost figures for other activities associated with this project such as transportation and fuel. The market prices of the metals to be produced and the sales figures should also be provided.

All of this information is omitted from the Draft EIS/EIR. Unless and until it is provided, the necessary valuable deposit determination cannot be made and Viceroy's plan of operations cannot be approved.

IV. The Draft EIS/EIR fails to Demonstrate Compliance with the Migratory Bird Treaty Act of July 3, 1918.

The draft EIS/EIR recognizes the problems associated with use of cyanide solution where it is accessible to wildlife, especially avian species. The document fails to adequately demonstrate that the proposed project and its mitigation efforts will be sufficient to satisfy the statutory requirements of the Migratory Bird Treaty Act (MBTA).

MBTA provides that as except as permitted by regulations, it is unlawful by any means or in any manner to kill and migratory

bird. 16 U.S.C. Section 703. MBTA represents a strong congressional policy that "birds constitute a natural resource of great value for recreational, aesthetic, scientific, and economic purposes." 1972 Convention Preamble, TIAS NO. 7990 (March 4, 1972). Violation of MBTA by unauthorized killing of a single bird is a criminal offense. 16 U.S.C. Section 707. Even unintentional poisoning of migratory birds by spraying of a pesticide has been held to be a criminal violation. United States v. Corbin Farm Service, 444 F. Supp. 510, 532-36 (E.D. Cal. 1978), *affd.* 578 F.2nd 259 (9th Cir. 1978).

While the draft EIS/EIR does outline mitigation efforts to prevent deaths of wildlife, it does not indicate that the methods will be one hundred percent effective in preventing the deaths of migratory birds. As shown in Appendix C, approximately 45 species of migratory birds are known to visit the East Mojave and be attracted to open ponds of water, such as those that would be built to hold toxic cyanide solution at the Castle Mountain project. The draft EIS/EIR suggests that not all wildlife deaths will be prevented by the proposed mitigation, but fails to quantify the number that will not be prevented. It also fails to provide specifics on how deaths would be prevented from exposure to solution at the edges of ponds should a floating cover or netting be used, as is suggested by the draft. Nor does it provide an analysis of expected exposure of migratory birds to the solution on the sides of the heap piles where solution will

be sprayed into the air. Nowhere in its analysis does the draft EIS/EIR provide a discussion of the effectiveness of the netting and drip irrigation methods for avoiding avian mortality.

The BLM in Arizona has written, "merely netting the ponds would not work. We feel that ducks and other birds would still be able to see water through the netting and may become entangled in the netting when attempting to land." July 11, 1988 letter from Yuma Resources Area to Mr. Cary W. Meister.

Also, the proposed electrical transmission lines could electrocute migratory birds in violation of MBTA. The draft EIS/EIR notes that power distribution lines will be designed in accordance with "Suggested Practices for Raptor Protection on Power Lines", (BLM, 1981). There is no discussion of the applicability of these "Suggestions" to the protection of migratory birds, nor their effectiveness for any species. As a result the draft EIS/EIR fails to provide the necessary assurance that MBTA will not be violated.

V. The Draft EIS/EIR Fails to Demonstrate Compliance with the Federal Land Policy and Management Act (FLPMA).

The Draft EIS/EIR fails to specify how the proposed project meets the standards set in FLPMA for protection of public lands and the California Desert Conservation Area (CDCA) specifically.

There is not detailed discussion of how the project will meet the obligation to prevent unnecessary and undue degradation of public resources. As shown above, it is likely that reclamation will be unsuccessful, this would surely not meet the standard set in FLPMA of preventing undue impairment of resource values within the CDCA.

Title V of FLPMA authorizes the Secretary to grant rights of way over, upon, under or through public land for pipelines, transmission of electrical energy, roads, and other corridors. 43 U.S.C. Section 1761(a). Title V and its implementing regulations 43 C.F.R. Section 2800 et seq. ("2800 Regulations") require a right of way applicant to submit a plan of construction, operation and rehabilitation for the right of way. 43 U.S.C. Section 1761 (b)(1); 43 C.F.R. Section 2802.3. The draft EIS/EIR fails to even describe in detail how and where the pipelines, electrical transmission lines, and roads will be constructed, operated, and the land rehabilitated when the facilities are removed. In fact, the draft indicates that the decision on whether to reclaim the access routes will be left for a later time.

Further, Title V and the 2800 Regulations require that each right of way grant contain terms and conditions to minimize damage to scenic and aesthetic values and fish and wildlife habitats. 43 U.S.C. Section 1765(a); 43 C.F.R. Section

2801.2(b). Without these terms and conditions decided and listed a determination of the full extent of the proposed project's impacts can not be made.

In other contexts, the draft EIS/EIR admits that there would be impacts to the Desert Tortoise and crucial habitat of the Desert Tortoise. Both proposed access routes cross important habitat for this sensitive species proposed for listing under both state and federal endangered species legislation. Title V provides the BLM with the authority to prevent these impacts. This alternative is not considered in the draft EIS/EIR, but should be.

CONCLUSION

As demonstrated above, the Draft EIS/EIR does not comply with NEPA, CEQA and implementing regulations. The project itself, moreover, demonstrates the need for reform of the Mining Law of 1872, or at least the BLM's post-FLPMA implementation policies. The site of the proposed mine possesses outstanding scenic, wildlife, wilderness and associated resources -- values that would more than justify an outright prohibition on mineral development were the Bureau both willing and able to impose such a prohibition in order to protect and benefit the environment. Despite its inadequacies the Draft EIS/EIR reveals that those values will in fact be degraded if this project goes forward. It also reveals that all adverse impacts have yet to be mitigated as

well as that successful reclamation has yet to be assured. Both the Bureau and the County have the authority and the responsibility to demand full mitigation and reclamation. At the very least, they should settle for no less.

Native Americans



THE FORT MOJAVE INDIAN TRIBE

NORA GARCIA - *Chairperson*
LLEWELLYN BARRACKMAN - *Vice Chairman*
GARY ABRISON - *Secretary*
PATRICIA MADUENO - *Member*
ARCHIE KNOX - *Member*
JAMES D BRYAN - *Member*
MELBA GUERRERO - *Member*

50 MERRIMAN • NEEDLES, CALIF 92363 • (619) 376-4591

Handwritten initials and signatures



Page 2.
Bureau of Land Management
May 17, 1989

May 17, 1989

Bureau of Land Management
Spikes Road
Needles, CA 92363

Dear Area Manager:

The Viceroy Mine project (Castle Mountains) will adversely effect the Fort Mojave Indian tribe in a number of ways which were not addressed by the Environmental Impact Statement (January 1989) prepared by Environmental Solutions, Inc. of Irvine, California:

1. Native American artifacts which we believe belong to the Mojave or Chemehuevi Indians are being removed to repositories which are not acceptable to our tribe. Not addressed is the use of the Fort Mojave Indian Reservation Tribal Repository for final disposition of the artifacts collected from the project area. Native American artifacts removed from the Castle Mountains area may have religious importance to our tribe, thus we are entitled to these artifacts.
2. We object to the fact that Native American, particularly Mojave or Chemehuevi, observers are not included in the proposed archaeological data recovery portion of this project. In light of the sacred nature of the Castle Peaks, objects of antiquity collected from the project area may be of religious importance to our tribe.
3. Native American concerns regarding the Viceroy Mine project have not been addressed in the EIS. In view of the fact that the Castle Peaks play a large role in Mojave folklore, religion, world view and traditional use, we believe that the BLM has been negligent in assessing negative impacts which development of this area would have upon current Mojave culture and our ability to practice our religion. We believe that it is improper for the BLM to postpone consultation with our tribe until after the EIS is prepared; the public has a right to know about all potential effects of the project including the effect upon Native American concerns.
4. We believe that the visual effects of the proposed project have been down-played in the EIS, especially visual changes which may result to the Castle Peaks as they appear when viewed from Highway 95 east of the project area and from Newberry Mountain--"Avikwame" (Spirit Mountain).

ESI

5. Probably of greatest concern to our tribe is the water issue. The EIS does not address the issue to our satisfaction. We cannot be assured by the existing data that the water which drains from Castle Peaks to the Fort Mojave tribal wells and the Colorado River (via Piute creek, Homer Wash (underground), Klinefelter, then to Sacramento Wash) will not be substantially diminished.

Of further concern to our tribe is the lack of communication that the Bureau of Land Management has had with the Fort Mojave Indian Tribe in the past several years. We have not been given an opportunity to express our concerns with projects permitted to occur on traditional Mojave homelands within the past several years. Since Mrs. Musser-Lopez resigned from the BLM we have not been contacted regarding any of the projects subject to approval by the local Needles BLM office. We would appreciate knowing if there has been a change in BLM policy or law which effects your responsibility to consult with us? What, if any, is the present format for ascertaining our religious concerns regarding our traditional use areas? Who is the contact person for your office?

We are requesting at this time, an extended comment period at which time we would like to arrange to hold a meeting here in Needles regarding this project. We would like to be briefed by your agency and the Viceroy representatives about the particulars of this mine.

Thank you for continuing to include our tribe on your mailing list. We look forward to hearing from you.

Sincerely,

Llewellyn Barrackman
Llewellyn Barrackman,
Vice Chairman

cc: BLM, Calif. State Office
Senator Allen Cranston
Hon. Jerry Lewis
National Park Service

Senator Pete Wilson
Calif. State Lands Commission, Long Beach
Calif. Dept. of Parks & Recreation
Calif. State Lands Commission, Sacramento
State Historic Preservation Office
Sierra Club, Public Lands Committee
Sierra Club, Desert Committee
San Bernardino Co., Land Mgmt. Dept.

Professional Societies



CALIFORNIA MINING ASSOCIATION

1010 Eleventh Street, Suite 213/Sacramento Ca. 95814

FAX (916) 447-0348

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May 17, 1989
Via Telecopy

Mr. John Bailey
Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888

RE: Draft Environmental Impact Statement/Report
Castle Mountain Project

Dear Mr. Bailey:

Thank you for forwarding a copy of the Draft EIS/EIR for the Castle Mountain Project. I read it with a great deal of interest. BLM, San Bernardino County and the environmental contractor are to be complimented for their efforts in assembling this document. It has been very carefully and thoroughly prepared, meets the requirements of the National Environmental Policy Act and the California Environmental Quality Act for actions of this kind, and clearly demonstrates the commitment Viceroy and the various government agencies have to assure that this project fully complies with the level of concern that befits the area.

The Draft EIS/EIR evaluates in detail eleven separate topics that were identified as potential issues in the public scoping sessions. These range from geology and water resources through socioeconomic and infrastructure. I agree with the conclusion of the Draft EIS/EIR that with implementation of the mitigation measures proposed, the project will have no significant adverse impact on the environment, but I would like to focus my remarks in this letter on two issues: wildlife, and scenic values.

As you undoubtedly know, just prior to the first public hearing on the Draft EIS/EIR, a group opposed to mining in the desert published some very misleading information on wildlife mortalities allegedly caused at open pit heap leach mining operations in the desert southwest. That group deliberately ignored the commendable record of the mining industry and government agencies in ensuring that wildlife in California is protected.

Like the BLM, our industry views any wildlife deaths as too many, and our member companies are actively working on methods to eliminate such incidents. The mines in the California desert use various combinations of leaching,

California Mining Association
Page two

netting, process solution piping and drip irrigation systems and hazing equipment, all of which have proven effective in protecting wildlife. Viceroy's project will be the first to use all of these techniques simultaneously, and will represent the "state of the art" insofar as protection of desert wildlife is concerned.

I note that the project is within the East Mojave National Scenic Area, and the mitigation measures proposed in order to minimize the visibility of the mining disturbances have been designed with the Scenic Area criteria in mind. The overburden disposal site has been carefully chosen so that it will be screened from sight on three sides by existing topography, and the proposal to use some of the overburden to reclaim the prominent clay quarry between the open pit and the leach pads represents a reclamation commitment by Viceroy that would otherwise not occur except at considerable expense to the taxpayers.

Given the area's rainfall, which is considerably greater than most regions in the California desert, and the quality of groundwater to nurture transplanted vegetation until root systems can be reestablished, I have no doubt that revegetation efforts will be successful in a considerably shorter period of time than one would normally expect. That too, will meet some of the objectives the public has for the Scenic Area.

The Castle Mountain Project is an excellent example of the concept of sound multiple use of the desert's resources, for the benefit of all Americans. The standard of living we all enjoy, and which is all too often taken for granted, depends in large measure on a healthy mining industry. I encourage you to move forward with the approval of Viceroy's Plan of Operations in an expeditious fashion.

Sincerely,

Glenn F. Rouse
Glenn F. Rouse
Executive Director

cc: Joe Bellandi



NEVADA MINING ASSOCIATION

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 W. HOWARD WINN

May 17, 1989

John Bailey
 May 17, 1989
 Page 2

RECEIVED
 BUREAU OF LAND MANAGEMENT
 1989 MAY 19 PM 2:58
 NEEDLES RESOURCE AREA
 NEEDLES, CA

Mr. John Bailey
 Bureau of Land Management
 Needles Resource Area
 Post Office Box 888
 Needles, CA 92363-0888

Re: Draft Environmental Impact Statement/Report Castle Mountain Project

Dear Mr. Bailey:

After reviewing the Draft EIS/EIR for the Castle Mountain Project, a very comprehensive document, presenting a detailed discussion of the eleven topics proposed for evaluation at the various scoping meetings in the environmental review process, the document meets the requirements of the National Environmental Policy Act.

The Draft EIS/EIR confirms once again that mining projects using open pit heap leaching techniques with cyanide reagents can be conducted in sensitive areas without causing undue adverse impacts to the environment. Those opposing the use of this technology point to the toxicity of the leaching reagent to attempt to create unwarranted fear in the minds of the general public. It should, however, be noted that not only is cyanide readily biodegradable, but in over one hundred years of use, there is no evidence that it is either carcinogenic or has been the source of residual or cumulative poisoning in humans or wildlife. Quoting from the September 30, 1986 Environmental Protection Agency publication entitled "Heap Leach Technology and Potential Effects in the Black Hills," "Since a cyanide heap leach facility is a closed system, and would not, under ordinary operating conditions, discharge fluids to surface or ground water, impacts from a properly designed and operated project would not be a greater threat to environmental quality than industrial developments not using cyanide."

The Castle Mountain Project incorporates mitigation measures, which have been successfully used at similar operations in Nevada, particularly the fencing and netting to protect birds and other wildlife.

Contrary to erroneous and misleading statements issued to the press immediately prior to the public hearings on this project, leaching of gold ores in heaps with cyanide is not a major problem in Nevada. The mining industry, in close cooperation with and support of various agencies of the federal and state governments, is constantly striving to improve the safety of its operations. I am confident that the Castle Mountain Project will be built and operated in an environmentally sound and responsible manner.

Very truly yours,

Lewis R. Higgins
 NMA Executive Director

LRH:ki

cc: Joe Bellandi



PACIFIC MINING ASSOCIATION
WESTERN MINING COUNCIL, INC.
 (NON-PROFIT ORGANIZATION)

2051 Pacific Avenue, Norco Ca. 91760

May 11, 1989

Bureau of Land Management
 Needles Resource Area
 P.O. Box 888
 Needles, CA 92363

RE: CASTLE MOUNTAIN PROJECT

The Pacific Mining Association supports the Castle Mountain project.

We have the following comments on the DEIS/EIR.

- 1) The Castle Mountain project is located in the Hart Mining District, mined since 1905. What better use of a mining district than mining?
 - 2) Although we originally suggested an interpretive site/marker/kiosk and some sort of public information/education program during the scoping phase of the EIS/EIR process, and we are grateful that Viceroy is including this in their plan, we must point out that this is an un-required public benefit of the project. A thank you is do Viceroy Gold for their commitment to public education.
 - 3) Access to the project site: There has been concern that upgrading the access road from Searchlight would result in too much tourist traffic to this part of the East Mojave. Much of this opposition is coming from the same people and organizations who are proposing National Park status for the East Mojave. They claim that National Park status would increase tourism and be beneficial. Our comment: You can't have it both ways. The Pacific Mining Association supports the Searchlight access.
 - 4) The proposed netting over the holding ponds appears to be more than adequate, certainly more than required by any statute. This is another example of Viceroy's, and the mining industry in general, continually seeking better ways to be good neighbors and citizens.
 - 5) Reclamation: We strongly oppose any efforts to require that the pits be filled in after the current mining operation is completed. What better place to look for future reserves than the rocks surrounding the current ore-body. The boundary of the known ore-body is an economic one. With increased gold prices and increased mining and processing efficiencies, sub-ore becomes ore.
- To bury this future resource would be a shame. As long as the mine site is left in a safe condition all will be fine.

JPB
 BAILEY

RECEIVED
 MAY 15 1989
 NEEDLES, CALIF.

We are also opposed to painting waste piles and pit walls to match undisturbed ground. The vary color variations that will exist will be tomorrows scenic tourist attractions.

6) Are "abandoned" mine sites a blight on the landscape? NO! Consider a few "abandoned" mine sites in the California Desert. Calico, a famous silver mining district only a few miles from Barstow, California, is a County Park. Tens of thousands of people visit Calico each year to relieve the past glory of a mining boom town. They come to see the old mine workings, to see the varied rocks, and to learn about the mining days of Calico. They come to see the very things that would not exist if strict reclamation had forced the filling in of mine tunnels, pits, and shafts. They would not exist if rocks had been painted to blend in with the undisturbed rocks. Bodi, a gold and silver mining boom town that is now a State Park. It wouldn't be a park if there were no evidence of mining.

7) Valid existing rights: If ever a mining claimant had valid existing rights to mine an ore deposit Viceroy does. There has not been any action by the Federal Government to close the Hart Mining District to mining. The area is still open to location under the General Mining Laws. The area is not being studied as a potential wilderness area. The area has been looked at and determined to be "not suitable" as wilderness. The area is included in Senator Cranston's proposed Mojave National Park. That proposal, S-11, states that even if the area becomes a Park, that "valid existing rights" will be honored. We certainly hope that they will.

In summation, the Pacific Mining Association supports the Castle Mountain Project, including the Searchlight Access Route. We find that the applicant has included more than adequate mitigation measures for all of the environmental issues that were raised during the scoping phase.

Thank you for allowing the Pacific Mining Association to present its views on the Castle Mountain Project.

Sincerely,
Gregory P. Ouellette
 Gregory P. Ouellette
 President

Recreation Organizations



ORCUTT MINERAL SOCIETY

P. O. BOX # 106

SANTA MARIA, CA. 93456

AFMS

CFMS

27 April 1989

Needles Resource Area
Post Office Box 888
Needles, CA 92363-0888

Dear Mr. Bailey,

I am writing to request your consideration of my comments concerning the Draft EIS/EIR for the proposed Castle Mountain Mine. As you are a representative of the people in charge of Public lands, I am asking very sincerely that you consider the following:

- a. There are a large number of individuals, mostly retirees of advanced years, that depend upon access to public lands for recreational collecting of rocks and mineral specimens.
- b. The areas available for use by this class of people (those unable to hike long distances) is fast becoming non-existent.
- c. We have no sophisticated lobby or organization to speak for us; we depend upon you.

I have carefully reviewed the DEIS/EIR and found for the most part it is well written and covers most subjects thoroughly; however, I do believe it to be weak in the recreational use area. It is not well publicized that many years ago a significant deposit of beautiful agate was found near the proposed site. The colors range from red and white to black and white and is highly prized by the rockhound community. The deposit of interest, called "Lattice Agate" by rockhounds, occurs along the southwesterly slope just north of the Hart town site located in section 13. Using EIS/EIR Figure 3.2.3, note the 4wd road makes a "Y" next to marker 1387T. The material being collected occurs over approximately 2000 yards in a northwesterly direction from this "Y" and is found in washes and arroyos along the slope.

Enclosed please find a slab which was collected in October 1988 from the area. A Bola and Belt Buckle has been made from the material to demonstrate the ornamental value of this material. Please wear them in good health as a symbol of the rockhound community and the continued longevity of the Lapidary arts.

I am providing some specific comments for your consideration which may improve the DEIS/EIR and allay some of the fears being felt by us rockhounds.

- 1. Paragraph 1.4 subparagraph 3., Page 1.1-7
I disagree on the recreational uses described herein. It doesn't describe camping/rockhounding use over more than 10 years by a large number of people.

2. Figure 3.2.3, page 3.2-4

The requirements for the narrow corridor overlapping the Hart Townsite (a historical site) on the northern boundary is not discussed in the text. It would appear that this corridor serves no purpose other than to limit access to the superb camping area adjacent to the north clay pit.

3. Paragraph 3.2.7.3, page 3.2-45 subparagraph 1

The planned location of security/entry gates should be discussed. Given the allure of highly prized Lattice Agate just north and northwest of the site, potential for conflict exists between security personnel and individuals trying to locate previously open areas.

4. Paragraph 4.10.2.4, Recreation, page 4.10-12

This section of the DEIS/EIR should identify and recommend adaptability to the high use of the area by recreational collectors and Lapidaries. Members of rockhound clubs, all members of the California Federation of Mineralogical Societies, from several (at least 10) cities in California, use the area in the cooler months of Spring and Fall. As many as 10 RV's have been camped near the northern clay pit during these periods. It is requested that the recreational use by these many organized clubs over the past years be allowed to continue without excessive restrictions. The availability of choice material for use by the Lapidary hobby is quickly being locked up or depleted by large scale commercial interests. Please don't let that happen here!

5. Paragraph 6.10.1.2, Recreation, page 6.10-2

It should be stated that the Applicant will not inhibit a valid mineral use of the area adjacent to the Project Site by amateur mineral collectors through fencing or actions by security officers. No known specimens of interest are known to exist within the site boundaries, therefore access should not be denied to collectors beyond the external boundaries.

I sincerely hope the above comments are helpful as there is no intent to inhibit the project in any way. We just hope the Bureau of Land Management truly means what it says concerning multiple use of the desert. I am ready to assist in any way I can and will supply additional information or answer questions you may have. Thank you very much.

Sincerely yours,

Wes Lingerfelt

Wes Lingerfelt, President
Orcutt Mineral Society, Inc.

Home address: P.O. Box 176
Mipomo, CA 93444
Phone: (805) 929-3788

Work Address: P.O. Box 5728, MS DS411
Vandenberg AFB, CA 93437
Phone: (805) 866-1431

C.3 Individuals



838
137103

Area Mgr.,
U. S. Bureau of Land Management
Needles Resource Area

I believe this project
should be allowed to go
forward. This will allow
200 employees, forget
the turkeys, but put people
to work

Joe R. Collett

NEEDLES RESOURCE AREA
NEEDLES, CA.

1989 MAY 15 AM 11:29

RECEIVED
BUREAU OF LAND MANAGEMENT

File
copy

C.3-2

975 Nora, # 201
So. San Francisco, CA 94080
May 11, 1989

24800 Chrisanta Drive
Mission Viejo, CA 92691
April 4, 1989

Needles Resources Area
P.O. Box 888
Needles, CA 92363-0888
ATTN: John Bailey

Bureau of Land Management
Needles Resource Area
Post Office Box 888
Needles, CA 92363-0888

Dear Mr. Bailey:

I would like to comment on the draft Environmental Impact Statement/Environmental Impact Report (DEIS/EIR) for the Castle Mountain mine. The DEIS/EIR claims that if everything goes according to plan the threat to wildlife and migratory birds would be minimal.

Attention: Mr. John Bailey
Dear Mr. Bailey,

As a citizen of the State of California, a long time 'friend of the desert' and a Registered Geologist, I would like to bring my support of the Castle Mountain Project to your attention.

My interest in the science of Geology was born on weekend trips into the California Deserts. The most interesting of these included visits to the old mining districts. My lifetime career has been based on this interest. The mining history of California is long and colorful. I consider it a shame that mining in our State has been a dead industry. With the utilization of State-of-the-Art mining practices, it is a thrill to see the revitalization of this historic industry.

I am an advocate of the theory that there is desert enough for all interests from wilderness to residential development and, with the environmental safe guards now in place, there will be enough for the generations to come.

Thank you for this opportunity to express my opinion in favor of the project.

Respectfully,

David A. Adams
David A. Adams

Copy to: County of San Bernardino
Environmental Public Works
Attn: Mr. Joe Bellandi

However, recent events at other leaching mines and in Alaska suggest that things don't always go according to plan, and if even a small fraction of the millions of gallons of cyanide solution leaks, the impact on wildlife and migratory birds would be devastating. Thank you for your consideration.

Yours truly,

Richard Allsop

Richard Allsop

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 15 AM 10:46
NEEDLES, CALIFORNIA

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 APR -6 PM 12 29
NEEDLES, CALIFORNIA

John Bailey

RECEIVED
BUREAU OF LAND MANAGEMENT

April 24, 1989

1989 MAY -5 AM 10:24

Needles Resource Area
Post Office Box 888
Needles, CA 92363-0888
U.S.A.

Attention: John Bailey
Re: Castle Mountain Project

Dear Mr. Bailey:

I have just received the Summary Draft EIS/EIR and have a few comments thereon. If some of my questions are answered in the full draft, I apologize, but the local King Saud University library did not have a copy of the full draft.

I normally live in the Los Angeles area, and on weekends the East Mojave National Scenic Area (EMNSA) has often been my backyard for camping and overnight backpacking. This has included camps on Table Mountain, and atop the New York, Providence and Piute Ranges. It is in this regard that I am concerned with the Castle Mountain Project.

1. The project site seems massive, approximately four square miles within line of vision of all four areas I mentioned above. The location appears to be smack in the middle of the EMNSA as I know it. As solitaire (or the illusion of it) is a prime motivator for my enjoyment of the area, I have a problem with the "Visual Resources" issue #1 on page 1.1-22. The "outdoor lighting" is a concern, as the evenings I have spent in the EMNSA generally have only a faint glow from Vegas to blur the stars. Isn't this going to be a highly visible marring of the landscape and how can you possibly mitigate it?

2. The EMNSA is not just a scenic area, but a proposed National Park. How can you justify an open pit, heap leach gold mining operation in the middle of a National Park? Granted that the current Federal administration shows little concern for environmental protection, consistent with the previous administration, but the elevation of the Area to National Park status appears to never-the-less be a strong possibility with Cranston's bill. Allowing this open pit mine in an area designated (justifiably, I feel) for Park status is an incredible contradiction.

3. On page 1-11, your review of the "No Action" alternative appears to be cursory and perfunctory using an antiquated Federal law which pre-dates open pit mines as your principal rationale. Under the definition on page 1-11, I feel that four square miles of open pit leach mining activity large enough to employ 150 people in a proposed National Park clearly qualifies as "unnecessary and undue degradation".

4. Page 1.1-15 says that projections for water requirements indicate "No significant reduction in flow...expected at Piute Spring." What happens if these "projections" are erroneous? Flowing water is not exactly a luxury in the EMNSA. Will you shut down this project if their projections are wrong?

5. Who is going to monitor all of the items that this summary EIS/EIR contends will be monitored? Who will monitor compliance with vanpooling, reclamation of the site, protection of paleontological resources, 35MPH speed limits (and compliance with those limits, not just putting up the signs), handling of hazardous wastes, appropriate fencing, spill control measures and the dozens of other promises made in this Draft EIS?

6. Equally important, who is going to pay for all of this monitoring? Is the BLM going to be able to recoup expenses on this venture? Is the government netting a profit overall on the project or is the taxpayer going to have to subsidize this just like we subsidize leasing of coal lands, below cost timber sales and "welfare" ranching on public lands? If I am subsidizing this degradation then I have a real problem with it.

7. What guarantees do we have that reclamation of the site in 10 years will be adequate? The desert environment is fragile and heals slowly.

That is all I can think of this evening. I hope my concerns are adequately addressed in the complete Draft EIS/EIR, and would prefer the "No action" alternative which was seemingly glossed over on page 1-11.

Sincerely,

Scott Anderson

Scott Anderson
c/o Al Juraid & Company
P.O. Box 8282
Riyadh 11482
Saudi Arabia

8/28
8/28
C.3-4

Dear Sirs
I Support the Castle
Mt Project

Larry Appunant
9586 Elm St
Fontana, Ca. 92335
714 829 3041

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 15 AM 11: 43
NEEDES RESOURCE AREA
NEEDES, CA.

34574 County Lane Rd
Fucargo Calif 92389
May 10, 1989
DICE
DICKER

Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, Calif 92363-0888
Attention: John Bailey
Dear Sir:

Having read about Viceroy
Corps plans for Castle Mountain Mine
I believe their project would cause
extensive damage to Piute Creek
and the surrounding area. I
urge you to decide in favor
of "no project" as your final
decision.

Yours very truly,
Robert S. Engott

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 15 AM 11: 33
NEEDES RESOURCE AREA
NEEDES, CA.

130113 rjs

May 2, 1989

To Whom it May Concern,
I support the "Castle
Mountains Project."

Monday April 17, 1989
Dear Bureau Of Land Management,
We are opposed to your proposed Castle Mountain
"Open-pit-mining" for the Lost Mojave area!
The Chemical's, pollution from this open-pit-
mine will cause pollution in this East Mojave
which, is part-of Alan Cranston's Desert Wilder-
ness Bill-3.7!!
The wildlife, birds, will become ill as well as
the people from this proposed "open-pit-mine!!
No Environmental Impact Report was conducted!!
Not enough Public-Hearings were held to allow
the people to voice their objection's to mining
in California's Desert's!!
Help protect and preserve our Desert's!! Instead
of turning our Desert's into Factories, like
this mine, which, will produce chemical's ruining
the Mojave's Environment & it's Ecology!!
Please Help Save our Desert's Today!!

Concerned American
Linda Sheehart
9586 Edm St
Fontana, Ca. 92335

Sincerely,
John Lakeman

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 15 AM 11:46
NEEDLES, CALIF.

C. O. BARKER, JR.

91 WEST INDIAN SCHOOL LANE
BAYNING, CALIFORNIA 92220
(714) 849-7600 · Office 849-6060

C.3-6

April 20, 1989

Bureau of Land Management
P. O. Box 888
Needles, Ca 92363

Re: Castle Mountain open pit
Cyanide Extraction proposal.

Gentlemen:-

I petition you to deny the application for this project.
For the probable small return of an inert metal, the
living natural resources of our Country should not be jeopardized.
With to-days credit management and use, there is little
if any, need to add to the worlds Gold supply.
By POISONING this area, you definitely place the animals
and birds at risk.

Why, when you are proposing an all out campaign to
eliminate the Crows in the Mojave area that are decimating the
Desert Tortoise population, should you open another area to
commercial trucking roads that would probably kill more of the
Desert Tortoises?

Why, when the Desert Big Horn Sheep are approaching
the point of being place on the Federal Endangered Species List
should you reduce their already limited habitat?

Why should the water needed so badly in the Desert
areas for wild life be taken from them for an industry that
will then poison their habitat?

Why should the local and migratory birds be jeopardized
by substituting poison for scarce but good water?

Surely this proposed "devastation" should not be permitted
especially in a National Scenic Area, *Sincerely, C. O. Barker*

RECEIVED
BUREAU OF LAND MANAGEMENT
MAY 10 AM 11:07
NEA

May 8, 1989
1288 W. 25th ST.
Upland, CA 91786

Dear Mr. Barker,

*I am one of the many involved people
who cannot believe that BLM or anyone else
possibly be considering cyanide heap-leaching in
the State of California. I also cannot believe
that any mining whatever will take place in
a clearly designated Major National Park area.*

*Does the Quarry Corp plan to post "POISON" signs
for the birds and animals to read? How can the
use of our beautiful riparian habitats be subjected
to such a ridiculous use? All of the profit, if any,
will go to Canada while we will be left with
gaping holes full of poisoned water. Surely,
this is madness -*

*Please adopt the No-Action Alternative and
let's give our wildlife whatever small chance
they may have. Sincerely
Clare Baker*

8713 Bamarica Drive
Elk Grove, California 95624
May 4, 1989

sent
John

John Bailey
Bureau of Land Management
Needles, CA 92363-0888

Dear Mr. Bailey:

I am writing to express my concern and the concern of my friends regarding the ecological damage as a result of Viceroy Corporation Castle Mountain Mine.

The draft will change the landscape, siter riparian habitat, poison the land with toxic waste dumptr, and decimate tortoise populations.

At risk is Plute Creek if they take 450 gallons of water per minute. The USGS and other hydrologists state this will have an adverse environmental impact.

You surely must be concerned about the cyanide leach process. This attracts wildlife and their lives will be threatened.

This will give Canada the profits, Japan the gold and America the scarred land.

Please represent America and do not let Viceroy remove 90 million tons of soil in its search for gold. Canada would never agree to such a proposal.

Sincerely,

Charlotte A. Barnes
Ed.R.

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY -9 AM 10:57
NEEDLES RECREATION AREA
NEEDLES, CA

888
Bailey
May 10 1989
June Benito
7029 Bellrose St.
Glendale, Ca. 91040

Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, Ca. 92363-0888

Attn: John Bailey

Dear Mr. Bailey:
What price gold? Who profits -
Who pays? The Castle Mt. gold-mine
project is the case in point. Who
benefits from a cyanide spill?
A cyanide poison what a price
to pay (but not by the Canadian
company that reaps the profit!)

How many ecological catastrophes
must we have before we realize
our stupidity? King Miles would
turn his most precious possession -
his daughter - into gold. Are we
going to turn our precious recreational
areas into gold for the King?

lose the area for our children
come? Please show
the project

RECEIVED
BUREAU OF LAND MANAGEMENT
1563 MAY -4 PM 1:44
NEEDLES, CA

974 E. Sharon Road
Redlands, CA 92374
May 1, 1989

Mr. John Bailey
BLM, Needles Resource Area
Post Office Box 888
Needles, Ca 92363-0888

Dear Mr. Bailey:

We attended the public hearing held in San Bernardino on April 18 and sponsored by the BLM to gather testimony on the Castle Mountain mine proposed by the Viceroy Resource Corp. of Canada. We have also studied the environmental impact statement.

The DCIS statement does not fully cover the impacts of the proposed mine. Plans for reclamation are not adequately addressed. The endangerment to wildlife and the harm to the natural environment we feel is entirely inappropriate to this area.

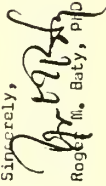
The impact of the water usage in this part of the Mojave Desert is an area of great concern. First, as to how it would actually impact on Piate Spring and then later in the cycle the possible contamination of the groundwater by the cyanide leaching process.

We urge the NO ACTION ALTERNATIVE and support the retention of this area as a National Scenic Area.

We are members of the Sierra Club and the Wilderness Society. Phebe is a junior high science teacher and Roger is professor of anthropology and archeology at the University of Redlands. We have had an interest in the California Desert since we came to Redlands in 1969.

Please put us on the mailing list for any future documents and announcements related to the Castle Mountain Project.

Sincerely,



Roger M. Baty, PhD

Phebe N. Baty

Copy sent to:
Honorable Jerry Lewis

1665 AUG 28 AM 11:50

4480 Sirius Av. #320
Las Vegas, NV 89102
August 24, 1989

Mr. John Bailey
U. S. Bureau of Land Management
Needles Resource Area
101 West Spike's Road
P. O. Box 888
Needles, California 92363

Dear Mr. Bailey:

I am writing in protest of the Castle Mountain project 20 miles west of Searchlight on behalf of the preservation of the endangered desert tortoise, as well as the needless poisoning of migratory birds drinking from the cyanide ponds and the leakage of the cyanide solution into the water table.

Industry in general seems to be oblivious to the fact that extinction of species and endangerment of water and air sources is the forerunner of the extinction of mankind.

Please, please be very careful what you do to the land and the animals.

Sincerely,



Arlene K. Becker

AKS

888
GAILY

S-12-89

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 15 AM 11: 14
MOUNTAIN VIEW AREA
MILLERS, CA

AREA MANAGER

DEAR SIR:

I'M WRITING TO YOU CONCERNING THE
UCKEBOY MINE. I'M FAMILIAR WITH THE
HART MT. AREA AND FEEL THAT THE
UCKEBOY MINING PROJECT WOULD CAUSE
NO ENVIRONMENTAL PROBLEMS. I THINK
THE EMPLOYMENT AND OTHER ECONOMIC
GROWTH WOULD FAR OUTWEIGH ANY
DISADVANTAGES.

SINCERELY,

DON BELL
P.O. B. 103
LAKE HAVASU CITY, AZ
86403

C.3-9

Ken
John

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 APR 24 AM 11: 15
MOUNTAIN VIEW AREA
MILLERS, CA

To: County Sup. Turoci/Len Smith
Joe Bellandi
BLM Gerry Hillier
John Bailey

From: Chuck Bell
P. O. Box 193
Lucerne Valley, Ca. 92356
619 248 6176

Date: 4/20/89
Re: Castle Mt. Mitigation - Water

I didn't think it was appropriate for an Advisory Council member to testify last night in Barstow; it was a bit of a circus anyway, as most of these types of hearings are.

Following are some thoughts from my ex-County and current perspectives, which might be valid in light of the controversy and the need for a mitigation measure more directly related to Piute Spring flow:

I am not even close to being a hydrologist, but my gut feeling is that the EIS's hydrology analysis is probably correct. However, as in the case of any hydro-geological analysis of a basin's groundwater characteristics, there is never a 100% certainty. The report correctly indicates a hydrological link between Lanfair groundwater and spring outflow. Wellfield monitoring is critical, but that alone, even if linked to some unspecified future pumping adjustment, does not really constitute specific mitigation we can hang a hat on at the decision stage.

Based on the assumptions that maintenance of adequate surface flow at Piute is absolutely critical; that legitimate mining (with stringent mitigation) is an inherently allowed "multiple use", would it be appropriate to require something like the following "fail-safe" mitigation measure as a condition of approval?:

IN THE EVENT (ALTHOUGH UNLIKELY) THAT PROJECT PUMPING, OVER THE LONG TERM, LOWERS THE GROUNDWATER TABLE TO A POINT LOWER THAN ITS POINTS OF OUTFLOW TO PIUTE CANYON-----
INCLUDE IN THE BOND FUNDING AN AMOUNT NECESSARY TO COVER THE COSTS OF DRILLING AND OPERATING A WELL AND SYSTEM UPSTREAM FROM PIUTE SPRING TO SUPPLY ADEQUATE SURFACE WATER TO COMPENSATE FOR ANY LOSS OF SURFACE FLOW RELATED TO GROUNDWATER OVERDRAFT OR MIGRATING DEPRESSION CONES RESULTING FROM THE PROJECT'S GROUNDWATER WITHDRAWAL.

JFK
Bailey

Marjorie H. Bennison
460 Elindall Drive
Clovermont, California 91711

May 12, 1989

Mr. John Bailey
Bureau of Land Management
P.O. Box 888
Needles, CA 92363

Dear Mr. Bailey,

As a concerned parent and grandparent I would like to add my voice to those who are objecting to the proposed mining project of the Veeroy Corp. of Canada. Certainly there is no need to destroy more than is absolutely necessary for the benefit of mankind for the material gain of a few, i.e. a large corporation. If we were to leave to future generations any thing, it should be their sense of more complete knowledge that is a part of a manwebody created world.

and not that the world was created for his use and abuse. Many reasons are cited for the objections to this project - the poisonous cyanide ponds, the destruction of natural habitat for birds, the desert tortoise, etc, the necessary use of large quantities of water, and destruction of scenic areas in the Mojave desert. I would hope fervently that this project is not permitted to move forward.

Sincerely,
Marjorie H. Bennison
(Mrs. Charles E.)

RECEIVED
BUREAU OF LAND MANAGEMENT
NEEDLES OFFICE AREA
NEEDLES, CA
1989 MAY 15 AM 11:12

JPL
BOOKS

5617 Canyonville Rd.
La Graciosa CA 91214

May 9, 1989

BLM, Needles Resource Area
PO Box 888
Needles, CA 92363-0888

Attn: John Bailey

Dear Sir:

I support the "no project" alternative to the proposed Castle Mountain gold mining project. We appear to have little to gain from this venture and a lot to lose: Dried-up springs, wildlife deaths from cyanide poisoning and lack of water, and increased tortoise deaths from heavier traffic. Our share of the gold seems to be destroyed desert terrain, inadequate reclamation, and toxic waste. I found nothing in the EIR/S about putting the terrain back in its original state after the project is completed or removing toxics from the area. Reclamation should be complete, not just the removal of angular sandstone. Please do not allow this project to proceed.

Sincerely,

~~Robert~~ Billings

C.3-11

Please read mine

100P

Dear Mr Bailey

Please don't let the Sierra Club, or the Cranston Bill have any influence on the Vicary Gold Mining project. Me and thousands others know our desert better than the city folks. This is our home not theirs.

Vicary is so willing to hand over backlands to private who ever it takes to accomplish their goal successfully. They are truly sincere in taking every precaution to prevent any harm coming to the wildlife or vegetation.

There's millions of acres out here and plenty of room for wildlife and Vicary Wildlife will be here forever, but Vicary is just at that Mine for such a short time. We need employment close to home too, instead of sending our life in the busy freeway to go to work in the city.

NEEDLES
SANDSTONE AREA

RECEIVED
LAND MANAGEMENT
MAY 16 AM 10 17
Mary Benson
PO Box 670
Baker CA 92309

DS

RECEIVED
BUREAU OF LAND MANAGEMENT

1989 MAY -1 AM 10:40

NEEDLES, CALIFORNIA

Bureau of Land Management
P.O. Box 888
Needles, CA 92363

RE: Castle Mountain Open Pit and Cyanide Pond Gold Mining.

I believe that open pits and cyanide ponds should not be permitted within the East Mojave National Scenic Area.

Bighorn sheep and Desert Tortoise habitat will be impacted by road, mine construction and loss of water from Piute Spring. There is not enough water in a desert for both the mining operation and the wildlife.

It is not worth the risk of damaging this potential National Park area for the amount of gold to be retrieved. We should not allow this mining of gold. Just because there is gold present it does not mean we should risk our natural resources.

This company will get their gold and leave a mess behind. They might promise now to leave no trace but promises are cheap.

Sincerely,

Richard Blain

Richard Blain
1033 South Palmetto Ave., #C-6
Ontario, CA 91762

Valerie Blain

Valerie Blain

Boyley JEP

Dear Sirs

I support the Castle Mountain Project

It is a safe cyanide operation.

Some points in their favor.

They are installing fences.

They are also providing employment in a depressed area.

Respectfully

Daniel Blackmer

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 15 AM 11:36
NEEDLES RESOURCE AREA
NEEDLES, CA

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY -8 AM 10:36
NEEDED BY BUREAU AREA
NEEDLES, CA.

May 3, 1989

BLM
PO Box 888
Needles, CA 92363

To Whom It May Concern,

This letter is to register our concern over the proposed Open Pit Mine by the Canadian Viceroy Corporation, in the East Mojave National Scenic Area, known as The Castle Mountain Project.

The idea that new open pits and cyanide ponds could be permitted within this National Scenic Area is very disturbing to us. The potential impact of this project on Desert Tortoise habitat and the Bighorn Sheep habitat, not to mention the bird population, is beyond what we consider a fair trade off.

This type of mine will probably use many gallons of water each year in a desert area that may not have it to spare.

Hasn't there already been more damage done to our environment than we can ever hope to repair? Look North to Valdez, Alaska, before another terrible decision is made.

Thank You for your time and consideration.

Sincerely,

Bruce & Vickie Blomgren

Bruce & Vickie Blomgren
313 Castellana East
Palm Desert, CA 92260

cc: Representative Jerry Lewis
US House of Representatives



SAGE SPARROW
RANCH

LARRY & RUTH BLAKELY
678 Northwestern Drive
Claremont, CA 91711
(714) 624-7619
Rt. 1, Box 230 Wilkerson
Bishop, CA 93514
(619) 872-1890

Mr. John Bailey
Bureau of Land Management
P. O. Box 888
Needles, CA 92363

Dear Mr. Bailey:

We were most distressed to learn about the proposed Castle Mountain Gold Mine. It is beyond belief that serious consideration could be given to the destruction of that scenic area and to the grave endangerment of the local wildlife. It is extremely hard to believe that it is in our nation's best interest to do this in order to benefit the private company making the proposal.

We pray and hope that the BLM adopts the NO-ACTION ALTERNATIVE.

Sincerely yours,

*Larry Blakely
Ruth M. Blakely*

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY -8 AM 10:26
NEEDED BY BUREAU AREA
NEEDLES, CA.

Messrs. Bailey and Bellandi
May 9, 1989
Page 2

A project such as the Castle Mountain Gold Mine is designed to protect air quality, surface and ground water quality, and wildlife. Their plans include reclamation (including disturbances prior to their activities) which will enhance the esthetics of the area and reclaiming with species which are adapted to and beneficial to the desert community in which the project is located. Can the opponents to the project (who live in cities such as Barstow, San Bernardino, San Francisco and Los Angeles) boast the same of the communities in which they live? There is more hazardous waste generated and disposed of improperly in the city of Los Angeles in one day than will occur in the entire life of the Castle Mountain Mine.

The Castle Mountain Project will also provide significant economic benefits for an area which offers little in the way of decent paying jobs with long-term stability. The project will create over 150 new jobs offering good benefit packages for the employees and the kind of long-term stability that is always a plus to the community. And what of the dollars that will flow into the community through purchases of materials and supplies for the operation? -- not to mention the increased tax base for the area as a result of the good salaries.

My review of the information available to the public indicates that Viceroy has done their homework and has proved that their project cannot only co-exist with the environment, but may actually enhance it. Viceroy has accepted the challenge and provided the burden of proof; therefore, no further delay of approval of their permit should be tolerated.

One has to wonder how many of the opponents to the project ever did or would have visited the Castle Mountain Project mine site if there had not been a proposed gold mine there. I venture to guess that visitation was extremely rare and would have continued so had not this target been provided for those looking for the opportunity to hinder or eliminate the opportunity for good-paying, secure employment for others.

I appreciate this opportunity to comment and look forward to seeing notice of the approval of Viceroy's Castle Mountain Project in the near future.

Sincerely,

John C. Bokich
Certified Wildlife Biologist

848
DANIEL

JOHN C. BOKICH
9541 Rosas Ave., N.E.
Albuquerque, NM 87109

May 9, 1989

Mr. John Bailey
U.S. Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363

Mr. Joe Bellandi
Environmental Public Works Agency
Land Management Dept.
Office of Planning
385 No. Arrowhead Ave.
San Bernardino, CA 92415-0180

Gentlemen:

I would like to submit this letter into the public record concerning the Castle Mountain Mine Project and my support for this project.

I have followed the development of this project and am familiar with the proposed mining operation. I feel that Viceroy Gold has spent an unjustifiable sum of money, time and effort to prove the feasibility and environmental soundness of their project against the unsubstantiated claims and attacks by individuals who claim to represent the interest of the public and the environment.

It is clear that the Castle Mountain Project has been designed to take advantage of every technical tool available to allow for development of the resource and protection of the environment.

It is clear that Viceroy has developed the project taking into consideration the concerns of the people and the communities in the area, as well as the environmental concerns of those mostly not from the area who wish to impose their will on others.

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 15 AM 11:34
NEEDLES RESOURCE AREA
NEEDLES, CA.

2753 2nd View Dr
La Verne, CA 91750
May 2 '89

RECEIVED
MAY 10 11 05
1989
FBI - CALIF

Mr. John Bailey
Bureau of L.M.
Nevada Calif.

Dear Mr. Bailey
Please know that I am very much
opposed to the gold mining proposed
by the Victory Corp. of Canada in the
Mokone Desert

The use of cyanide, and the amount
of water required would be disastrous
to the wild life in the area - besides
destroying one of the most beautiful
areas in the proposed Mokone
National Park.

Please adopt The No Action Alternative.

Sincerely
Margaret Root

DBB
Encl

JIM BORZA
14411 SWEENEY BLVD
TUSTIN CALIF, 92680
C.3-16

RECEIVED
BUREAU OF LAND MANAGEMENT
1553 MAY 15 AM 11:02
S

To Whom it may concern.

I respectfully urge you to permit the Crotte Mountain Project

These people have espoused a true concern for desert protection while developing their project. They are responsible people contributing to the economy, providing jobs and tax revenue. Please work with them in a positive way.

I thank you
Sincerely
Jim Borza

May 10, 1989
7500 Balfour Drive
Sacramento, CA 95820

Mr. John Reilly
Bureau of Land Management
P.O. Box 888
Napa, CA 94558

Dear Mr. Reilly:

I recently became aware of the proposed mining plans of the BLM in the Crotte Mountain Project area. I have been in California for several years and have been a member of the Bureau of Land Management since I moved to the project area. I am writing you to express my concern about the NO-ACTION ALTERNATIVE. I have been in California for a month and he told me about what happened in other states which had ponds with cyanide solutions. Apparently upwards to 2,000 birds in those states where this type of mining is done were killed. We were very upset when I told him California was proposing a similar plan as he has seen what has happened in Arizona and Nevada.

Another very practical reason this operation should not be approved is the fact that it would require two-hundred million gallons of water be used by this mine per year for the purpose of leaching gold from the ore heaps. Anyone knows that in the West, water is a far more valuable commodity than gold. We already have a water crisis. This would only add to it.

I also understand that no financial bond is proposed for any attempt to restore the area after mining operations are stopped. As a concerned environmentalist and a taxpayer, I ask you, how can 890 acres of denuded desert complete with 600 foot deep open pits, lowering heaps of cyanide-contaminated tailings, and massive leach ponds with chemical residue be restored to anything that would even begin to resemble their original pristine state?

I am appalled that the United States government (i.e. the BLM) would allow a foreign country to do this to an area of such pristine natural beauty and then walk away - leaving us with a scarred land and wildlife that has paid dearly, so they can mine for gold and walk away. And guess who would pay for restoration - good ole U.S. taxpayer! And how can you put a dollar price on the wildlife lost? Obviously, you cannot. I URGENTLY ASK YOU TO ADOPT THE NO-ACTION ALTERNATIVE.

Carolyn Boor
Carolyn Boor

cc: Senators Alan Cranston & Pete Wilson
Representatives Jerry Lewis & George Brown

Barry Boulton
2484, Glendenning Avenue, Santa Clara, CA 95050
Tel: (408)985-6970

copy sent

May 8, 1989

Bureau of Land Management,
Needles Resource Area,
P.O. Box 888,
Needles, CA 92363-0888
Attention: John Bailey

Regarding: Castle Mountain Mine

Dear Mr. Bailey,
I strenuously support the "no project" alternative - it would be sheer folly, if not immoral, to approve this toxic monster. The whole concept of cyanide leaching is obnoxious in the context of good husbandry of our beautiful planet and resources. As if that wouldn't be enough, we know that wildlife will be killed by the toxic waters of the open cyanide ponds. And then, the diversion of water would kill Piute Creek's fertile riparian habitat. Last, but not least, this project also threatens the desert tortoises in Piute Valley and Ivanpah Valley. It's clear to me that the economic benefits to a handful of people cannot justify this sinister death-dealing project. This is no case of balanced use and conservation; this is rape and pillage on a large scale. As I see it, BLM's responsibility is to find the balance, and in this case, only "no Project" fits that description; I trust that you will show that integrity for which BLM was created.

Your sincerely,

Barry Boulton

Barry Boulton

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 12 AM 9:49
NEEDLES RESOURCE AREA
NEEDLES, CA

May 12, 1989
Dear Mr. Bailey,
We support the no project alternative
on Castle Mountain.
Water is much more precious
than gold.

Sincerely,

Thomas Frank Brady
TD

J.S. Bailey

3750 Padua Avenue
Claremont, California
91711
May 11, 1989

Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles Calif. 92363

Dear Mr. Bailey:

We are adamantly opposed to the Castle Mountain Mine project of Viceroy Gold Corporation. We urge the Bureau of Land Management to adopt the NO-ACTION (no project) Alternative.

This area has already been designated a scenic area; we request that the BLM respect this scenic area and respect the fact that this is part of the area for the proposed Mojave National Park. A company interested only in its profit must not be allowed to ruin a part of our heritage which should be preserved for ages to come.

We are gravely concerned about water being used in this wasteful way -- to extract even as little as 1/10th of an ounce of gold per ton of ore. What a waste of precious water! It is a known, substantiated, and alarming fact that water tables all over the world have dropped; this is especially serious in California. IN THE WEST WATER IS FAR MORE VALUABLE THAN GOLD.

And the effect on wildlife that rely upon Piute Creek -- the independent hydrologist and the U.S. Geological Survey have stated that withdrawing the water could very well reduce and even dry up Piute Creek -- an area which you, the BLM, has designated an Area of Critical Environmental Concern! This cannot be allowed.

In regard to the EIS: Water Resources in Table 1.1.

Paragraph 1.2: "If the amount of drawdown at monitoring wells exceeds the estimated 60 feet, the well field modeling shall be re-evaluated..."

This means that significant damage can be done before any "re-evaluation" even begins. Thinking with the model does not reduce the drawdown. And significant damage is done before corrective action is taken.

The BLM says the "NO ACTION ALTERNATIVE" can be implemented only if the proposed project were to result in "unnecessary or undue degradation." The environmental damage caused by removing 90 million tons of soil, use of heap leach pads, cyanide solution storage ponds, etc., is hideous. The suffering and death which wildlife will suffer will be horrendous. This is not only undue degradation -- IT IS UTTER DESTRUCTION.

The decision must be "NO-ACTION ALTERNATIVE."

Sincerely yours,

Jean T. Breheny

Mrs. Michael J. Breheny
cc. Senator A. Cranston
Senator P. Wilson

NEEDLES RESOURCE AREA
NEEDLES, CA.

1989 MAY 15 AM 11: 31

BUREAU OF LAND MANAGEMENT

RECEIVED

J. Bailey

April 13, 1989 C.3-18

Bureau of Land Management
P.O. Box 888,
Needles, Ca.
92363

Gentlemen,

Please do not allow the open pit mine in Mojave. I am particularly interested in maintaining our big game sheep, deer tortoise to say nothing of our birds. I vote no to such degradation of our desert.

Mr. & Mrs. E. L. Drailer
16224 Arrow,
Fantana, Ca. 92335

P.S. Please Sir, always take care of our National Scenic areas. Once they are ruined they are ruined.

Copied from
file of 1989

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 APR 19 PM 10: 15
NEEDLES RESOURCE AREA
NEEDLES, CA.

Rec'd 5/2
2 MAY 89

TO THE BLM.
FROM DAVID P. BROWN
15037 ATHOL ST
FONTANA, CA. 92335

I SUPPORT THE CASTLE MOUNTAIN
PROJECT. WE NEED MORE OF THE
HIGH QUALITY PROFESSIONALISM THAT
HAS BEEN DEMONSTRATED BY
THIS GROUP.

David P. Brown

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 15 AM 11:37
NEEDLEPICK AREA
NEEDLES, CA.

5/25/88
5120 Carlingford
Avenue, Ca. 92554

Dear Sirs,

I support the Castle Mountain
Project. They have proved this operation safe
by their Environmental Impact Study and
their positive caring actions.

Thank You
Alan Brown

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 15 AM 11:39
NEEDLEPICK AREA
NEEDLES, CA.

4071 Wakefield Ave
Chino, CA 91710
9 May 1989

RECEIVED
BUREAU OF LAND MANAGEMENT

1989 MAY 11 PM 3 05

NEEDLES RESOURCE AREA
NEEDLES, CALIF.

Mr. John Bailey
Bureau of Land Management
P.O. Box 888
Needles, California, 92363

Dear Mr. Bailey:

We wish to respectfully register our sincere rejection of the proposed mining project of the Viceroy Corp. of Canada. We are making reference to a "new kind of mining" which involves the use of cyanide solutions and the cyanide "heap-leaching process." We understand that the site for this venture is the Castle Mountain Gold Mine located in Mojave National Park.

There are, we understand, many serious reasons for this position, but we shall list here three:

- 1) It is documented bonds of cyanide solutions have exterminated about 2,000 birds in Arizona and Nevada.
- 2) Huge amounts of water are needed for this venture—perhaps as much as two-hundred million gallons—at a time when this area is threatened with a severe water shortage.
- 3) There is no financial bond proposed for the restoration of this area after the mining operation is concluded.

Therefore, we respectfully register our sincere rejection of this and any such mining operation under the stated conditions.

Sincerely,

Nicholas J. Brown
Gertrude W. Brown
David D. Brown

Myrtle G. Brown
14027 Havajo Rd
Apple Valley, CA 92307
April 17, 1989

Mr. John Bailey
Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888

Subject: Castle Mountain Cyanide Gold Strip Mine

I think when we examine the proposed Castle Mountain mining project that we must take an overall look as to its total value to America, in addition to examining the preservation of the pristine character of the desert with its natural habitat of wild animals, flora and fauna - nor would we want to poison the water on the surface by the cyanide processing method or pollute any underground water streams which in this day and age are becoming extremely precious. This is such an extensive project, I think a most careful examination is necessary.

The Environmental Impact Report was quite comprehensive, but I think there is one overriding interest not addressed in the report, and which should be of concern to all Americans. We must preserve our natural resources, particularly its gold and silver mines for the benefit of its own people. These mines are a part of America's wealth. It is my understanding that this proposed mine is primarily owned by foreign interests, Canadian.

The BLM, being a part of our American government, should recommend that these natural resources be preserved for Americans. We are becoming carried away in this country with the idea that temporary instant taxes gleaned from such a project justifies allowing lack of control over our own wealth. We see great needs around our own country, and to give away our resources for another country's profit is denying our own people.

I urge the BLM to protect our properties. Too much of our wealth is ending up in the hands of foreigners; they already have lobbyists in Washington, and our control is dwindling. I think it all boils down to this: Do you believe in America and defending it, or do you want to lose your economic control?

Request that you protect America. Thank you.

Sincerely,

Myrtle G. Brown

MYRTLE G. BROWN

RECEIVED
BUREAU OF LAND MANAGEMENT
NEEDLES RESOURCE AREA
NEEDLES, CALIF.
1989 APR 18 PM 12:41

set by
Baird

PRECEDENCE
BUREAU
1989 MAY -9 AM 11:01

May 5, 1989

Needles Resource Area
Post Office Box 888
Needles, California 92363-0888

Attention: John Bailey

Dear Mr. Bailey:

Over the last five years my wife and I have been actively involved in Raptor (and other fur and feathered creatures) Rehabilitation at two separate Wildlife Rehabilitation Centers, the "Wild Animal Training Center" in the Hidden Valley Reserve in Riverside, and the "Animal Sanctuary" in Ramona. I have learned that if there are things that can go wrong, given enough time they will go wrong. It greatly disturbs me that one or two mistakes at the Castle Mountain Mine could destroy more wildlife than I have saved over the last five years.

I have extensive experience with "State of the Art" nettings in both large and small flight cages for both large and small birds. Birds of all sizes get hung up in netting no matter how good the design or how closely monitored. Ravens can peck their way through any netting given enough time and desire on their part. Netting in Sun light starts weakening and disintegrating after a few years and at that point either has to be completely replaced which is seldom done or repeatedly patched and jerry-rigged which means that there are repeated breaches in the netting protection.

I have completely read the Castle Mountain Project Summary including the "potential effects and migration measures" and I am not impressed.

The potential risk to wildlife and habitat of this Castle Mountain Project should outweigh the potential financial benefits of a few developers and speculators. Isn't it about time that the United States started to be the "Leaders" in conservation instead of letting other governments make this their priority and letting us look like the "materialistic, money-grubbing, unconcerned" beaucocrat? If we don't do something NOW the United States will lead the world in how to build Domes around our cities - just for breathing. Its time to show that we have the Guts to Care.

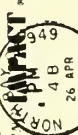
Stan & Cheryl Brown

Stan and Cheryl Brown
6914 Buchanan Avenue
San Bernardino, California 92404



Bureau of Land Management
Attn. John Bailey
Needles Resource Area
P.O. Box 888
Needles
CA 92363

IMPACT * LIFE LIKE PHOTO ART
PUBLISHED BY IMPACT
© IMPACT 1987



Dear Mr. Bailey:
I am writing to express my deep concern about the disastrous proposal to allow a Canadian Company to strip mine an area around Puite Springs and pump water out of the ground for the operation. This would destroy a delicate and lovely natural area and its wildlife. I have recently visited there and consider the idea of such an operation outrageous. ~~It~~ must not happen!
Thank you
Commie Brown
88 Tamalpais Ave
San Francisco, CA 94166

7000 ROADBLOCKER-ALTHOUGH THEY CAN FLY WE'VE BANNED AIRCRAFT
6 1/4" OF THEIR TIME ON THE GROUND IN SPACES OF INCHES THICK
PUBLISHED BY IMPACT
© IMPACT 1987

J. Bailey

P.O. Box 106
Barstow, CA 92312
April 29, 1989

John Bailey
BLM/Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888

Dear John,

Along with my testimony on at the Barstow, May 10 hearing I would like to submit the following comments on the draft EIS for the Castle Mountain Project.

I would like the BLM to choose the "no project" alternative for the following reasons.

The Viceroy Corporation has not presented credible evidence that the project will have no effect on the aquifer supplying Piute Creek. As you know, this creek is the home of the elf owl, an endangered wildlife species. It is also rare riparian habitat that is being lost in much of the California Desert. The BLM cannot afford to take chances with such a valuable resource. Viceroy Corporation should be forced to use another source of water outside of the National Scenic Area.

The practice of using netting and fencing to keep all wildlife from the cyanide ponds and collection and conveyance systems has not proven successful at other such heap leach mines. I quote from the LA Times May 23, 1988, Part 1, page 3 article which states: "The Patuxent Wildlife Research Center of Laurel, Md., responding to reports of migrating birds and mammals turning up dead at heap-leach mines in California and Nevada, this month launched the first independent study of the effects of cyanide on migrating waterfowl." Also, "San Bernardino County health and safety officials said there have been two large accidental spills of cyanide solution in the last three months at a mine near Viceroy's claims called the Morning Star Mine. Reports of birds and animals killed by drinking or somehow absorbing lethal doses of cyanide at that mine are being investigated by the state Department of Fish and Game." Why is the BLM willing to take chances with such a controversial process being allowed in the nation's first national scenic area? Viceroy should be made to close their entire ore processing system and better still, be made to do their processing outside the Scenic Area.

Desert tortoises should be protected on whichever route of travel is chosen for vehicular access. If all processing was done outside of the Scenic Area as previously suggested, this would certainly reduce impact on crucial tortoise habitat. Bus/van pooling should be mandatory for all employees not just some and Viceroy should be mandated to finance tortoise habitat

improvement projects such as purchasing land for public ownership in Ivanpah and Piute Valleys.

Please don't allow any more risky ventures such as the proposed Castle Mountain Project to occur in the East Mojave National Scenic Area. I wish you were as proud of these lands as the vast majority of the public is. If you were, you would definitely not allow the proposed project in its present form to occur.

Sincerely,


Joyce Burk

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY -2 AM 10:07

Jeremy R. Brantman
2955 W. Alhambra Pine Drive
La Crescenta, CA 91214
May 4, 1989

John Bailey
Bureau of Land Management
Nielsen Reserve Area
P.O. Box 888
Middles, CA 97363 0888

Dear Mr. Bailey,

re: Castle Mountain Gold Mining Project

I oppose the Castle Mountain Gold Mining Project for two reasons.

First, the area is very dry. Drawing subsurface water to operate the project could conceivably dry up the surface water sources on which the wildlife depends.

Second, the cyanide laden dirt would become a permanent problem, either remaining where it is left or after it dries out and turns to dust and becomes airborne.

Sincerely,
Jeremy R. Brantman

May 10, 1989

JP

Dears Sirs,

I am opposed to the proposed Castle Mountain cyanide gold mining for the following reasons.

The mining will consume water from Piute Spring aquifer. The water is used by animals and plants.

The cyanide is intensely poisonous. Is it wise to produce this poison? This liquid poison may leach into the water table.

The ponds will be an attraction to birds and particularly migrating birds that will become confused and exhausted with methods used to deter them.

The truck traffic will endanger tortoises who inhabit the area.

The operation will destroy grassland necessary to the Big-horn sheep's survival.

The state and federal government does not require restoration of the site.

Most importantly, gold is not necessary to mans' existence on the this precious Earth. It is pure VANDALISM to destroy the environment for mere ounces of gold. The definition of this is GREED!

It is said the mining operation will provide jobs. Similarly, more oil could be dumped in the sea to provide jobs.

Over population has destroyed much of the environment. Please save this desert for generations to come.

It is healing to the soul to walk among Joshua trees, climb rocks, see animals surrying and admire the existence of animals and plants in an arid land. Gold can do none of this.

Sincerely,
Patricia M. Chapman
Patricia M. Chapman

J.F. & PATRICIA CHAPMAN
18081 Lindero Rd.
Victorville, CA 92392

81-100-01-1000

*rd
family*
Mrs. John Bailey of BLM, May 9, 1989

I'm writing in protest of the open pit mining and cyanide ponds. It's a disgrace on our environment, a waste of our beautiful land to benefit a foreign company. Please reconsider this project and not poison the land for our children.

Thank you,

Sincerely,

Barbara Carol

RECORDED
MAY 12 AM 9 40
1989

1983 MAY 15 14 11 32

2950 East Flamingo Road, Suite P
Las Vegas, NV 89121

May 10, 1989

Mr. John Bailey
Acting Area Manager
U.S. Bureau of Land Management
Needles Resource Area
PO Box 888
Needles, CA 92363

Dear Mr. Bailey:

The mining industry is increasingly concerned and aware of environmental issues dealing with mining. Having a knowledge of Viceroy Gold and their Castle Mountain Project, I am confident that this company will exceed any regulations necessary to reduce the environmental impact associated with its operations.

The benefit of the Castle Mountain Project in the area would add to the tax base significantly, approximately 60 million dollars, and the economic impact would be favorable by adding over 150 employees to the economic base in the area.

I would like to go on record and state that the successful completion of the permitting process for this mine would be in the best interest of all concerned, and encourage your support of the approval of the Castle Mountain Project.

Thank you very much.

Sincerely,

FRANK M. CHILDS
Senior Consultant

FMC:ds

cc - W. Elliott
Viceroy Gold

*This and is to request the BLM adopt
a No-Action Alternative in regard
to the Castles Mountain Gold Mine.
The mine will:
1. Exchange thousands of birds.
2. Destroy crucial desert habitats.
3. Use water already scarce.
4. Destroy public sheep law
5. Amount of gold operation to
-mine for big of operation. To
6. No financial benefit operation was.
The area will return but
there are many other reasons
There are already the support of mine. It's hard
to see a No-Action Alternative in a dead body!!
A Cyanide disaster comes in a dead body!!*

To-date I have neither read or heard any factual information to dispute the information presented in the Castle Mountain DEIS/EIR. In the absence of any data to refute this study I urge your agency to support Viceroy Gold in its efforts to develop the Castle Mountain mine.

Sincerely,
J. L. Christman
J. L. Christman

SALES

RECEIVED
MAY 15 11 34
MAY 15 1980

J. L. CHRISTMAN
P. O. BOX 18372
RENO, NEVADA 89511

May 8, 1980

Area Manager
U. S. Bureau of Land Management
Needles Resource Area
P. O. Box 888
Needles, California 92363

To Whom It May Concern:

After reviewing the Draft EIS/EIR and attending a public hearing in Barstow, California for the proposed Castle Mountain mine, I would like to indicate my support for the project. The environmental documentation prepared for Castle Mountain has been both thorough and balanced in addressing the effect of mining on the region.

I feel one of the most important aspects of Viceroy Gold's proposal is the establishment of stringent guidelines for the implementation of protective measures which are necessary to preserve the vegetation and wildlife resources in region. Protective measures such as providing fencing along roads and around leach pads, containment of process solutions in closed systems, and revegetation of disturbed areas concurrently with mining demonstrate the willingness of Viceroy Gold to make their proposed operation compatible with the environment. Hydrological studies indicate that no significant impact will result to the current water table or to the flow of the Piute Spring which supports a riparian habitat.

The economic impact on the area will be extremely beneficial to the local residents and to the surrounding area. Approximately 150 new jobs will be created leading to increased employment. Pay checks from these jobs will be recycled through the local economy leading to the creation of more jobs and an overall increase in the standard of living. The estimated project investment over ten years is about \$190 million. This will result in up to an additional \$60 million in taxes on an annual basis. The production of gold from the mine will also be useful in the nation's effort to reduce the balance of payments deficit.

1009 Providence Pl.
Redlands, CA, 92373
April 29, 1969

589 MAY -4 1:52

Mr. John Bailey
Needles Resource Area
Post Office Box 616
Needles, CA. 92363-0616

Re: Castle Mountain Project
DEIS/MLR

Dear Mr. Bailey:

Having learned recently about the Castle Mountain Mine Project I am deeply concerned about its threat to the environment. I am sure it would be very damaging to the natural environment which must not be threatened.

Prute Spring is highly important because it is the only water which is visible at the surface throughout the year, in the East Mojave area. But I have learned that the spring and woodland area are unique and that both would be affected negatively if this mine project is carried out. This must not occur.

I am especially concerned about the threat to the desert tortoise if this mine project is allowed to be carried out. The desert tortoise is worthy of protection under the federal and state laws for safety of endangered species.

As a teenager I saw collectors of beautiful butterflies put their victims to death almost instantly by dropping them into a jar which contained a few crumbs of cyanide. Since the cyanide would create cyanide-pollution in desert ponds where migratory birds stop for refreshment, there would be severe damage to the bird population as well as to desert animals who depend on the small ponds for their liquids. And how widely would be ground water contamination a threat to human life?

At age eighty-four I am not concerned for myself in this matter, but I am deeply worried about the future of the desert. I grew up in Wisconsin, close to Lake Michigan, where water was abundant, but my forty years in Redlands have made me very conscious of the need for moisture.

Please put me on any mailing list which will provide information on the Castle Mountain Project or other matters related to desert water.

Sincerely,

Margaret D. Clark
Mrs. Margaret D. Clark

Page 1

1985 MAY -8 AM 10:53

Kathleen P. Clements
412 Furman Dr
Claremont, CA 91711
(714) 626-8700

Mr. John Bartley
Bureau of Land Management
P.O. Box 888
Healdsburg, CA 94303

Dear Mr. Bartley:

This letter expresses my opposition to the proposed Beattie Mountain Gold Mine and urges the BLM to adopt the NO ACTION ALTERNATIVE. It is my understanding that this alternative can only be implemented if the proposed project results in undue degradation. In my view the following constitutes undue degradation:

- 1. Cyanide leached leaching ponds that will kill wildlife
- 2. Adverse impact on desert tortoise habitat - a threatened species.
- 3. The possibility that the water requirements will adversely impact Fante Springs. This magnificent riparian system cannot be risked for the sake of a gold mine.

Please add this letter to the growing stack of letters expressing outrage over the proposed mine.

Yours truly,

789
Box 107

Beattie
Gold Mine
2534 h. Clinton
Kel. (Clements)
Cal 7/12/10

Dear Mr. Bartley
 In the subject of the proposed Beattie Mountain Gold mining project, I support the NO ACTION alternative. It will be just too costly in terms of wildlife-like mortality from the cyanide poisoning 'toxic' dust of strip mining and the high in terms of desert stream and the toxic waste left behind of reclamation. Please hold our plans to pass on our land.

Brenden Chiles

The assumption on page 5.5-9 that desert tortoises and other wildlife would recover to their pre-impact densities once the mining project is complete can only be made if minimum viable populations (see Viable Populations for Conservation, ed. by Michael Soule) for each of the species is known. There is no indication in the EIS what the MVP for species such as the desert tortoise has been determined. If the impact from the proposed action is sufficient to reduce numbers to near or less than the MVP, there is considerable likelihood that pre-impact densities will not be possible.

The EIS is not at all convincing with regard to the reliability and effectiveness of the education program (5.5-9). Usually, such programs have a very short half-life if careful monitoring and enforcement are not incorporated. I doubt seriously that employees are likely to maintain a high level of conscientiousness over the ten year life span of the mining project. I could be wrong, but I doubt it.

Finally, I am generally concerned about the use of cyanide leaching. Currently, large numbers of these operations are beginning to appear in southern Nevada, western Arizona, and southeastern California. We know very little about the long-term impacts of these projects. I have this nagging feeling that we are creating a new generation of toxic waste sites. A prudent approach demands that the BLM should be engaged in a careful analysis of the likely long-term impacts of cyanide/leach techniques for recovering gold and silver. The onus should be on the mining industry to prove that such techniques will not burden the public with a dangerous clean-up operation for the next generation.

VEGETATION RESTORATION

The EIS does not specify how the BLM will determine funding amounts by Viceroy Gold for onsite revegetation research or the amount of bonding for long-term monitoring and revegetation efforts. I am concerned that adequate funds be assured for these efforts. It is important that the EIS specify how long after the completing of the mining activity Viceroy will be required to continue funding monitoring and revegetation efforts. Given the 30-60 years I suspect that the high end of this range is the more accurate) estimated for completion of the revegetation effort, the amount and reliability of funding will be a critical consideration. It may be desirable to require bonding for the full estimated 60 year effort before completion of the mining project. Costs should also include estimates for weeding exotics from revegetated sites.

The figure of saving 25% of all Joshua trees under 4 ft. in height is too low a figure. Given the difficulties faced in restoring the area, as many of these Joshua trees should be saved as is feasible.

I strongly recommend that in searching for researchers and consultants to carry out the onsite research and revegetation efforts, that the Society for Ecological Restoration and Management (SERM) be used as a source of expertise. Their address is 1207 Seminole Hwy., Madison, WI, 53711.

The Vasek (1975) reference made on pg. 4.4-7 does not appear in the bibliography. I suspect that this refers to the article he did with H. B. Johnson and D. H. Ealingsr entitled "The effects of pipeline construction on creosote bush scrub vegetation of the Mojave Desert." This article appeared in Madrono 23:114-130.

MONITORING OF GROUND WATER LEVELS

I draw down exceeds the estimates of the modeling effort Pg. 6.3-2), then all activities should be suspended until modeling assumptions have been properly re-evaluated and evidence is brought forth proving that Plute Springs will not be affected. Simply re-evaluating the model is not sufficient.

RECREATION

The cumulative impacts described (8.2-5, 8.3-3) do not give adequate attention to the likelihood of increased recreational activities in the East Mojave. Some effort should be made to extrapolate cumulative impacts based on projected increases in recreational demand. My strongest criticism of the proposed park bill is that it does not give adequate attention to the cumulative impacts of dramatically increased recreational use of sensitive desert habitats. This EIS is making the same blunder.

ALTERNATIVE POWER SUPPLY

Why was no consideration given to a cogeneration systems (3.3-11). The employment of a PV system for daytime pumping and lighting could reduce the use of fossil fuels, noise levels, and impacts on air quality. Some effort to look into cogeneration setups should be made. Wind turbines might also be feasible in a cogeneration design. Such alternatives may not be economically feasible, but that certainly is not obvious from the EIS.

May 10, 1989

28 April 1989

Mr. John Bailey
Needles Resource Area
Post Office Box 888
Needles, California 92363-0888

Subject: Castle Mountain Project - San Bernardino County, CA
Draft EIS/EIR

Dear Mr. Bailey:

I have received the draft EIS/EIR prepared by Environmental Solutions, Inc. of Irvine, California. I was pleased with the report because the areas of concern that I am well aware of have been addressed in a reasonable and productive manner.

Water usage has been limited and continuing baseline monitoring will assure that the aquifer is not depleted.

Visually, mining is always aesthetically displeasing, but the area now, due to mining from years past, is unsightly with no hope of recovery. Viceroy Gold proposes to revegetate their workings as well as those of the clay pit operators and many of the old workings. In ten years, the mine will have been a blessing for the area in this regard.

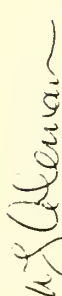
Wild life protection measures seem to be very reasonable as do public safety measures proposed.

The access roadway from Searchlight will provide a shorter trip time for mine employees. Much of the roadway is currently a county road that the project will upgrade, including fencing as required. Fewer travel hours on a well maintained roadway will result in a better safety record.

The great American Southwest Deserts are a resource this country cannot ignore. Although the area is fragile, this project can be developed and co-exist with other private and public uses of the area. The key is awareness of the environment, a willingness to educate the public and employees, and a constant effort to adhere to the measures proposed in the EIS/EIR. Viceroy's plan contains those key elements.

Thank you for your attention.

Sincerely,


William J. Coleman, P.E., R.L.S.

WJC/psc

RECEIVED
MAY 10 5 49 AM '89

Bureau of Land Mgmt.
Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888


Attn: John Bailey

Re: Antelope Creek Water Supply
Portoises Habitat
Cyanide Heap Leach Mining/Wildlife

This letter is written to oppose the proposed Castle Mountain mining operation because of the severe dangerous consequences to the fragile desert environment.

I support a "no project" alternative.

Sincerely,


Bruce F. Coleman
4725 Howard St.
Ontario, CA 91762

RECEIVED
MAY 12 9 42 AM '89

J.L.S.

ROBERT L. CRAIG
P O BOX 241
PIOCHE, NV 89043

Mining & Milling Consultant (702) 962-5259

APR 26 1989
MAIL ROOM

April 26, 1989

U.S. Bureau of Land Management
Needles Resource Area
101 West Spike's Road
P O Box 888
Needles, CA 92363

Attention: John Bailey
Re: Draft EIS/EIR - Viceroy's Castle Mountain Project

Dear Mr. Bailey:

I am writing this letter in support of Viceroy's Castle Mountain Project. Having lived in the Needles area for years and worked in the mines that were in operation at the time, I had to move from the area when mining operations closed down. It has always been my desire to move back to the area, in the event mining operations were opened again. Therefore, it is my opinion that the Viceroy project would be of great benefit to the economy in this area.

It is my belief that ecologists and miners can work together. Mining has always been an important contribution to the nation's economic structure and the nation would greatly suffer should all doors be closed to this industry because of lack of cooperation and understanding between the two entities.

Please do not hesitate to contact me, should there be need for further support for this project.

Very truly yours,

Robert L. Craig

Robert L. Craig

RLC:jdc

*8282
Bailey*

Viceroy Gold Corporation
P. O. Box 93658
Las Vegas, NV. 89193

May 1, 1989

Dear Sir,

It is interesting to follow your announcements on opening the mine in Castle Mountains.

You are asking for comments, and I wish to share with you my idea.

You said that after the mining operation ceases, you will stain the rock in order to blend it into surrounding rock or slopes.

PLEASE DON'T DO THIS.

Leave the rock so as it is. The reasons dictating this are:
1/ Any painting will contaminate environment, as paints are mixture of oil and chemicals.

2/ Broken rocks will be an open book for students of Geology and Mineralogy. They will be points of attraction for students and schools who make excursions to see them.

3/ Broken rocks will attract the rock collectors. Let them have their samples.

4/ Broken rock will also attract small biological beings, when smeared rock will be for them a repellent by its odor and chemical composition.

5/ It will be more economical for the Viceroy Corporation too.

I want to mention that the miners in Calico Mountains, in Yermo left visible tracks of mining, and nobody minds it, because people are admiring the variety of colors on the hills.

The conclusion is, We wish you success, but leave the rocks uncolored... I believe that the environmentalist will like such approach too.

I am writing this with a freindly attitude.

Sincerely yours,

Robert L. Craig
Fr. Coslowsky
P. O. Box 146
Baker Ca 92309

RECEIVED
MAY 15 1989
MAY 10 23

May 8, 1989

Joyce A. Coy
1150 Columbia Ave
Ontario, Ca. 91764

13211, Nettles Reserve - Area
P.O. Box 885
Needles, Ca. 92365-0885
ATTN: John Bailey

Dear Mr. Bailey,

I am writing "one page" on Castle Mountain Mine. I have seen what strip mining for gold and cyanide leaching does to the once beautiful area. How you waste the "Red mountains" or what is left of them lately? They have leached to death; cyanide pools are everywhere, cyanide leachings + drains clean away dry hills of white leeches + drain off all the creek beds. Tons of dust blow off at vegetation many areas that have been denuded of vegetation + ground to death by trucks + earth moving equipment.

Stop exploiting our land, You, the Bl-Mears contractors. It is your job to preserve what ~~the~~ few natural areas are left for the

future generations of Americans.

From what I have seen in Randsburg, exploitation is the name of your game. Strip mining is obnoxious (it is toxic) work at repairing the damage that has been done to desert habitats, and then perhaps, consider, at what price gold - in it worth it?

Sincerely

Joyce A Coy

RECEIVED
MAY 12 AM 9 46

Mr. John Bailey
Bureau of Land Management
Needles Resource Area
Post Office Box 888
Needles, California
92363-0888

1344 Kelly
Barstow, CA.
92311

This editorial from the April 22, 1989 edition of the San Bernardino Sun Telegram helps to sum up my feelings on the proposed Castle Mountain project. I urge you to consider the "no action alternative" for this project. Strip mining in the Eastern Mojave National Scenic Area will result in "unnecessary or undue degradation" of this fragile environment.

Sincerely,

Mark B. Crist

Mark B. Crist

Editorials

Open-pit mines just aren't 'scenic'

The proposed Castle Mountain mining project illustrates why conservationists distrust the Bureau of Land Management and its lofty expressions of concern for preservation of the desert's natural attributes.

Nearly a decade ago, in the wake of the Federal Land Policy and Management Act, with this declaration:

"The pristine and uniquely evolved features of the desert environment provide satisfaction for both desert residents and visitors. Large majorities of respondents nationwide, statewide and desertwide polls identified 'more protection of wildlife and ecology' and 'more protection of scenic qualities and natural character' as their highest priorities for California desert land management."

In view of such statements, it is amazing that the BLM can view with equanimity the plans that are being proposed to develop the Castle Mountain Mine in the East Mojave

Dear Sir,

I support the Castle Mountain Mining Project. Their impressive Plan of Operations promises that they can operate their mine environmentally safely and we can all object to this project. Why the delay in approving the plan?

D.W. Curtis
1140 E. View
DESVICovina, CA, 91791

Respectfully,

Donald Curtis

REC'D
1989 APR 26 AM 9 51

1989 MAY 15 11 11:44

778
Baker

5/10/89

Dear Mr. Bartley,

I live in Baker, Ca am in business here and love the desert very much. I feel the Viceroy Gold Mining project is and would be a good thing for this area. Mining here as well as other endeavors has not harm the desert and am for this mine in one area.

Mary Dale

P.O. Box 340 Baker, Ca 93309

1989 MAY 15 11:11 AM '89

784
Baker

May 15 1989

Dear Sir,

As a resident of Sierra Nevada I support the Castle Mountain Project. The mine will provide jobs for local residents. These jobs are badly needed.

Viceroy Gold has done everything reasonable to protect wildlife. Please pass the message to the project.

Respectfully
Dicky Duffler

Dicky Duffler
P.O. Box 520
SEARCHLIGHT, CALIF.
95046
297-1419

1989 MAY 15 11:28

May 12, 1989

good
JP

Wild Resource Area
Needles, CA 92363

Dear Sir -

We support the Castle Mountain project because we need the resource and minerals are important to our Country - The environmentalists go too far - I bet they wouldn't want to give up any of their conveniences that mine provide - Good luck on the project

Sincerely,

Toni Darling

Toni Darling
3961 Road Ad.
Rubidoux, CA 94509

RECEIVED
MAY 13 1989
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

April 27, 1989

Mr. John Bailey
Bureau of Land Management
P.O. Box 888
Needles, CA 92363

Dear Sir:

I urge you to adopt the NO-Action Alternative re the Vicroy Company's plan to operate the Castle Mountain Gold mine in the proposed moose National Park.

All the negatives are appropriate - The scenic wilderness, damage to wildlife, destruction of the only riparian habitat in the area, the inability of BLM to restore the area, the inability of anybody to control the company or make it responsible if it decides to pull out later.

But to me, the requirement of huge amounts of water spells death (possibility of) for all of us + much of Southern California anyway - Since we would have no right to take an ounce of water needed for human use.

As to "unnecessary" complete destruction. This proposal equals "complete destruction".
Priscilla S. Darby
Priscilla S. Darby
900 E. Harrison B-118
Perrone, CA 91767
714-621-0977

Sincerely

JTB
BAILEY

Mr. John Bailey
Bureau of Land Management
P.O. Box 888
Needles, CA 92363

May 11/1989

Dear Mr. Bailey,
I am writing this letter in opposition to any mining whatsoever at the Castle Mountain Gold mine in the Inyo National Park. I am also stating that the BLM adopt a no-action alternative.

There are many reasons for this opposition, one of which I believe to be the most important:

It is documented that ponds with cyanide solutions have killed upwards of 2000 birds in Arizona and Nevada where this new kind of (upside) mining is done. Also, two desert tortoise habitats will be impacted by some 150 plus vehicles per day going in and out

of paid habitat.
In addition to polluting the environment and destroying birds and animals, the astronomical amount of water used in this type of mining operation is a horrible waste, considering the serious water shortage the West is experiencing.

Thank you for taking time to read my letter. I hope that I, and many others like I, will encourage you to prevent the Viceroy Corp of Canada from mining in the Inyo National Park.

Sincerely,
J. H. Davis
J. G. DAVIS

RECEIVED
BUREAU OF LAND MANAGEMENT
NEEDLES OFFICE AREA
NEEDLES, CA
1989 MAY 15 AM 10:45

MRS. JOELLEN G. DAVIS
2791 MONTICELLO RD.
CLAREMONT CA 91711
MAAD

John Bailey

John Bailey

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY -5 AM 10:23
NEEDLES RESOURCE AREA
NEEDLES, CA.

2305 Laurence Avenue
San Bernardino, Ca. 92404
May 3, 1989
Ph no 714---006-0683

Bureau of Land Management
Needles Resource Area
P. O. Box No. 888
Needles, CA 92363-0888

ATTN: John Bailey

FOR the "no project" alternative.

LET'S NOT SELL OUR SOULS FOR A GRASS OF GOLD. Does that ring a bell?

It's late at night and I should be sleeping, but I worry about IRATE springs.

Back in 1935 I lived in Needles and graduated from Needles Hi in 1936, and the kids enjoyed Taute Springs. The very thought of terminating this wonderful bit of desert almost makes me sick. And just for "hard to get" gold. Its a bad deal.

Does it do any good to write a letter to you? Are you really listening? Are you considering the "microvorn" aspects of the undertaking. Because once lost its going to be lost forever. They can't restore it. They can't hide it. They can't fix it. And they won't be able to sell it. The lubbial rain, if any, will be the last.

A million people should be writing to you, but they won't, because they figure that its already settled and will be approved. All the hearings and letters is just part and parcel of the process. So, if you will, please consider my letter--their letter. Perhaps we cannot speak with a single voice; but believe me, we can think with a single thought; and that thought is-- it cannot, it must not happen. We must preserve what little is left for ourselves and for those who follow us.

And remember, there is no overriding necessity for this awful project. No necessity--- just the lust for dollars. I am sure that millions, and millions of people would support the "NO PROJECT" alternative. Lets not forget them. Please....

WELL VICTORY, SCARY, BUT PLEASE GO SOMEWHERE ELSE. Thank you.

Sincerely yours
Llewellyn Davies
Llewellyn Davies

Dear John Bailey,
I'm in favor of the Vickey Mining Project. Because the employment is quickly needed. And the indigment will be better in the end.
Mrs Kathy Dean
P.O. Box 324
Baker Calif 92309

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 15 AM 11:15
NEEDLES RESOURCE AREA
NEEDLES, CA.

7/28
SULLIVAN

To: Bureau of Land Management

I support the Castle Mountain Project. The Viceroy gold mining company has taken major precautions to protect the desert and wild life.

Don't let the Sierra Club stop this project. I support the gold mine in the Hart Mining district. They have provided ample protection for the desert tortoise, the birds and for public safety.

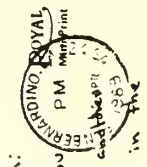
Thank you,

Darleen Dils
6592 TRINETTE AVE
GARDEN GROVE, CA
92645

RECEIVED
1989 MAY 15 AM 10:47
HONOLULU, HAWAII



B.L.M.
PO Box 888
Needles, CA
92363



To whom it may concern:
I can't believe you would even consider allowing a cyanide leach mine in the East Mojave NATL Scenic Area. Your own bureau called the Puke Spring "the key to the well being" of desert bighorn sheep in the Puke Mountains. Do not allow the destruction of yet another fragile ecosystem!

THE PEOPLE OF MAUI are proud of their "Puke in the Puke" (Tunnel). It saved time in traveling this lovely scenic route. The Maui Tunnel was the first in Hawaii. Maui No Ka Oi.
88736 SINGEREY, K. DISTEFANO

Distributed by Maui Sales, Kahului Maui, Hawaii

John Bailey
U.S. Bureau of Land Management
Wildlife Resource Area
Hendler, CA. 92363

Dear John

"100 tons of ore are needed to extract
1 oz of gold" - you can kill, live
just ahead. Randy Fedesco's article
in Friends of Nevada Wilderness News
letter:
precious water needed in vast
quantities as part of extraction
process -
the desert tortoise habitat is
being destroyed -
endless thousands of migratory
birds will die from drinking
from the cyanide ponds -
cyanide will leak into the
water table -

Everyone of these facts ought to stop
the mine from becoming reality.
The facts don't need any scientific
research, they are self evident.

Surely it is not possible to be hoodwinked
by what the mine says about having
little effect on the environment!!

So, please stop this ore mine
from continuing the destruction
of our wonderful environment and
the birds and animals that live upon
it.

Sincerely, in desperation

Tom Nixon
2100 Sierra Sage Lane
Puno, NV 89509

4 May 89

P.R.
COWLEY

Dear BLM,

As a long time Recreational winner, 25+ year desert racer, and supporter of land use but not abuse. I have spent year trying to educate people on proper use - to enjoy there time spent in the desert. The idea of only taking pictures and leaving only foot prints is excellent - but does not always apply. But at this time I must support the Castle Mtn winning project as this land is also for

the commercial winner. With there compliance to environemantal wishes —

What the hell is your problem —

Desert is for use by everyone - don't close it down.

Better control and not closure is what we need.

Thanks for Listing -

Mike Dunkerley
35535 Rodeo Rd
Yuccaipa, Ca. 92399

P.S. could you please send me several copies of the Castle Mtn. Project summary

388
EX-107

Mike & Shirley Dougherty
P. O. Box 44
Baker, California 92309
619 733 4551
May 9 1989

John Bailey
Mgr. EMNSA
Bureau of Land Management
Needles Resource Area
Box 888
Needles, CA. 92363

re: Castle Mountain/Viceroy Gold

Dear Mr. Bailey:

I write to express my support of the proposed mine that Viceroy Gold is seeking to open in the old Castle Mountain mining district in the East Mojave National Scenic Area.

My wife and I have personally gone to the old town Hart- the site of the proposed mine- and have walked the ground. We see no reason that Viceroy shouldn't go on with thier plans for a new mine.

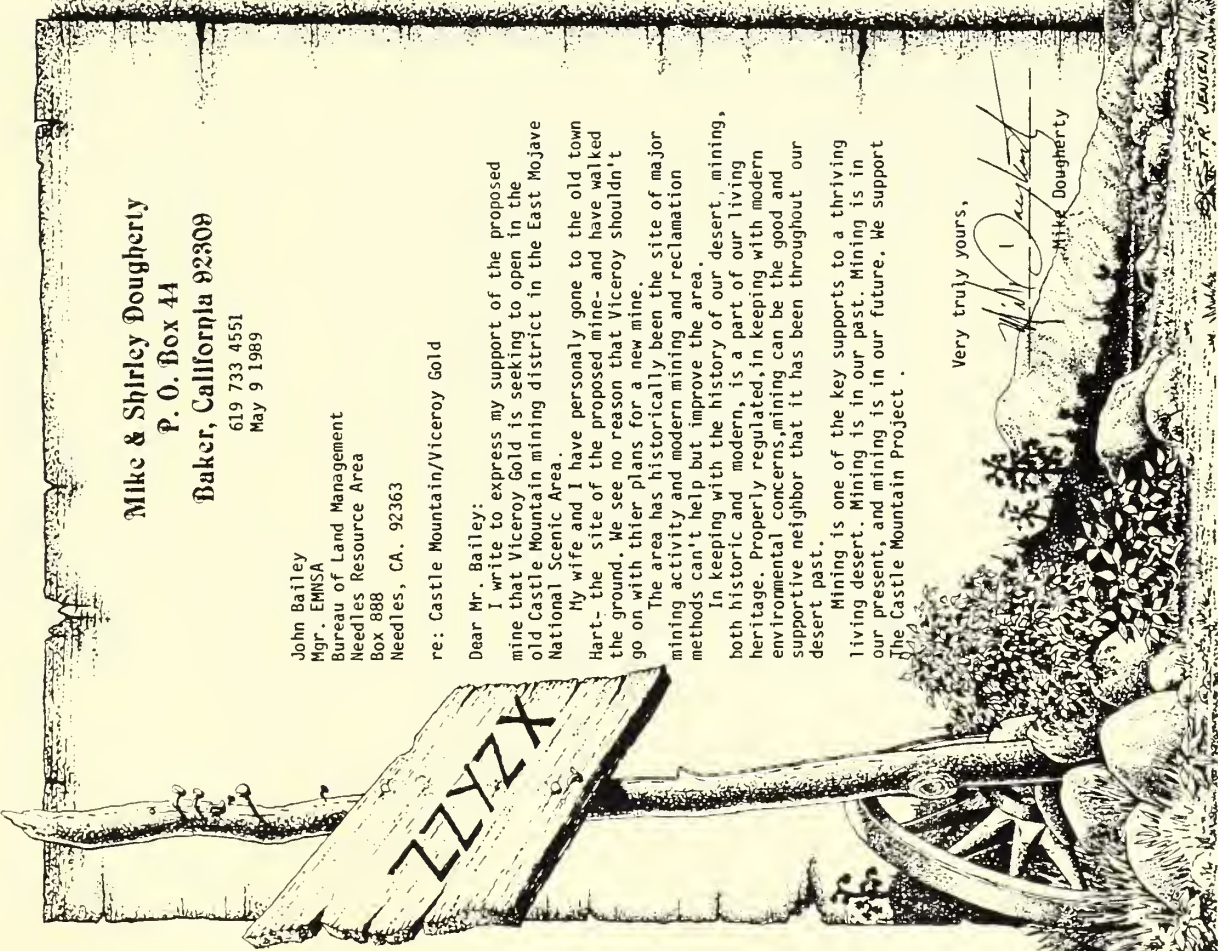
The area has historically been the site of major mining activity and modern mining and reclamation methods can't help but improve the area.

In keeping with the history of our desert, mining, both historic and modern, is a part of our living heritage. Properly regulated, in keeping with modern environmental concerns, mining can be the good and supportive neighbor that it has been throughout our desert past.

Mining is one of the key supports to a thriving living desert. Mining is in our past. Mining is in our present, and mining is in our future. We support The Castle Mountain Project .

Very truly yours,

Mike Dougherty
Mike Dougherty



RECEIVED
BUREAU OF LAND MANAGEMENT

1989 MAY 16 AM 10:20

NEEDLES RESOURCE AREA
NEEDLES, CA.

KDP
Kathy Duvall
P.O. Box 1494
Bishop, Ca. 93515

May 10, 1989
Gerald Hiller
District Manager, BLM
Needles Resource Area
P.O. Box 888
Needles, CA. 92360-0888

RE: Draft Environmental Impact Statement/Environmental Impact Report for the proposed Castle Mountain Mine

Dear Mr. Hiller,

I have recently and over the years frequently visited the Eastern Mohave National Scenic Area of the California Desert Conservation Area. Based on my experiences with this area, I am opposed to the Castle Mountain Project.

One of my two specific concerns is the status of the groundwater table after prolonged pumping for the project. Because of pumping in the Owens Valley, we are seeing dying desert vegetation, vanishing riparian habitat and the disappearance of springs. Piute Spring could be dried up if too much water is pumped out. As an Area of Critical Environmental Concern, Piute Spring should be carefully protected.

My other specific concern is the fate of the desert tortoise. The idea of increased road use through their habitat reflects irresponsible planning. If the mine is inevitable, why not detour around the habitat area with the Searchlight access route and completely eliminate the Ivanpah access route? Would you bargain for this change? It's sad that the Ivanpah road is still being used. I support you in protecting the desert tortoise.

Finally, my general concern is that a designated scenic area has no protection from private interests. I have visited a similar open pit heap leach mining project in Nevada and have seen the effects of daily traffic, the cyanide ponds (complete with birds swimming in the solution), the pits, the vast amounts of overburden and the plant area. I do not want a similar situation in the Eastern Mohave National Scenic Area.

I feel that BLM needs to be in integrity with the purpose of our National Scenic Areas which have been set aside for the natural habitat and public appreciation of our land. This area will never be the same no matter how high the quality of the reclamation project. Please consider these important issues.

Sincerely,
Kathy Duvall
Kathy Duvall

C.3-43

CHARLES E. DWYER
25206 LAWTON AVENUE
LOMA LINDA, CALIFORNIA 92354

Ch. E. Dwyer

5/7/89

DEAR MR BAILEY,

I'M SURE YOU HAVK HEARD ALL THE REASONS FOR NOT ALLOWING THE CASTLE MOUNTAIN GOLD MINING PROJECT TO BE A REALITY.

I WANT TO ASSURE YOU THAT I VOTE "NO" ON THE DEVELOPMENT OF THE MINE.

HOW MUCH MORE ABUSE CAN OUR ENVIRONMENT HANDLE - WE HAVE TO STOP NOW!

I SUPPORT THE CALIFORNIA DISTRICT PROTECTION ACT!!

SINCERELY

Charles E. Dwyer

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 10 AM 11:15
NEEDLES RESOURCE AREA
NEEDLES, CA

Mary-Lynne Dye
P. O. Box 2587
Crestline, California 92325

M. L. Dye

Dear Sirs -

Re: *Fandrew Victory Camp*. proposed development of cyanide heap leach mining in East Mojave National Scenic area.

I urge you not to allow this to happen! The desert tortoise habitat must be severely disrupted, the Bigone sheep habitat must be lost, the million of gallons of water required should not be used for this purpose, the open pits and cyanide ponds in this area should be unthinkable!

I appreciate your consideration
Thorp. Lynn Dye

WILLIAM J. ELLIOTT
ENGINEERING GEOLOGIST

WJE

RE: Draft Environmental Impact
Statement/Report
CASTLE MOUNTAIN PROJECT

May 6, 1989

Bureau of Land Management
Needles Resource Area
P. O. Box 888
Needles, California 92363-0888

Attention: Mr. John Bailey

Dear Mr. Bailey:

I have recently reviewed the Castle Mountain Project, San Bernardino County, California, Draft EIS/EIR Summary, dated February, 1989, prepared for the Applicant, Viceroy Gold Corporation, by Environmental Solutions, Inc.

In my opinion, the homework has been done, and I am in full support of allowing Viceroy to move ahead with the proposed Open Pit Heap Leach Gold Mine in the Hart Mining District of eastern San Bernardino County.

One of the strengths of our Nation lies in our natural resources. I believe that the environmental risks have been adequately addressed and that we should continue to draw upon those resources for which we are so fortunate to have in our own backyard.

Thank you for taking the time to review this letter in support of moving ahead with the proposed mining operation.

Sincerely yours,

W.J. Elliott

William J. Elliott
Engineering Geologist

Distribution: (1) addressee

(1) Viceroy Gold Corporation
P. O. Box 93658
Las Vegas, Nevada 89193-3658

RECEIVED
1989 MAY 10 11:06
U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
NEEDLES, CALIFORNIA

*WJE
SMILE*

NEEDLES RESOURCES AREA

DEAR SIRs,

PLEASE CONSIDER THIS NOTE
TO RE-OPEN THE SOUTH EASTERN
MOJAVE DESERT TO MINING -
ESPECIALLY THE CASTLE MOUNTAIN
SITE

ALL CONSERVATION CONSIDERATIONS
ARE BEING TAKEN CARE OF
TO SAFE GUARD DESERT FLORA
FAUNA

Thank You

*James E. Egan
Box 808
Searsville, NY
87026*

RECEIVED
1989 MAY 15 11:27
U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
NEEDLES, CALIFORNIA

May 15, 1989

John Bailey
BLM Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888



RE: Castle Mountain Project Draft EIS

The EIS thoroughly covers the project and addresses its impacts and mitigations. A number of points were raised however, which need either to be addressed or clarified. A recurring theme (noted below) of county jurisdiction is incorrectly stated or implied numerous times. This creates a situation of confusion regarding who has clear jurisdiction over what. In light of what other counties are doing and any action by the San Bernardino County Board of Supervisors to do otherwise, some erroneous precedents may be established if the EIS content is implemented as stated.

2.2.2. County of San Bernardino

1. There seems to be a contradiction here. It is stated that the County does not regulate the use of federal land but yet it also states that the county must approve the site plan. This would appear to be regulation.

Approximately 28 acres of the project is private land (per Appendix 5) under the jurisdiction of the county; specifically, the Oro Belle Pit. It would appear that this is the only portion upon which the county has total jurisdiction where the site approval is appropriate. The EIS should clarify this.

2.4.5.2 County of San Bernardino

1. It would seem that the same contradiction appears here as in 2.2.2, i.e. the county does not regulate the use of federal lands but they have "regulatory authority", etc., and the implementation of SMARA on federal lands in California. The Granite Rock decision of the federal Supreme Court is often cited for this position but as with all such decisions applies to a narrow position, i.e., forest service lands within the Coastal Commission Zone. Such a setting does not exist for this project. The entirety of 2.4.5.2 is misleading and could be considered precedent setting unless corrected.

4.10.1 Land Use Plans And Policies

1. Like sections 2.2.2. and 2.4.5.2., the inference of county jurisdiction is perpetuated. This should be corrected and clarified.
3. This is a slightly modified repeat of 2.4.5.2 which should also be corrected.

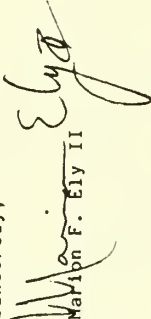
Appendix 5

Much could be said concerning the Proposed Conditions of Approval listed here but only a few points will be mentioned at this time.

First of all, since only 28 acres of land clearly under county jurisdiction is disturbed by the project, it would appear that many of the proposed conditions actually are de facto land use regulations. As it stands there would be jurisdictional overlap and the potential for conflict with the company being caught in the middle.

Since there is only 28 acres involved, the condition for a \$2,000,000 bond works out to be about \$71,428 per acre. This seems somewhat excessive. If the figure is applied to a larger area, BLM jurisdiction would be infringed upon, especially in light of the fact that they will require a bond. This would create a definite conflict and a situation of double jeopardy. How this figure was derived should be shown.

Sincerely,


Marlon F. Ely II

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 19 AM 9 51
NEELES RESOURCE AREA
NEELES, CA.

5147 Alameda Dr.

L.A. CA 90042

April 12, 1989

RECEIVED
BUREAU OF RECLAMATION

1989 APR 14 AM 10 08

WATER RESOURCES DIVISION
HEEDERS, IN.

Dear Mr. Bailey:

I am concerned about the proposed Castle Mountain Viceroy Gold Corporation mine. I do not think that plans for the operation should proceed until resolutions are found to several problems in the draft EIS.

First, I do not believe there should be any poisonous open ponds in any place that could attract birds, animals or insects to them. The "netting" mentioned in the draft will be ineffective without a program of continuous maintenance and periodic monitoring by an independent agency such as the BLM.

Second, the draft is unacceptably vague on the possibility of an excessive drain on the aquifer. What if the predictions don't remain valid? What kind of "reevaluation" will occur? These should be stated specifically so that the mine will be accountable for resolving possible problems in a way that is environmentally sound and responsive to public concerns.

Third, what are those "impermeable synthetic lines" which will prevent leaching of chemicals into the aquifer? Intelligent evaluation of design and engineering ~~plans~~ requires more specific statements.

Lastly, the public deserves input now on the establishment of a reclamation bond amount. We seem to value the debt more highly than our government given the laws governing the cost of mining claims.

I look forward to your response, and an improvement of the draft.

Sincerely, Beth Epstein



Pinon Hills, Ca.
May 3, 1989

Mr. John Bailey
D.S.M. Nevada Resource Area
P.O. Box 888
Nevada, Calif. 92363-0888

Dear John Bailey:

Please forbear the Viceroy Corporation's Castle Mountain mine plan. Mine wild animals off many of our wild animals in the Kibbie. Let's be especially careful to protect those in our own area. The desert tortoise would be especially vulnerable as well as other animals and plants that rely on the water in Pinon Creek.

In this world there are many things more important than GOLD.

Sincerely,

Mr. Charles Engman
P.O. Box 34
Pinon Hills, Ca.
92372

(2)

There are many questions which come to mind concerning this project. What about the birds and mammals in the area? Will the netting help them or kill them? Which birds to mind, kids. As you may know there is no way to know what they will get into. What if they got into one of the ponds?

As far as I know, there are no existing studies on the long term effects of cyanide on the workers themselves. They must be in close proximity for long periods of time.

Now, as to the contract between BLM and the operators of the Project, I have these questions:

- 1) What completion bonds have been ~~put~~ posted by the operator and how much in dollar value do they amount to (How many millions?)
 - 2) What Clean up bonds have been posted and how much are they?
 - 3) Where does the gold go? (Canada, U.S., etc.)
- It is my opinion that until all questions are answered satisfactorily, the project be held up until they are answered. I will, Guss, Don & Howard

(1)

27241 Comwell St.
 San City, Ca. 92381
 April 24, 1989

RECEIVED
 BUREAU OF LAND MANAGEMENT
 1989 MAY -3 AM 8 57
 NEEDLES DISTRICT AREA
 NEEDLES, CA.

Mr. John Bailey
 Bureau of Land Mgmt.
 Needles Resource Area
 P.O. Box 888
 Needles, Ca. 92363-0888

Dear Sir:

Please be informed that I object strenuously to the Castle Mountain Project to be located in the Eastern Mojave Ca. area.

This is a pristine area and is very unusual for any desert. There are such things as the great sand dunes (West of Kelso), the Mitchell Caverns and the Langford Valley with Pinta Creek.

We all thought that the East Mojave National Monic Area would become a National Park but now it appears it will become another "National Ruin."

1000
1000
1000

May 7, 1989

Mr. John Bailey
Bureau of Land Management
P.O. Box 888
Needles, CA 92363

re: Castle Mountain Mine Project

Dear Mr. Bailey:

I am writing to express my deep concern over the proposed Castle Mountain Mine project in the East Mojave National Scenic Area (EMNSA). I have recently reviewed a summary of the draft Environmental Impact Statement on the project and I am not reassured whatsoever.

First of all there remains in my mind an open question surrounding the withdrawal of water which will affect Piute Creek. At least one hydrologic study, from the U.S. Geological Survey, contradicts the conclusions of your consultant. Can we really risk Piute Creek and its unique riparian habitat? I do not believe so.

The cyanide heap leaching process poses equally unacceptable risks to wildlife (e.g. the Morningstar Mine fiasco). In the event this unfortunate project does indeed go forward, a completely closed cyanide system must be employed.

On a larger scale, I fail to see the appropriateness of a huge mine with colossal pits and overburden piles in the National Scenic Area. After all, EMNSA is national park quality land and is supposedly BLM's showcase for protecting an exceptional expanse of wildlands in the Desert District. Even satisfactory reclamation bonds to clean up after the fact hardly ensure genuine protection of the environment. A potentially depleted Piute Creek and dead desert tortoises cannot be reclaimed in any event. I support the "no project" alternative.

Sincerely,
Henry N. Ervin
4781 Mt. St. Helens Dr.
San Diego, CA 92117

cc: Sens. Pete Wilson and
Alan Cranston

More Comments and Questions:

1) There is talk that the population of Southern California will top the 18,000,000 mark by the year 2000. I personally believe we have already exceeded this population because when the State of California reached 20,000,000 population, I read where Southern California's part of this was almost 14,000,000.

This happened in the 1970's. Where will they all go for recreation outings?
2) Regarding the 150,000 jobs which will be created by the Castle Mountain Project, I believe that San Bernardino County, California, actually needs thousands of "clean" jobs rather than the 150,000 predicted.

3) Unlike many Americans, I have been all over Canada where possible roads exist. They have said waste "to probably millions of acres of land through burning & smelting. Have you seen Tail, B.C. and Sudbury Ontario or... Sharnbrook, Ontario

10/1/84

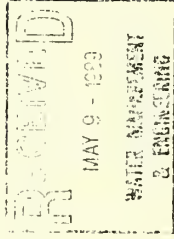
I SUPPORT THE CASTLE
MOUNTAIN MINING PROJECT.
FROM WHAT I HAVE SEEN,
THEY SEEM TO BE VERY SAFE
FOR THE ENVIRONMENT.

Jim Evers

JOE EVERS
27392 OSUNA
MISSION VIEJO, CALIF.
92691

RECEIVED
BUREAU OF REVENUE
MAY 15 AM 11:44
NORTH CAROLINA

7788
Box 167
2519 NW 192nd Place
Seattle, WA 98177
May 3, 1984
RCD



Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363
c/o: John Bailey

I am writing to comment on the proposed Castle Mountain Mine project. This project has the potential to cause severe water, wildlife, and pollution impacts on the East Mojave.

- 1) Substantial diversion from Piate Creek waters are proposed. Impacts are minimized in the draft EIS; I understand other studies disagree.
 - 2) Wildlife, including habitat of the desert tortoise, is at risk.
 - 3) No guarantees are made of the need to keep cyanide out of the ecosystem, neither short term by eliminating open ponds nor long-term.
- This splendid country deserves the best, not the feeble pragmatism so often evident in western land management.

Sincerely
Richard Fidler
Richard Fidler

AL-KALI FLAT
BUREAU OF LAND MANAGEMENT
RECEIVED
1969 MAY 17 AM 10:12
BISHOP CA
NEELED SCENIC AREA
NEELED, VA.

Dear Mr. Hiller.

THANKS FOR THE OPPORTUNITY TO COMMENT ON THIS PROJECT. OVER THE PAST FOUR YEARS I'VE VISITED THE EAST MOJAVE SCENIC AREA ON A NUMBER OF OCCASIONS, AND AM CRUISE FAMILIAR WITH A NUMBER OF THE OUTSTANDING FEATURES, IT TRULY LIVES UP TO ITS BILLING AS A SCENIC AREA.

TO ME THE DESIGNATION "SCENIC AREA" DENOTES A VERY SPECIAL PLACE THAT DEMANDS ADDITIONAL SENSITIVITY AND PROTECTION, IN WHAT MANAGEMENT ACTIONS ARE TAKEN. THE MULTIPLE USE CONCEPT PRACTICED ON OTHER BILIM LANDS MAY NOT BE APPROPRIATE IN ITS ENTIRETY HERE IN THE EMINSA.

WITH THIS IN MIND, I DON'T BELIEVE THE CASTLE MOUNTAIN PROJECT BELONGS IN A SCENIC AREA, LIKE THE EAST MOJAVE. IN FACT IT'S COMPLETELY INCOMPATIBLE WITH IT FOR A VARIETY OF REASONS.

I BELIEVE THE PROJECT MAY CREATE ADDITIONAL, UNNECESSARY PRESSURES ON THE ENDANGERED DESERT TORTOISE. YOUR STUDIES ON TORTOISE DENSITIES IN THE PROJECT AREA SEEM INCOMPLETE AND UNTIL ADDITIONAL DATA IS OBTAINED ON THIS VITAL ISSUE, I WOULD DEEM THE E.I.R. INADEQUATE.

EMPLOYEE INTERFERENCE AND WITH TORTOISES AND THE TRAFFIC PROBLEMS ARE CONCERNS I HAVE.

EVEN IF TORTOISE DENSITIES IN THE PROJECT AREA PROVE MINIMAL, I FEEL THE BILIM

MUST EXPLAIN A GRAVE CONFLICT OF INTEREST YOUR AGENCY PROJECT CONCERN ABOUT THE TORTOISE AND PRESERVING IT, YET YOU ARE CONSIDERING A PROJECT THAT WILL PLACE IT IN FURTHER JEOPARDY. THE DEATH OF OUR TORTOISE AT HANDS OF A MINING TRUCK IS UNACCEPTABLE.

I HAVE A PROBLEM WITH YOUR COMPUTER MODEL PROJECTION FOR NO IMPACT TO PIUTO SPRING. DO WE WANT TO RISK THE HEALTH OF THIS IMPORTANT RIPARIAN AREA IN THE ENTIRE E.MOJAVE ON A MODEL. MORE HARD, CONCLUSIVE DATA IS NEEDED, OTHERWISE THE E.I.R IS INADEQUATE.

OTHER POINTS:

A) THE IMPACT OF GROUNDWATER REEL EXTRACTION IN THE WEST NEW FIELD ON VEGETATION IS NOT ADDRESSED; ANY EFFORTS TO RECLAIM DAMAGES?

B) I DON'T BELIEVE ANY ACTION WILL MINIMIZE THE IMPACT OF CREATING HUGE HOLES IN THE EARTH, HAVE APPLICANT FILL THEM IN.

C) WHAT PRECEDENT WILL THIS PROJECT SET FOR OTHER HEAP LEACH OPERATIONS IN E.MOJAVE.

D) WE CAN NO LONGER WHITEN AWAY AN ENVIRONMENTAL PROTECTION BY BEING THE CAUSE OF TRADITIONAL USE TO SANGHAN DAMAGING LAND USE.

FOR A TEN YEAR SUPPLY OF GOLD WE'RE RISKING PIUTO SPRING, TORTOISES, BIGHORN'S VEGETATION AND VISUAL QUALITY THAT'S TOO MUCH. PLEASE JOIN US IN SUPPORTING THIS NO ACTION ALTERNATIVE AND KEEPING THE E.MOJAVE SCENIC AREA, SCENIC SINCERELY
AL-KALI FLATS

C3-51

BAILEY 888

John Bailey:

This letter is written to urge BLM to adopt the "no project" alternative on the Castle Mountain Mine project. Having spent a good deal of my life in the Mojave desert it seems as though this proposal is inherently flawed: overdrafting of Piute Creek, the probable destruction of habitat for the elf owl, cyanide leach ponds and the large amount of toxic waste associated with this rather large operation indicates that it is inappropriate for this area.

Please, in the interest of preserving the environmental integrity of Castle Mountain, adopt the "no project" alternative.

Sincerely,
Bill Floyd
335 Gethsemane
Nevada City, CA
95959

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 15 AM 11:41
NEEDED REAGVILLE AREA
NEEDLES, CA.

5/1/89

MIR BAILEY -

MY WIFE DOROTHY + I SUPPOINT THE "NO PROJECT" ON CASTLE MOUNTAIN MINE

WE ARE VERY CONCERNED ABOUT PIUTE CREEK'S WATER QUALITY, LOSS OF TERRESTRIAL AND THE DANGER OF WILDLIFE MORTALITY FROM CYANIDE LEACH MINE

RETIREFULLY,

Martin + Dorothy Fair

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 APR 26 AM 9 52
NEEDLES, CA

P.O. Box 307
Boron, CA 93516
April 24, 1989

Needles Resource Area
Attention: John Bailey
P.O. Box 888
Needles, CA 92363-0888

Thank you for the opportunity to comment on the Draft EIS/EIR for the CASTLE MOUNTAIN PROJECT

My concern is for the impacts on wildlife, particularly the desert tortoise populations in the project area.

Apparently you are cognizant of the tortoise-proof fencing requirement as stipulated in Recommendations for Management of the Desert Tortoise in the California Desert (July 1988), which includes Nipton and Ivanpah Roads. I mention this because:

On Table 1.1 4.1 it reads: "An onsite inventory for the desert tortoise was completed for this document. No tortoises were seen but burrows were found". Can it be possible that no onsite inventory was taken along the Ivanpah access route?? Tortoise densities are known to exceed the numbers set for crucial habitat. Does this indicate the environmental assessment was slipshod?

What mitigation and compensation measures will be taken for the four+ square miles that will be needed for construction and operation of the site? Will the fencing be around this area or just the 890 acres that "will be disturbed for the site"?

Will there be mitigation for habitat loss along water-line routes, powerlines, telephone lines and future gas lines; all of which are outside the site boundary but will impact tortoise populations?

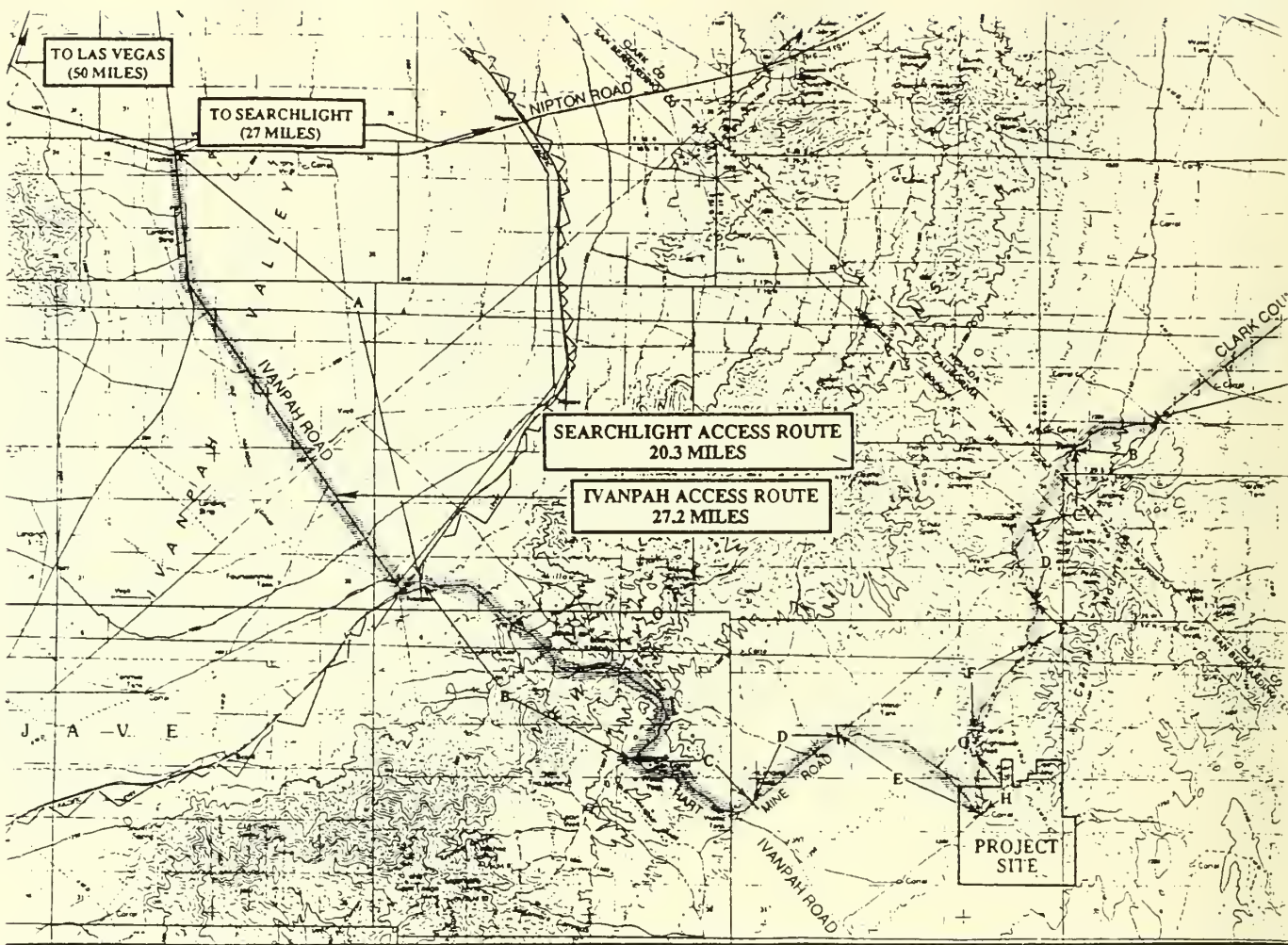
What formula for compensation is being recommended for the ten or more years that this land will be unavailable to wildlife? Where are the necessary funds, services and land for offsite relocation mentioned in the draft?

As long as this Castle Mountain Project will be reached by driving on roads in crucial tortoise habitat, BLM must consult with the U.S. Fish and Wildlife Service on any action which may negatively affect the tortoise. And revegetation efforts by BLM in the past have been a sham.

THE MAJOR POTENTIAL CUMULATIVE EFFECTS OF IMPENDING ACTIVITIES IN THE PROJECT AREA (USE OF PRECIOUS WATER, DISTURBANCE TO WILDLIFE HABITAT, REDUCED AIR QUALITY, AND VISUAL RESOURCES) CONSTITUTE "UNNECESSARY OR UNDUE DEGRADATION" AND THE NO ACTION ALTERNATIVE IS APPLICABLE.

Sincerely,
Betty Forrey

RE: Comments on DEIS Castle Mt Gold Mine
No wonder many people support taking the East Mojave away from BLM + giving it to the Park Service. That FSLM would even consider such a monstrous proposal with cyanide leaching is inexcusable. Maybe BLM really is the Bureau of Liveness + Mining. Come on be our agency in the federal government that doesn't exist just to serve big corporations. JUST SAY NO!
Sincerely DAVE TORREMAN



John Bailey

April 14, 1989

U.S. Bureau of Land Management
 Needles Resource Area
 101 West Spike's Road
 P.O. Box 888
 Needles, CA 92363
 Attention: John Bailey

RECEIVED
 APR 17 1989

Dear Mr. Bailey:
 I am in the process of reading the Draft E.I.S./E.I.R. for the Castle Mountain Project. One particular point prompts me to write this letter. I plan to submit a more complete set of comments prior to May 15, 1989.

The observation is made that if the Nipton-Moore-Ivanpah dirt road, which is immediately west of and follows the Union Pacific R.R. tracks, were to be appropriately graded and maintained, it would provide an access routing for traffic from the east which would be somewhat longer than the "Searchlight Access Route" but shorter than the "Ivanpah Access Route". My rough measurement indicates that this routing would be about 6.4 miles shorter traveling from Searchlight to the Project Site via Ivanpah Valley. The accompanying map illustrates this idea.

Perhaps most importantly it would possess the advantage of minimizing the cumulative impact on the crucial desert tortoise habitats of both Piute Valley and Ivanpah Valley. I make the assumption that the Searchlight Access Route would not be implemented in this scenario. I note that just adjacent to and below the existing tracks the desert tortoise tends to be absent much as they tend to be absent in and around Nipton. The existence of people, noise, vehicular movement etc. naturally repels this animal and it will of its own seek isolation and disengagement away from man made intrusions. Thus project traffic access along the existing tracks will probably encounter the minimal possible number of individuals. Special attention and maintenance would be required only at the existing R.R. underpasses where precipitation runoff conditions and tortoise movement will need mitigation measures.

I would also note in passing that many workers at the Morningstar Mine, the Mountain Pass Mine and the Colosseum Mine commute daily from their homes in Henderson, Boulder City and Searchlight along Hwy 164 - Nipton Road to their jobs and back - being a rough equivalency to the socioeconomics of the Ivanpah Access Route Alternative. Why would a special case exception be made for the Castle Mountain Project?

With the hope that these thoughts are useful, I remain,

Sincerely,
Gerald W. Freeman
 Gerald W. Freeman

HCR #1, BOX #354 NIPTON, CALIFORNIA 92364

not your body

RECEIVED
BUREAU OF LAND MANAGEMENT

1989 APR 28 AM 11:09

April 26, 1989

U.S. Bureau of Land Management
Needles Resource Area
101 West Spike's Road
P.O. Box 888
Needles, CA 92363
Attention: John Bailey

copy to
County of San Bernardino
Environ.Public Works Agency
385 N. Arrowhead Ave.
San Bernardino, CA 92415
Attention: Joe Bellandi

Dear Mr. Bailey:

This letter is to present my comments and reactions to the Draft Environmental Impact Statement/ Environmental Impact Report for the proposed Castle Mountain Mine Project of Viceroy Gold Corporation. My overall comment is that the Draft is encyclopedic and exemplary in its identification, analysis and research of environmental issues which could conceivably impact as a consequence of the project. There is every evidence that the proponent, Viceroy Gold Corporation, is sincere in its intent and determination to minimize and mitigate the environmental impacts of the project. It would appear that the underlying bias of presentation is fair on the part of the Bureau of Land Management in its attempt to balance multiple use consideration within existing applicable law. Beyond these general comments there are certain specific areas on which I wish to comment as detailed below.

ACCESS

As described in my letter of April 14, 1989 and my oral comments on April 20, 1989, it is my belief that the project impact on the crucial desert tortoise habitats of both Piute Valley and Ivanpah Valley would be minimized and even largely eliminated through the use of the Nipton-Moore-Ivanpah access routing. It is my belief that the socio-economic difference of this alternative routing would be insignificant based upon the known socio-economic patterns of existing mining projects at the Mountain Pass, the Colosseum and the Morningstar mines. Furthermore this routing would appear simplest and therefore best of the options available.

POWER

The DEIS/EIR indicates on p. 3.2-29 that an estimated 260,000 gallons of diesel fuel and 250,000 gallons of propane would be used per month. Fuel would necessarily be stored at the mine site from occasional bulk deliveries. A large fraction of these fuels would be required for the generation plants to supply electric power to the project. It seems to me that the transport, offloading, storage, loading and usage of this amount of fuel presents a set of "high profile" risks to the environment which could be avoided altogether by bringing in utility power to the project.

WATER
There is active opposition to the project based upon a purported threat to Piute Spring as a direct consequence of the ground water usage anticipated in the mining and extraction at the Castle Mountain site. The purported threat could be entirely eliminated or alternatively mitigated by pumping water from the southeast portion of Ivanpah Valley to the project site. The hydrogeology of the Ivanpah Basin has been the subject of a recent study by The Mark Group: GROUND WATER STUDY OF IVANPAH VALLEY, NEVADA AND CALIFORNIA IN RELATION TO PROPOSED DEVELOPMENT BY WHISKEY PETE'S/KACTUS KATE'S dated October 25, 1988.

This study provided data to support the request of Whiskey Pete's for a total pumpage allocation of 2828 acre-feet of ground water (net consumption of 1803 acre-feet) from wells drawing on the Ivanpah Basin aquifer(s). The Tertiary to Quaternary aquifer(s) in the basin are estimated to contain between 11 to 86 million acre-feet of ground water. Why should the Castle Mountain Project with a 10 year estimated life be constrained from drawing a portion of water small in its demands by comparison to the gambling casinos along Interstate 15 which in fact draw upon the same reservoir? Surely the mineral extraction usage has as much socially valid claim on the waters as does the casinos.

Page 3.3-10 of the DEIS/EIR contains the statement "...the low quality of Ivanpah Valley water could require installation of a treatment plant at the project site to condition the water prior to use in the leaching process". I believe that this statement is factually inaccurate. I am in possession of analysis' on waters taken from my wells at the Ivanpah Yard in the southeast portions of the Ivanpah Basin which indicate waters of exceptionally good quality.

Subject to the question of affordability, Viceroy Gold Corporation would be well advised to look to Ivanpah Valley for waters which would mitigate the regional environmental impact and provide usefull answers to extremely sensitive environmental issues generated by their Project.

SUPPORTIVE PUBLIC OPINION

This writer has the position of a daily interaction with substantial numbers of both the residents of the East Mojave and user recreational groups in the East Mojave. As owner-operator of Nipton, CA (resident population of 65 - 90 people) I can attest to an almost unanimous supportive public response to the Project and its proponent - Viceroy Gold Corporation.

Respectfully submitted,

Gerald W. Freeman

Gerald W. Freeman
HCR #1, BOX #354
Nipton, CA 92364

| ROUTING TO | DATE | INIT. |
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| PREP | 3/30 | |
| PA | 3/30 | |
| Admin | | |
| OPS | | |
| RES | | |
| MIN | | |
| AMS | | |
| ACTION BY: | | |
| RETURN TO: | | |

March 25, 1989

John M. Freter
 9428 Joshua Lane
 Yucca Valley, CA 92284

U.S. MAR 28 1989 2 53
 DISTRICT

Gerald E. Hiller, District Manager
 Bureau of Land Management
 U.S. Department of the Interior
 1695 Spruce Street
 Riverdale, CA 92507

Ref. 1793
 (CA-06905)

Dear Mr. Hiller

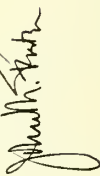
Recently I received a copy of the DEIS/EIR for Castle Mountain Mine, in response to my earlier request. At this point I wish to compliment you and those others in your organization who prepared the report for a very thorough, comprehensive statement on the environmental factors that relate to the proposed mine. By any standard it is an impressive document.

After studying it I realize that I am unqualified to question or challenge the conclusions that relate to the projected or estimated consequences of each part of the mine development. But I do hope that the technicians who concluded that there is no risk to any aquifers can provide evidence that the design of linings of the leaching pits will provide 100% impermeability.

Recently published scientific literature has cast doubt on the accepted standards for linings of landfill dumps for urban and industrial wastes. Based on cores from pits with linings hundreds of feet thick, penetration of wastes and waste by-products was measured that indicated commonly-used standards would prove to be inadequate for long-term containment. At that, some of the design standards allowed for a certain amount of leakage into the sub strata of those dumps.

While I am generally what is categorized as an environmentalist who has found himself to be at odds with some of the BLM policies, it is my impression that the DEIS/EIR in this case is evidence of a conscientious effort to see that mining industry interests are being carefully controlled.

Sincerely,



5/11/89

Dear Sirs,

The area of the Mojave Scenic Area, which is in consideration for a National Park (S.11), should not be disturbed any more than necessary, until the representatives of our country decide the best use for this land.

In a sensitive desert area, the threat to any natural spring habitat of bighorn sheep, desert tortoise, + other wild animals, should not be disturbed. To allow this area to be abused for short term mining interests is not good policy. Please do not allow the possibility of open pit mining, cyanide ponds, etc. to continue on our public lands.

Thank you
 Ray Freiwald

Ray Freiwald
 7204 Palm Ave.
 Yucca Valley, Ca 92284

RECEIVED
 BUREAU OF LAND MANAGEMENT
 1989 MAY 12 AM 9 54

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 15 AM 10:34
NEEDLES RESOURCE AREA
NEEDLES, CA.

Boyle 788

| ROUTING TO | DATE | INIT |
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| DM | 5/9 | R |
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| ACTION BY: <i>CP</i> | | |
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March 25, 1989

May 5, 1989

John M. Freter
9420 Joshua Lane
Riverside, CA 92504
1589 MAY -8 PM 2:00

Gerald E. Hiller, District Manager CALIF. DESERT DISTRICT
Bureau of Land Management
U.S. Department of the Interior
1695 Spruce Street
Riverside, CA 92507

Ref. 1793
(CA-06905)

Dear Mr. Hiller:

Earlier this year the BLM sent me a copy of the DEIS/EIR for the Castle Mountain Mine. After studying that report, I wrote to you (above reference) to comment on the report, more specifically, about the leach mining pits.

The other concern I have is with the appearance of the area and what the mining operations will do to large areas of vegetation. The report dealt with that, but it does not deal with how well the work related to saving protected plants will have to be done to effect the level of plant conservation and eventual area restoration that will be acceptable to those concerned with protecting the desert. The report did not make any mention of the fact that such work should be under the management of a person who is expert in, and has had successful hands-on experience with the management of and moving of most types of desert vegetation. I think such expertise is essential if plants in the area and the land are to be managed as required.

Recently I learned that an expert in such matters, a person who has years of successful experience in the business of moving and saving large desert plants and is known to BLM personnel in the Needles office, may be considered by the mining company for a position responsible for carrying out plant conservation and land restoration.

I know that person and would conclude that the mining company and the BLM were earnest in their commitment to a high quality environmental protection program if that person were to be hired as manager of the program to preserve and restore the land areas that will be affected by the mine project.

It was by coincidence that I learned that Mr. Archie M. Riesser, Sr., may be considered for a position in the mining company because of his experience and knowledge in the areas I have referred to. If Mr. Riesser is eventually hired, a real worry of those of us who are concerned that Castle Mountain mining project's negative impact on the area will be mitigated. He is capable of achieving the environmental objectives referred to in the report if the mining company gives him the authority and support such objectives deserve.

Mr. Riesser is a consultant who successfully moved large numbers of Joshua trees, yuccas, ocotillo cactus to our property after our house had been built on land that had been totally scoured of all vegetation. His knowledge and judgement resulted in recreating a desert landscape on our property that has been acclaimed by all who see it, including, I should add, naturalists and other personnel from the staff of the nearby Joshua Tree National Monument. His work in the Morongo Basin is living proof of his highly specialized and thorough knowledge of the management of all types of desert plants and terrain.

I do not know if it is in your province to do so, but I would urge you to recommend to the mining company which will operate the Castle Mountain Mine that they employ Mr. Riesser. It will do more to disarm the potential critics of work as it progresses than any other act that I can think of, assuming, of course, that his mandate would be to implement major plant preservation and land restoration programs.

Sincerely,

John M. Freter
John M. Freter

cc. Mr. Archie M. Riesser, Sr

(Reference to Castle Mtn. Proj. DEIS/EIR, Feb. 1989, Chapter four, page 4.5-9, paragraph 4.5.2.3; Chapter five, page 5.5-2; paragraph 5.5.1.1; and Chapter six; page 6.5-3 and 6.5-4).

Intermountain Movements - Haul Roads

Although desert mountain sheep may be primarily associated with mountain ranges, they are also associated with Intermountain valleys (corridors), at least intermittently. In the past ten years radio telemetry studies have shown that Intermountain movement by bighorn is more common than previously believed. Such movement corridors have crossed non typical bighorn habitat (valleys, rolling hills, etc.) as documented Campbell (1984), Ough and deVos (1984), Cochran and Smith (1983), and King and Workman (1983). Witham and Smith (1979) documented bighorn movement among a 6 mountain complex in southwestern Arizona, and recommends the populations be managed as a single unit. Leslie (1977) found, in the River Mountains of Nevada, bighorn to be restricted in movement by human encroachment, hence, bighorn movement patterns may be interrupted by the proposed mine complex and/or increased traffic on the proposed haul routes, either haul route may negatively impact movement by bighorn (i.e. road kills, and disturbance) (Anonymous 1984, Geist 1971, McQuivey 1976, Wehausen and Hansen 1986, and Wilson et al. 1980).

Human Disturbance

Bighorn have been observed on the proposed mine site by Gould (1987a,b) and 10 bighorn were observed within 1.6 km of the sight in the fall of 1988, during a helicopter overflight (R. Weaver, pers. comm.), therefore, to say that there is no loss of bighorn habitat would be foolish, as the site does receive some use by bighorn. Because of the lack of information regarding this bighorn population (Wehausen and Hansen 1986; Weaver et al. 1969) it seems quite presumptuous to say that a loss of 890 acres of forage area is

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1989 MAY 18 AM 10:33

NEEDLES FIELD OFFICE
NEEDLES, CA.

15 May 1989

Bureau of Land Management

Needles Resource Area

P.O. Box 888

Needles, CA 92363-0888

ATTENTION: John Bailey

Subject: Comments on the Castle Mountain Project, DRAFT EIS/EIR, February 1989.

Dear Mr. Bailey:

Enclosed are my comments and recommendations of suggested mitigation to offset potential negative impacts to native bighorn sheep, due to the Castle Mountain Mine Project. Also enclosed is a copy of Wehausen and Hansen's (1986) recent work in the project area. Please ensure that I am placed on the list to receive the complete Final Draft of the EIS/EIR. Thanks for this opportunity for input into our public lands.

Sincerely,

Bruce H. Gallinger

Bruce H. Gallinger

P. O. Box 1021

Boulder City, Nevada 89005

702-293-7823 Hm.
8956 wk.

(Reference to Castle Mtn. Proj. DEIS/EIR, Feb. 1989; Chapter four; page 4.5-9, paragraph 4.5.2.3.; Chapter five; page 5.5-2; paragraph 5.5.1.1; and Chapter six; page 6.5-3 and 6.5-4).

an insignificant loss to the population. We feel there is the potential for accumulative negative impacts to this population of desert bighorn sheep, thus mitigation which may enhance and improve the Castle Mountain bighorn and their habitat should be instituted in the Final EIS/EIR, Chapter 6-mitigation (Graf 1980, Graham 1980, and Wilson et al. 1980).

Various forms of human disturbance into bighorn range has been well documented, however, not so in this draft EIS. Hailey (1977) cites habitat destruction as a limiting factor for Texas bighorn reintroduction efforts. Loss of vegetation, water sources, as well as direct human disturbance can have significant negative impacts to bighorn populations, according to Buechner (1960), Hansen (1982), Monson and Sumner (1980), and Wilson et al. (1980). Dunaway (1971) recommended limiting human use of specific areas of bighorn habitat, in the Sierra Nevada mountains, California, to provide adequate space (area/habitat) for native bighorns. Graham (1971) attributes human use to cause bighorn to avoid areas of their historic home ranges within the San Gabriel Mountains of California. DeForge (1972) also recorded a decrease in bighorn use of an area because of an increase in human use. Hinkes (1978) concluded that major bighorn problems, in certain areas of their range, include mining activities and land development, thus, human encroachment usually results in negative impacts to local bighorn populations. Campbell and Remington (1979, 1981) documented the abandonment of an historic bighorn water source, due to construction activities, and a shift to an new artificial waterhole located away from the construction site. Construction activities caused a significant shift in bighorn use of waterholes, within the River Mountains, Nevada (Leslie and

(Reference to Castle Mtn. Proj. DEIS/EIR, Feb. 1989; Chapter four; page 4.5-9, paragraph 4.5.2.3.; Chapter five; page 5.5-2; paragraph 5.5.1.1; and Chapter six; page 6.5-3 and 6.5-4).

Douglas 1980). Stress of bighorn, due to numerous forms of human disturbance and encroachment, may also contribute to the decline in populations (DeForge 1976, 1981). In the past 200 years mining was quite detrimental to native bighorn populations because of occupying the same habitat and competing for the same waterhole, the bighorn lost out and declined in numbers. (Duncan 1960). Ferrier (1974) noted an increase in human activities (recreation) contributed to significant losses to bighorn population and traditional movement routes were lost, possibly forever. Hamilton et al. (1982) recorded bighorn use, at a natural mineral lick, to declined to only those times in which humans were absent from the trail that passed nearby. Vehicular traffic at a waterhole caused a 50% decrease in bighorn use during the critical summer season, as observed by Jorgensen (1974). Neal (1974) also documented that human population growth encroaches upon bighorn populations with negative impacts. Nelson (1966) noted that human intrusion into bighorn habitat can destroy cover and water resources, some bighorn populations adapt / habituate, others decline, or remain static.

Fencing

Helvie (1971) and Wehausen and Hansen (1986) point out that bighorn and certain types of fences do not mix, therefore, the fence type around the mine complex should be chosen very carefully, as to avoid accidental deaths of bighorn.

(Reference to Castle Mtn. Proj. DEIS/EIR, Feb. 1989; Chapter four; page 4.5-9, paragraph 4.5.2.3.; Chapter five; page 5.5-2; paragraph 5.5.1.1.; and Chapter six; page 6.5-3 and 6.5-4).

and/or contracted. Cost approximately \$75,000.00-\$100,000.00 for three seasons.

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Whereas, water is a primary limiting factor in most desert bighorn mountain ranges and food (habitat quality and quantity) and/or competition for space may be a secondarily limiting factors;

Whereas, the Castle Mountain Project (proposed mine) will encroach upon known bighorn habitat and haul routes will cross known movement corridors, I recommend the following mitigation measures within the Castle Mountains/northern Piute Range:

- o Two or 3 big game guzzlers, to provide more water and potentially increase and distribute bighorn within their habitat. Enclosures to prevent competition and disease transmission from domestic livestock and feral equus species. All to California Department of Fish and Game specifications. Cost per guzzler; approximately \$15,000.00, and built by volunteers.
- o Enhance Kidney Spring for use by bighorn and other wildlife by enclosing the spring with an enclosure (as above); and provide for more water storage. Cost approximately \$2,000.00, and built by volunteers.
- o Monitor the constructed and enhanced waterhole, using time lapse photography systems, to determine wildlife (bighorn) use, for three years from the time the sources have water stored. Monitor weekly (change film) during June through August. Monitoring could be accomplished by CDF&G, Bureau of Land Management, volunteers,

- (Reference to Castle Mtn. Proj. DEIS/EIR, Feb. 1989; Chapter four; page 4.5-9, paragraph 4.5.2.3.; Chapter five; page 5.5-2; paragraph 5.5.1.1.; and Chapter six; page 6.5-3 and 6.5-4).
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- (Reference to Castle Mtn. Proj. DEIS/EIR, Feb. 1989, Chapter four; page 4.5-9, paragraph 4.5.2.3.; Chapter five; page 5.5-2; paragraph 5.5.1.1.; and Chapter six; page 6.5-3 and 6.5-4).
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By May 15.

Castle Mtn. Project

B.R.M.

Audubon Resource District

P.O. Box 888

Needles, CA 92363.

I support the Castle Mountain Mining Project.

There are fences, pits and the Panda Cannons.

Buy & run transport to. Lessen desert impact

Installed desert quizzlers.

A. E. Gibbons

14442 Harvest ave
Norwalk, Ca 90650

888

RECEIVED
BUREAU OF LAND MANAGEMENT

May 12, 1989

1989 MAY 15 AM 10:50

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BUREAU OF LAND
MANAGEMENT
NEEDLES, CA.

Mr. John Bailey
Bureau of Land Management
Needles Resource Area
Post Office Box 888
Needles, CA 92363-0888

Dear Mr. Bailey:

I oppose the Castle Mountains cyanide heap leaching gold mine project. I support the no action alternative.

The cyanide heap leaching gold mine has the potential of causing irreversible damage to the area and its inhabitants. The scenic values of the area will be destroyed during operation of the mine and forever after closure of the mine.

The bighorn sheep that inhabit the area will be impacted by the loss of grazing in the area and the drying up of Piute Spring. Birds and small critters that depend on Piute Creek for their survival in this arid land will perish.

The impact this mine operation will have on the tortoise population is predictable, loss of habitat, crushing of burrows, the death of individual tortoise, and eventual extinction of the species in this area.

One of the reasons people go to the desert is for the visual impact of desert lands. If this mine is allowed to go into operation the only visual impact will be one of utter destruction. This, in an area designated as the East Mojave National Scenic Area.

The draft environmental impact statement is not specific in most areas, especially the area of restoration. One might say there is no restoration unless you consider painting rocks as restoration. The DEIS down plays the hazards associated with this operation.

Please keep my name on the mailing list to receive all information related to the Castle Mountains project.

Sincerely,
Earl R. Giddings

Earl R. Giddings
35240 San Carlos
Yucaipa, CA 92399-5427
(714) 795-1075

Bailey APRIL 16 1984

TO

BUREAU OF LAND MANAGEMENT

I am writing to lodge a vigorous protest to the outrageous proposal of a cyanide heap leach operation in the East Mojave National Scenic Area. Everything connected to this operation will greatly endanger the habitat of the already threatened desert tortoise and ruin the habitat of the Bighorn sheep. No new open pits and cyanide ponds should ever be allowed within the National Scenic Area.

Please resist the 'minors' plan.
Sincerely,
Earl R. Giddings

LLOYD A. GIDDINGS
1964 Oakland Avenue
Hemet, CA 92343

EMILEY 788

EMILEY 7888
2011 N. Verdugo Rd
Glendale, CA 91208
May 3, 1989

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 15 AM 11:09
NEEDLES RESOURCE AREA
NEEDLES, CA.

Bureau of Land Management
Needles Resource Area
PO Box 888
Needles, CA. 92363-0888

May 9, 1989

Attention John Bailey
BLM
Needles Resource Area
P O Box 888
Needles, CA 92363-0888

Attn: John Bailey

I am writing to express my concern about the amount of environmental damage the BLM will allow on Viceroy Corp's Castle Mountain Mine

The draft EIS of the Castle Mountain Project promises to change the landscape, alter riparian habitat, poison the land with toxic waste dumps, and decimate Desert Tortoise populations (recommended last fall by the State Department of Fish and Game to the Fish and Game Commission that it be listed as a threatened species

Under BLM's draft EIS, Canada gets the profits, Japan gets the gold, and America gets mining scars and a toxic waste dump

Please consider the implications of such a grossly myopic project

Sincerely,

Kitty Gifford

Kitty Gifford
9140 Connie Ave
Stockton, CA 95209-1804

Dear Mr. Bailey:

I am writing regarding the proposed Castle Mountain gold-mining project. There is too much risk of loss of wildlife from cyanide poisoning. Also, there would be truck traffic that would endanger some wildlife. This project would also be destructive to the terrain.

Please consider a no project alternative.

Sincerely,
Rosemary Glass
Rosemary Glass

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 15 AM 11:00
NEEDLES RESOURCE AREA
NEEDLES, CA.

RECEIVED
BUREAU OF LAND MANAGEMENT

1989 MAY 12 AM 9 49

NEEDLES RESOURCE AREA
NEEDLES, CA.

John Bailey

May 6, 1989
4417 25 Street
San Francisco, CA 94114

Bureau of Land Management
Needles Resource Area
PO Box 888
Needles, CA 92363-0888
attn: John Bailey

Dear Mr. Bailey:

I am writing to express my concern about Viceroy Corporation's Castle Mountain Mine. As I am sure you are aware, water is a scarce commodity in the desert. To allow Viceroy to withdraw 450 gallons per minute from Lanfair Valley would divert flow from Piute Creek, and from all the desert plants and wildlife which depend on that water, including the desert tortoise. In addition, the massive removal of earth, and the use of cyanide heap leach mining compound the potential for environmental damage.

The gold is certainly not strategic to the US, and will, in fact, be sold to Japan. Few jobs will be created, and then not for any significant length of time. The benefits, if any, of the Viceroy proposal, are far outweighed by the disastrous consequences to the fragile desert.

I urge you to turn down this project request. Your refusal to allow this massive toxic project will preserve the desert for all Americans.

Thank you for considering my request.

Sincerely,

Phillip Gordon

Phillip Gordon

John Bailey

May 12, 1989

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 15 AM 11:12
NEEDLES RESOURCE AREA
NEEDLES, CA.

U.S. BLM
NEEDLES, CA

Gentlemen:

I support the Castle Mountain project. The project is well designed, using proven technology and the EIS and proposed mitigation measures adequately protect the environmental issues and values identified.

Alex E. Gonzalez
ALEX E. GONZALEZ
1441 FRANCIS AVE
UPLAND, CA. 91786

cc: County of San Bernardino,
Environmental Public Works Agency

78
BALLELY

May '9, 1989

To: B.L.M.
Needles Resource Area
P.O. Box 888
Needles, CA 92363

From: Dan Gray Ranchos Dr.
5913 Los Ranchos Dr.
Buena Park, CA 90620

Re: Castle Mountain Project
& other mining projects

I support this and other responsible mining projects. This company plans to responsibly protect the environment, while providing jobs to people ~~live~~ living in a depressed area.

I have been a supporter of responsible use of the environment for many years and support companies that also respect our, public lands.

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 15 AM 11:18
NEEDLES RESOURCE AREA
NEEDLES, CA

BALLELY
May 8, 1989

Dear Sirs,

As a resident of Searchlight I believe that in opening Castle Mountain mine, more jobs would be available. Also, it would create a growth in population bringing more business.

Thank You,
Angylique Graham

P.O. Box 1201
Searchlight, Nev
89046

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 15 AM 11:28
NEEDLES RESOURCE AREA
NEEDLES, CA



Re: Castle Mt. Project
DEIS/EIR
May 14, 1989

Mr. John Bailey
Needles Resource Area B.L.M.
P.O. Box 888
Needles, CA 92363-0888

Dear Mr Bailey:

I support the No Action Alternative because the Castle Mt. mine will significantly damage the North Scenic Area. The DEIS is inadequate in describing impacts and proposals to alleviate them. Dangers to Pinta Spring is unacceptable. As the only year round surface water and woodland riparian area in the East Mojave, nothing must be allowed to jeopardize it.

The loss of desert tortoise habitat cannot be permitted; nor can loss of Bighorn sheep forage habitat be tolerated; Migratory birds must not be exposed to cyanide ponds of the mine. The groundwater must not be contaminated by the huge amount of cyanide solution circulated by the mine

There is no place for this destruction in the North Scenic Area.
Please keep me informed on any future action of this proposition. Sincerely,

Maria Gregory
16240 Van Dusen Blvd.
Riverside, CA 92504

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY -8 AM 10:23
NEEDLES, CALIFORNIA

Leslie Green
P. O. Box 985
Santa Monica, California 90406

May 4, 1989

Bureau of Land Management
Needles Resource Area Office
P. O. Box 888
Needles, California 92363

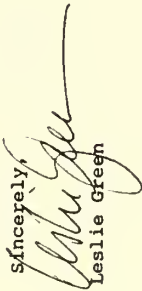
Dear Sirs:

As you are well aware, Canadian Viceroy Corporation plans to use the cyanide heap-leaching process to extract gold from Castle Mountain in an area that is proposed for a national park. This short-sighted effort to extract gold will have devastating effects on local wildlife as cyanide pond contamination has already proven in Arizona.

I do not understand why an Environmental Impact Report was not prepared for this project or how its approval slipped through the system. I urge you in the strongest terms to reconsider the decision by the Bureau to allow this project by thinking of the irreversible damage cyanide ponds will cause to our wildlife and the entire region's water supply.

Please consider the legacy of a clean or polluted environment we leave to our children.

Thank you.

Sincerely,

Leslie Green

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 16 AM 10:16
NEEDLES, CALIFORNIA

May 5, 1989

not going

GARLAND R. GROH
5960 Ridgeview Ave.
Mira Loma, Calif. 91752

Dear B.L.M.,

I am a week and prospector.
I support the Castle Mountain Mining
project also. If you keep them from
mining, I'll be easy to stop. God put
the gold and minerals in the desert and
hills for us to look for

Garland "JAKE" Groh

not going

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 12 AM 9 50
NEEDLES RESOURCE AREA
NEEDLES, CA.

May 11, 1989

BLM, Needles Resource Area
Post Office Box 888
Needles, California 92363-0888
Attn: John Bailey

Dear Mr. Bailey:

I am writing to ask that you support the NO Action Alternative to the Castle Mountain Gold Mine proposal. I am sure that you have received many letters on this subject, and I'm sure you understand the environmental issues at risk. I think it is absolutely asinine to consider a cyanide mine in the proximity of the only year-round water supply. The mere fact that the mine is expected to draw 200 million gallons of water from the aquifer, and would have a definite negative impact on the water supply to wildlife, and the vegetation that supports and shelters the same is reason enough to deny the operation of the mine. I have neither read nor found any definitive proof to support use of cyanide in the mine operation. It has not, through sound scientific research, been established that either the cyanide will not leach down to the Plute Spring aquifer, or that it will denature fast enough so as not to pose a threat to migratory birds. I can not realistically believe that the mine owners will expend the time and resources to cover a pit the size of Disneyland to protect migratory fowl from possible cyanide ingestion. Other obvious arguments involve destruction of the natural habitat of the desert tortoise, and rare desert grasslands used by bighorn shell.

I hope by this letter, and the many more that you may receive, that you will be convinced to stop this mine in such an environmentally sensitive area. If people in your position, and others like it, do not take steps to protect our native land before destruction, than who are we, as citizens, to turn to. I'm tired of seeing environmental disasters in the newspapers as a result of "progress" and "growth" We already have too much "growth", and need to concentrate on preserving what we have left. After all, its what supports us as well, and if we destroy it, we will be destroying ourselves.

Judy Grizzle
Judy Grizzle

25945 Reolanos Blvd #5
Redlands, Calif 92373

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY -9 AM 11:00
NEEDLES, CA.

Mr. John Bailey
Bureau of Land Management
P.O. Box 888
Needles, CA. 92363-0888

Dear Mr. Bailey:

I have been a resident of Searchlight for 16 years, and claim an active enthusiasm of the Dickey Mining Venture. I think it will help the growth & development of this area and we should be a benefit to the community & the economy. Mining Means - Materials, Growth and a future for all of us. We would appreciate your consideration!

W. F. Cross


Gentlemen:
re: Speech But Mining - Spokane Low's 2023 2019 2018 2017 2016 2015 2014 2013 2012 2011 2010 2009 2008 2007 2006 2005 2004 2003 2002 2001 2000 1999 1998 1997 1996 1995 1994 1993 1992 1991 1990 1989 1988 1987 1986 1985 1984 1983 1982 1981 1980 1979 1978 1977 1976 1975 1974 1973 1972 1971 1970 1969 1968 1967 1966 1965 1964 1963 1962 1961 1960 1959 1958 1957 1956 1955 1954 1953 1952 1951 1950 1949 1948 1947 1946 1945 1944 1943 1942 1941 1940 1939 1938 1937 1936 1935 1934 1933 1932 1931 1930 1929 1928 1927 1926 1925 1924 1923 1922 1921 1920 1919 1918 1917 1916 1915 1914 1913 1912 1911 1910 1909 1908 1907 1906 1905 1904 1903 1902 1901 1900 1899 1898 1897 1896 1895 1894 1893 1892 1891 1890 1889 1888 1887 1886 1885 1884 1883 1882 1881 1880 1879 1878 1877 1876 1875 1874 1873 1872 1871 1870 1869 1868 1867 1866 1865 1864 1863 1862 1861 1860 1859 1858 1857 1856 1855 1854 1853 1852 1851 1850 1849 1848 1847 1846 1845 1844 1843 1842 1841 1840 1839 1838 1837 1836 1835 1834 1833 1832 1831 1830 1829 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Mr. John Bailey
Needles Resource Area
P. O. Box 888
Needles, CA 92303-0888

May 10, 1985

RE: Draft Environmental Impact Statement/Environmental Impact Report
DEIS/EIR for the proposed Castle Mountain Mine.

Dear Mr. Bailey:

The DEIS/EIR would have you believe there will not be any long term effects from this mining operation. However, do not see the necessary planning or commitment on their part to avoid a potential disaster to the environment and taxpayer.

The Final EIR needs to address each of the following concerns:

PLUTE CREEK:

There is a need to use existing scientific technology to trace the various sources and quantities of the water during all periods of the year before their plan is even considered.

There is a need to further analyze the effects of withdrawing various amounts of water during all periods of the year.

The use of computer modeling only gives results one wants - garbage in equals garbage out. Other analysis needs to be done by people concerned with the environment. This analysis needs to address all concerns mentioned under Plute Creel.

What is the amount of water which must stay in Plute Creel to avoid any degradation to the environment, including but not limited to the flora and fauna and minerals and air.

Who will monitor that Plute Creel will always maintain enough water to continue the existing eco-system.

Will monitoring be done on a daily basis with hourly documentation? Will there be a daily hard copy to examine and if not, why?

Will those monitoring have both the power and ability to shut down the water to this mine from this source without obtaining permission from those connected to the mine? Will there be a button or other mechanism which would allow this to happen easily?

If the water flow is stopped, who has the power to turn it back on and what documentation would have to be presented to allow its resumption? Also, who would prepare the documentation?

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There is a need to have those who monitor the water flow and have the power to turn off and on that flow to have no connection with the mining company. The mining company needs to address funding an independent committee which would hire and check on those who monitor Plute Creel. Those on the committee should have no connection with the mining company.

This committee should be more than just government employees and should be selected by those not connected with the mine.

The town just south of Grand Canyon has no water of its own and must truck in all its water needs. They use both fresh and reclaimed water. This may cause more traffic, but it should be analyzed as an alternative.

What are the risks to Plute Creel in case of an earthquake? Does the mine using the water increase the potential damage to Plute Creel during earthquake activity?

Who makes sure the monitoring equipment is always "state of the art" and in good working order? Will the mine be required to buy new equipment when those who are monitoring the creel demand it and will it be done in a timely manner? Again, this points to the need for a large fund of money controlled by the committee and not the mining company.

Is there an economic analysis that shows the true value of this water, both environmentally and to this business? If not, it needs to be addressed. What will they pay for Plute Creel's water above and beyond taxes.

The water in Plute Creel and the ecological systems it fosters belong to the taxpayers like myself. What legal right do they have to take this water which is worth millions of dollars to them, but more importantly, is worth millions of dollars to the environment?

Who else will monitor the entire project? Since Governmental Agencies whose duties include monitoring are famous for not having enough money to do their job, who will insure that there will be enough monitoring? Those approving the project must demand monthly unannounced inspections of the project. Will this be built into the final plan? If not, why?

ECONOMIC ANALYSIS:

An exhaustive economic analysis needs to be included in the final EIR. A recent L. A. Times article stated that this operation would generate 40 million dollars per year in gold and continue over a ten year period. This easily results in half a billion dollars when you factor in inflation.

Analysis for the cost of restoring and maintaining the restoration for at least 10 years after the close of the operation. This means restoration of the water, land, minerals, animals, and flora. This restoration plan needs to be developed and approved before any grading takes place and it must be subject to the public hearing process. The plan needs to be prepared by those who know the desert. The plan needs to include the size and types of plants. The cost of maintaining them and replacing those that die needs to be included. A bond which will cover the total cost needs to be in place before any grading begins.

The final EIR needs to address the possibility that the operations will close down before the proposed ten year life. This could happen because of the world price of gold. Will the mine owners be able to temporarily shut down operations waiting for the gold price to change? They need to bond for maintaining any mitigations during this time period. I believe such temporary shut downs should not be allowed for more than 6 months. The final EIR needs to address that restoration of the area and the removal of any mine related equipment and material. This shall commence 6 months after any shutting down of normal operations. The project needs to bond for the ultimate cost of any of the above.

The Project needs to bond for any major disaster that can take place. Please do not answer Life Exxon and say that a disaster isn't possible or that we are ready for any possible problem.

The Project needs to bond for all mitigation measures. Some of these measures may be fine when new, but during the ten year life of the project they could become useless. The cost for replacement needs to be computed. The agency responsible for demanding their replacement needs to be listed in the final EIR.

A time period of less than two weeks must also be in the EIR for the replacement or any mitigation measures upon notification by a responsible agency or employee.

The final EIR needs to address the replacement of any mining equipment which becomes old and thus potentially lethal to the environment. Who besides the mining company can demand the replacement of equipment, vehicles, and mining materials? The final EIR needs to spell out which agency has the authority to determine that replacement of any of the above is needed. The mining company needs to bond for the above replacement. The mining company must be required to permanently remove from the premises any of the above within 48 hours of being notified.

Bonding for all of the above needs to be in place before any grading is allowed. The cost of any and all of the above needs to be presented in the final EIR. The cost needs to be adjusted for the 10 year life of the project. It then needs to be adjusted again for 10 years after the project. All bonding must be in place for the length of the project and for the ten years which follows.

How much of this 500 million will stay in the local economy? A breakdown of how much each element of the local economy receives needs to be included for each of the ten years. The information and factors used in this analysis needs to be included.

Since only about one hundred employees will be working at the mine, very little of the money will be used for local salaries. The economic analysis of the 500 million needs to include where the money which is not spent locally will finally end up.

If the economic analysis is to include the recirculation of money, then it needs to be so identified.

Laughlin, Nevada and its surrounding area is experiencing great growth. The growth of this city and all of its neighbors like Bullhead City need to be analyzed for their economic benefits and employment opportunities between 1985 and the year 2000. This is the same time period as the proposed life of the mine. Each year needs to be separately explained with documentation as to the source of information.

The final EIR analysis needs to explain why the world is in critical need for this gold. Why this critical need cannot be met elsewhere. What percentage of the total world production of all forms of gold will be realized from this operation.

The final EIR analysis should also explain what percentage of the world's gold is used on non-critical uses, such as jewelry. Also, what percentage of the world's gold is used in areas where acceptable substitutes are available, such as dentistry.

The final EIR needs to explain why the California people and the environment must live with the environmental consequences of this project. The final EIR needs to include why the "no project alternative" would prove detrimental to the world's vital need for this gold.

The final EIR's economic analysis needs to include a summary from an economist who does not believe in the benefits of the "trickle down" effect.

BONDING:

Any bonding must be based on the cost ten -- twenty years after the start of the project. Appropriate inflation factors need to be included.

Analysis for the worst case toxic problems need to be in the final EIR. Cost for the worst case situation and combinations of situations needs to be included. The EIR must include the word "shall" bond for the above toxic problems. The bonding shall remain for ten years after the closure of the project.

Responsible agencies should be the only ones with access to the various monies from the bonding. The final EIR needs to address the fact that the mining company shall not interfere with the dispersal of this money.

It would be irresponsible for any governmental agency to allow a project like this without protecting the taxpayers. Not only would you be protecting the taxpayer by requiring bonding, but you would be protecting the funding of existing programs and agencies.

OTHER CONCERNS:

The final EIR should also address the idea of the plant starting up again after shutting down. The final EIR should include the statement that a new EIR will be prepared if the project tries to reopen after ceasing normal operations for 6 months.

The final EIR should also address the possibility of the project life being longer than 13 years. The final EIR needs to recognize the needs for a supplementary EIR being completed prior to any time beyond ten years, with public hearings being required.

The final EIR also needs to address the total impact of the "builer train" mentioned on 8.2-3 and 8.2-4. To simply say that there is not enough information is not good enough. The potential environmental and cumulative impacts are enormous. These need to be analyzed with documentation.

Since an environmental document should be easily read by the public, I will expect each of my concerns to be addressed entirely and completely in its own section of the report. I do not want to be referred to various pages throughout the document to explain my concerns.

Thank you for letting me respond to the final EIR. Please let me know of each meeting, even those that are continued, concerning this proposed Castle Mountain project. This request is for the entire life of the project. Please send me these notices and all documents relating to this proposed project at the following address:

Mr. George Haque
26711 Ironwood Avenue
Moreno Valley, CA 92360

Thank you,

George Haque

George Haque

Bailey 2/88

5/12/89

Gertrude A. Hagum
1317 College Avenue
Redlands, CA 92374

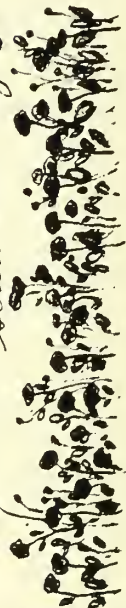


Mr. John Bailey
Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888

Dear Mr. Bailey:
Take pride in your California
Desert Conservation Area -- A National
Treasure. These words at the bottom
of BLM California Desert District
stationery apply to the Castle Mountain
project -- a proposed open pit leach gold
mine in Lantfair Valley in East Mojave
National Scenic Area of Calif. Desert
Conservation Area.

If BLM believes its own words,
it will not risk a "National Treasure" --
endangering Piate Creek's water supply,
desert tortises, and other wildlife,
who might die because of cyanide
ponds. Please adopt the "NO PROJECT"
alternative, not allow a Canadian firm
to abduct our "National Treasure".

Do our Sincerely
Gertrude A. Hagum



BBB
Bailey

May 10, 1989

Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888

BLM:

I am writing this letter to state my opposition to the Castle Mountain Mining Project. A project of this magnitude would have too detrimental an effect on the environment, and in an area with such a limited water supply it seems especially ill advised.

Heap leach cyanide mining leaves behind vast areas of torn up land and dead wildlife. The dwindling tortoise population would especially suffer from the industrialization of the area.

I have lived in the Mojave Desert for many years. In spite of what some would have us believe, the desert environment is fragile, and the new trend in heap leach gold mining is devastating.

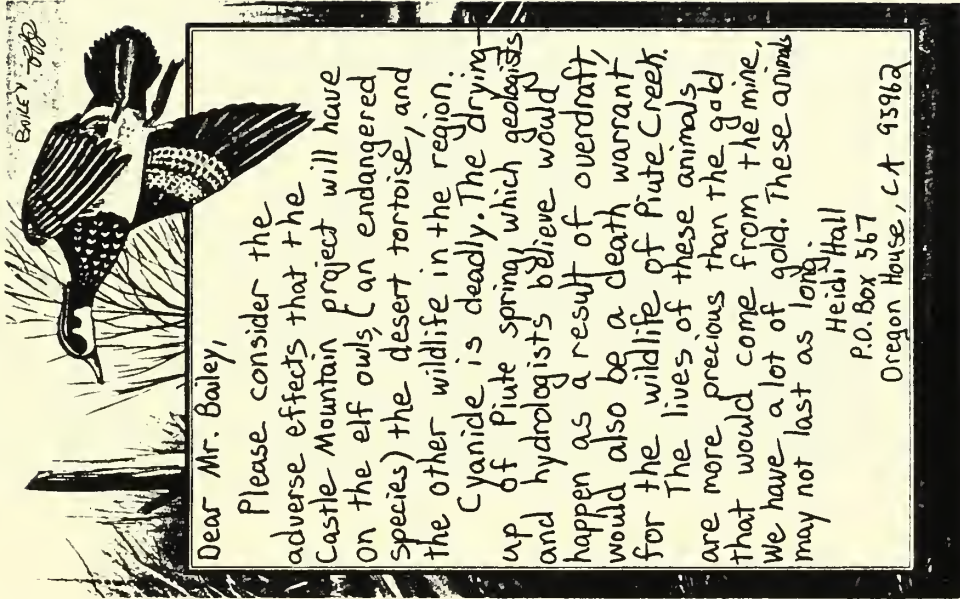
Let's leave the Castle Mt. - Piute Creek area free from open pit mines and cyanide leaching ponds.

I support the "no project" alternative on the Castle Mt. Mine.

Sincerely,

Del Hahn
P.O. Box 966
Yermo, CA 92398

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Bailey

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NEEDLES, CA

10 May 1989

Mr. John Bailey
Bureau of Land Management
P.O. Box 888
Needles, CA 92363

Dear Sir:

I have recently become aware of the proposed use of Federal Land in San Bernardino County by Viceroy Corp. of Canada (Castle Mountain Gold Mine) for purposes of extracting gold by the cyanide leaching process.

In view of the many hazards and desecration to both land and ground water in and adjacent to such a "mining" operation I agree with those who have voiced objections to this project.

I ask for your support in having the BLM adopt a "No Action Alternative" for the proposal in question and thus preserve the area in its pristine condition.

Sincerely,

Walter D Hart
Walter D. Hart, Ph.D
448 W. 25th St.
Upland, CA 91786

208
Bailey

9 May 1989

Mr. John Bailey
Bureau of Land Management
P.O. Box 888
Needles, CA 92363

Dear Mr. Bailey:

I would like to express my objection to the proposed use of BLM controlled desert land in eastern San Bernardino County by Viceroy Corp. of Canada. I understand that this corporation desires to extract gold from earth by using a cyanide solution. I have been made aware that this mining practice is considered by many experts to be very unsatisfactory for the environment. The prodigious use of precious ground water, documented destruction of wildlife from washed cyanide solutions, and general waste of the natural environment are only a few of the concerns that motivate me to ask the BLM to adopt a "No Action Alternative" to the request by Viceroy Corp.

Sincerely,

Walter D. Hart, Ph.D.
448 W. 25th St.
Upland, CA 91786

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The General Accounting Office has churmed out a series of reports faulting the agencies' management and calling for revisions in laws that govern public lands. The government sells mining claims for \$2.50 to \$5.00 per acre. One audit found that 12 sites being sold would net \$16,000. Their appraised value: \$14 million to \$47 million. At \$2.50 an acre, Viceroy Gold Corporation would pay the American tax payers \$6,837.50 for 2,735 acres.

"Federal Land Policy & Management Act of 1976 mandates that the BLM manage for multiple use and consider the environmental consequences of development. It also requires the government to get fair market value for its resources. GAO report has tapped the BLM for failing to require many mining operations to post bonds covering reclamation costs. From 1977 to 1988 the shortfall between receipts and expenses was \$31 billion. Under the Mining Law of 1872 those who discover ore can buy the land for \$2.50 or \$5.00 per acre - what it was worth during the 1870's."

The applicant initiated an exploratory program in 1983, with property acquisition, exploratory drilling, and environmental studies. What studies were completed at that time? They purportedly discovered disseminated gold ore bodies (at an ore grade of about .05 to .06 ounces of gold per ton of rock) of commercial value. An estimated 60 million tons of overburden and 30 million tons of ore (total 90 million tons) would be removed from the mine pits. How would the project be handled, and how would the public owners be notified if the estimate is low by 50% or 90%? Using the highest estimate, 3,600,000 ounces of gold would be recovered. What research has been done to determine if buying up gold jewelry and recycling it would be less expensive (certainly less destructive) than mining? The EIR states that from this ore, Viceroy Gold would expect to market only 1.1 million ounces. What will Viceroy Gold do with the remaining 2,100,000 ounces?

"... changing technology has caused a resurgence of interest in reopening gold mines previously abandoned as uneconomic. In disseminated gold deposits, a number of economic variables including gold price, metallurgical recovery and processing costs determine whether material being mined should be classified as ore, protore, or overburden. Only economically feasible method where gold is at low concentrations. Carbon-in-pulp leaching requires considerably more capital investment and would incur greater energy operating costs than the heap leach process. Applicant believes project action is justified at this time because of the economic and social benefits. If cyanide has been used in various processing methods to extract gold from ore for over 100 years, what is the new technology? Since this is a "disseminated gold deposit", please explain the economic variables. Please explain why the "economically feasible" method was chosen rather than the "environmentally feasible" method since this land belongs to the American taxpayers. If carbon-in-pulp leaching is environmentally preferred, why is this method not required? What economic and social benefits justify this project?

F. C. Box 2628
Palm Springs CA 92263
May 14, 1989

Bureau of Land Management
Needles Resource Area
P. C. Box 888
Needles CA 92363-0888

Gentlemen:

Re: Castle Mountain project - proposed open pit heap leach gold mine, Lanfair Valley, San Bernardino County, CA

This is not 1872. The west no longer needs settlers nor additional gold mines. The General Mining Law of 1872 should have been repealed 50 years ago.

The California Desert Conservation Area Plan and the East Mojave National Scenic Area Plan have no meaning if open pit cyanide leaching is an appropriate activity. As a taxpayer and part-owner of this land, I vehemently resent being told this is publicly owned land when it is being used as private land for private profit. Viceroy Gold Corporation whose owners are Japanese, Canadian, and Australians, with a Las Vegas address, are proposing to use our public land for their private profit.

As I read through the Draft EIR, I learned that the area already has been abused or destroyed by multiple activities: farming, grazing, residential buildings, CRV roads and cross-country runs, ORV racing from Barstow to Las Vegas annually, 7 mines / 4 gold mines, 1 aggregate, 1 clay, 1 rare earth, and a possible route for a bullet train from Los Angeles to Las Vegas. With all of this private activity benefitting a tiny number of people, this property is not owned by the American taxpayers for their collective (225,000,000) benefit, as we are led to believe.

An article in the April 24 issue of BUSINESS WEEK states "Out here most of the land is public-administered by the federal government under a policy of multiple use... and signs of those uses are everywhere. Dirt roads cut through the desert. An open-pit copper mine on public land has blasted a mountain into a huge crater. A dried-out tailings pond fills a small valley with gray mud. So many white plastic pipes are driven into the desert to mark mining claims that Nevadans call them the state tree. Now, however, the management of the vast public lands in the U. S. is becoming more of a problem. Tourism, a growing population, and an increasing concern for the environment are more often at odds with ranchers and the lumber, oil, and mining companies that traditionally exploited those lands and dominated local economies. At the center of the conflict are the agencies that have stewardship over ... about 25% of the nation ...

3. .

The EIR states that this gold is necessary for national security. Please explain how U. S. security needs can be satisfied by mining companies owned by Japanese, Canadian, and Australian nationals.

"...more than 10,000 mining claims throughout BWN54..." Mining has been a continuous activity in San Bernardino County for the past century. "Most of the communities tended to be short-lived quickly exhausting the small deposits of high grade gold ore upon which they depended." This proposed project is "disseminated" gold. If mining high grade ore is short-lived, why will it take 10 years to mine "disseminated" gold? How many of the 10,000 mining claims have been sold for \$2.50 an acre? How many for \$5.00 an acre? How many for "fair market value"?

"...extraction and processing of gold would not diminish its usefulness, but would instead make the resource available for use by society". This portion of a sentence is incomprehensible. Please explain in plain English what is being said.

A May 8 article in BARRON'S quotes from a metals specialist "despite a gold price higher than all but a handful on record, 1988 saw a substantial number of mine failures ... for all its allure, gold mining ... is risky business ... and geology is anything but an exact science. The most frequent cause of gold mines going bust last year ... was that, when the digging actually began, the miners didn't find as much ore as the geologists had predicted ... 1988's failures may represent only the tip of the iceberg ... because mining costs have been rising". ... "a number of credible companies with good mine plans could be strapped if gold prices fall ... the monetary and economic variables ... are a bigger concern than supply ... there is plenty of supply out there." ... "when the gold is erratically distributed, the geologist's statistical problem is very difficult ... bank bullion loans at 2-3% annual interest are inherently unsound ... I expect more gold loan defaults..."

A March 18 article in DESERT SUN stated "An 1872 federal land sales law ... survey ... concluded that although the law is based on buyer's plans to mine the properties, speculators can sell the land without having mined it ... the federal government has sold about 3.2 million acres of land ... under the mining law in the last 117 years ... the GAO report said the potential for the law's abuse is growing because of escalating land prices near expanding communities, resort areas and tourist attractions ...".

35% of the area of 2,735 acres, or 890-920 acres, will be "disturbed". Please explain how destroying almost 1000 acres can have no effect on the environment. Please explain the discrepancies throughout the EIR using the figures of 890, 910, and 920 acres.

The desert tortoise is the California state reptile. "Piute Valley desert tortoise population has declined in recent years." "Tortoise fencing and culverts ... stressing the "importance of not harassing or interfering with wildlife, especially desert tortoises" cannot eliminate the declination. An April 10 article in DESERT SUN stated (concerning 160 dead tortoises and more sick ones) that "among the possibilities are that a toxic chemical got into the tortoise habitat." An April 13 article in SAN FRANCISCO CHRONICLE stated "American industry is pouring a startling amount--more than 22 billion pounds

4. .

in a year--of toxic chemicals into the air, water and land, the Environmental Protection Agency disclosed yesterday... more than 300 chemicals including an assortment known to cause cancer and other serious illnesses--took government officials by surprise ... the largest volume of pollutants released into land came from mining activities ... EPA is developing tighter discharge controls for mining wastes."

Water - an estimated 450 gallons of water per minute will be used for 10 years. 1 1/2 BILLION gallons will be used during 10 years. This is only one mine out of seven in this area. "well field drawdown will be monitored on annual basis". Who will monitor? Why not monitor monthly? water will be used primarily for the heap leach process and for dust control. Dust is endemic to the desert. Why use water for dust control when toxics from the heap leach process are the biggest concern, and that process will contaminate all the water used in the process? At a time when we are in the worst drought in 100 years, I recommend a "No Action Alternative" for this proposed project. Charts on pp 4-3-19 through 4-3-21 show that the 725 acre/ft/year requirement for this project is from 21 times to less than 1 time the flow of west well field. Requirement is from 1/3rd to 1/8th of the entire potential flow of Piute Spring. Please explain your conclusion that "project groundwater withdrawals could greatly reduce or eliminate flow at Piute Spring ... no noticeable effects ... no significant impact ... either during the operating phase ... or at any time thereafter."

"Heap leach system shall be designed as a closed circuit system." ... "irrigation used to distribute solution directly on top of heaps ... conventional sprinklers on side of heaps ... solution shall be recycled ... solutions transported in closed pipes ... primary health concern - management of chemicals, especially chemicals containing cyanide ... when PH of cyanide solvent is kept high (10) vapor pressure of the dissolved hydrogen cyanide is reduced and the chance of hydrogen cyanide volatilizing to the air is substantially lowered ... cyanide does not accumulate with a small exposure over time ... low chronic toxicity ... protection of water quality is also provided by the reactivity of cyanide which results in its volatilization into the atmosphere ... time and travel distance for degradation ... cannot presently be predicted with sufficient accuracy ... they represent an unquantifiable level of redundancy toward reducing the potential of exposure from this processing reagent." Please clarify all of the contradictions quoted above, and explain the incomprehensible jargon of the last partial sentence.

I have another 24 pages of drafted material. But I am tired.

Very sincerely,

Donohy Harte
(Mrs. John Harte)

J. Bailey

MAY 1-89

JOHN BAILEY:
PLEASE LOOK OVER THE ENCLOSED ITEM -
FROM A NEW EDITION OF THE LOCAL SPERMATOPHYTES AND
Gymnosperms, Calif.

AS THE ARTICLE COVERS, I AM ALSO CONCERNED
ABOUT THE POSSIBLE ENVIRONMENTAL EFFECTS OF
THE PROPOSED CASTLE MOUNTAIN MINE.

IF THE CASTLE MOUNTAIN MINE PROJECT
WAS APPROVED, I HOPE THERE ARE SAFEGUARDS FOR
PLUTE CREEK'S WATER SUPPLY, TORTOISE HABITATS,
AND THE DANGER TO WILDLIFE FROM THE
PRESENCE OF WATER IN THE OPEN CYANIDE
LEACH PUNDS.

I HOPE YOU CAN SEE MY CONCERN.

THANK YOU FOR YOUR TIME

DAVE HARVEY
6136 MACBERRY AVE
LAUREL HILLS, CALIF 92040

RECEIVED
BUREAU OF LAND MANAGEMENT
MAY -5 AM '89
RECORDS SECTION

Gold Diggers Threaten Desert Riparian Area

The draft, EIS of the Viceroy Corporation's Castle Mountain mine in the East Mojave promises that this mining company will save the landscape, completely alter riparian habitats, poison the land with toxic waste dumps, and decimate tortoise populations.

At risk is Plute Creek, the only year round flowing creek in the East Mojave. (The Plute area is near Ivanpah and just southwest of the Nevada boundary.) Viceroy, a Canadian Company, proposes to withdraw some 450 gallons of water per minute from Lanfair Valley, the only source of water for Plute Creek. Plute Spring is only barely perennial.

Plute Creek is a beautiful five mile riparian oasis in the Plute Area of Critical Environmental Concern and home to an endangered species, the elf owl.

There is also great concern about the cyanide leaching process. The presence of water in the open cyanide leach ponds serves as a fatal attraction to wildlife. There must be a closed cyanide system with no open water to attract wildlife.

(Riparian Area Threatened — from page 6)

Viceroy plans to remove 90 million tons of soil in its search for microscopic gold. Major components of the proposed project would include the mine pits, overburden pile, crushing and ore transport facilities, heap leach pads, solution storage ponds, gold processing plant, and soil storage areas.

The proposed Castle Mountain mine shows the necessity and urgency of the creation of the 1.5 million acre Mojave National Park. The National Park Service would ensure that water supply came from outside of the park, the cyanide ponds be completely enclosed, and tortoise habitat be unaffected.

We need your comments which will be accepted by BLM until May 15. Mention your concern about Plute Creek's water supply, loss of tortoises, and the danger of wildlife mortality from cyanide leach mining.

Write: Bureau of Land Management; Needles Resource Area, P.O. Box 888, Needles, CA 92363-0888, attn: John Bailey.

For further information call Peter Burke at (619) 256-9561. --Peter Burke

P. O. Box 2628
Palm Springs CA 92263
May 25, 1989

Certified Mail / Return Receipt
Bureau of Land Management
Needles Resource Area
P. O. Box 888
Needles CA 92363-0888

Gentlemen:

Re: Castle Mountain Project - proposed open pit
heap leach gold mine, Manfair Valley,
San Bernardino County, California

On page 3-4-3 of the EIR, your consultant states
"The area is designated as Class L (Limited Use)
in the California Desert Conservation Area Plan and
East Mojave National Scenic Area Plan. These plans
and federal policies provide for multiple land use,
including mining...."

These statements are not true.

Please refer to the BLM Public Lands Resource Update
dated March 1987, page 2, "What are the four zones of
use?" "Class L (Limited Use) These lands are managed
to protect sensitive, natural, scenic, ecological,
and cultural resource values. They provide for generally
lower-intensity, carefully controlled multiple uses,
while ensuring that sensitive values are not signifi-
cantly diminished. "Class M (Moderate Use) These lands
are managed in a controlled balance between higher
intensity use and protection. A wide variety of uses,
such as mining, livestock grazing, recreation, energy,
and utility development are allowed...."

Class L does NOT allow mining. We will expect you to
deny the above application.

This error was discovered after my letter of May 14
was mailed.

Very truly yours,
Dorothy Harte
(Mrs. John Harte)
cc: Bureau of Land Management-Washington, D. C.
Secretary, Dept of Interior
The Hon. Alan Cranston
The Hon. Pete Wilson
The Hon. Al McCandless

5-14-89
Cole C. Hawkins
2345 N. Plano
Porterville, Ca, 93257

Dear BLM,

I am very concerned about the proposed
Castle Mt mt mine.
The development of the mine would seriously
damage, if not destroy, Pigeon Creek water supply,
an important source of wildlife.
Also leach pond w/ acid will cause the death
of many birds and animals from cyanide
poisoning.
The mine should not be allowed.
Please keep me informed on this issue.

Thank you
C.C. Hawkins

C.D.D. Needles RA

| Routing | Date | Initials |
|------------|------|----------|
| TC: | | |
| AM | | |
| Res. | | |
| Sec. | | |
| EM | | |
| DFP | | |
| VIS | | |
| Wild. | | |
| C. Ranger | | |
| Return By | | |
| Return To: | | |

C.3-79
RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 17 AM 10:12
NEEDLES RESOURCE AREA
NEEDLES, CA.

Feb 21, 1985

Mr. J. Bellandi,
Environmental Public Works Agency
Land Management Dept.
Office of Planning
385 N. Bernardino Ave.
San Bernardino, Calif. 92415-0180

Dear Mr. Bellandi,

I am writing to encourage you to
approve the opening and operation of the
Castle Mountain Project. I am familiar
with the Mercury Gold Corp. and you can
be sure that their concern for the
environment is sincere! I am convinced
that they will meet or exceed every
requirement to minimize the adverse
environmental impact.

The area of the proposed project is
desperately in need of economic development.
This is a great opportunity for the
residents of eastern San Bernardino Co.

It is essential, not only to the local
economy, but to the national government
as well. We will all benefit!

Again, I urge you to approve the
development of the gold mine by
Mercury Gold Corp.

Very truly

Steve Hawley
7300 N. San Anna Dr.
Tucson, AZ. 85704
(602) 742 7411

1243 North Hills Dr.
Cypressland, Ca 91756
May 8, 1989

Mr. Ira Hawkins
PO Box 1553
Marina del Mar, CA
92652

11 May 89

Dear Mr. Bailey
Bureau of Land Management.

Dear Mr. Bailey:

After learning about the possibility of the Victory Gold Mining Co.'s intention of destroying the environment with using cyanide in ponds in the service area of the proposed Mojave National Park and diverting water for their purpose from the Pinite Springs wildlife habitat area I find it necessary to express my opinion and vehemently opposing any use for this land other than a preserve for our wildlife that still exists. We need to preserve what we wild areas are left.

Canada can destroy their environment if they choose but not our United States areas that are last stands for our our beautiful Park and wildlife preserve areas.

Sincerely,
Mrs. Peggy Stinson

Dear Mr. Bailey:

I urge you NOT to allow the VICEROY CORPORATION of CANADA to build the CASTLE MOUNTAIN mine. The destruction of the environment and to PUTE CREEK and the diverse habitat must not be allowed. There will be great wildlife loss due to the cyanide heap leach process and the attraction of water in the cyanide leach ponds. THE MORNINGSTAR MINE wildlife mortality must not be repeated.

Thus, NO CASTLE MOUNTAIN MINE should be allowed to rape the landscape with the U.S.A. joining the sews with CANADA the ROBERTS and JAPAN the TIPS, NO VICEROY CASTLE MOUNTAIN MINE should be built.

Mrs. Ira Hawkins and Family

RECEIVED

BUREAU OF LAND MANAGEMENT

1989 MAY 11 PM 3:13

May 7, 1989

329 Perdew
Flagstaff, AZ 86001

RECEIVED

BUREAU OF LAND MANAGEMENT

1989 JAN 31 AM 11:41

MEMBER OF LEGISLATIVE AREA
NEEDLES, CA.

Needles Resource Area, Bureau of Land Management
P.O. Box 888
Needles, California 92363-0888

Dear John Bolley:

Re: Castle Mountain Project, draft EIS

I support the no project alternative .

My greatest concern about this project is the integrity of Plute Creek's water supply. Lanfair Valley is the source of water for Plute Creek--the watershed-- the Year round flowing creek in the East Mojave.

I have liked Plute Creek, riparian oasis in the Plute Creek ACEC several times. A steady, dependable supply of water is necessary for this ACEC and there is insufficient water to share with a heap leach process in this arid land.

I am also concerned about the attraction to wildlife the cyanide leach ponds serve. These ponds attract birds. Counting dead and mls/dead birds after the fact does not save the wildlife.

The no project alternative is the wisest alternative for this arid land.

Mary Ann Henry
Mary Ann Henry

January 25, 1989

Mr. Everett Hayes, Area Manager
U.S. Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363

Dear Mr. Hayes:

My name is Bob Hickman and I am writing to you concerning the Castle Mountain Project.

First of all, let me say I've lived all my 41 years in the desert areas of the West. I've spend considerable time in mining areas in many desert locales, and have yet to see where the advantages provided by the mining companies didn't far outweigh the disadvantages.

While the economic factors are considerable, please ponder another idea. This country must move ahead, and moving ahead means a good strong economy. Basic industry provides a large portion of the kinds of jobs needed for a strong economy. I think you will agree the direction of our basic industry is headed for foreign shores. I would hope you would also agree one of the reasons basic industry is leaving this country is because of governmental restrictions.

I see picture after picture of major metropolitan areas in this country submerged in ugly brown clouds, caused mainly by vehicle emissions, and the government people talk a good game but actually produce little preventative actions. In fact, I rarely hear the environmentalists complain about the urban areas. However, let a company try to begin a mining operation basically in the middle of nowhere, and even if the company promises to take maximum precautionary measures to protect the area and wildlife, the environmentalist will scream foul! Maybe it is time to start worrying a lot more about kids who can't go out for recess in Los Angeles, rather than some displaced desert wildlife!

This country was built on basic industry, and will continue to require it for economic growth. If you are actually governing for the people, then help them - they need jobs, not restrictions.

Sincerely,

Bob Hickman
Robert M. Hickman

7600 South Calle del Lago
Tucson, Arizona 85746-8330

C.D.D. Needles RA

| Routing | Date | Inits |
|------------|------|-------|
| TO: | | |
| AM | | |
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| Wild. | | |
| C. Ranger | | |
| Return By: | | |
| Return To: | | |

7/18
EMILEY

Dear Sirs,

I am concerned
 situation of scrublands I have lived
 here for 10 years and I have seen
 minimum operations and go
 as far as live seen the cattle
 Mountain Project has done the
 most for protecting the desert
 wildlife. The 151 jobs that they
 would be supplying are really
 not in community form
 and would be quality app-
 roved.

Thank you,
 Jennifer Hill
 P.O. Box 712
 Sacramento CA
 95824

0301-698-200-1
 RECEIVED
 BUREAU OF LAND MANAGEMENT
 1989 MAY 15 AM 11:28
 HEDLEY RESOURCE AREA
 HEDLEY, CA

To the BLM officials, April 25, 1989
 We are writing to you concerning the proposed
 Castle Mountain cyanide gold strip mine. We
 are appalled that such a proposal is even
 being considered in a National scenic area
 one even our fragile desert for that matter.
 There is too much evidence of death to
 wildlife, water pollution and scarcity of water
 in other locations - such as Nevada - for us to
 even imagine this project could be accomplished
 with minimal impact. We strongly urge that
 the proposal be abandoned for the sake of
 bighorn sheep, the desert tortoise, the scarce
 water and the overall health of the desert
 flora & fauna. We have never heard of a safe
 cyanide gold strip mine kept in the land.
 The plants & animals need their desert for more than
 we need gold. Sincerely, Kathryn H. Starn & Nephew

April 20, 1989

Bureau of Land Management
P.O. Box 888
Needles, Calif. 92363

Dear People -

We were unable to attend the recent meeting, but
right, about the South Mountain mining project. They, as
we'd to express our opinions on the subject. So even consider
on open pit mine to avoid an environmentally fragile area is
absolutely unacceptable! Not only is it an a dis-integrated
 scenic view, but the view of cypresses would be gone. I had
notified and grandparents. Such mines have already become a
plague in west California and Nevada.

We are totally fed up with the way private industries are
ruining the environment! So, the BLM needs to get down
in writing as the BLM - the Bureau of Land Management?

Sincerely,
Margaret S. Hill
Raymond G. Hill

Mr. & Mrs. Reginald O. Hill
1100 Eastridge Street
California 92311

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 APR 21 PM 3:18
NEEDED LINDA ANNE
NEEDES, BA.

Mr. John Bailey
Bureau of Land Management
P.O. Box 888
Needles Cal. 92363-0888

John Bailey
B.L.M.

Dear Mr. Bailey:

I have been a resident of Southlight
Nevada for fifteen years. I am very much
in favor of Victor Gold Cattle mine.

I feel the issues against the mine, have all
been answered to everyone's satisfaction, in-
cluding the wild life situation. It will
benefit the economy, create jobs, the County
roads already there. There will be only four
miles of road to build and the tortois are on
the other end of the County road. The water
system development will benefit wild life.
I feel there should be no problems with
the Gold Cattle mine at all and I am
looking forward to its opening and the jobs
it will bring.

Mrs. Wanda
Hobart
P.O. Box 71 Southlight
Nevada 89046

RECORDED
SERIALIZED
1989 APR 28 10 11:08
FBI - LAS VEGAS

April 26, 1989

BLM
P.O. Box 866
Needles, CA 92363

RE: OPEN PIT MINING IN THE MOJAVE

Dear BLM

I **strongly oppose** any proposal to dump thousands of tons of toxic chemicals each year into our deserts.

The desert, contrary to popular belief, is **not** a lifeless "laboratory" in which no harm can be done to the environment. Nor is it a place to dump our trash, junk, and waste. And it certainly is not a place to dump cyanide into the earth just to obtain gold for wealthy people to sell, buy, and wear

The desert is a critically sensitive and diverse environment who will speak up to save the desert tortoise, Bighorn sheep, and Piute Spring from Canadian Viceroy Corporation's destructive intentions?

I urge you to not allow open pits and cyanide ponds within the National Scenic Area

Think it out.

Sincerely,

Mark H. Horner

Brett Horner
9650 19th Street Apt. 64
Alta Loma, CA 91701-4229

C.D.D. Needles & A

| Routing | Date | Initials |
|-----------|------|----------|
| TO: AM | | |
| RCS. | | |
| See | | |
| EM | | |
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| VIS | | |
| Wild. | | |
| C. Ranger | | |
| Return by | | |
| Return To | | |

Mr. JOHN BAILEY
BLM
P.O. Box 888
NEEDLES, CA 92363-0888

DEAR MR. BAILEY:
I HAVE BEEN A RESIDENT OF SEARCHLIGHT, NEVADA FOR 3 YEARS. I AM DIRECTING THIS LETTER TO YOU FOR THE PURPOSE OF, FORMALLY - FOR THE RECORD - STATING MY SUPPORT FOR THE VICEROY GOLD PROJECT. I HAVE REVIEWED VICEROY'S EIS DRAFT AND AM IMPRESSED WITH THE JOB VICEROY AND THE BLM HAS DONE. THE PROJECT WILL PROVIDE THIS REGION WITH A GREATLY NEEDED ECONOMIC BOOST WITHOUT ADVERSELY EFFECTING THE ENVIRONMENT.

Sincerely,
MARK H. HORNER

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 12 AM 9:37
NEEDLES RESOURCE AREA
NEEDLES, CO.

John Bailey

Mrs. Mark Horwitz
P. O. Box 33
Searchlight, NV 89046

May 8, 1989

Bureau of Land Management
Needles Resource Area
P. O. Box 888
Needles, California 92363-0888
Attention: Mr. John Bailey

I am writing this letter in support of the proposed Castle Mountain Project. My husband is a Geologist, we have studied the Environmental Impact Statement/Draft and we feel that they are making a genuine effort to not only preserve wildlife in the area but without a doubt, they will leave the terrain in much better shape than they find it at present.

We also believe that jobs for families and related businesses are just as important as turtles and snakes, both are necessary and can live together.

Sincerely,
Mrs Mark Horwitz
Mrs. Mark Horwitz

May 3, 1989
Mrs. Bailey:
My name is Yvonne Horwitz. I am 13 years old, and I go to Apple Valley Junior High. I oppose the Cattle Mt. mine, because I am concerned about our desert animals. Our desert animals live in the Granddigger species list. If you dig this mine, the animals (as well as many other animals) would be lost forever. Wouldn't that be a shame. I'm not only worried about the animals, but also worried about the scenic landscape. There are a lot of plants out here that people like to come and see why want you dig a god in Colorado? I'magine this, you go ahead and dig the protected mine. Wouldn't it be a shame if you only found 3oz of gold? You would have hurt our desert habitat, you would certainly be wrong. I would fight this all the way.

Sincerely,
Yvonne H. Horwitz
Yvonne Horwitz
13353 Yvonne P.O.
Apple Valley C.A 93548

S 10 J B JACKE
NW 31357 Hwy 101
Wausau, WI 53183
4-16-89

John Barley
USDT- BLM
PO Box 888
Needles, CA 92363-0888

Dear Mr. Barley

Thanks for sending me a copy of Draft EIS/EIR for Castle Mt. Project. I am pleased about the selection of alternatives for final consideration since they both include the production of mineral must as proposed.

I believe both options considered would satisfy my concern. However, I would lean towards selecting the high speed light- Access route since it would appear it has provide raw materials to the public at a lower price

Sincerely,
J B Jacke

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 APR 24 PM 4:53
NEEDLES, CALIFORNIA

Bureau of Land Management
Box 888
Needles, CA 92363

1989 NOV 7 PM 12:57

To whom it may concern:

I am writing to let you know that I am very much against the proposed development of a massive cyanide heap leach operation in the East Mojave Scenic Area. The Castle Mountain project, located near the Nevada border, would use thousands of tons of toxic chemicals each year, and destroy at least nine hundred acres of the Scenic area, an area meant to be saved for the enjoyment of people, and the survival of natural species. Desert tortoise habitat will be impacted by road and mine construction, and big horn sheep habitat will be lost. The potential impact on Piute Spring would be devastating. Please do all that you can to see that the Canadian Viceroy Corporation is not allowed to destroy the habitat of countless birds and wildlife species.

Please let me know your feelings on this matter.
Thank you for your time and consideration.

Sincerely,
Rachael Hunt

John

RECEIVED
BUREAU OF LANDS
1939 APR 24 AM 11:18
WASHINGTON, D.C.

4-20-89

Dear Mr. Bailey,

This letter is written to express my opposition to the proposed Uiceroy Gold Mining Operation near Jumpah in the East Mojave National Area.

I support the present Cranston Bill in its entirety and as you know this mining operation would not be given a permit if this area was a National Park.

I use the Mojave Desert areas often with my family. We enjoy the solitude and scenic beauty of this valuable natural resource. We are just simple people who enjoy the serenity of this great Desert. The need for gold does not outweigh the need for this area to become a National Park.

All Americans can enjoy a National Park only a few

enjoy the benefits and profits from an ~~open~~ open pits) that dissolves ore for gold. My family and I urge the BLM to reject Uiceroy request for a permit to rape our desert.

Very Sincerely Yours,
James A. Jackson

James Allen Jackson
28345 Meadow Court
East Highlands CA 92329

Phone # (714) 862-8367

cc. Honorable Jerry Lewis

2/3/89 JRP
EVID

Dear Sir:

I support the Castle Mountain
Project.

It is a safe, efficient operation.
I have seen other areas in
Canada for it surrounded by
mountain peaks, nothing over ponds
about 1000 ft. All to have
extreme impact

Richard J. Ross
2488 Valley View
Morris Co 91760

714 7345877

V. Daily
2:00 PM, 12/17/89

John Bailey, Area Manager

Old Bureau of Land Management

Needles Resource Area

P.O. Box 888

Needles, Ca. 92363

Dear Mr. Bailey:

I am writing in support of the Castle Mountain Child Project for the following reasons:

1. I believe it will supply jobs for people in this area.
2. I believe it will be economically favorable for the area.
3. I believe that the Castle Mountain Mine will safeguard the environment.

I thank you for your attention in this matter.

T. Fredrick G. Jang

P.O. Box 726

Searchlight, Nev. 89046

W. Jang

6-9-89

P.O. Box 101

Searchlight Nev. 89046

Nico Ray Gold Mine

Mr. John Bailey

I being a citizen of Searchlight Nevada and have lived in Nevada most of my life I am in favor of opening the mine. It will give our youth and unemployed jobs.

Thank you
Ellen Johnson

RECEIVED
BLM AREA MANAGEMENT
1989 MAY 12 AM 9 38
NEEDLES AREA

MS
△B

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY -1 AM 10:37
NEEDLES RESOURCE AREA
NEEDLES, CA.

Mrs. Penny Johnson
5201 Walnut Ave. #69
Las Vegas, NV 89110

April 21, 1989

Bureau of Land Management
Needles Resource Area
Attention: Mr. John Bailey
P. O. Box 888
Needles, CA 92363-0888

Dear Mr. Bailey:

This letter is in regard to the Viceroy Gold Castle Mountain Project. Having been a resident of Nevada for several years and seeing what mining can do for an area, I think the project should be allowed to proceed. The benefits outweigh the objections that anyone may have. Our natural resources should be utilized and in the process the economy will benefit a great deal. This project should not be condemned for the mistakes miners made in the past.

This area should not be compared to Death Valley. Castle Mountain doesn't have Furnace Creek, Scotty's Castle, museums and concessions. Besides there are enough tourist attractions and I feel that very few people would stop and spend time or money when they are so close to areas that can offer more.

Let the mine and the people involved have a chance.

Sincerely,

Penny Johnson
Penny Johnson

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY -3 AM 8:58
NEEDLES RESOURCE AREA
NEEDLES, CA.

Susan Johnson
333 Normandie Ct.
Redlands, CA 92373
April 27, 1989

Bureau of Land Management
P.O. Box 888
Needles, CA 92363

TO Whom it May Concern,

I am writing to express my opposition to the proposed mine at Castle Mts. I am not satisfied with the techniques indicated in the EIS that would protect desert tortoises, birds, and vegetation in the area.

Desert tortoises may be hurt by the traffic in the area. Training drivers to be more aware of desert animals does not guarantee their protection. Covering the cyanide ponds does not guarantee the safety of birds since they may fly into the netting. There is also the possibility that cyanide solution may be found on the slopes of the heaps and the birds would then be exposed at those locations.

The amount of water needed at the mine is unacceptable for an area that already has little water. Piute Spring may be depleted of much of its water and as a result riparian habitat would be effected. We must also consider the fact that California's water supply is lower than it should be in the state as a whole.

Complete reclamation is not required by the EIS, nor is restoration of habitat required. If a mine is to be developed then when the mining ends, the land should be made as it was before.

I urge you to consider these issues before making a final decision regarding the proposed mine at Castle Mts.

Sincerely,

Susan Johnson
Susan Johnson

cc: Rep. Jerry Lewis

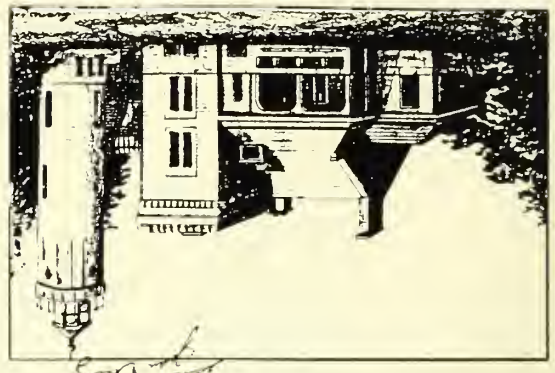
April 5 '89

Dear Mr. Bealy -

I thank you for sending me a summary of the Castle Mt project after reading at 2 am more concerned than before that the project was proceed. There is an area where that I was hoping this year would be protected by the passage of SR 112/200. I am very unhappy at the prospect of more roads in this area - The desert is a fragile area that can not quickly recover from the ravages of OCV - any double lane road at least an extra depositing the damage due to the slight increase. The damage done by construction in one of these areas to be estimated 10 years in the past would be spreading would not be mitigated in 10 or probably even 100 years. It is not at all easy that the water resources of the area would not be significantly harmed by the project. Drilling wells in an area of such little water would greatly lower the water table of the area. This is not an area where you can expect the water table to be recharged naturally, in any significant amount. I cannot believe that the BLM states no reduction in flow of finite ~~water~~ ^{water} resources. It is likely they could prevent significant amounts of OCV from reaching the water table or nearby contaminants. But what of the vast numbers of wildlife that will be attracted to the water of having how many at 2 am? I do not believe they have properly evaluated the effects of surface disturbance or introduction of exotic species of vegetation they cannot expect that a chain link fence will deter project employees and irresponsible residents from disturbing cultural resources such as the last remaining century without an armed guard on duty at all times. There is no guarantee that the company will be avoid or be made financially responsible for covering any disturbance that occur.

to emerge my concern

- 1) ↑ traffic & encroachment of OCV in a soon to be subdivided area
- 2) ↓ water availability & quantity

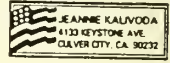


3) ↑ wildlife mortality due to game
 4) ↓ destruction of cultural resources

STOP CASTLE MT !!

Sincerely,
 Jeanne Kalivoda

RECEIVED
 1989 APR 12 11:10:27
 RECEIVED



Mackinac Point Lighthouse Museum at Fort Michilimackinac, Michigan.
 Photographed by Avery Color Studios, Au Train, Michigan 49809

3 Encl
 O. Benjamin Kaplan, Ph.D. RECEIVED
 P.O. Box 522
 Calimesa, California 92520
 (714) 845-4280

April 15 '89
 BLM
 Needles, CA 92363

RE: CASTLE MOUNTAIN GOLD MINE

Dear Sirs:
 I am not opposed to the "best and highest use" of public lands.

However, I am appalled that you should even consider permitting the subject project. It's public costs exceed its public benefits by astronomical amounts!!

I trust you will give due consideration to the environmental impacts and costs of restoring landscape and wildlife.

Yours,
 Ben Kaplan

cc: Reg. J. Lewis

Bill Bailey

C.3-93

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 15 AM 11:10
NEEDLES RESOURCE AREA
NEEDLES, CA.

May 11, 1989

Bureau of Land Management
101 W. Spikes
Needles CA 92363

We people who love the desert are not going to stand for Cyanid Pit Mining, literally raping our deserts. What good is the BLM if they let this happen. Believe it or not, if enough people get together on a issue we can make a difference, and if our desert preservation cannot be trusted in the hands of the BLM maybe its time to make a change.

Betty Kaufman

Bill Bailey
RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 12 AM 9:43
NEEDLES RESOURCE AREA

May 9, 1989

Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, California
92363-0888

Att. John Bailey

Re: Castle Mountain Mine

I would like express my support for Viceroy Gold's proposed mine. The environmental concerns seems to have been addressed in such a manner to minimize any adverse impact to the local environment. I see no reason why the Viceroy project should be denied since it would improve the economy of the area which would be beneficial to all concerned.

Yours Truly,
M. Kaschke
N.L. Kaschke
P.O. Box 308
Beatty, NV 89003

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 15 AM 11:17
NEVADA RESOURCE AREA
HEERDS, CA.

1988
Sander

May 10, 1989

BLM
California Desert District.

EIS - Castle Mountain Mine

Although the draft report on the expected impacts from the Castle Mountain Mine details how the project proposes to avoid damage to bird, mammal and tortoise populations, serious doubts remain that significant impact can be avoided.

The roads to the mine will run through high density tortoise habitat, opening these areas to vehicle use and human handling and disturbance. Ravens spread into the desert in concert with human activities. As yet no effective means of reducing raven predation has been proposed. The best means to avoid raven predation is to prevent its occurrence by limiting activities which

encourage increase in raven populations. Secondly, the water sources in this desert area are limited. Animals of all kinds will be attracted to the open ponds formed in mining operations. The potential for accidents from these ponds, spills or excess runoff, is substantial and could result in mortality both immediately and for a continuing time after the spill.

Thirdly, the mining process itself is greatly disruptive to the area around the mine. Millions of tons of ore removed from one place and transferred to other sites, mine facilities, roads, ponds and vehicles would alter the area for long periods to come.

Although the dEIS states that the pumping for the mining activity would have no effect on the natural flow of Pute Springs, other models of the water drawdown indicate that natural flows to the

3

spring might change as water is removed from ground water at the mine.

This proposed mine is in a National Scenic area where natural values are especially protected. Although Federal law allows mining in such an area, the law does not mandate that such mining must be approved if it impacts the resources of the area. Is the potential gold removed from a ten year mine worth the potential damage to the wild life and the environment? The damage includes the mining scars and the toxic wastes left from the mine California and the desert do not need this mine or its gold.

Yours truly,
Elaine & Doug Kent
2736 Ganges Pl.
Davis CA.

May 3, 1989

Although we weren't able to attend the April 18 meeting, we write to express our strenuous objection to the proposed Castle Mountain leach pit gold mine in East Mojave National Scenic Area. We are surprised that such a proposal would even be entertained! It would be far too wasteful of water in this desert area, and the cyanide ponds would be a deadly hazard to wild life. The vital riparian habitat along Piute Creek could be severely impacted, and both desert tortoise and bighorn sheep habitat would be lost. Hundreds of acres of enormous waste rock piles and hundreds more covered by crushed ore soaked with toxic solution-- all this for a few grains of gold? No way!

F.M. Miller via E. Keller

TRIP
Booked

Bureau of Land Management
P.O. Box 888
Needles, Ca 92363-0888
ATTN: John Bailey.

MAY 10, 1989

Dear sir:

I am writing this letter in support of Vicergy Gold Corporation's Castle Mountain Project. I have read the draft E.I.S. and can find no reason why the project should not be approved. The mitigation measures are more than adequate to insure minimal environmental impact in my opinion. Since the desert is a multiple use area and mining is compatible with the multiple use concept, this project should be approved without further delay. The economic impact of this project on the surrounding areas is being put at risk by continued approval delay. The opposition to this project have not ~~consider~~ given consideration to people this project will employ but only to their goal of stopping mining in the desert. Their goal is not compatible with the multiple use concept by which the BLM has been administering the desert.

Yours truly,

Harold D. Kennedy

RECEIVED
BUREAU OF LAND MANAGEMENT
MAY 15 1989
NEEDLES, CA

DEAR SIR: *not posted* 5/18/89

I AM WRITING YOU TO STATE MY OPPOSITION TO ALLOWING THE VICERGY COMPANY TO OPERATE A MINING OPERATION IN THE NOBVE DESERT. PLEASE HELP THOSE OF US CONCERNED ABOUT THE DEADLY ~~AND~~ EFFECTS OF THE CYANIDE HEAP-LEACHING PROCESS. IT WOULD INDEED BE TRAGIC TO ALLOW THIS SCENIC AREA TO BE TURNED INTO A WASTELAND WE ONLY HAVE SO MUCH OF. MOTHER EARTH TO USE WISELY + SAVE FOR FUTURE GENERATIONS. LET US BEGIN HERE TO SAY NO! TO BIG BUSINESS. PROTECT NOT POSSESS! PROGRESS WITHOUT ALLEGED! WE OWE OURSELVES, THE ANIMALS + OUR CHILDREN NOTHING LESS. THANKS FOR LISTENING + PLEASE ADOPT THE NO-ACTION ALTERNATIVE.

SINCERELY,

Donald W. Kimball Jr.

RECEIVED
MAY 9 1989
MAY 6 1989

Mr. Donald W. Kimball Jr.
1139 Evergreen Street
Rialto, CA 92376

LA QUINTA CA
92253

April 29, 1987

DEAR BLM:

THIS LETTER IS WRITTEN TO EXPRESS MY OPPOSITION TO THE PROPOSAL TO BEGIN AN OPEN PIT EXCAVATION GOLD MINING OPERATION IN THE MOUNTAIN NAT'L SCENIC AREA. I BELIEVE THAT SUCH AN OPERATION WOULD HAVE IMMEDIATE AND SEVERE ENVIRONMENTAL IMPACT.

AS A DESERT RESIDENT AND OUTDOOR ENTHUSIAST, I HAVE SEEN FIRST-HAND THE SCARS REMAINING IN THE DESERT FROM HUMAN ACTIVITIES DECADES AGO. THE DESERT IS A TERRIBLY FRAGILE PLACE AND ONCE DAMAGED RECOVERS ONLY VERY SLOWLY. THIS IS WHY BUILDING NEW ROADS INTO THE DESERT WILL NOT ONLY RESULT IN NEW SCARS FROM THE ROAD AND MINE, BUT FROM THE ACCESS TO PREVIOUSLY UNACCESSIBLE AREAS THAT THE NEW ROAD WILL PROVIDE.

THE NEW ROAD WILL ALSO IMPACT BIGBORN SPEED AND DESERT TORTOISE HABITAT. THE SPEED WILL BE AFFECTED BY THE NEARNESS OF MAN, THE TORTOISE BY ROAD KILL AND ILLEGAL COLLECTING. AGAIN ROADS PROVIDE EASY ACCESS TO OTHERWISE "PROTECTED" AREAS.

GOLD MINING IS REPORTED TO BE AN EXTREMELY WATER INTENSIVE PROCESS. OBVIOUSLY THIS AREA IS NOT A TROPICAL FOREST, AND WATER CONSUMED AT THE MINE MAY AFFECT NATURALLY OCCURRING AND ENVIRONMENTALLY CRITICAL SURFACE WATER SUPPLIES, SUCH AS PIUTE CREEK. FURTHERMORE, OPEN LEACH PONDS CONTAINING CYANIDE COULD FORM A DEADLY WATER SUPPLY FOR ANIMALS AND BIRDS USING IT, EVEN IF THE CYANIDE IS NOT PRESENT IN IMMEDIATELY LETHAL LEVELS. THIS IS BECAUSE CYANIDE CONCENTRATES IN THE BODY WITH PROLONGED OR REPEATED EXPOSURE.

FINALLY, THERE IS THE AESTHETIC QUESTION OF RACING AN OPEN PIT MINE IN A NATIONAL SCENIC AREA. CLEARLY THIS IS AN OXYMORON: OPEN PIT MINES ARE NOT SCENIC, PERIOD. SO THE QUESTION THAT MUST BE ANSWERED IS IF THE COST OF THE DESTRUCTION OF ZWEIFLY FOUR SQUARE MILES OF NATIVE DESERT AND BLEMISHING THE LANDSCAPE JUSTIFIES ~~THE~~ FROM AN AREA MANY TIMES LARGER THAN THAT IS WORTH THE VALUE OF THE PRODUCT OBTAINED. PERHAPS THE ANSWER WOULD BE YES FOR A STRATEGIC MINERAL, BUT THE ANSWER MUST BE AN EMPHATIC NO FOR A LUXURY METAL, SUCH AS GOLD. IT MAKES NO SENSE TO DIMINISH THE BEAUTY OF A UNIQUE NATURAL AREA ~~WHICH~~ AVAILABLE TO EVERYONE FOR GENERATIONS TO COME IN ORDER TO SATISFY THE VANITIES OF A FEW FOR THE NEXT FEW YEARS.

I ASK YOU TO BLOCK THIS DEVELOPMENT FOR THE BIGBORN SPEED, FOR THE DESERT TORTOISE, AND FOR THE SCENIC ENJOYMENT OF ALL OF OUR GRANDCHILDREN'S CHILDREN.

SINCERELY



CL. JERRY LEWIS

: REP. AL McLANDLESS

: SENATOR ALAN CRANSTON

: SENATOR PETE WILSON

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 11 PM 3:07

P.O. Box 6010
MAMMOTH LAKES 93546
7 MAY 1989

BUREAU OF LAND MANAGEMENT
NEEDLES RESOURCE UNIT
MR. JOHN BAREY:

I AM OPPOSED TO THE CASTLE MTN. MINE PROJECT
AND SUPPORT "NO ACTION" PLAN.

MY REASONS:

- (1) A CANADIAN COMPANY WILL PUMP THE TREASURED WATER RESOURCES FROM CAUFAR VALLEY POSING A POSSIBLE THREAT TO PINE SPRING AND CREEK. RIPARIAN/WILDLIFE ENDANGEMENT COULD RESULT IN THIS AREA.
- (2) TOXIC WASTE DUMPS MUST BE BARRED IN THIS PROPOSED NATIONAL PARK AREA. ALL CYANIDE LEACH PONDS MUST BE PROTECTED FROM WILDLIFE BY ENCLOSURES.
- (3) THE DESERT TORTOISES WILL BE ENDANGERED IN THE IUANPACH AND PIUTE VALLEY AREAS BY THIS MINE PROPOSAL.

Sincerely,
Paul Clout

PAUL J. KLUTZ

10638
10638

10638 Shaker Ave
Sunland Ca. 91040
May 5, 1989

Mr John Bailey
Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, Ca. 92363-0888

Dear Mr. Bailey,

I am writing to express my opposition to the proposed Castle Mt. gold-mining project. I feel that the cost in terms of wildlife death from cyanide poisoning is much too high. Increased forest traffic would certainly cause more tortoise deaths. Also endangered is the desert terran staff and the danger from toxic waste left behind cannot be determined adequately. I feel the desert land is to be preserved, and more mining scars and toxic waste in our desert is unacceptable.

Sincerely,
Margaret R. Koch

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 11 PM 3:12
NEEDLES RESOURCE UNIT
NEEDLES, CA.

DB

RECEIVED
BUREAU OF LAND MANAGEMENT

1989 MAY -1 AM 10:43

NEEDLES NATIONAL SCENIC AREA
NEEDLES, CA

4/26/89

Bureau of Land Management
PO Box 888
Needles, CA 92363

To whom it may concern:

To me, the word "scenic" implies natural grandeur and beauty unspoiled by manmade developments. The Canadian Viceroy Corporation seems to have an different definition or they would not be proposing a mammoth cyanide heap leach operation in the East Mojave National Scenic Area. I suppose a 500-foot-deep hole in the ground filled with watered-down cyanide could be an impressive sight. I'm sure Hiroshima must have been something to see when the bomb was dropped. Still, most people don't travel to this area to marvel at the scope of a gargantuan mining disaster. They go to witness and take part in the amazing diversity of life that thrives there. It is troubling to me that, after similar operations have killed untold thousands of animals, still another is under consideration.

Such an operation **anywhere** wrecks ecological havoc, but this proposed mine, in the middle of a National Scenic Area, would be tragic. Four miles of bighorn sheep habitat lies inside the boundaries of the proposed project. This, along with the habitat's beautiful residents, will be lost. The roads needed to gain access to this mine will do irreparable damage to habitats vital to the endangered desert tortoise. Plute Creek, home to nearly 100 species of bird, and essential to the survival of the areas bighorn, will be severely affected. Of course, all these points are moot, when you consider that a cyanide heap leach operation has no place in a designated scenic area. It's that simple.

These risks are real. This land and its inhabitants are priceless. Destroying them for the meager rewards of a poisonous hole in the ground simply does not make sense. That would be land mismanagement of the saddest kind.

Thank you for your time.

Sincerely, *Lucie C. Westcott*

Laure Westcott
10935 Vera Vista Trng. #118
Rancho Cucamonga, CA 91730

C.3-99

7520

Encl. 101

*John Bailey
Needles Resource Area*

*Dear Mr. Bailey:
I object strongly to the
Castle Mountain Open Pit Cyanide Heap
Mine proposed for the East Mojave
National Scenic Area*

*I believe that the
proposed mine will do irreparable
harm to the area and, in addition,
will be a major danger to the
wildlife associated with the Pinto
Canyon Creek.*

*Please do not allow
the mine to operate.*

*Sincerely
Barbara*

*BEA KREISSMAN
926 PRUM LANE
DAVIS CA. 95616*

J. Bailey

RECEIVED
BUREAU OF LAND MANAGEMENT

1989 MAY -1 AM 10:46

MAIL ROOM
BUREAU OF LAND MANAGEMENT
DENVER, CO

George R. Fitzmaurice
1042 Nevada St.
Coronado, CA 92014
(714) 436-8837

Mr. John Bailey
Bureau of Land Management
P.O. Box 888
Needles, CA 92363

I have recently heard about the proposal to have a cyanide heap leaching operation in the Mojave desert. I urge a no action alternative on this proposal.

The proposed heap leach operation is going to destroy the desert scrub and all wildlife in the area, pollute the ground water with millions of gallons of water from the ground surface and then leave San Bernardino county taxpayers the bill to restore the area after they leave. The Viceroy company is not going to restore the area, you and I know that and the damage they will occur during operations will be enormous.

The water that will be used to pull the 200,000,000 gallons of water from the water table will hurt the riparian desert. Have you thought about enough cyanide to kill every person in California in a leach pond is dangerous. Has it occurred to you that if the price of gold falls below a certain level the Viceroy corporation will simply shut down operations and leave San Bernardino County with the bill on the cost? Do you think that this amount of damage is worth a few jobs for the desert area, the profits are going to Colorado.

It is clear that unnecessary and undue degradation of the environment will occur if this operation occurs and I urge a no action alternative.

Sincerely yours

George R. Fitzmaurice

5/10/89
18522 Burton Dr
Hygiene CA 92345
John Bailey

Mr John Bailey
BLM
P.O. Box 888
Needles CA 92363

Dear Mr Bailey:

I recently visited the East Mojave National Scenic Area and enjoyed looking at the spring vegetation and mountains.

I fear using the scenic area for recreation purposes and approve the cattle mountain mining project which will lay waste to four square miles of land, wildlife habitat including the threatened desert tortoise and chaco. The Pinto Creek water supply, all to benefit some Canadian gold operators who want even more to reclaim the land they will despoil.

This is not scenic! No on the project!
Yours truly,
John R. Kinsworthy

808
BANK

May 12, 1989
5826 Valencia Dr.
Orange, CA 92669

D. L. M.
Needles Resource District
P.O. Box 888
Needles, CA 92363

This letter is to show my support for the Castle Mountain mining project. They have demonstrated they are environmentally responsible. In addition, California is benefitting in a financial manner. Please keep this project open.

Sincerely,
Laural Lee

RECEIVED
BUREAU OF LAND MANAGEMENT
NEEDLES, CA
MAY 15 AM 11:02

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 APR -5 4 13 40
Bailey

1044 12th Street, #10
Santa Monica, CA 90403
213-395-4528

March 31, 1989

Mr. John Bailey
Bureau of Land Management
Needles Resource Area
P. O. Box 888
Needles, CA 92363-0888

Subject: Draft Environmental Impact Statement/Report, Viceroy Gold Corporation Castle Mountain Project.

Dear Mr. Bailey:

Although I will not be able to attend the hearings concerning the subject project, register this letter as an unqualified vote in favor of the project. I understand that certain environmental groups oppose the project, their objections cannot be taken seriously because they are opposed to any effort to develop the resources and enjoy the use of the desert. Attempts by Senator Cranston and other misguided ecomaniacs to restrict access and use of the desert are insane. I hope that the Bureau of Land Management will allow the Viceroy Gold Corporation Castle Mountain project to go forward without any further delay.

Yours truly,

D. R. Larmay

Donald L. Larmay

cc: County of San Bernardino, Environmental Public Works
Senator Alan Cranston

RECEIVED
SURRENDERED
1989 MAY -3 AM 8-57
NEEDLES RESOURCE AREA

April 29, 1989

John Bailey
Needles Resource Area
P.O. Box 888
Needles, Ca. 92363-0888

Dear Mr. Bailey:

I am writing to comment on the Draft Environmental Impact Statement/ Environmental Impact Report for the Castle Mountain Mine Project by Viceroy Gold Corporation.

I have read the summary report and attended two meetings that Viceroy Gold Corporation held in Nipton, Ca. where I am a resident. The tone of both meetings which were attended by local residents was overwhelmingly in support of the project. Most attendees wanted to apply for a job on the spot. The employment created by the project is needed and wanted.

The first meeting held was attended by the superintendent of Baker Valley School District. I have had many discussions with him regarding the closing of Mtn. Pass Elementary School. The District needs more students to obtain more funding. A project like the Castle Mountain Mine Project would attract families and thus school aged children. We need more students to keep the school open. I do not want my five year old to have to travel to Raker (some 50 minutes away) to obtain an education when he can go to school at Mountain Pass (some 15 minutes away). It is a selfish request but providing for your children is a paramount desire.

The draft statement and report have covered every conceivable issue and concern any reasonable person or group could raise. The fact that the local residents (Californians) fully support the project and are in need of employment should be an important consideration. New mining exploration is now being concentrated in Nevada and not California because of the problems Viceroy is having in getting permits. How can we continue to discourage honest industry in the East Mojave and other parts of California?

Sincebely,
Alma J. Bellandi
Roxanne Leach
HCR#1 Box 357
Nipton, Ca. 92364

cc:Mr. J. Bellandi

RECEIVED
SURRENDERED
1989 MAY 10 AM 11:06
NEEDLES RESOURCE AREA

May 5, 1989

Needles Resource Area
ATTN: John Bailey
P. O. Box 888
Needles, CA 92363-0888

Mr. John Bailey,

It is interesting to find a project with the parameters of the Castle Mountain Mine that can claim to be able to mitigate all the environmental impacts to the point where they can be listed as not significant. I don't believe that is possible.

I have the following comments on the Draft EIS/EIR:

This is part of the East Mojave National Scenic Area. The Federal Land Policy Management Act requires that BLM provide for the immediate and future protection and maintenance of environmental quality. A cyanide leach mine is not compatible with those requirements

Experience with cyanide ponds in other areas has shown they are a danger to wildlife. I question whether fences and screens will make the proposed ponds secure. Bats, for instance, only need a very small opening.

Can the integrity of the leach ponds be guaranteed? Contamination by failure of the liners is a distinct possibility.

To indicate that drawing over 700 acre feet of water from a West Well Field will not affect Piute Spring and Piute Creek contradicts the opinions of other experts. A mistake here could cause irreparable damage to an important water resource.

The desert tortoise has already suffered what may be a catastrophic reduction in the numbers necessary to maintain a viable breeding population. Further distress is unavoidable with this project.

This is a fragile area. A project with pits 600' deep and 300 acres of overburden will produce a landscape that will take many years to revive, if it ever does. A 30-60 year time frame for revegetation to a pre-disturbance state is unreasonable in a National Scenic Area.

The best use of this area is as a National Park. An open pit heap leach mine can't help but make unacceptable impacts on the desert. The "No Project Alternative" is the correct one.

W. S. Lamond
Robert S. Lamond
4808 Blackthorne Ave.
Long Beach, CA 90808

EWILEY

088-

EWILEY 888

May 10, 1989

Bureau of Land Management
Attention: John Bailey
Needles Resource Area
P.O. Box 888
Needles, CA. 92363-0888

RE: Castle Mountain Project

Dear Sir:

It is of great concern to me that Viceroy Corporation wants to remove 90 million tons of soil to search for such very small quantities of gold.

They would destroy Piute Creek, the only year-round flowing creek in the East Mojave which is also habitat for the endangered species, the elf owl. Also, the Piute Valley is habitat for the desert tortoise.

To me it is ridiculous that on this project whatever profits result from mining would go to Canada and that Japan would get the gold. All we would rea would be mining scars and a toxic waste dump.

I certainly would hope you will not let this project proceed.

Very truly yours,

Aurelie Langefort
Aurelie Langefort

Aurelie Langefort
10700 JACK COURT
CASTLE VALLEY, CA 95945

RECEIVED
MAY 15 11:41 AM '89
BUREAU OF LAND MANAGEMENT
NEEDLES RESOURCE AREA
NEEDLES, CALIFORNIA

RECEIVED
MAY 15 11:28 AM '89
BUREAU OF LAND MANAGEMENT
NEEDLES RESOURCE AREA
NEEDLES, CALIFORNIA

Dear Sir:
I want to support mining
in the Death Mountain area.
We need to keep the desert
open for future miners and
workers.
Barad Geller

R. L. P. Co.
1351 N. Yucca St.
Ph. 770-64
92576

8258 Wilcox
Troytown CA 93527
page 2

You cannot sacrifice our irreplaceable natural environment to corporate greed and irresponsibility. ACEC means nothing anymore to the BLM. Perhaps the Mojave National Park would be better able to care for areas of critical Environmental Concern.

Sincerely,
Jim Lawson

May 12, 1989
8258 Wilcox
Troytown CA 93527
619-377-5456

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 30 AM 9 40
NEELED RESERVE AREA
NEELES, CA

Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888

Dear Mr. Bailey,

The draft EIS of the Viceroy Corporation's Castle Mountain mine is inadequate. It does not mitigate the Viceroy Corporation's proposed damage to scenic, riparian, and wildlife values.

The upside loading system must be closed, not open, as proposed, to protect wildlife. The amount of water Viceroy proposes to take is far in excess to assure the preservation of critical riparian habitat. Especially now, in a drought year, water must be available to wildlife. The proposed mining activity will not only poison the environment but will leave permanent scars on the landscape.

700

J. Bailey

C.3-105

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY -2 AM 10: 10
NEEDLES RESOURCE AREA
NEEDLES, CA.

April 29, 1989

Dear sirs;

My family and I do alot of hiking and exploring in the deserts and mountains of the Southwest. Over the years we have noticed the deadly impact mining activities have on the natural world that exists in these out of the way places. Even though the mine itself may only use up a relatively small area its effect is much broader. The Castle Mountain Project proposed by the Canadian Viceroy Corp. will destroy part of the forage area of the local bighorn sheep population. Furthermore the riparian area along and near the Piute Creek and spring will probably be contaminated by the cyanide solution used in the type of mining operation proposed at this site. This will affect all wildlife in the area. The desert tortoise will also suffer greatly from the increased traffic of this project. Finally why should something so unsightly as an open pit mine be allowed in what has been designated as a National Scenic Area? This has a negative impact on human beings. We urge you to turn down this request from the Canadian Viceroy Corp.

Sincerely yours,

Steve and Judy Lehman
60618 Pueblo Tr.
Joshua Tree, Ca 92252

copy to Jerry Lewis

copy

1245 Kautzman Lane
La Canada, Ca

May 7, 1989

Bureau of Land Management
Needles Resource Area

P.O. Box 888

Needles, Ca 92363-0888

Attention: John Bailey

Dear Mr. Bailey,

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 11 PM 8:13
NEEDLES RESOURCE AREA
NEEDLES, CA.

On the subject of the proposed Castle Mountain Gold mining project, I suggest the "no project" alternative. The cost is too high in terms of wildlife mortality from cyanide poisoning, dried up springs, and tortoise deaths from increased tunnel traffic. It is also too high in terms of destroyed desert terrains, inadequate reclamation, and possible toxic waste left behind.

Sincerely,
Sami Law

Sami Law

Joe Bellandi, FPWA
 April 17, 1989
 Page 2

5.7-8 Traffic 3. What are the specific methods of enforcement which the CORPORATION will effect to preclude fugitive dust generated by vehicular traffic. For example, will first time offenders be given a written as well as a verbal caution? 2nd time offenders suspended without pay for a length of time and 3rd time offenders dismissed for cause and therefore ineligible for Workman's Unemployment Insurance.

6.6-3 HCN Emissions Control Will the CORPORATION provide the public with assurances that HCN emissions of an accidental nature will be adequately compensated by liability insurance? Will this liability carrier be fully apprised of the attendant risks prior to underwriting the Corporation? Will the Corporation also ensure that only adequately experienced personnel will direct and cause all cyanide additions, transfers, etc. in the way of a P.E. or registered chemist with actual expertise in cyanide handling, including but not limited to:

- a. Emergency Procedures
- b. Neutralization
- c. Personnel Safety Procedures and/or First Aid.

In the last sentence of the aforementioned section... "In addition, the Applicant shall periodically perform airborne surveys to verify potential public exposure to cyanide is inconsequential." Please define periodically more precisely as once per shift, twice per week, once per year etc. Also be quite specific in defining inconsequential.

Additionally, since former Senator J. Tower was passed over for a responsible position due to his alleged excessive drinking, the captain of an Exxon vessel which wreaked havoc on the terrestrial environment, and a British captain removed from his vessel - both of these for alleged excessive drinking, there is another aspect which must be addressed.

What policies will be established by the CORPORATION to preclude incompetence of office at least from excessive drinking?

Sincerely,



Jim Lehmann
 14959 Seneca #19
 Victorville, CA 92392
 Telephone (619) 241-1955

April 17, 1989

County of San Bernardino
 Environmental Public Works Agency
 385 North Arrowhead Avenue, 3rd Floor
 San Bernardino, CA 92415

Attention: Joe Bellandi

SUBJECT: CASTLE MOUNTAIN PROJECT DRAFT EIS/EIR; STATE CLEARINGHOUSE NO. 880622708

Dear Mr. Bellandi:

Subsequent to reading the subject document, several questions cropped up. They are addressed and cross referenced to the EIS/EIR as follows:

- 3.2-21 Gold Recovery Process 2. Acid in contact with carbon which may contain cyanide may prove lethal. For a 70 kg human in ordinarily good health, 50 - 60 mg of cyanide may easily prove fatal. On a concentration basis 150 ppm/v over 4 - 12 hours may prove fatal as may 300 ppm/v for as little as 1/2 hour. With this in mind, what steps will be taken to preclude this.
- 3.2-22 Cyanide in Leach Soil What happens to the cyanide in this leached soil? Is it destroyed or inactivated prior to using the soil for "re-vegetation"? If not, why not?
- 3.2-29 Supplies 2. Acids should NEVER be stored adjacent to cyanide (or alkalis). How will these be stored?
- 3.2-32 Waste Contaminant and Disposal 3. How are the "solvents and other chemicals" to be detoxified on-site? Will specially trained personnel effect the detoxification. What kind of process and/or equipment is necessary? Why isn't this mentioned in the EIS/EIR?
- 3.3-12 Proposed On-site Generation Why isn't natural gas used from the beginning if they plan to use it at a later date? If it is one of economics, then "we the people of the United States" should be able to exercise our rights to not have to put up with degraded air to save a few bucks for "their company".
- 5.6-13 HCN Considerations What are the specific and precise steps which the CORPORATION will take to ensure that any emitted HCN doesn't poison plant personnel, the public and OTHER LIVING THINGS.

John

I am Elizabeth Sherwood Lewis,
currently of Nevada at 202 Myst Drive,
Beaumont, CA 92223.

I legally am a resident of Columbia,
South Carolina, 29203.

I was born in Glendale, CA, and
attended schools in Pasadena and Eagle
Rock until I was 17 years old.

Relative to the proposed mine at
Potho Rock in the Mojave Desert on
BLM land, I must say that environmental
get accused of wanting to lock up
valuable resources but this is not
so. BLM land is owned by the American
public, whether a National Park, a
National Wildlife Refuge or administered
by the United States Bureau of Land
Management, the American public
has the right to access to those
lands. — But when "private" interests
are given access to conduct
business "NO TRESPASSING" signs are
erected and those valuable resources
are locked away from American
citizens and often destroyed for public usage.
Secondly, the argument that a
mine will bring jobs to an area

is usually invalid. The best of the job
openings won't be for people in nearby
communities. Much money jobs are they
guarantee for hundreds of thousands who
live in the surrounding areas? Employees
often are imported rather than hired from
the area due to their experience in the field.

Thirdly, a gold mine of the open
pit variety, such as proposed at Little Rock,
was fought by the residents of Redway,
South Carolina in Fairfield County and
resulted in adjacent "Biggs" K. Hand County
with the support of Surra Co. and, the
South Carolina Wildlife Foundation.

The greatest concern was for the ground
water contamination by cyanide from the
tailings, for dissolved water supplies are
from drilled wells, all contained to be.

After a lot of hearings and regulations
a legal go ahead was given to the
Petroleum Co., who had been actively
going forward with the construction,
as the regulations and regulations with
all concerned parties advised.

Protect Petroleum Co. now assumed
that Redway Mining Co. would be a
"safe" operation, will the mine be able to
be worked to better through?

Letter pg 3

At Redgway, So. Car.
The first gold bar was poured January 31st
of this year after one and one half years
of preparation and construction. Then
British Petroleum announced the sale of
its' mining operations to R.T.Z. Corporation,
including Redgway Mining Co.

This raises questions: Is Canadian
Uceroy Corporation a grant or initial
investor for another corporation in
developing the Castle Rock mine?

What will the life of mining activity be?

How long will there be scale from these
mining operations on Mojave National Park?

What will prevent any mining company
from declaring bankrupt and leaving
~~an~~ unsightly gaping hole and mound?

What protection will be given to
adequately conserve animal and wild life?
Should After mining operations have ceased?

It is unethical to open Bureau of Land
Management to commercial activity without
a thorough Environmental Impact Statement
being prepared.

Letter pg 4.

South Carolina's Redgway Mining Co has
had a waterfowl kill at the tailing ponds
from cyanide in 1988. Deploying cyanide will
set up. More pollution next is an added
problem to nearby residents. The company
is looking for a permanent solution to
wildlife in and around the cyanide pool.
A floating cover does not seem to be a
viable solution. Cyanide is toxic you know.

Please consider the impact of this
mine on Prute Springs. Do not allow
the future of Mojave National Park,
its permanent wildlife population and
migratory waterfowl, be jeopardized by
a foreign companies desire to mine
our gold for another countries benefit.

Thank you all

To Whom it May Concern, ^{per party}

April 22, 1989

I am writing in order to share my opposition to the proposed cyanide heap leach operation by the Canadian Viceroy Corp. in the East Mojave National Scenic Area.

If this operation is allowed, I am convinced that the desert tortoise, and the bighorn sheep will be lost in that area. Their habitats will be polluted and impacted by construction in the area. These areas are irreplaceable and need not be lost due to the greed of few.

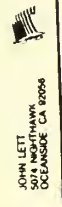
The open pits and cyanide ponds found in such mining areas have no place in a National Scenic Area. Pinte Spring will be at risk in the presence of the chemicals used in this operation. The poisonous affects of such mining have already been witnessed on wildlife in other areas.

Please don't allow the destruction of the East Mojave National Scenic Area, a land filled with wildlife that once gone, we can never replace. Thank you for your time and consideration.

Sincerely,
Susan Mach
Susan Mach
1677 N. Valencia Ave.
San Bruno, CA 94040

S-10-89
Pitt
GALLEY

I am interested in leasing gold mining a true in the desert. My biggest investment is in gold and its sources must be kept open. Jim against Cranstons S-11 Bid.



Please send me a copy of the summary copy of the Castle Mining Project. I do believe the open pit should be allowed.

Sincerely
John Lett

1575 E. Chooy Lake Dr
Fremont, CA 94706

May 9, 1989

Bureau of Land Management
Nauden Resource Area

PO Box 888

Mendocino, CA 92363-0888

Attn: John Buckley
Dear Mr. Buckley:

On the subject of the proposed Castle Mountain gold-mining project, I support the "no project" alternative. The cost is too high in terms of wild-life mortality from rapid poisoning, closed up springs, and therefore death from eroded truck tracks. It is also too high in terms of eroded desert terrain, inadequate reclamation - growth topsoil waste left behind.

Sincerely,
Ann M. Macheski
Ann MACHESKI

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 12 AM 8 41
MAIL ROOM
MENDOCINO, CA

April 7, 1989

County of San Bernardino
Environmental Public Works
385 North Arrowhead, 3rd floor
San Bernardino, CA 92415-0182

Attn: Joe Bellandi

CASTLE MOUNTAIN PROJECT - COMMENTS ON DRAFT EIS/EIR

I have reviewed the summary of the Castle Mountain Project and as a geologist (Municipal Water District involved with toxic clean up) and as an environmentalist (Sierra Club, Nature Conservance, etc.), I did not find and problems with the draft EIS/EIR report.

If the proposed mitigation measure are handled as proposed, I feel that a reasonable compromised has been reached.

Steve Mains

Steven E. Mains
6447 Jaguar Drive
Riverside, CA 92506

JOHN C. MANNING
GEOLOGIST - ENGINEER

May 9, 1989

Bureau of Land Management
Needles Resource Area
Post Office Box 888
Needles, CA 92363-0888

FO BULKHEAD
LAS VEGAS THROUGH 89112

1989 MAY 12 11 51 AM '89

Page 2

mining, and I have had considerable experience in desert hydrology, particularly ground water hydrology.

Proposed ground water pumpage of 450 gpm is less than 200 acre-feet per year. Considering natural recharge from precipitation, the size of Lanfair Valley and the very limited ground water withdrawals now being made, it is questionable whether measurable drawdown would occur at even relatively short distances from the well field. One or two slim-hole piezometers, strategically located, would answer this question easily and cheaply.

The occurrence of several springs in and around the valley is evidence that some of the aquifers are full to the spill point under prevailing conditions. It is doubtful that the wells proposed for this project would affect spring flow unless they were drilled close to the spring opening.

Although little is known about the residence time of cyanide in ground water, I know of no authenticated cases of cyanide poisoning in ground water that were related to heap-leach mining. With the requirements for monitoring wells and the vigorous enforcement of sampling and analytical measures by California authorities, this danger is very small, indeed. And the miner doesn't want to lose any of his cyanide solution -- it has gold in it!

The Mitigation Measures to deal with stormwater runoff sound all right if they are carried out faithfully and completely. Most people tend to underestimate potential stormwater runoff volume and rate -- until they actually experience a real flash flood. I recommend that the miner in this case read a full account of the storm runoff in nearby Eldorado Canyon on 14 September 1974.

I hope this information will be helpful in expediting the EIS review process.

Respectfully submitted,

John C. Manning
John C. Manning

Attention: Mr. John Bailey

Subject: Comments on Draft EIS/EIR
Castle Mountain Project.

Dear Mr. Bailey:

I submit these comments on behalf of Viceroy Gold Corporation.

My name is John C. Manning, and I am emeritus professor of geology and hydrology at California State University, Bakersfield. Although I now reside in Las Vegas, Nevada, I spent many years as a professor and a consultant in California. I am a registered geologist (No. 666) and certified engineering geologist (EG 291) in the State of California. I received a PhD degree in Geology from Stanford University and served as a faculty member at Stanford, Fresno State University and Bakersfield State University. During my years as a private consultant in California I helped prepare and review a number of environmental reports. I am the author of a textbook in hydrology: "Applied Principles of Hydrology", published by Merrill Publishing Co. in 1987.

Having reviewed a summary of the above-captioned EIS, I submit the following:

- The scoping process appears to have identified the primary issues that might impact the environment of the proposed project. The Potential Effects summarized in Table 1.1 are clear and concise statements about things that might adversely affect the project environment. Finally, the proposed Mitigation Measures of Table 1.1 would seem to answer the concerns raised by the hypothetical Potential Effects. Assuming that Table 1.1 accurately reflects the original EIS, I think the study has been extremely comprehensive, and it appears to be a first-rate evaluation of potential environmental constraints affecting the Viceroy project.
- Since water resources is my main area of expertise I would like to briefly discuss this section of the EIS. I have had some experience with cyanide heap-leach gold

copy
sent

May 12, 1988

Bureau of Land Management
Attn: John Bailey
P.O. Box 888
Needles, CA 92305-0888

Sir

It is my opinion that Vicroy Gold Corporation's Castle Mountain Project should be approved. I have reviewed the Draft Environmental Impact Statement, and have been in the area, and see no significant reason for following the project to go through.

Sincerely yours

Steve Meyer

Steve Meyer
13361 Mariposa Apt 7
Apple Valley, CA 92308

SEARCHED
SERIALIZED
INDEXED
MAY 15 1988
FBI - NEEDLES

copy sent
May 8, 1988

Dear Ours,

I've lived in Searchlight and I really feel that the Castle Mountain Gold Mine would really benefit our community in the benefit of creating more jobs for the people, and help the communities growth.

Thank you
Dennis Hackett

SEARCHED
SERIALIZED
INDEXED
MAY 15 1988
FBI - NEEDLES
Dennis Hackett
PO Box 209
Searchlight, NV.
88946

EMILY JAY

MAY 16 1989

BUREAU OF LAND MANAGEMENT
NEEDLES, CA. 92363

GENTLEMEN -

I AM A GOLD PROSPECTOR WITH CLAIMS NEAR
BARSTON AND I WANT YOU TO KNOW I
SUPPORT THE "CASTLE MOUNTAIN PROJECT".

Conant MacArthur
2670 S. MYRTLE AVE. #105
MONROVIA, CA. 91016

RECEIVED
BUREAU OF LAND MANAGEMENT
NEEDLES, CALIF. 92363
MAY 15 AM 11:42

R N Martin
PO Box 21
Phelan
California 92371-21
(619) 868-6606



4/25/90

Needles Resource Area
Bureau of Land Management
PO Box 888, Needles, CA 92363-0888

Subject: Castle Mountain Project

I fully support the Viceroy Gold Corporations Castle Mountain Project. We must stop killing the goose that lays the golden egg. When working the land is economically viable, be it mining, farming, livestock or other we cannot afford to outlaw it. Doing so will only provide further opportunity for foreign sources to supply the same product at the expense of American Industry. This area has already had intensive mining operations and because of that has become a land mark in the Lanfair Valley. With all of the reclamation demanded of Viceroy (and accepted by them) the resultant impact on Lanfair Valley should not offend anyone unless he is a rabid environmentalist.

Sincerely

R N Martin

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 APR 26 PM 9:50

To who it may
 concern my name
 is Robert mason
 and I Strangle
 wife the Bureau
 to Do what it can
 to stop the Canadian
 Viceroy collaboration from
 using CYANIDE to
 leaching process to extract
 gold particles from ore at
 castlemtn, in the eastern
 region of the est. mojavic
 national scenic area, an
 area proposed for a national
 park please consider
 Plute springs →

And there are
 wildlife water some
 Sincerely

Robert
 mason



No poison

Please

abt mason
 3400 wings road
 sweetman ave, ca
 91403

RECEIVED
 1989 JUN -8 11 46

Gentlemen:
 The plan to hurry the give away
 of a ~~new~~ new gold mine within
 territory which is to become the new
 Mojave National Park is a scandal.
 It makes us wonder whose friend is
 going to get it. Enough of this back-
 scratching. You forgot also, that we
 taxpayers fund the foundation
 of our government, it is time
 to quit giving away our resources.
 Sincerely,

Lay Martin
 638 E. Walnut Ave, Orange, CA 92667

J. Bailey
John Bailey
Bureau of Land Management,

May 11, 1989

We are greatly concerned over the damage that the mining at Castle Mountain Mine will create in the East Mojave - over the result on wildlife and habitat.

Our particular concerns are regarding the cyanide heap leach process and the depletion of the area's water. The leach process should be an absolutely closed cyanide system to protect the wildlife. The large water requirements, using Finte Springs and the aquifer, will have a great effect on animals in the area, and we are highly concerned about that!

Sincerely,
Corinne D. Magowan
Wilbur W. Magowan

*John
Draile*

Thomas W. McAndrews
8812 HOLLY CANE
RIVERSIDE, CA 92503

Castle Mtn Project
B.F.M.

I support desert recreational mining and the Castle Mtn. Project. They have done many things to protect the animals, birds and environment.

There are all important to responsible miners, as well as preserving the right to mine.

Thomas W. McAndrews

RECEIVED
BUREAU OF LAND MANAGEMENT
RIVERSIDE, CA

1989 MAY 15 AM 11:23

C.3-115

KAREN L. MCKEE
P.O. Box 396
Running Springs, CA 92382
(714) 867-3578

Karen L. McKee

RECEIVED
BUREAU OF LAND MANAGEMENT

1989 MAY -5 10:15 AM

May 2, 1989

U.S. Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363

Subject: Castle Mountain Project
Mr. John Bailey.

I am outraged that the Bureau of Land Management (BLM) is considering this mine. The BLM's conservation record is abysmal and the fact that you are considering a gold mine which will employ open pit and cyanide leaching methods in the East Mojave Scenic Area is evidence that you have little intention of improving that record.

The business plan for this mining project is bad for the citizens of San Bernardino County and for the country for several reasons.

- 1) The mine will be placed in the middle of an area which is described even in BLM planning documents as containing unique scenic resources. How are billowing dust clouds from heavy equipment, open pits hundreds of feet deep covering many acres and piles of ore tens of feet high covered with plastic netting consonant with the scenic value of this enchanting land?
- 2) The mine will be in an area which is being considered for a national park. It would be tragic if this mine were to destroy the landscape just as it became a national park. It would be even more tragic if national park status was delayed or denied because of the existence of this and similar mines. It is incumbent on the BLM to determine the impact of the mine on proposed Mojave National Park *before* digging begins.
- 3) The BLM plan for the East Mojave designates Lanfair Valley as a low-intensity use area. By what torture of the language is open pit, heap leach mining defined as low intensity land use? The citizens of San Bernardino County participated in the process which resulted in this low intensity designation and are looking to the BLM to abide by and implement the plan as written.
- 4) The destruction of animal and plantlife habitat will be extensive. One of those most severely affected will be the desert tortoise. Most life in the desert is lived on the edge. It doesn't take much added adversity to push desert species into extinction. The desert tortoise is now threatened with exactly that because of the strains human activities have placed on it. How much poorer the desert will be without the little tortoise! We have no right - *you* have no right - to further endanger this animal in the name of a few ounces of gold.

5) The draft EIS/EIR is totally inadequate in its examination of the effect of this project on the water resources of the region. Common sense tells us that an arid region such as the East Mojave cannot sustain groundwater depletion at the rate of 450 gallons per minute without ill effects. The statements made by the writers of this EIS/EIR that there will be no significant effect on water levels at Piute Springs would be laughable were the consequences not so serious. Hydrogeologists commenting at the hearing on this project which was held in San Bernardino on April 18 indicated that the groundwater analyses made for the EIS/EIR were inadequate because they failed to document the water pathways between the project site and Piute Springs and because they used mathematical modeling techniques which have been shown to have no predictive value. Without thorough analysis, how can the EIS/EIR state with such assurance that the springs will not be affected? And if the springs *are* affected, what will happen to the big-horn sheep? It will be too late for "mitigation".

The price of the water to be used in this project is also an issue. This is a desert. Water is scarce in the desert. Resources which are valued by free market supply and demand forces have high prices when they are scarce. Federal subsidies interfere with this process. The price of the gold which comes out of desert ground ought to reflect the true cost of doing business in the desert. That price should include a cost of water which accurately reflects its very, very scarce nature. There should be no subsidizing of the cost of water for this project. Certainly the citizens of the United States should not be subsidizing natural resource depletion being carried out by corporations of other countries.

6) The "reclamation" plan put forth by the EIS/EIR is ridiculous on its face. Leaving huge holes in the ground and piles of dirt, rock and debris which have been painted like a Hollywood set does not constitute reclamation. Plans to revegetate are unworkable. Again, we're talking about the desert where it takes years for plants to grow a couple of inches; where optimum conditions must exist for seed germination; where infrequent but violent rains falling on sandy soil wash young plants away. The BLM will utterly have failed in its duty to safeguard the resources of the area if it allows this project to proceed without guaranteeing that the pits will be filled in, the piles of rubble leveled and that the soil and groundwater will be free of cyanide residue. The bond posted by Viceroy ought to be very large. Large enough to guarantee that although the vegetation will take many decades to regenerate the Mojave will at least not resemble a moonscape and not be rendered uninhabitable by hazardous waste.

7) The EIS/EIR is entirely inadequate regarding monitoring the compliance of Viceroy with the conditions imposed on them by this environmental assessment. If the BLM is charged with the task of monitoring the mine's operations, what criteria will it use? The mitigation proposals have not been reduced to measurable data. Before this mine should even be considered for approval, the environmental impacts and the plans for overcoming them must be quantified so that there will be a standard against which BLM can monitor compliance.

8) The plans for the project fail to include a method to handle a worst case failure. The proposed bond is inadequate even to guarantee reclamation. It will certainly be inadequate for a major clean-up of

groundwater if the cyanide gets away from the leaching pads or if a major wildlife protection effort becomes necessary as a result of actions at the mine. If there is anything to be gained from the Exxon Valdez accident it is that we can learn that people must be willing to contemplate the unthinkable. No one in government or at Exxon believed such a disaster would happen so the quick response plan which could have minimized the damage was not maintained ready for immediate implementation.

In summary, I believe that this project will cause tremendous degradation of the East Mojave Scenic Area and that this damage is unnecessary because the project is unnecessary. These are all the grounds the BLM needs to deny the project - if it wants to conserve the East Mojave for future generations. Does it?

Thank you for your attention to this matter.

Karen McKee

Karen McKee

5-2-89
EMILEY

Dear Sirs,

I would like you to know that I support the Castle Mountain Project.

Joyce J. McCall
10349 Alexander Ave.
Fontana, Ca 92335

RECEIVED
BUREAU OF LAND MANAGEMENT
MAY 15 1989
MAY 15 1989
MAY 15 1989

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY -5 AM 10:14
NEEDLES, CALIF.

May 2, 1989

Dear Mr. Bailey,
The rape of this country by
the own government is
shameful. Please don't be a
part of it. The Castle Mountain
Project must be stopped. The
resultant storage tanks of sand
would be a monument to
stupidity. The lakes would be
worse. The citizens of this country
don't want this project.
Listen!

Sincerely,
Margaret M. Stemm
10254 Riverside Rd.
Apple Valley, Ca. 92308

May 2, 1989

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY -4 PM 1:44
NEEDLES, CALIF.

Mr. John Bailey
Bureau of Land Management
Needles Resource Area
P. O. Box 888
Needles, CA 92363-0888

Dear Mr. Bailey:

I am writing to you about the proposed Castle Mountain gold mining project that is currently under BLM review. I have read the summary DEIS/EIR and have visited the Castle Mountain property recently. I am a Professor of Geology at U. C. Riverside, where I teach courses in Economic Geology and Groundwater Geochemistry. Thus, I feel that I can comment as a private citizen with substantial authority on the proposed project.

I am highly supportive of conscientious multiple use of the California Desert. In particular our wealth of rock and mineral resources makes possible our exceptionally high standard of living. Mining companies that make reasonable efforts to extract these resources within the framework of environmental constraints are to be encouraged, and I believe that Viceroy Resources is such a company. Their hydrologic modeling of anticipated groundwater effects and design for enclosing the cyanide leach circuit appear adequate and reasonable to me. They are making every effort possible to minimize the adverse effects of mining on the flora and fauna of the Castle Mountains area. California can be proud that it expects and obtains such levels of environmental concern from companies who operate within its borders.

I urge the BLM to approve this project, and to congratulate Viceroy Resources for their efforts in environmental compliance.

Sincerely,
Michael A. McKibben, Ph.D.
23296 Sonnet Drive
Moreno Valley, CA 92387

2/11/89

May 11, 1989

Mr. John Bailey
Bureau of Land Management
PO Box 888
Needles, CA 92363

Dear Sir,

I am writing to state my concern over the proposed cyanide-type gold mine which will be located in the Mojave National Park area. I am strongly opposed to this type of mining operation, and to this specific company as well. The desert is such a fragile ecosystem that I believe this mine is inappropriate and would be extremely damaging to the environment. The impact of the project on limited water supplies, and the danger to desert tortoise habitat and local bird populations have not been adequately addressed. Nor do I have any faith that clean-up and restoration of the area would take place to any acceptable degree. How do you intend to police the area? The BLM is overextended as it is.

I urge you not to jump at this "opportunity", which is beneficial only as a money-making scheme for some company. Please protect what exists now that should be safeguarded for all our children to love and learn from. The "no-action alternative" is the best action to take. Please don't let yet another section of desert be degraded.

Sincerely,

Sara Mealy
Sara Mealy
1009 N. College Ave.
Claremont, CA 91711

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BUREAU OF LAND MANAGEMENT
MAY 15 11:45 AM '89

Encl

RECEIVED
BUREAU OF LAND MANAGEMENT
MAY 15 11:41 AM '89
NEEDLES, CA

Christine E Mead
6508 Simon Dr
Pasadena, California 91106

May 10, 1989

Mr. John Bailey
Bureau of Land Management
Needles Resources Area
P.O. Box 888
Needles, CA 92363-0888

Dear Mr. Bailey:

I am writing concerning the draft EIS of the Castle Mountain Project, which threatens to change the landscape, alter riparian habitat, poison the land with toxic waste dumps, and decimate tortoise populations.

Piute Creek is the only year-round flowing creek in the East Mojave. Viceroy's plan to withdraw some 450 gallons of water a minute from Lanfair Valley, which is the source of water for Piute Creek, will almost certainly divert water from Piute. In Viceroy's search for gold, wildlife will be threatened by toxic ponds and two crucial desert tortoise habitats will become mining scars.

I would consider BLM's approval of the draft EIS of Viceroy's Castle Mountain Project a decision to approve an incredible amount of environmental damage and spend my tax dollars contrary to BLM's purpose. I am writing to ask that you disapprove the draft EIS. Please keep me informed of the progress of this project.

Sincerely,

Christine Mead
Christine Mead

~~DO~~

A-23-89

DEAR BLM,

I AM SENDING THIS LETTER TO YOU TO LET YOU KNOW THAT I AM IN SUPPORT OF THE CASTLE MOUNTAIN MINING OPERATION.

THANK YOU,
Tony Meyer
6976 Smoke Tree #170
PHELAN, CA. 92371

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY -1 AM 10:41
PHENIX, AZ

May 2, 1989

BLM,
I want to voice my opinion about the open pit Merin in the Mojave. I feel that Desert tortoise habitat will be impacted by road & mine construction. Big Horn Sheep habitat will be lost. The potential impact to Piute Spring is not worth the risks. New open pits & Cyanide ponds should not be permitted within the National Scenic area. Thank you for taking the time to read this note.

Axetia Meyer
607 McKinley Dr.
Redlands, CA 92323

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY -3 AM 8:55
PHENIX, AZ

0.3
Lumber

RECEIVED

MAY 15 11 10-50

May 13, 1989

Mr. John Bailey
Needles Resource Area
Post Office Box 888
Needles, Calif. 92363-0888

RE: Castle Mt. Project
DEIS/EIR

Dear Mr. Bailey:

We strongly support the NO ACTION ALTERNATIVE concern-
ing the Castle Mountain Project. We have recently moved from
El Centro to Redlands, California. As you probably are aware
Imperial County approved and currently has in operation a
cold strip mine just east of Glamis. For those of us who saw
the natural beauty of that area before the mine operation com-
menced and now is indeed sickening and depressing sight. As
in similar cases the desert tortoise habitat "problem" is resolved
with a posted chain link fence. Such a flimsy resolution is, in
our opinion, an insult to the precepts of environmental integrity
and the real concern for the future existence and well-being of
the Desert Tortoise.

Before you seriously consider approving the Castle Mt.
project we urge you and your staff to visit the Glamis area and
see what havoc man has wrought there and try and picture any
kind of restoration and/or reclamation worthy of the name.

Please add our name to your mailing list for all future
actions and/or announcements concerning the Cast Mt. Project.

Larry & Pearl Miller
1322 Village Street
Redlands, CA 92374

Sincerely yours,

Larry & Pearl Miller

John Bailey
Area Manager
Needles Resource Area
PO BOX 888
Needles, California 92363

Dear Mr. Bailey

Enclosed is a receipt of the Sarcobata
Mining District fully support the
Castle Mountain Project.

Sincerely,
Dennis J. Miller
President
Sarcobata Mining District
PO BOX 273
Sarcobata NV 89498
PH. 702-292-1501

get you
May 9 1989

MAY 12 1989
MAY 12 1989
MAY 12 1989

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 APR 26 AM 9:49
FBI

Handwritten signature

April 23, 1989

Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363

Attn: John Bailey

Regarding: CASTLE MOUNTAIN PROJECT

I strongly support the "No Project" alternative. This project would be too hazardous to water supplying Piuete Creek, its riparian oasis and endangered species (elf owl). Tortoises would also be threatened as would many species exposed to the cyanide leach ponds. Address
Sincerely, Richard Miller foretext →

I recently enjoyed a week in our lovely Mojave Desert.

Upon my return, I was told a Canadian Company might strip mine an area around Piuete Springs and pump water out of the ground. I am shocked and outraged that this project is even being considered.

This fragil environment needs all the support and protection we can give it.

Please do not even consider this disasterous proposal.
Thank you.

Sincerely,

Carol Moller

Carol Moller
6 Surrey Lane
San Rafael, CA 94903

DEAR MR BAILEY,

Yours truly
Nancy

I can not understand how the BLM can even think of letting this VICEROY CO. (CANADIAN) come over and destroy land looking for only what you call MICROSCOPIC gold, from any point you look from in this DESERT AREA you can see the damage already done by miners who have the so called big equipment to tear up the hills around us, I'm sure there ARE other places where they can mine in there own AREA why here. we who live here dont want toxic matter of any kind buried, Flooding in the air such as cities, water is a very precious item here and most of all to those animals and people whom live out in there's FAR AWAY places. This could be known as the country's FIRST NATIONAL SCENIC AREA and wont be without there's OASIS and the wildlife gone from it. I strongly vote "NO" to this kind OF ABUSE to the desert it's had

Enough already, why let this copanacy come in and search for such a tiny amount of gold and get rich. (and we leave some or another of all of what's left clean land or ARE we all so greedy to not think of the land, and wildlife which God gave, I must admit that I am an animal lover more than anything else, to ruin land for the joy of a few specks of this precious gold is silly. I hope you will truly ~~consider~~ consider the situation more.

Thank you
Nancy Dawn Mollenhour
400 Highland
Barstow, Calif.

92311

Vote "NO" on Castle Mountain Mine

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 12 AM 9 52
HERZOGS PERFORMANCE AREA
HERZOGS, CA
C.3-123

9041 Sajebrook St
Apple Valley, Calif 92308
13 May, 1989

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 16 AM 10:17
NEEDLES RESOURCE AREA
NEEDLES, CA.

JFB

Bureau of Land Management
Needles Resource Area
P.O. Box 800
Needles, Calif 92365-0800

Attn: John Bailey

Gentlemen:

I wish to express my concern about the proposed
Castle Mountain Mine project.

Having reviewed the Draft Environmental Impact
Statement/Report, as a Civil Engineer I find the
hydrologic conclusions to be faulty. The effect of
project water demand on existing water from
Lanfair on Private Creek will be disastrous. This
coupled with disposition of the water after
processing will be very detrimental.

Further, mitigation efforts are inadequate, in
particular with regard to protection of animals
and migratory birds. This extends to restorative
measures for the site after termination of
mining operations.
Side effects, such as damage to tortoises and
other native animals cannot help be severe.

Sincerely,
Joseph H. Monor

Mr John Bailey
Bureau of Land Manag-
ment

I have been a reser-
ent of searchlight for
10 years I am in favor
of Vicorey Gold Code for
Mountain We need the
jobs and think it would
be good for searchlight

Cherrillo
Monterey

702-897-1110
OR
714-997-0385

10565 Cedarhill cir
Villa Park Cal
92667

388
5/15/89

RECEIVED
BUREAU OF LAND MANAGEMENT

1989 MAY 15 AM 11:03

NEEDLES RESOURCE AREA
NEEDLES, CALIF.

5/15/89

Dear Sirs:
I fully support the Castle
Mountain Project.

May 9, 1989

Dad Moon
8350 Mango
Montana, Calif. 92335

Bureau of Land Management
Needles Resource Area
Attn: Mr. John Bailey
Post Office Box 888
Needles, California 92363-0888

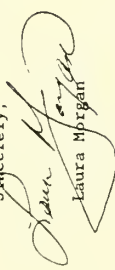
Re: Castle Mount Project - San Bernardino County, CA

Dear Mr. Bailey

I am writing this letter with reference to the Viceroy Castle Mountain Project. I have been a resident of Nevada for several years and seeing what mining can do for an area, I feel that this project should be allowed to proceed. These natural resources should be utilized, and thus allowing the economy to benefit. Do not condemn this project on the basis of the mistakes that were made in the past, but condone it for the benefits that it will bring to the state.

Thank you for your attention and cooperation in this matter.

Sincerely,



Laura Morgan

1989 MAY 15 AM 11:45
NEEDLES, CALIF.

SMILE
JUL 1974

UNIVERSITY OF CALIFORNIA, RIVERSIDE



BERKELEY • DAVIS • IRVINE • LOS ANGELES • RIVERSIDE • SAN DIEGO • SAN FRANCISCO

SANTA BARBARA • SANTA CRUZ

DEPARTMENT OF BIOCHEMISTRY

RIVERSIDE, CALIFORNIA 92521

RE: Castle Mt. Project DEIS/EIR.

Dear Mr. Bailey,

I strongly support the no action alternative. The Castle Mountain mine project will cause significant impacts in the National Scenic Area. The DEIS is inadequate in its description of such impacts and the effectiveness of the proposed mitigation efforts. Specific reclamation plans are omitted and it's overly optimistic as to the success of the limited revegetation called for.

I would like to see this region, i.e. Puke Spring, remain untouched for the enjoyment of persons, including my children. The analysis in the DEIS indicates some impact on this region - for this reason alone, the Castle Mt project should or must be denied.

Please add me to your mailing list pertaining to future documents & announcements related to this misguided project.

Sincerely,

Simon Judley

DR. SIMON JUDLEY Ph.D. (CUMM)

RECEIVED
MAY 15 1974
UNIVERSITY OF CALIFORNIA
RIVERSIDE

April 23, 1989

Handwritten signature

Dear Suo.

I was unable to attend the meetings held on the proposed open pit and cyanide ponds by the Canadian Viceroy Corporation in the last 40 years scene area.

I am opposed to permitting any open pits or cyanide ponds within this area. The disruptive and destruction to wildlife habitats - especially the bighorn sheep and desert tundra habitats is not worth the risk. There is the potential negative impacts to Pinto Spring.

Please do not allow these activities to take place.

Sincerely,

Handwritten signature
L. Moser, 12375 11th Street, Jacaranda,
CA 92399

5-11-89

To Whom is Concerned:

It is my deepest conviction that the Castle Mountain Project of Viceroy Resource Corp has done their utmost to provide responsible protection of the environment and land reclamation. I support the approval of the project and believe it will enhance the local and State economy.

Handwritten signature
P. K. Morton
245 Virginia Pl.
Costa Mesa, CA 92627

5-2-89

jit
5/15/89

We are in favor of the
Castle Mountain Project

Al + Fran Mayner
405 E. Arrow Hwy. -
Flarment, Ca. 91711

NOV 2 1989

Robert C. Muench

5461 Tynhurst Walkway No. 1
San Jose, CA 95123

May 9, 1989

United States Department of the Interior
Bureau of Land Management
California Desert District

Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888

Attn: Mr. John Bailey

Ref: Castle Mountain Project Proposal
Environmental Impact Statement, February 1989

Dear Mr. Bailey,

I have recently been privileged to read the referenced environmental impact statement and report, which you sent to a friend in conservation. I was amazed at the amount of effort and quality of research expended on this excellent study. I hope that my comment will be in time.

Please enter my statement that I oppose the proposed Castle Mountain Mine development for environmental reasons.

It is my impression from direct observation that the Mohave Desert is being threatened and its ecology already nearly destroyed by development incursions. I have read that there is legislation pending to restore and preserve California and Nevada desert-lands as national preserves and monuments. I certainly hope this proposed effort will be successful, and I sincerely thank you and your district administration for your efforts to preserve our national heritage.

Yours truly,

Bob Muench

RECEIVED
MAY 15 11:37
1989

505 1/2 Modoc Ave.
Reno, NV 89509
May 7, 1989

John Bailey

REC'D AND
FILED
MAY 11 11 31 13

Needles Resource Area
Post Office Box 888
Needles, CA 92363-0888
Attn: John Bailey

Re: Draft Environmental Impact Statement for the Castle Mountain Project

Dear Mr. Bailey:

I submit the following comments concerning the draft EIS. While I have serious concerns about the effects of the project on the diverse ecosystem of the East Mojave Scenic Area and the ability of the leach ponds to contain the contaminants, both from leaching to the groundwater and from surface water spills, I limit my comments to the analysis of the regional groundwater system. The Piute Creek riparian system must not be affected by the project and I have serious reservations about the adequacy of the analysis.

1. Concerning Figure 4.3.6, the evidence provided by the water levels in the wells and the discussion concerning the geology does not support the location of the equipotentials along the Piute Range. The Piute Range has a much smaller hydraulic conductivity than the alluvial fill in the Lanfair Valley and the ridges of the range provide a minor recharge zone. It is more likely that a groundwater divide exists along the Piute Range. If flow does occur under the Piute Range, the gradient would increase to 4.5% and there should be more springs along the elevation of the Piute Gorge spring. This comment implies the total basin area draining through the Piute Gorge increases which means the spring represents more of the total recharge to the basin.
2. The groundwater mound shown around five wells on the south boundary along with water elevation in wells 27BSI and 33DI and the impermeable rock in Hackberry Mountain and Woods Mountain indicates a groundwater divide along the south side of the basin. This again increases the recharge area draining to Piute Gorge.
3. Figures 4.3.1 and 4.3.6 show surface water drainage divides crossed by washes. This shows a certain sloppiness of work, but more importantly, if those washes are also paths of groundwater flow (disputed in comment 2), the existence of the mountains would dam the water causing a high water table in the narrow washes. The high water table should support a community of water seeking plants (such as mesquite). These are not mentioned in the EIS and I do not recall having seen any during my visits to the area,

4. Ignoring the arguments above, I am able to verify the water balance for the basin presented in the EIS. If the groundwater divides mentioned in comments 1 and 2 exist, approximately 2000 acre-ft. of water per year leaves the basin through the Piute Gorge area.
5. An assumption allowing me to verify the water balance in comment 4 is that the recharge estimates are correct. I am not familiar with the relation of recharge and annual precipitation used in the EIS, but I question its applicability here. If it was derived for the Great Basin portion of Nevada, it is totally inapplicable because of differences in rainfall pattern. The project basin receives a substantial portion of its rainfall in high intensity events. The Great Basin receives most of its precipitation from snow, which recharges much better. Rainfall must first infiltrate and replenish soil water before it can recharge the groundwater. This is a rare occurrence in the Mojave Desert because of the higher intensity rainfall events. Recharge estimates for the Lanfair Valley may be grossly overestimated.
6. During the occasions I have visited Piute Creek, it was certainly flowing greater than c. 45 gpm as reported in Table 4.3.1. This point is crucial, because measured surface flow represents up to 30 percent of the value of total groundwater movement through the basin. This is downstream of much riparian vegetation whose use is another five percent (1 mile * 100 ft. width * 7 ft./yr.). These percents assume the recharge estimate is accurate (I do not) and that all discharge from the basin is through Piute Gorge. If I am correct in assuming the majority of flow exiting the basin is through the Piute Gorge, the surface flow and riparian vegetation usage represents most of the recharge to the basin because the high bedrock causes most of the flow to surface.
7. The value of hydraulic conductivity is very low. I am able to verify the travel times in the EIS, but I question the value of K. I did not see a mention of the texture of the alluvium in the basin; the reported K values are that of fine sand or of a gravel with interstices filled with sand and clay. I do not question the well tests at the proposed well field, however I do question their applicability to the entire basin. A value for colluvial material is easily 100 times higher than the reported values. This would reduce the travel time to 8 years.
8. In summary, I view the Lanfair Valley and aquifer as a large lake holding a million or so acre-feet of water. The

only inflow is recharge which is less than 1% of the total storage; the only outflow is through the Piute Range near the Piute Gorge. Since the inflow approximates the outflow in a steady state system, the removal of several years worth of recharge must affect the outflow at Piute Gorge. The remaining, unanswered (because of insufficient conductivity and initial condition data) question is whether the effect would be spread over a 1000 years or over 10 years. The answer is of obvious importance to Piute Creek.

I urge you to require further groundwater investigations to better establish the initial conditions for the model and the aquifer hydraulic conductivity. Thank you for this opportunity to provide my comments on this EIS.

Sincerely,
Thomas J. Myers
Thomas J. Myers

5/8/89 ^{7:50 PM}
B.M.L.7

*Mr. Early
My husband has been
in advising all his life &
the mine without would give
him & among other books with
in a very deposit area - yes!
we need the mine & we will
help support you in any way
to get it going*

Carol Howell

*Carol Howell
Box 51
Spanish Fork, Uta
84665*

RECEIVED
MAY 15 AM 11:33
BUREAU OF LAND MANAGEMENT

5/11/89
228
5/11/89

Dear Sir:

After reviewing the summary and other data on the "Castle Mountain Gold Project" my opinion is —

Since the environmental damage resulting from this project seems relatively small, and the positive effects of employing 150 people, programs for protection of the environment, large investments in the local communities, and various revenues, etc. to the state and country — I strongly urge that the "Castle Mountain Gold Project" be approved and encouraged.

Sincerely

John R. Nichola
(Retired after 33 yrs. in mining industry)

J. R. Nichola
5402 E. Main St.
Wheat, Ar. 85205

MAY 15 1989
MAY 15 1989
MAY 15 1989

Jack Newell
Box 157
SEARCHLIGHT NEV
89046

RECEIVED
MAY 15 11:09 AM '89

No. Outley
This mining project should be done — I have over 19 years experience in this area for 19 years and I believe that mining could be well understood in this state — I have been mining for 43 years and you'd like to have a job working there along with many other people — we need this here — back lead on how this would cut water & Pt. Route — Bullshit They are very wrong — I have flown all this area — Different water flow

Jack Newell
Box 157
SEARCHLIGHT NEV
89046

April 9, 1989

To: John Benley
Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888

Subject: The P.S. Hart clay Mine located in the Costik Mts.

Dear John, I believe I have met you at your office in Needles, about two years ago when I was looking for help in locating a geologic deposit about ten miles south of Searchlight, Nevada.

I am a mining geologist who was mining the ball clays at the P.S. Hart clay mine for the Ceramic firm of Shaddings McBean and Company, I mined this valuable clay from 1953 until 1978. The mining campaigns usually lasted for three to four months, every other year. There were very enjoyable years for me. We usually lived at Ft. Pecos at the then Polycorp mine in Bunk house. Usually three mining campaigns were scheduled in the winter months, to mine the summer heat.

The P.S. Hart mine was an excellent white ball clay that in the raw state is pink. This whole area is a white and pink colored rock area with border of tan brown colored, colored pyrophyllite-lane flows.

The white pink was exposed by the mining equipment used, which were diggers & D20 Scrapers. The colors

exposed here were caused by the stripping off of the surface pyrophyllite rock.

To me this mine is a beautiful sight to behold, & because it is a man made by this exposure. During the by air is also an interesting thing to see, which I have done several times, over the years.

The multiple use plan as applied here is good, it is tourists, gentlemen and miners can all enjoy and see this great desert of ours.

Sincerely yours
Norman M. Nichols

*Note All the mining claims formerly owned by Shaddings McBean and Company are now owned by Viceroy. Gold Corporation, who has a good, viable project in this old mining district.

Norman M. Nichols
1007 N. Bradford Ave.
Placerville, CA 92672

WILLIAM L. O'BRIEN
4719 WILDWOOD WAY
RIVERSIDE, CA 92503

Mr. Alex Bailey
Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888

24 Apr 1979

Dear Mr. Bailey:

As a longtime lover of the desert I oppose the Castle Mt. mine project because it will impact the East Mojave National Monument area. I will kill the proposed national park in that area. Therefore I support the No Action Alternative.

The draft environmental impact statement is deficient since it does not require complete reclamation.

Sandy cyanide solution will contaminate the environment and cost the taxpayer billions of dollars for clean up. The harm that from out experience with the cost of the lead

Strong yellow acid pits cleaning. The mining operation will cause loss of Desert Tortoise habitat and the death of many more birds.

Please put me on the list for all future decisions and environmental related to Castle Mt. Project.

Sincerely,
William J. O'Brien

May 11, 1989

Needles Resource Area
P.O. Box 888
Needles, California 92363
Attn: John Bailey

RECEIVED
MAY 23 AM 10:22
NEEDLES, CA

Dear Mr. Bailey:

I am writing to you regarding the Environmental Impact Statement (EIS) submitted to the BLM for the Castle Mountain Project in San Bernardino County, California. The comments I have concerning this document are restricted to the sections dealing with the Geology, Hydrology and Hazardous materials (cyanide solutions) addressed in the EIS. I have a Master's degree in Geology with an emphasis in Geochemistry and I also have a background in hydrogeology and ground water models/management. I am presently employed by the Geological Research Group at the Unocal Science and Technology Division in Brea, California.

GEOLOGY

The section concerning the Geology of the Castle Mountain area as presented in the EIS appears to be derived from a literature review concerning mostly bedrock Geology. I suspect that Viceroy Gold Corporation has more detailed geological information, but this may be of a proprietary nature if it concerns the economic development of the gold resources under consideration. I am concerned with the paucity of original work of a site specific nature addressing the bedrock (e.g., older than Quaternary) and the more recent sediments. A more detailed assessment of site Geology should be made to address problems concerning:

- (1) local heterogeneity of Tertiary - Quaternary deposits. These rocks will be important to consider if potential effects of ground water pollution are to be accurately assessed in the study. The Quaternary to recent sediments need to be accurately assessed in order to establish an effective ground water monitoring program which should be required for the life of this project. The Quaternary Geology of the region was very general and no attempt was made to present a coherent picture (e.g., lithologic sections, detailed cross sections at the site, drilling or trenching logs, well logs, etc.) of this important topic. It does not suffice to say that there is a significant Pleistocene section and supply a general lithologic description of these sediments!
- (2) locate and identify local and regional volcanic features and lithologies. The young age (Quaternary) of volcanic rocks in the area suggest that there may be local faults which were associated with volcanism. A combination of aerial photo/satellite imagery may be useful in identifying disruptions in local ground water flows (vegetation anomalies?) associated with recent faulting.
- (3) The porosity and permeability data presented in the EIS for volcanic rocks are not representative of the actual permeability of these rocks in the field. Volcanic rocks are full of fractures (e.g., breccias), textures and fabric elements (flow structures) which contribute to the field permeability of these rocks. An example of this is known from the petroleum literature as the oil field at Railroad Valley, Nevada produces oil and water from volcanic rocks in the subsurface!

HYDROGEOLOGY

I agree with Dr. Robert Curry (Watershed Group Consultants- see public scoping volume of EIS package) concerning the lack of "actual" hydrogeologic data presented in the EIS and the numerous assumptions which are made in defense of the statements in the EIS. If ground water resources are to be accurately assessed the EIS should include data for specific storage and porosity of sediments, the distribution of sediments in the zone of saturation and variations in the saturated thickness across the site and in adjacent areas.

Reference was made to a ground water balance, but the numbers used to assess the "safe yield" question for the basin were not presented in the EIS. In regions such as the Castle Mountain area we are often

engaging in the "mining of ground water resources". It is very probable that Dr. Curry is correct in his assessment that an overdraft of local ground water resources would occur.

I suspect that there are "geological" controls on the distribution of ground water resources within the basin (e.g., zones of high permeability associated with the distribution of lithologies and/or fractures in the basin). Given the lack of "hard data" (from pumping tests and monitoring wells) presented in the EIS concerning the hydrogeology and the assumptions made in the ground water model (i.e., radial dispersion of the cone of depression), I do not see how the effects of ground water withdrawal required by this project can be accurately assessed by the Applicant.

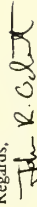
These factors are important in an examination of the distribution of ground water resources in the basin, and in the evaluation of the potential distribution of ground water pollution sourced at the site.

HAZARDOUS MATERIALS

The cyanide leach process is fraught with potential pollution problems if the material is not handled properly. This topic was addressed by the EIS in an effective manner. However, I want to point out several reservations I have about the proposed process:

- (1) The process includes the maintenance of the cyanide solution at high pH values to help prevent the escape of HCN gases. I am concerned that the pH will naturally change as the solution percolates the leach material (ore) and it will be expelled at a pH considerably lower than that of the primary cyanide solution. This process will take place at a site where the temperature range can be from 8 to 109 degrees F. I am concerned that the formation and escape of HCN under these conditions will be unavoidable unless the process is fully contained.
 - (2) The soil and areas adjacent to the site contain clays of a volcanic origin (p. 4.2-15). The combination of an alkaline cyanide solution in the presence of free calcium carbonate and smectite clays is "NOT EFFICIENT" in the containment of cyanide migration in the subsurface (Canter, Knox and Fairchild, 1988, p. 157). On the contrary soils with low pH, in the presence of kaolin, chlorite or gibbsite type clays and the presence of iron oxides tend to attenuate the migration of cyanide species. I would suggest that all of the holding ponds and piping which is designated to hold the cyanide solution should be set in a base of kaolin or gibbsite type clay. This would help to contain any accidental leakage from these facilities during the life of the operation. And "NOTE:" the clays in the vicinity of the site are NOT suitable for this purpose!!!!
- To sum up, I have many reservations about the use of this method for the mining project at Castle Mountain. I am very concerned about the potential to pollute ground water resources which exist in the area. I am also concerned that the draft EIS submitted by Environmental Solutions (Irvine) for Viceroy is seriously deficient in its analysis of the Quaternary - Recent Geology of the site and its evaluation of ground water resources in the region. I would suggest that these items be re-evaluated in more detail before permits are granted for this operation.

Regards,


John R. Odernatt

Reference

Canter, L.W.; R.C. Knox and D.M. Fairchild, 1988, Ground Water Quality Protection: Chelsea, Lewis Publishers, Inc., 562pp.

1989 APR 28 AM 11:07
NEEDLES NATIONAL AREA
NEEDLES, CA.

24 April 89

DEAR SIRS:

I THINK THAT IF
BIGHORN SHEEP HABITAT AND
DESERT TORTOISE HABITAT IS TO
BE AFFECTED BY THE
INTRODUCTION OF A MINE IN
A NATIONAL ~~SEMI~~ AREA;
THEN THERE SHOULD BE
NO MINE; OR AT LEAST MORE
CONSIDERATION OF THIS PROJECT
TO THE ULTIMATE BIOLOGICAL
ADVANTAGE.

Thank you

T.R. O'Grady

GISS ARCYL
SAN BERNARDINO, CA 92404

May 1, 1989

Bureau of Land Management
Doolittle Casuarina Drive

P.O. Box 888
Hoodless, Wn.

Dear Sirs:

I have been for a long time ^{concerned} about
destruction in the desert. Harold Sam Grady is
concerned about the threat to the feet
of the water supply and the loss of the desert
tortoise and all the wild life in general,
from the Organ Pipe cactus to the junco.

Please see how the desert for the tortoise
is being lost.

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY -3 AM 8 59
NEEDLES, CA

San Bernardino,
790 West 2.5 St.,
CA 92405.

1989 MAR 27 11:36

March 23, 1989

BLM
Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888
Attn: John Bailey

We are writing to be on record in opposition to the Castle Mountain Project. Mitigation measures would not be adequate to protect the environment. A project of this magnitude in the East Mojave National Scenic Area should not be approved pending the outcome of current Congressional legislation on desert protection. Because of the high water use, degradation of ground water resources in the Lanfair Valley is unacceptable.

Water usage for the proposed project is extremely high, especially for an arid ecosystem. Not enough protection is given to the groundwater table in the Piute Spring area. Monitoring wells should be drilled upflow from Piute Springs. If the water level/flow drops, the producing wells should be shut down immediately--not studied to determine the impact. If the operators of the proposed project are confident in their "no significant impact on Piute Springs Area," then they shouldn't balk at agreeing to turn off the wells if any adverse impact occurs at the Springs.

Sincerely,
Gery Ostertag
Rhonda Ostertag
George Ostertag
Rhonda Ostertag
4303 25th Ave. NE
13
Salem, OR 97303

*copy to
8 May 1989*

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 11 PM 3:07

NEEDLES RESOURCE AREA
NEEDLES, CA

DEAR SIR:

I support the "no project" alternative. Piute Creek is so valuable a resource in the East Mojave, for its source to dry up by water diversion for a mine.

As an Area of Critical Environmental Concern, Piute Creek must be protected for wildlife habitat and the benefit of all

*Thank-you
Tance R. Orville*

*6158 Anyke
San Bernardino, Ca
92404*

Correct 7/8/89

RECEIVED
Mrs. Jane H. Overy
P. O. Box 286
1989 Searchlight, NV 89046
MAY 6 1989
SEARCHLIGHT, NV

Bureau of Land Management
Needles Resource Area
P. O. Box 888
Needles, CA 92363-0888
Attn: Mr. John Bailey

Dear Mr. Bailey:

As a citizen of Searchlight, I want you to know, I support the Viceroy Castle Mountain Project. I have lived here for ten years and this is the second time that I can remember any mining company making sure that a town knew all the things they intended to do before they started to work, unlike the many mining companies who have come and gone in those ten years. This project, although it is to be located in California, is very important to the citizens of Searchlight, because it will offer jobs to our area residents. Also because of its close proximity to Searchlight, one is only to assume that the mine will support the town in many ways.

I know there are many people who spend their time trying to discourage such things as mining, using the excuse that the mining will destroy the animal populations etc. (personally I wish they would use their energies, worrying about the millions of human beings throughout the country who need food and shelter). I am a great lover of nature and the wide open spaces, spending many hours rock hunting, but I feel that with the proper management we can all live together. This county needs to explore and mine their resources in order to help cut down on mineral imports.

Our elected officials, spend millions of our tax dollars to equip and support the many entities which are responsible for making sure the mining laws are followed, so I see no reason a responsible mining company can't have a mine that is run properly. This particular mine will be located miles from any town. In answer to the cattle owner who said some of his cattle were hit, I feel it is his responsibility to make sure the cattle are inside a fenced in area. The use of a country road isn't any different than a major highway, and cattle are killed on the highways all the time. It is my hope, that responsible people will see their way clear to stand on the side of their fellow man. There are enough laws to protect us all, miners and the animals alike, so let the enforcers of those laws do their jobs and let the miners get on with their work.

Sincerely;

Jane Overy

*Bureau of Land Management
Needles CA, 92363
Attn: John Bailey*

5/5/89

Dear Mr. Bailey,

Regarding the Castle Mountain gold mining project, I am strongly against the project and am making a citizen request that it not be implemented for several reasons.

The project, which is vast, will result in the loss of many acres, drying up a major spring & affecting the natural beauty of the area.

Yours truly,

Frank Cotton

FRANK COTTON

PO BOX 5805

SEARCHLIGHT, NV 89046

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 15 AM 11:41
NEEDLES RESOURCE AREA
NEEDLES, CA.

2441 E. Glenbrook Blvd
Alameda Ca 91206
May 3, 1989

Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, Ca Attention: John Bailey

Dear Mr. Bailey
I do not believe the gold mining of Castle Mountain
should be economically reasonable as it
will leave us with all the waste while
Canada does the mining and Japan take the gold.
The cost is too high in terms of wild life mortality,
from eye and poisoning, dried up springs and
identifiable deaths from toxic traffic. It
destroys desert terrain and leaves toxic waste.

I support the "no project" alternative.
Sincerely,
Lilly Paddock
Lilly Paddock

RECEIVED
BUREAU OF LAND MANAGEMENT
MAY - 8 AM 10 24
NEEDLES, CALIFORNIA

(Handwritten scribble)

3585 Balboa Drive
Reno, Nevada 89503

20 April 1989

Mr. John Bailey
Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles California 92363-0888

Dear Mr. Bailey:

I have received a copy of the Castle Mountain Project
Environmental Impact Report prepared by Environmental Solutions
for Viceroy Gold. I am most impressed with the completeness of
the report in addressing all readily conceivable impacts (and
many not easily conceivable). There can be little question as to
this report identifying what the impacts will be. No EIS done on
any Nevada operation is as thorough as this.

Concerns of the public should be reduced to what the mitigation
procedures are to lessen or remove the impacts recognized. I
would not comment on most as my qualifications are not good
enough. However, I would like to comment on visual impacts since
I like what Viceroy is proposing. The clay pits at the south end
of Castle Mountain have been a major eyesore since I first
visited the Lanfair Valley and the New York Mountains in 1982.
What Viceroy is proposing for reclamation is a major improvement,
an improvement that will not be made unless Viceroy should be
permitted to proceed this fall.

Sincerely,

(Handwritten signature)

Robert H. Page

mcp

May 8, 1989

Mr. John Bailey
BUREAU OF LAND MANAGEMENT
Needles Resource Area
Post Office Box 888
Needles, CA 92363-0888

Dear Mr. Bailey:

It does take a long time to sink in, but projects like the Castle Mountain Project are no longer sensible. Our population is too big; our natural areas too small.

The benefits of this project are miniscule to the citizens of the United States versus the enormous damage.

Let's tell the Canadians to explore their own wide open spaces.

Sincerely,

R. J. Paige
Raymond J. Paige and
Patricia C. Paige

61 The Point
Coronado, CA 92118

RECEIVED
THRU MAIL ROOM
MAY 11 1989
MAIL ROOM

JJB
Bailey

LJM

Please pass the
Castle Mtn Mine A
is very important
for Slacksby Economy

June Parker
P.O. Box 215
Searchlight



1989 MAY 10 AM 9:56

Frank Bailey

8008Vintage Way
Fair Oaks, Calif.
May 13, 1989

Bureau of Land Management
P.O. Box 888
Needles, Calif. 92363

Att: John Bailey

Dear Mr. Bailey:

I am a resident of Sacramento, Calif. and wish to express my support for the development of gold mining in the southern Calif. desert.

We need to continue to utilize the California desert to produce minerals including gold. It is my understanding that Viceroy Gold has completed an environmental impact study indicating no negative impact upon the environment.

In view of this favorable report, I urge your approval for the development of gold mining. Thank you for your consideration and support.

Very truly yours,
Truman Passmore
Truman Passmore

TP:mz

Frank Bailey

JUN -5 1989

ROSALIND A. PATRONE
43544 Bryant St
Fremont, CA 94539

May 10, 1989

United States Department of the Interior
Bureau of Land Management
California Desert District

Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888

Attn: Mr. John Bailey

Ref: Castle Mountain Project proposal
Dear Mr. Bailey,

Thank you for the informative and interesting environmental impact statement and report which you recently sent to me. I have read it carefully, and was amazed at the amount of research and effort expended on this excellent study.

Please enter my statement that I oppose the proposed Castle Mountain Mine development for environmental reasons.

It is my impression from direct observation that the Mohave Desert is being threatened and its ecology already nearly destroyed by development incursions. There is legislation pending to restore and preserve California and Nevada desert lands as national preserves and monuments. I certainly hope it will be successful, and I sincerely thank you and your district administration for your efforts to preserve our national heritage.

Yours very truly,

Rosalind A. Patrone

C.3-141

1-10-1989

MILLS COLLEGE

Page

May 10, 1989

U.S. Bureau of Land Management
Needles Resource Area
101 West Spike's Road/P.O. Box 888
Needles, California 92363
Attention: John Bailey

RECEIVED
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I have reviewed the draft EIS/EIR for the Castle Mountain Project, dated February 26, 1989. My purpose was to assess the adequacy of mitigation efforts as related to revegetation of the project site. My principle concerns are as follows:

1) The document assumes the success of a poorly defined and highly speculative revegetation program (pg 1.1-11). Quantitative goals for artificial and natural recovery need to be established as the responsibility of the applicant (Viceroy Gold Corporation) prior to issuing the permit. Without such clearly defined goals and measures of success, we have no guarantee that any significant amount of revegetation, by dominant, native species, will occur as implied in figures 5.8.2, 5.8.3 and 5.8.4. How much reconstructed plant cover will the applicant be legally required to produce? What will the final species composition be when the company is allowed to recover its bond? The words "feasible" and "reasonable" are used to answer these questions in the document, but they do not indicate the actual commitment needed to revegetate and lands to meet compliance with SMARA. This document does not present clear goals for reclamation of public land, nor does it address the many technical, legal and financial issues that are of central importance to all mitigation efforts.

2) The timeframe for revegetation and monitoring needs rigorous definition. "Long-term", as used in the document, could be relative to the length of the project (10 years) or relative to the length of time required for meeting revegetation goals (50-100+ years). Only the latter is acceptable from an environmental impact perspective. I also question whether or not the bond money can be held for the amount of time needed to meet revegetation goals. This should be required so that the applicant has a good incentive for achieving those goals, even after the life of the project.

There are also some omissions regarding the length of time needed for natural recovery of the vegetation from disturbance. The document mentions a 30 to 60 year interval (pg 5.4-5) and cites U.S.G.S. 1988 (actually Webb et al. 1988). It fails to mention that Webb et al. were referring only to short-lived species (e.g. *Hymenoclea salsola*, *Chrysothamnus viscidiflorus*, and *Sipa speciosa*), which are not the principle dominants on the project site. The dominants, as specified on pages 4.4-2 and 4.4-3 of the EIS/EIR, are long-lived species that would not establish significant cover during

the 30 to 60 year period. In fact, the recovery of Blackbrush scrub vegetation dominated by *Coleogyne ramosissima* was found to require centuries, if not thousands of years (Webb et al. 1988 pg 23). *Larrea tridentata* and *Ambrosia dumosa* required 100 years or more, depending on a number of soil factors (Webb et al. 1988 pgs 1-2 and 51-58). Other researchers have come to this same conclusion (see item 3 in my appended letter of 8/10/88), indicating that significant recovery of the vegetation (and, therefore, wildlife resource) will occur only as the result of the artificial revegetation program conducted by the applicant. We cannot, therefore, expect natural processes to ameliorate the impacts of this project for several generations.

3) The bond does not require any degree of revegetation success - it only requires attempts at reseeding and transplanting. Feasibility will be determined after the on-site revegetation studies are completed (pgs. 3.2-54). At the very least, these conditions do not indicate that the applicant is committed to succeeding with respect to revegetation. If initial mitigation efforts fail or yield only meager results, what commitment does the applicant have with respect to recovery? Surely, the conclusions in Table 1.1.1 would be invalidated (that is, there would be significant impacts on vegetation and wildlife), but the applicant could still walk away with the bond money if it went through the motions of reseeding and transplanting. This is not at all reasonable. The bond conditions should commit the applicant to concrete goals with respect to revegetation.

4) The document does not call for baseline measurements of the vegetation (cover, density, spatial pattern, canopy height, species composition). Such parameters, measured in undisturbed regional vegetation, should be used to suggest goals for mitigation.

5) There is too much reliance upon an unspecified "revegetation research program". Although the applicant is to be commended for proposing and funding such a project, its design, time framework, and scope of operations should be specified in the EIS/EIR. This is because the entire nature of the revegetation effort depends on what the program determines is feasible and appropriate. Successful mitigation will require, therefore, that the research is adequately funded, thorough and performed by experts.


Given the uncertainty and difficulty of vegetation restoration in the arid west (see item 2 of my appended letter), I suggest that a) the mining operation be delayed for at least 5 years and b) that an on-site research program be started immediately in order to address the major problems of site preparation, salvaging, propagation, transplantation, seeding, weed control and long-term survival of native shrubs. This would provide the necessary information prior to major disturbance and remove the tremendous uncertainties that the EIS/EIR fails to address.

In summary, the draft EIS/EIR of the Castle Mountain Project does not adequately provide for the mitigation of impacts to 890 acres of arid land vegetation. It does not specify the goals and timetable of the revegetation effort, and in effect, absolves the Viceroy Gold Corporation from its responsibilities under FLPMA and SMARA. The

applicant should be legally and financially committed to revegetation by 1) specifying the goals and timetable of revegetation, 2) modifying the conditions of the bond to include meeting revegetation goals, even if mitigation efforts extend beyond the life of the project, and 3) beginning the revegetation research program at least 5 years prior to the start of the mining operation.

Thank you very much.

Sincerely,



Bruce M. Pavlik, Ph.D.
Associate Professor
Department of Biology
Mills College
Oakland, CA. 94613

APPENDIX TO PAVLIK LETTER TO BLM A1
5/10/89

August 10, 1988

Patricia Schifferle
Regional Director
The Wilderness Society
1791 A Pine St.
San Francisco, CA 94109

Dear Ms. Schifferle:

I have reviewed the document entitled "Castle Mountain Project, Item 1. Mining Reclamation Summary Form and Mining Reclamation Plan" of May 1988. My purpose was to assess the adequacy of the proposed revegetation effort and its prospects for success. My concerns fall into four categories: 1) There are no clear goals that define the responsibilities of Viceroy Gold Corporation in achieving successful revegetation, 2) The document does not address the technical difficulties associated with artificial revegetation of arid lands, 3) There is a high reliance upon natural revegetation, which is extremely slow, uncertain in direction and, therefore, an inappropriate source of mitigation, and 4) There are a number of inaccurate or vague statements that need correction or clarification.

1) Many studies, including those conducted by and for BLM, point to the necessity for long-term commitment to concrete goals for reclamation. Those goals need to be outlined in detail so that long-term monitoring can reveal whether or not revegetation is successful and if additional time and money need to be spent by Viceroy in order to achieve success. What will the recovered plant community be like? How much reconstructed plant cover is Viceroy committed to produce? How much cover by invasive, weedy species will be acceptable? What will the final species composition be when Viceroy's responsibilities are allowed to elapse? This should also be in the interests of the mining company because their obligations may stretch 30 or more years beyond the date of project termination (see below). This document does not present clear goals for reclamation of public land, nor does it address the many technical, legal and financial issues that are of central importance to all mitigation efforts. In fact, the first statement made about reclamation in the Castle Mt. application (pg. 31) leads me to question the commitment of Viceroy to long-term, expensive and arduous revegetation efforts. "Viceroy will reclaim disturbances wherever conditions and current reclamation technology permit". This could be interpreted as a disclaimer as well as a statement of technological reality.

2) The document does not directly address the difficulty of artificial vegetation restoration in the arid west. Cook et al. (1976) reported that in order to restore a Shadscale scrub community (whose environment is cooler and receives more rainfall

A2

than the Creosote Bush scrub community at Castle Mountain) a 30 year recovery effort was required for only 6 common species. Recovery of this desert vegetation not only had low success (30% revegetation with target species), but it had the longest recovery period of all the community restoration projects surveyed by Thornhaug (1979).

Studies of the most common Mojave desert plants, many conducted under contract to BLM, have repeatedly shown poor germination, emergence and survival. Kay (1976) and Kay et al. (1977) worked with many species, including Creosote Bush (*Larrea tridentata*), using modern techniques for broadcast seeding and transplanting. They report (pg. 6 paragraph 1) "spot seeding [of *Larrea*] in early winter gave very poor emergence and no plant survival. Transplant survival after two years was also poor with only 12% recorded". Subsequent studies (e.g. Kay 1979) have shown improved success on some sites, but a considerable amount of effort went into those attempts at revegetation. Kay (1979) concluded (pg 22 paragraph 8): "Results from seeding in this area [the western Mojave Desert] of extremely low and erratic rainfall can be expected to be equally poor and erratic even if the best techniques are used. Site disturbance should if avoided, if possible....". There is no evidence in the present document that intensive, long-term and competent efforts will be made to overcome these technical difficulties and revegetate the disturbed areas.

In addition, the document does not address the problem of weed management, which will be substantial over the life of the project and during subsequent reclamation and recovery. Undesirable species like *Salsola*, which is already abundant in the area, will become more so in the presence of soil disturbance. *Tamaria* will also invade the water ponding areas. Any temporal gap in weed management could thwart subsequent reclamation efforts, especially where the perennial species are concerned. Regarding his work on the L.A. Aqueduct, Kay (1979) reported that "the 2-4 year delay in seedling allowed an invasion of annual plants that are not common in undisturbed areas (*Erodium*, *Amsinckia*, *Sisymbrium*, etc.). Competition from annual plants is one of the most common deterrents to shrub establishment".

3) There is a heavy reliance upon "natural succession" or "natural revegetation" to mitigate the extreme forms of disturbance to be generated by this project. Natural succession in the desert is an extremely slow and uncertain process. It is complicated by the fact that soil disturbance (especially compaction by vehicles and heavy machinery) retards recovery and creates conditions for the invasion of aggressive, weedy species.

Several important studies of desert recovery from construction and off-road vehicle impacts have demonstrated that natural succession will not re-establish the existing vegetation within 30 years post-project. For example, natural succession along a 34 km strip of Mojave Desert disturbed by the construction of a natural gas pipeline (Lucerne Valley) did not reestablish the dominant Creosote Bush (*Larrea tridentata*) vegetation (Vasek et al. 1975). Whereas the surrounding control areas had over 40% cover by creosote bush, there was less than 0.5% cover on the berm and trench portions of the construction 12 years later. Of all species encountered in the sample transects, less than 5% were the long-lived perennials that dominated adjacent control sites. The vegetation of the Castle Mountain site is dominated by the same long-lived perennials studied in the Lucerne Valley (e.g. *Ambrosia dumosa*, *Larrea tridentata*, *Hilaria rigida*,

A3

Yucca brevifolia), of which the authors comment "30-40 years is far too optimistic an estimate of regenerationespecially in sites with very high percentages of long-lived species" (pg 10, paragraph 3). They conclude that "Desert vegetation then, as exemplified by the creosote bush scrub community, is fragile and easily destroyed, but does have a long term potential, probably measured in many centuries, for recovery from even drastic disturbance such as a pipeline". I might point out that one of the authors of that paper (H. B. Johnson) worked for the BLM as a project manager on the Desert Plan Staff.

Other studies of natural regeneration of *Larrea tridentata* and *Eurocaelus acanthoides* (both important species at the Castle Mountain site) have shown that germination and establishment are rare events, occurring in intervals of 30 to more than 100 years (Barbour 1968, Jordan and Nobel 1981). The uncertainties associated with the desert environment do not allow us to predict the recovery of even the most common plant species.

Given the slowness and uncertainty of natural revegetation, especially under the conditions of extreme disturbance proposed by the project, it should not be invoked as part of the reclamation effort. Doing so amounts to an abdication of Viceroy's responsibilities to reclaim the land within a realistic time period.

4) The Reclamation Plan contains a number of errors and vagaries that need to be corrected or clarified. These include:

- a. pg 9 (Table 3-1) - How was disturbance measured or assessed? Are all forms of disturbance (grazing, vehicle impact, mining, etc.) treated the same? It is impossible to interpret what 70% disturbance means. Is it a lack of vegetation cover or the presence of weedy species or a disrupted soil surface or a large hole in the earth?
- b. pg. 20 (Table 3-3) - As stated at the bottom of page 20, the field survey may have been inadequate, given the uncertainties of the desert, and unable to fully document the native flora. What will happen if populations of sensitive species are found on the site? Is there any possible recourse to minimize impacts?
- c. pg. 27 (para 4) - Time frameworks for reclamation are necessary for reasons stated above.
- d. pg. 28 (top) - What is the purpose of the research program? Does it have a bearing on revegetation efforts? If so, it needs to have defined goals, funding, etc. Who will conduct it? The recovered seeds need to be cleaned and stored using the best available technology (see Kay's work) if they are going to be useful for reclamation.
- e. pg. 28 (para 3) - Which grasses will be used for erosion control? Certainly not non-natives that would prevent reestablishment of the native grasses and shrubs. This is an important point - all species used in reclamation need to be native to the site and derived from local seed sources.

A4

- f. pg 28 (bottom) - Again, I point out that weed management is going to be very important, especially around open ponds of water.
- g. pg 31 (para 4) - Barrel cactus salvage is fine, but its relation to revegetation is not clear. Where will the salvaged cacti be replanted? When? There is a real problem with the time framework of these events if salvage, project operations and revegetation are separated by more than a month. What will be the purpose of the salvage, other than to prevent the wastage of the cacti?
- h. pg 32 (top) - Yucca schottigera is difficult to re-establish for a variety of reasons (see Kay's work).
- i. pg 35 (para 2) Will there be a long-term monitoring program to determine if revegetation goals were met? Given the great lengths of time required for artificial and natural revegetation, will this monitoring extend beyond the life of the project? Who will be responsible if monitoring reveals the need for further efforts?

Thank you for giving me the opportunity for comment on the document.

Sincerely,

Bruce M. Pavlik, Ph.D
Assoc. Professor of Biology
Mills College

A5

Literature Cited

- Barbour, M.G. 1968. Germination requirements of the desert shrub Larrea divaricata. Ecology 49, 915-923.
- Cook, C. W. 1976. Surface-mine rehabilitation in the American west. Environmental Conservation 3, 179-183.
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- Kay, B.L., 1976. Tests of seeds of Mojave Desert shrubs. Progress report. BLM contract No. 53500-C74-2(N). 48 pp.
- Kay, B.L. 1979. Summary of revegetation attempts on the second Los Angeles Aqueduct. Mojave Revegetation Notes 22, 1-24. UC Davis Agronomy and Range Science.
- Kay, B.L. 1977. Creosote Bush. Mojave Revegetation Notes 9, 1-10. UC Davis Agronomy and Range Science.
- Thorhaug, A. 1980. Recovery patterns of restored major plant communities in the United States: High to low altitude, desert to marine. In: Cairns, J. (ed.) The Recovery Process in Damaged Ecosystems. Ann Arbor Science. 167 pp.
- Vasek, F.C., H.B. Johnson and D. H. Eslinger. 1975. Effects of pipeline construction on Creosote Bush scrub vegetation of the Mojave Desert. Madrono 23, 1-13.

C. FARSHALL PAYNE
Consulting Geologist
34071 Pequito Drive
Dana Point CA 92629

NOV 20 1988
FEB 20 1989

Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888

ATTENTION: JOHN BAILEY
SUBJECT: CASTLE MOUNTAIN PROJECT, Viceroy's Castle
Gold Corporation, Eastern San Bernardino County, Comments to the EIS/EIR

Gentleman:

I am voicing my opinion on Viceroy's Castle Mountain Project in eastern San Bernardino County. I am very familiar with the project having prepared portions of the EIS/EIR, Geology and Water Resources Sections. Though I am not technically qualified to comment on all portions of the EIS/EIR I will give my personal qualified opinion on one of the primary issues, "the impact of groundwater withdrawal on the Lanfair Valley aquifer and its relationship to Piute Spring".

A great deal of thought, investigation and analysis was directed toward the Piute Spring issue. Based on direct geologic evidence and combined with the knowledge of desert groundwater basins, there is little doubt that there is limited hydrologic continuity between the West Well Field in the northern part of Lanfair Valley and Piute Spring in the southern portion (a distance of 15-plus miles). Though Piute Spring appears to be down gradient from the project site, there is an apparent buried bedrock ridge lying between the two points within the valley. This partially concealed bedrock ridge is judged to be an effective groundwater barrier. For conservative purposes the groundwater barrier was eliminated from the models to help prove that even if there was hydrologic continuity between the West Well Field and Piute Spring there would be no noticeable adverse effect of discharge at the spring. There are several other lines of evidence to indicate that Piute Spring is not issuing water derived directly or in total from the Lanfair Valley northern portion.

I am confident that the quantity of proposed groundwater to be withdrawn for the Castle Mountain Project will not impact Piute Spring. Careful well monitoring will insure that overdraft conditions are not taking place.

Thank you for letting me express my professional opinion.

Sincerely


C. FARSHALL PAYNE
C.E.G. - 367

C.C.
County of San Bernardino
Environmental Public Works
385 N. Arrowhead, 3rd Floor
San Bernardino, CA 92415-0182
(Attention: Joe Bellandi)

*Bill
Bailey*

May 12, 1989
SCH# 880622708

U.S. Bureau of Land Management
Needles Resource Area
101 West Spikes Road/P.O. Box 888
Needles, California 92363

Attention: John Bailey

Gentleman:

I support the approval of the Castle Mountain Project. The Draft EIS/EIR has adequately addressed the probable environmental and social impacts and identified appropriate mitigation measures and reclamation.

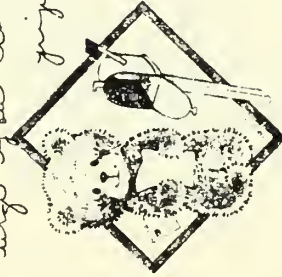
I believe the interpretive site and viewing area describing current mining operations and the history of the Hart Mining District to be important and appropriate for the multiple use management of the East Mojave National Scenic Area. The East Mojave deserves recognition for its important mineralization as well as its aesthetic beauty. An effort should be made to retain as many of the old mine workings as possible for historical purposes as well as for the excellent habitat they provide for wildlife.

I support the Searchlight Access Route. Route monitoring should include strict adherence to the 35mph speed limit to reduce road kills and litter control so that ravens will not be attracted which may prey on juvenile desert tortoise.

Thank you for the opportunity to review and comment on this important project in the California Desert.

Sincerely

Greg Pelka
Greg Pelka
5603 Pimenta Ave.
Lakewood, CA 90712



*Mr. John Bailey
Bureau of Land Management
Box 888
Needles, CA 92363 - 0888*

5/14/89

*Dr. Mr. Bailey
I am in favor of the project's
creation of a viewing area and
of the interpretive site. I will be
in the vicinity of the project.
I have several suggestions for
improvement of the project. I
am from the project. I
will be in the vicinity of the
project.*

*Greg Pelka
5603 Pimenta Ave.
Lakewood, CA
90712*

1989 MAY 15 AM 11:03
NEEDLES RESOURCE AREA
BUREAU OF LAND MANAGEMENT
U.S. DEPARTMENT OF THE INTERIOR

Mr. John Bailey
Needles Resource Area
Post Office Box 888
Needles, CA 92363-0888



May 10, 1989

Dear Mr. Bailey,

This letter informs you of our specific comments regarding the draft Environmental Impact Statement for the proposed Castle Mountain gold mine in the eastern Mojave desert. We should state that in view of these criticisms we support only the NO ACTION ALTERNATIVE to this project, and oppose the development of any mine of this sort.

1) The project will seriously impact a crucial desert tortoise population through direct destruction of habitat, increased vehicular traffic, and waste production (industrial toxics and increased raven population due to garbage). Proposed mitigations are inadequate or nonexistent. With the mine operating, what will the response be from Viceroy and from BLM when these mitigations fail? The desert tortoise is likely to achieve state and federal listing in the near future. Is it appropriate to further endanger an already stressed species such as the desert tortoise? These critical concerns are not specifically addressed.

2) The project will significantly alter and degrade the landscape with a huge pit and rock heaps. Major restoration is not intended by the applicant, which begs the question, "Is such a permanent monstrous scar to be tolerated in a National Scenic Area (and proposed National Park)?"

3) The economic analysis of the project does not consider the benefits to surrounding communities of a Mojave National Park as an alternative to the Castle Mountain Project. This is a valid point of consideration in view of pending legislation, the substantial long-term economic stimulus that parks have historically provided to neighboring communities, and the significant environmental and aesthetic degradation of the area to be brought about by the mine.

4) The gold mine will potentially have significant impacts on the local aquifer. The large amounts of water needed for this process will lower the water table, very possibly affecting the flow at nearby Piute Spring. This free-flowing spring represents a very rare condition in the desert, and is an irreplaceable water source for a great diversity of desert wildlife. It is, in short, a matter of life or death for many creatures. Additionally, the use of cyanide and the production of toxic by-products from the leaching process do pose serious threats to the water supply. Yet the EIS very matter-of-factly treats all these

problems as "solved" and, thus, not significant. But what if the simplistic predictions and limited mitigations offered turn out to fall short? These serious concerns are given no discussion.

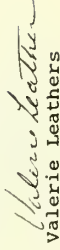
5) Large volumes of cyanide-contaminated water are a direct threat to wildlife. Proposed mitigations to isolate cyanide solution from wildlife are of questionable effectiveness, and substantial alternative methods to protect birds, mammals and reptiles must be considered.

With regard to all these criticisms, we repeat our view that the NO ACTION ALTERNATIVE is the only acceptable option for the Castle Mountain project proposal.

Please keep us informed as to future hearings, decisions, and documents regarding this project.

Sincerely,


Holme Peters


Valerie Leathers

24051 Groven Ln.
Moreno Valley, CA 92387

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NEEDLES, CA

J.P.P.
SMILEY

CASTLE MTN Project

BLM

Needles Resource District

P.O. Box 888

Needles CA. 92363

of an very supportive
of the CASTLE MTN Project.

Major w Pinsky

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May 12, 1989
J.P.P.
SMILEY

The Castle Mountain Project
is a good thing for our Country
and the Area.

Its safe

Its American

Its good

Keep our fingers working.

Albert Pituck

901 S. 6th Ave S.P. 389
Needles, California
91745

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3508 Barrett Way
La Brea, Ca 91204
May 3, 1989

Bureau of Land Management
Attention: John Bailey

Bureau of Land Management
Boulder Resource Area
PO Box 888
Needles Ca 92363-0888

Letter: John Bailey:

Dear Mr. Bailey:

After reading the report on the Piute
Mountains we would have it would seem
we likely that you would find
such a project. How would you much
of a project would be. It is too large
to pay for. I would prefer in light of
the hazards and the impact of
need life.

Please, don't allow this to happen.
Thank you.

Michael Phoenix

4/30/89

Regarding the Piute Creek / Castle Mt. mining proposal:

I was once a frequent user of the Mojave Desert, and I view with alarm the proposal to allow the Viceroy Corp. to mine the water of Piute Creek in pursuit of gold. From what I have read of the project, I see no way that sever adverse impacts can be avoided. I am concerned about overdrift of the Creek, contamination from the cyanide leaching process and loss of habitat for the desert tortoise and other species. If this project is to proceed, at a minimum I earnestly hope that these mitigations will be considered: Use of an outside water source; impoundment of all cyanide ponds; and an effective guarantee that tortoise habitat will be preserved.

bold mining is a destructive, disruptive activity that tears up huge amounts of land for marginal results. My real fear is that no practical mitigation exists that will make this an acceptable use of the resources of the area. The public interest would be best served, it seems to me, if the whole project could be delayed and re-studied in the context of the proposed National Park.

Sincerely,
Alan Pierpoint
576 S. Eureka St.
Redlands, Ca. 92373

Alan Pierpoint

May 3, 1989

Bureau of Land Management
Needles Resource Area
Post Office Box 888
Needles, CA 92363-0888

ATT: John Bailey

Dear Sir:

This is the first letter of environmental protest that I have ever written. I think there must have been many others who, like me, have been saddened by land development in our country with little regard to the future. I think that there now must be those same many who have been pushed from sad to mad and are now ready to stand up and be counted. I believe we will be a force to be reckoned with.

Please list my name among those who vehemently object to the proposed Castle Mountain mine. I fear the loss of the Piute Creek's water supply, the loss of wildlife, and the specific danger to native tortoises. Please heed the warnings of the USGS. Do not approve the permits for this project.

Thank you.

Sincerely,

Linda G. Pluss

*May 9, 1989
3508 Burnett Way
La Crescenta CA
91214*

Copy

Dear Mr Bailey

I'm writing specifically about the Castle Mountain gold mine project. I'm in favor of the no proposal alternative

The cost would be too high considering the amount of water used, wildlife mortality from cyanide poisoning and massive truck traffic. In addition there would no doubt be the problem of dried up springs and toxic waste by products

*Sincerely
Robert J Plummer
ROBERT J PLUMMER*

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CALIFORNIA STATE UNIVERSITY - SAN BERNARDINO

SCHOOL OF NATURAL SCIENCES
TELEPHONE (714) 807-7341

15 May 1989

The California State University
Dear Sirs:

I am writing in response to the proposed Castle Mountain Project (draft EIS/EIR) in San Bernardino County, California. I made a public statement at the April 18 meeting held in San Bernardino, and would like to restate a few points of concern I have about the project. I am an assistant professor of biology at California State University, San Bernardino, and have a great deal of experience working in the Mojave desert.

First, I am very concerned about "revegetation" following mining operations at Castle Mountain (and elsewhere). There are many shortcomings in the draft as it relates to revegetation, not the least of which is the fact that we know *very little* about revegetation of severely disturbed desert habitats, yet in reading the draft one would think that revegetation were not only well understood but an easy task. I read a lot of vague promises in the draft, but nothing that assures me that anything substantial will be done to insure revegetation. After hearing the same empty promises for years, I think it is time that the BLM (and the people of this state) demand that the mining interests put their money where their mouth is, and *really* do something about revegetation. To begin with, a sizable bond should be required to insure compliance prior to breaking ground. Then, an ongoing commitment to study revegetation processes and strategies should be required in the form of funding *independent* research on the topic (rather than hiring an "in house expert" to study the problem). If every mining operation operating in the county's desert contributed to such a fund, financing research at southern California's colleges and universities, we may actually be able to find solutions which will make the prospect of mining California's desert a lot easier for everyone involved - the mining industry will be able to satisfy critics by showing exactly how they will go about returning the habitat to its natural state, the County and BLM may be more able to put a price tag on expected reclamation projects, and the environmentalists will have a tool by which they can help reclaim the many mining scars currently marking our deserts. However, without basic knowledge about the effects of disturbance on desert plant germination and growth requirements, I foresee nothing but very slow progress, increased environmental damage and a lot of lip service with little or no action. We are dealing with a *very* sensitive, fragile ecosystem about which *little* is known.

My second concern has to do with the fact that this project is being considered in a desert tortoise habitat, yet little attention was paid to the effect on the population (and the species, for that matter). As is true for most portions of the draft dealing with the biota, most of the statements were qualitative (not quantitative) and vague at best. For example, the impact of the project on desert tortoise populations was found to be "not significant" because "their density is expected to be very low". First, what does "very low" mean? Compared to what? Excuse me, but *very low density* is one of *the* criteria for placing species on threatened/angered lists in the first place, yet now this same criteria is being used to argue for allowing them to be killed? Where are the numbers, where is the logic? Secondly, nowhere did I see an account made of the *total* impact of the project on the desert tortoise population - road kills PLUS deaths of on-site resident tortoises PLUS loss of habitat for those living offsite but utilizing the site for foraging territory PLUS those killed by ravens PLUS any other contributing factors. All told, the sum of all these factors could be a devastating blow to the local population, and I stress "could" because without thorough research we can't even begin to guess - and when we are dealing with sensitive species like this we shouldn't be guessing. Focusing on each contributing factor independently, as this report did, minimizes the true impact of the total project, and it is this *total impact* which will be felt by the tortoise populations. The mining company goes to great lengths to quantify the mining end of the operation to assure the county that money will flow from the project (and to assure themselves that the project is

economically feasible), yet falls short of providing convincing arguments that the biological half of the equation will fare as well. Let's see some numbers and assurances, not vague statements and lip service.

Lastly, I would beg that the project be given a NO ACTION ALTERNATIVE vote until the biological effects *in total* are sufficiently researched and the proposed mitigating factors *thoroughly spelled out* and backed with bonding (when appropriate). Vague statements like "shall be monitored", "several measures", "revegetation efforts", "shall be minimized", "revegetation research program", "if invasion of exotic species becomes a problem", and similar non-statements (of which there are dozens) should be clearly spelled out, since they are so open to interpretation that many of them actually mean nothing at all if one wishes to interpret them in particular ways. I also feel that the report (or those conducting the study) should spell out what criteria they use to judge SIGNIFICANCE. For instance, in the portion of the report dealing with water resources, many conflicting statements are presented. While stating "Studies indicate minimal or no effect would occur on the ground water basin or existing wells", it is also mentioned that "if the amount of drawdown at monitoring wells exceeds the estimated 60 feet, the well field modeling shall be re-evaluated to assure that predictions of no noticeable effect at Piute Spring remain valid", and "if local wells go dry as a result of the project ...". So, which is it? The water table will not be affected, or it might be affected? And, if it is affected (i.e. if Piute Spring is affected), then what? What constitutes an insignificant impact on the ground water from a hydrological standpoint could well translate into a disastrous impact on the plant life so delicately yet incontrovertibly tuned to its level and flow over the millennia. Once Piute Spring is noticeably affected, I assure you that the ability to rectify the problem is well beyond *anything* mentioned in the draft, if it is possible at all, so let's see some real proposals, with numbers and plans of action (including the immediate cessation of mining activity upon the identification of certain effects that Viceroy promises "won't happen").

If you want another eyeshore in the desert for at least the next sixty years, and possibly hundreds of years, go ahead and accept the draft as written. If you are truly dedicated to insuring a beautiful and quality landscape, with intact habitats, for all current and future citizens, I think you need to require Viceroy to go back, do their homework to provide some real numbers and plans of action, and to put their money where their mouth is to assure the people of California that public lands are being used in a rational and reasonable manner, with all possible safeguards in place, and that any damage which does arise from this project will be quickly and effectively remedied. After all, that *does* seem to be the role assumed by real MANAGERS (as in BLM, for instance), isn't it?

Sincerely,

David M. Polyn

Dr. David M. Polyn,
Department of Biological Sciences
California State University
San Bernardino, California

Dr. J. Bellandi
Environmental Public Works Agency
Land Management Department
Office of Planning
385 No. Arrowhead Avenue
San Bernardino, California 92415-0180

March 19, 1989

Dear Sir:

I am writing on behalf of the Castle Mountain Project; As a former vocational educator I know what it is to find jobs for students. I have seen our own Diesel and Heavy Equipment Program drop from a sufficient number of students for three instructors to less than enough students for one instructor. I am sure the many jobs created by the mine would help the vocational schools in the state of California.

We have dry arid areas here where mining and well drilling have taken place. There are unsightly roads but, they also provide access to areas that would never be seen by those who other wise would be unable to do so. We have thousands of untouched acres that do not support plant life or wild animals any differently then those that are producing coal, oil and gas for consumer consumption. I worked at the oil shale project at Rifle, Colo. and saw many deer from the largest migratory deer herd in the world. I could not see or have I heard of any problems being caused to the deer by the project development or the mining of the shale.

I know of many good things that have come from the boost that mining has given to the economy. Young people getting married with some money to help them start life together. Middle aged people who got out of debt for the first time in their lives. Children who got a chance to go to College.

I hope you will support the Castle Mountain Mine Project.

Respectfully,

William J. Polburn
William J. Polburn

Bloomfield, N.M. 87413

RECEIVED
BUREAU OF REVENUE
1989 MAY 18 AM 9 52
RECEIVED
HELDEN, CA.

100
100

Dear Mr. Daily

We are in favor of the Victory Gold Corp. project at Castle Mountain. Not only will it provide jobs for the local residents but it will provide tax for our government. The land seven years in San Juan Valley near the Castle Mountain land we are fully aware of the importance of employment in that area.

-Sincerely,

Mary B. Paugh
Mary J. Paugh

27200 Nido Ave
-Sun City Ca 92381

ms/b

DEAR BLM,

I SUPPORT THE CASTLE MOUNTAIN PROJECT. I AM SATISFIED WITH THE EIS, IT PROVES TO ME THAT THIS WILL BE A SAFE OPERATION.

IN ADDITION THIS WILL SUPPLY MUCH NEEDED EMPLOYMENT IN THE IMMEDIATE AREA, AND WILL PROVE TO BE A BOOST TO THE LOCAL ECONOMY.

RESPECTFULLY,

Alan L. Price
2539 Ard Arbor Ave,
Pomona, Calif. 91766

1989 MAY 16 AM 10:21
MAIL ROOM

5-14-89

John Bailey
Bureau of Land Management
P.O. Box 888
Needles, Ca. 92363-0888

1989 MAY 17 AM 10:14
MAIL ROOM

Dear Mr. Bailey,

I have been a resident of Searchlight, Nevada for 3 years. I am in favor of Vicery Gold's Castle Mountain Project. We need the employment badly. Vicery has worked with the community of Searchlight and has been a concerned asset to Searchlight. I feel after the reviewing of the impact statement we feel they have considered & are truly working towards a safe environment

Susan Powell
P.O. Box 210
Searchlight, NV

100-1000

Mr. Jan Bailey
Director of Land Management
P.O. Box 888
Needles, Calif. 92363-0888

Dear Mr. Bailey,
I have been a resident of
Burchlight, Nevada for
4 months. I am in favor of
having your office maintain
your own volume of records
in addition

Thank you

Steve Parker
P.O. Box 153
Burchlight, Nev.
89046

RECEIVED
MAY 17 1969
BUREAU OF LAND MANAGEMENT
NEVADA

Mr. John Bailey
Director of Land Management
P.O. Box 888
Needles, Calif. 92363-0888

Dear Mr. Bailey,
I have been a resident of
Burchlight, Nevada for
4 months. I am in favor of
having your office maintain
your own volume of records
in addition

Thank you

Steve Parker
P.O. Box 153
Burchlight, Nev.
89046

RECEIVED
MAY 19 1969
BUREAU OF LAND MANAGEMENT
NEVADA



From The Desk Of -

Gordon Pusser

Dear Mr. Buckley -
The Lantfair - Lantfair
Valley - Puite Creek
Valley - Puite Creek
is vital for
wildlife - a
and human - a
wild - type
Q and my
living friends
we should be
for wildlife and
to be out the
there is no
P.O. Box 1327
Desert Hot Springs, CA 92240
619-329-1431

RECEIVED

5/6/84

BUREAU

FEDS MAY 10 11:14

EA

To the BLM, ^{Public}

I am writing to oppose the
Castle Mountain mine project. The
mine is too close to the Puite Creek
ACEC. The mine's use of water
from Lantfair Valley (Puite Creeks
water source) is almost certain
to adversely affect Puite Creek and
the wildlife that depends on its waters.
There is also danger to wildlife
from the cyanide. We should take
lessons from past cyanide mines and
protect the wildlife by not allowing
this one!

There are many endangered species
in the California desert. This mine will
be for the worse.

Sincerely,
Tom Randall

Tom Randall
118 Tamarisk St
Redlands CA
92373

MAILED 7-10

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 15 AM 11:40
WEST LAFAYETTE, IN
MILLER, CA.

Dear Sirs

I support the Castle Mountain
Project

Jean Rando

J. Rando

2666 Laramie Road
Riverside, CA 92506
May 3, 1989

Bureau of Land Management
P. O. Box 888
Needles, CA 92363

Sirs:

I am writing in regard to the Castle Mountain Project which, I understand, involves open pits and large amounts of toxic chemicals as well as roadway construction detrimental to wildlife, such as migratory birds, desert tortoises and bighorn sheep.

Truly, we cannot afford such potential loss in the East Mojave National Scenic Area -- nor the loss of vast quantities of water in an area plagued by water shortages such as we experience in California generally.

Please do your part to prevent this proposed development with its potential for such severe destruction.

Thank you.

Sincerely,

Edith S. Quevedo

(Mrs.) Edith S. Quevedo

cc: Repr. Jerry Lewis

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See page 158

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 APR 27 AM 10:46
NEEDLES, CA

955 Pineridge
Upland, CA 91786
April 24, 1989
Bureau of Land Management
P.O. Box 888
Needles, CA 92363

Dear Sir:

So they want to do it again! So they want to dig and destroy the desert lands because they are way out in the middle of nowhere and no one will care!!

Well, I do care!!!

I am, of course, referring to the proposed open pit mining complete with cyanide ponds to be dug into the Mojave Scenic Area.

Even our president, Mr. Bush, has declared himself the "environmental president," and here they are, trying to destroy the habitat of the desert tortoise and the bighorn sheep.

What more we have to do to get people to realize that the desert is not just a big open area to muck up.

I want you to register this letter as a very strong protest against the proposed opening of a pit mine in the Mojave Desert.

Sincerely,

Michael Rausin

Michael Rausin

5-8-89

*Dear Sir -
I am a resident of greatly
isarchlight, I am greatly
in favor of the vice-roy
mine. I feel it would
help our small town
a great deal -
you have my
support!*

*Thank you,
Pam Baumussen*

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 12 AM 9:38
NEEDLES, CA



RECEIVED KENNETH M. REIM
 BUREAU OF LAND MANAGEMENT
 12245 Sunset Park Way
 Los Angeles, California 90064-3533
 1989 MAY 23 AM 9 35

May 15, 1989

CALIF. DESERT DISTRICT
 RIVERSIDE, CA

Mr. Gerald E. Hiller
 District Manager
 California Desert District
 USDI, Bureau of Land Management
 1695 Spruce Street
 Riverside, California 92507

Re: Draft EIS
 Castle Mountain Project
 San Bernardino County, California

Dear Mr. Hiller:

Comments on the above referenced draft EIS are as follows:

- This DEIS adequately describes the plan of development and the practical, feasible alternatives.
- The DEIS satisfactorily characterizes the existing environment.
- There could be a strengthening of the presentation on positive socioeconomic impacts.
- Clarity of the final EIS would be best served by not increasing the complexity of the document, but by making it more concise and shorter.

In regard to mitigation measures, there should be careful consideration of the benefit to cost ratio, with appropriate balanced input by applicant, environmental disciplines and agency management. With discipline input, then management of applicant and agencies have to reach rational conclusions.

Every effort should be made to address the significant public comments received on the DEIS, and promptly finalize Final EIS, make Record of Decision and issue permits for construction and operation of the mine.

Thank you for the opportunity to comment on this DEIS.

Very truly yours,
Kenneth M. Reim
 Kenneth M. Reim

KMR:ems

C.3-159
 RECEIVED
 1989 MAY 28 10 15 AM '89

4-15-89
 Dear BLM employees:
 Please do not allow any public cyanide leach mining on any public lands.
 This would not only become a terrible eye sore but is danger to the environment as well.
 Help protect our public lands for all of us!
 Sincerely yours,
 Mrs. John Reid

J. Bailey

158 W. California Blvd # 505

401 Penoak Drive
Barstow, CA 92311
29 April 1989

Dear Mr. Bailey,

I am one who has heard and read both sides of the proposal for the Castle Mountain Project. I am concerned about the effects on wildlife and water.

There is also something on which I have heard very little comment--the effects on earth quality, air quality and people. I understand that chemical analyses of surface earth from areas where similar mining was done in Canada and in or near the state of Washington have revealed things which can harm the air or the skin, and perhaps more, of a human. I have heard that children hiking and playing in those areas have had skin damage.

Therefore, I believe that the mining per- mission must be denied and nothing more must be considered in that area.

Sincerely,

Barbara A. Reinhart

Barbara A. Reinhart

1989 MAY 2 - AM 09

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RECEIVED
BUREAU OF LAND MANAGEMENT

1989 MAY 11 PM 3:08

FIELD OFFICE AREA
MERCED, CA

Bureau of Land Management
Piedles Resource Crew

P.O. Box 888
Madera, CA 92363-0888

Attn: John Bailey

Dear Mr Bailey

On the subject of the proposed Castle Mountain
gold-mine project, I suspect the "no project"
alternatives. The need is to keep in-laws of
wildlife mobility from ignoble poisoning, dried
up springs, and tobacco deaths from increased
thru-traffic. It is also too high in
terms of destroyed dead-trees, inadequate
reclamation and socially-toxic waste left
behind.

Sincerely,
Elizabeth Rhone
Elizabeth Rhone

activity
Pasadena CA 91105
May 5, 1989

5/8/89
Borley

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 15 AM 10:51
NEEDLEVILLE AREA
NEEDLES, CA.

5-10-89

Dear Sir

I am a geologist that works in the Mojave Desert. I am familiar with the Castle Mountains and the Hart District. I would like to make a few comments regarding the EIS/EIR of Viceroy Gold Corp and the Castle Mountain Project.

It seems that the largest issue pertaining to this project is the potential impact on Piate Spring from mining water from the "West Well Field". My training includes the study of hydrogeology and it is my opinion that water extraction by Viceroy will not have any impact on the flow at Piate Spring.

I contend that the aquifer that which the West Well Field taps is separate from the aquifer that feeds Piate Spring.

All one has to do is to look south from the Castle Mountain across Lantfair Valley and one can see a linear string of hills that extends to the Hackberry Mountains.

This ridge of volcanic hills is a physical barrier that cuts the valley into 2 separate hydrologic basins. This ridge separates the "West Well Field" from Piate Springs.

Now there may be under flow through faults and shears in this ridge and therefore a connection of the two hydrologic basins may exist. However, the porosity and permeability will not approach that of the gravels that fill these basins.

I believe that in the model that was used to represent the hydrologic conductivity through this barrier ridge was very conservative. This ridge was given the same permeability as the sediments that make up the aquifers.

Given this conservative approach, that I'm sure was adopted to test the maximum potential impact on Piate Spring, no impact could be shown at Piate Spring. If this barrier was recognized in the model, any further consideration of impact at Piate Spring would be a waste of time. This barrier does exist and it does separate the "West Well Field" from Piate Spring. This is obvious!

Viceroy has proposed actions that will minimize potential impacts on the wildlife, vegetation, ground water and view shed. I am in favor of this project and others like it.

Please find in favor of Viceroy's application, the benefits to the rural counties of California and Nevada far outweigh the impacts on the desert. We need this project.

Respectfully,

Jim Richmond

6700 E. Russell Rd #266
Las Vegas, NV 89122

5/14/89

Bureau of Land Management
Needles Resource Area
ATTN: John Bailey
re: 1793 (CA-069,05) Castle Mountain Project

It is my considered opinion, after reviewing the Castle Mountain Project E.I.S./E.I.R. Draft that Viceroy Gold Corporation of Las Vegas, NV is serious in their intention to revegetate the disturbed environment. This view is further based on conversations with the management of Viceroy Gold.

The only exceptions that I have come across in the report are of a technical rather than an intentional nature. The two cases in point are:

6.4.1.2. paragraph one, sub paragraph five wherein reference is made to transplanting Joshua trees under 4 feet in height. Unfortunately, this size range has a much lower survival percentage than those over 4 feet in height and under 12 feet in height, particularly when moved with a tree spade.

6.4.1.1. paragraph one, wherein stated that no plants within the proposed area fall under the protection of the California Native Plant Protection Act.

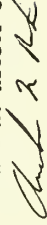
Referring to page 987 of California Food and Agricultural Code-Chapter 3 Regulated Native Plants section 80072 sub section (C) Ferocactus acanthodes (barrel cactus) is listed in the category of "may not be harvested except for scientific or educational purposes under a permit issued by the commissioner of the county in which the native plants are growing."

However, in all fairness to Viceroy Gold; they stimulate at 6.4.1.2 paragraph one introduction that the revegetation program will be based on information from experts qualified in desert flora. Such personell would have the time and expertise to correct minor flaws of the aforementioned nature.

My opinion, bottom line is that Viceroy Gold merits a "go ahead" from B.L.M. and from the concerned public.

Sincerely Yours,

Archie M. Rieser Sr.



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REMOVED, MAINTAINED, TRIMMED
ALSO JOSHUA TREES
FREE ESTIMATES



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Consultant

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Joshua Trees • Yuccas • Cacti •
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GENERAL INVESTIGATION
DIVISION
MAY 19 1989
PM 2 58
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

Handwritten: BAILEY

May 10, 1989

John Bailey
Area Manager
U.S. Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, Ca. 92363

Handwritten: JTB

Handwritten: BAILEY

John Bailey
Area Manager
U.S. Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363

Dear Sir:

I am writing to advise you that I strongly support the Castle Mountain Mine Project.

The Castle Mountain Project will meet every reasonable concern about the environment. This project will bring great economic benefit to the county and the people who live there.

I urge you to give favorable consideration to this project.

Sincerely,
Handwritten signature: Joe Romine
Joe Romine
42880 Brown Street
Murrietta, CA 92362

Mr. Bailey;
I am writing this letter in support of Viceroy Mining's Castle Mountain Project. As a former resident of the mining areas of Arizona, I am very familiar with mining practices. In my opinion, Viceroy Mining has indicated that they are more than willing to protect the sensitive areas of the desert and meet all state & federal regulations governing this project. I feel that the jobs and revenue generated by the Castle Mountain Project will be very positive for the local & state economy of California. As a resident of California, I urge you to approve this project.

Sincerely,

John Romine
16653 Highland Valley Road
Ramona, Ca. 92065

RECEIVED
MAY 15 AM 11:10
BUREAU OF LAND MANAGEMENT
NEEDLES, CALIFORNIA

RECEIVED
MAY 15 AM 11:34
BUREAU OF LAND MANAGEMENT
NEEDLES, CALIFORNIA

sent Bailey
John Bailey

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 APR 12 AM 10:28
FBI
NEEDLES, CALIF.

John Bailey
Needles Resource Area
P.O. 888
Needles, CA 92363-0888

Dear Mr. Bailey:

I'm writing this letter to reject the proposed Castle Mountain mining project. The California desert is a unique national resource, whose value extends beyond its economic value.

As you know, heap mining is particularly damaging environmentally, because of the large dirt displacement, the enormous quantity of earth displaced for the small amount of minerals obtained.

Moreover, because the California Desert Protection Act will help to prevent such destruction, I urge you to support the bill.

Thank you for your consideration of my viewpoint.

Sincerely,

Robert W. Rose
10118 BASSISTE RD #95051

C.3-165

May 20, 1989

Dear Mr. Bailey,

I have just learned of the Viceroy Corp. Castle Mountain project and want you to know that I support the NO PROJECT alternative.

I am deeply concerned about the Plute Creek water supply, the loss of tortoises and the obvious danger of wildlife mortality from cyanide heap leach mining.

I am president of the Sacramento Turtle & Tortoise Club and we are all very concerned about these issues and are depending on you to stop this senseless RAPE of our land.

THANK YOU !

Sincerely,

Felice Ross

MERRITT COLLEGE
12500 CAMPUS DRIVE • OAKLAND, CALIFORNIA 94619
(415) 531-4911

MERRITT COLLEGE
Michele J. Corcoran
President
Harley White
Vice President
John C. Anderson, Jr.
Deputy Chair
Susan Duncan
Deputy Director, Oakland
Michael G. Preston

May 3, 1989

John Bailey
Bureau of Land Management
P.O. Box 888
Needles, CA 92363

Dear Sir,

I would like to register a strong objection to the proposal to approve a Castle Mountain mining operation. I am an instructor in Merritt College's Environmental Studies Program. We have had a desert studies program with classes in Mid Valley, Lanfair Valley, and Piche Creek for twenty-four years. A major mining operation would surely affect adversely the fragile desert land and the wildlife of the area. I am particularly concerned with the potential threat to the Piche Creek water source.

I urge you to recommend a "no" decision on this massive attack on the Mojave Desert.

Daniel Roem
Environmental Studies Dept.

1989 MAY - 8 AM 1989

888
530457

I fully support the Castle
Mountain Project.

Let's keep the traffic down to
a minimum & preserve the desert.

Sincerely

Co Ross
16435 Sequoia
Fostonia, CA 92335
Covena of Ross

C.3-167

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 15 AM 11:23
NEEDLE PINE AREA
MOLDOVA, CA.

April 23, 1989

Dear Sir,
My husband &
I are strongly op-
posed to your pet
mining & expande
plans in Mojave. They
have no place in any
National Monument
Mojave. The loss of
the high-altitude
habitat & the changes
to desert for trees
is a disgrace. We
hope you will not
allow this mining
to occur
Thank you,
Covena of Ross

888
EXHIBIT

I support the
Castle Mountain project.
It is safe and legal

Werner Rudy

WERNER RUDY
267 ELLIS ST.
LAKE ELSINORE, CA 92530

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 11 AM 8:13

Werner Rudy

Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, California
92363-0888

Attn: John Bailey

Re: DEIS/EIR for Castle Mountain Mine.

Dear Mr. Bailey

I would like to express my support for Viceroy Gold's proposed mine in the Hart Mining District. All environmental concerns appear to have been thoroughly addressed and sound operating measures have been taken to minimize adverse impact to the local environment.

The multi-use land concept administered by the B.L.M. is essential to continued economic growth and stability of this nation. Cattle ranchers, miners and other users of public land have proven their ability to co-exist harmoniously on many projects elsewhere. I see no reason why this should not work at Viceroy's project.

Sincerely,

Werner Rudy

Tom Rudy
2033 Pommel Avenue
Las Vegas, NV 89119

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 15 AM 11:37
NEEDLES RESOURCE AREA
NEEDLES, CA

May 1, 1989

Mr. John Bailey
Bureau of Land Management
Needles Resource Area
P. O. Box 888
Needles, CA 92363-0888

Re: Castle Mountain Project

Dear Sir:

Although I gave verbal comments on the Castle Mountain Project at the recent hearing in San Bernardino, California, I wish to reiterate and add some comments at this time.

The following comments on the Draft EIS/EIR are submitted:

Operational Considerations 3.2.7

- a) The number and the types of mining claims are not indicated.
- b) These claims should be listed and plotted on a map as to their relationship to the project.
- c) The location of the patented area should be shown on a map.
- d) The owner or owners of the claims should be listed.
- e) The number of millsite claims should not exceed the number of mining claims and each one should show to which mining claim it is directly associated.

Table 3.2.1 Page 3.2-9

- a) The area that is to be mined contains two pits, one of 30 acres to 40 acres and one of 90 to 110 acres. The total ore area would be 150 acres or approximately 8 mining claims. One additional 5 acre millsite claim for each mining claim would add a total of 40 acres, making a total of less than 200 acres permissible by mining law to be acquired for this size of operation.

The project as set forth requires a total of 2735 acres or over 4 square miles of Federal land. How would this additional land be acquired and used? Should this amount of public land use be permitted for such a small mineralized area?

- b) The waste dumps alone exceed the mining area by 100%.

3.2-12

- a) Although protore and low grade uneconomical ore are

mentioned these areas should not be included in the right to mine or acquire additional land.

3.3-1

3.3.1.1 Proposed Open Pit Procedure

- a) The great depth of the overburden in certain areas (250 feet) requires a great deal of overburden to be removed. Do the surface boundaries of the Pits go beyond the viable mining claim boundaries? How would this land be acquired?

3.3-2 Underground Mining

- a) The possibility of underground mining should be given further consideration to minimize ground removal. There are underground mines that mine disseminated deposits. Two separate reports on possible underground mining should be submitted by two separate consultant firms.

11.1-1 Qualifications of Preparers

- a) Although several preparers have considerable experience in mining, there is not one who has a B.S. or Ph.D in Mining Engineering.

3.3.1.2 Complete Pit Backfilling

- a) One must disagree with the statement that backfilling is not suitable from operational and economic standpoints for the following reasons:
 - 1) Although the overburden pile volume is 30% greater than that mined, 30 million tons of ore has also been removed to a leach pile. The overburden pile will fill the pit just right and one would have only the leach pile remaining.
 - b) If the complete backfilling renders the pit mining operation uneconomical, then mining is not practical and mining should not be permitted.
 - c) Present drilling of the mineralized area and beyond would be sufficient to determine the availability of any future ore.
 - d) Open pit mining could again begin by making a drop-cut and starting another cut.
 - e) If the replacement of the overburden is so costly from the use of energy, water, time etc. then it is not an economical orebody and must not be mined.

3.2-53

3.2.8.3 Bonding

- a) A bond for both leaching and reclamation should be in place even before a mining permit is considered.

3.2-52 Implementation

Phase IV Final Reclamation

- a) Cessation of operations should be defined. Would

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BUREAU OF LAND MANAGEMENT
1989 MAY -3 AM 9 50
NEEDLES, CALIFORNIA

3.

the operation be considered on going if only one truck of rock a month over even a year were removed from the pit? I would suggest that when production of gold ore drops to a point of no profit for a six month period, then the operation has ceased and reclamation must begin.

A portion of the Eagle Mountain Iron Ore Mine in Riverside County, California was mined under the mining reclamation law. This mine has ceased operation for many years and the reclamation has been almost nil if not completely nil. I suggest that members of the Bureau of Land Management, San Bernardino County officials and California State Dept. of Geology visit that abandoned mine and see why the reclamation there has not gone forward and what must be corrected in any future agreement to insure reclamation of any new mining operation.

Sincerely,

William W. Savage

William W. Savage
5130 Georgetown Avenue
San Diego, California 92110

RECEIVED
MAY 15 11:08 AM '88
NEEDLES RESOURCE AREA
NEEDLES, CA

Post Office Box 172
Lafayette, CA. 94549
10 May 1989

John Bailey

Needles Resource Area
Post Office Box 888
Needles, CA. 92363
ATTN: John Bailey

RE: Draft EIS/EIR for proposed Castle Mountain Gold Mine

Dear Mr. Bailey:

What follows are my comments regarding this proposed project.

1. There is no overwhelming need for an increase in the domestic production of the metal gold in the United States. At the present time, the world price of gold has been stable or has slightly declined over the past year or so. A cursory examination of the Wall Street Journal will confirm this observation.
2. The use of cyanide solutions in similar mining operations in Nevada has led to the widespread death of both birds and animals, which have been attracted by the magnet of surface water in a desert area. These birds and animals have been poisoned by drinking the cyanide solution and have died afterwards.
3. This proposed project will extract great quantities of underground water, and will lead to lowering of the water table and a lessening of water available for wildlife in the surrounding region. This is a very poor use of a precious resource in a desert area.
4. The proposed location for this mining operation is within the boundaries of the East Mojave National Scenic Area. Is this mining operation supposed to increase the scenic values in the area? It would seem to me, that a mining operation that plans on using massive quantities of the poison cyanide is the last thing to be placed in an area designated for its special scenic values.
5. This area is also currently under consideration for placement in a Desert National Park. It would seem to be a poor time to start a massive mining operation in an area which Congress is currently considering placing under National Park status.
5. For these reasons, I believe that this Draft EIS/EIR is not acceptable and that the governmental agencies involved should reject this EIS/EIR and should also stop this project from ever getting started.

Yours truly,

James K. Sayre

James K. Sayre, Metallurgical Engineer

RECEIVED
MAY 12 11:08 AM '89
NEEDLES RESOURCE AREA
NEEDLES, CA

Area Manager
U.S. Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363

Dear Sir:

In response to the public hearings held by the Bureau of Land Management with regard to mine development by Viceroy Gold Corporation at the Castle Mountains, I would like to voice my support for their endeavors.

Viceroy Gold Corporation has exhibited high levels of concern and responsiveness in addressing virtually every conceivable environmental impact and will implement some extraordinary measures (such as staining) to mitigate them. Effects on local water resources are not significant, and impacts on recharge at Paine Spring should be non-existent. Viceroy Gold has taken steps toward mitigating impacts on wildlife that are beyond reasonable expectation, and certainly beyond measures taken by virtually every other user of the desert environment.

The presence of a long term industrial enterprise at Castle Mountain is positive in terms of employment, tax revenue generation, and many multiple effects. Groups that would deny the status of this business venture are elitists, self-centered, and geographically distant. Thus, they are neither responsible nor perceptive of local needs.

A carefully planned operation such as that anticipated by Viceroy Gold is a strong economic plus and shows that man's activities can coexist with the ways of nature with minimal impact.

Sincerely,

Robert W. Schaefer

Robert W. Schaefer
1153 Wagon Wheel Circle
Reno, NV 89503

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 11 PM 3:13
NEEDLES RESOURCE AREA
NEEDLES, CA

May 7, 1989

Bureau of Land Mgmt
Needles Resource Area
P.O. Box 555
Needles CA 92363

ATTN: John Bailey

Dear Mr Bailey,

The Castle Mountain gold-mining project will devastate the wildlife in that area. The desert will be ruined, and there seems to be no plans for reclaiming the terrain. I understand that the Viceroy Company is a Canadian company, and all our country will end up with is a expensive poisoned environment. Is this a kinder, gentler project?

Sincerely,

Katherine Schroeder
17872 Tramonto Dr
Pacific Palisades CA 90272

L. Bailey

4 May 1989.

Dear Mr. Bailey
Remind of available information
convinces me that the proposed
Castle Mountain gold strip mining
project would desecrate a
designated national scenic area
which the BLM is supposed to
protect for the public for the
"Area outstanding natural, scenic
and cultural resources."

In addition it would be an
ecological disaster in a number
of ways, of which I'll see you
have heard.

I see no benefits at all to this
country, this state, this country
or its citizens from this exploitation
by a Canadian mining company.

Please disapprove! -
Sincerely - Margaret Schmidt
11223 Rammer Rd
Apple Valley, CA 92308.

BUREAU OF LAND MANAGEMENT

ATTN: JOHN BAILEY

4/26/89

THIS LETTER IS TO EXPRESS MY OBJECTIONS TO THE CASTLE MINE PROJECT AND TO URGE ITS REQUEST FOR PERMIT BE DENIED.

MY CONCERN IS TWOFOLD. FIRST IT HAS GREAT ENVIRONMENTAL RISKS AND HARM THAT WILL BE LONG LASTING. SECOND IT IS A POOR BUSINESS DEAL.

THE ENVIRONMENTAL CONCERNS HAVE BEEN WELL STATED BY OTHERS. THE DANGER OF POISONING WILDLIFE AND PINTE CREEK THE HABITAT AND THE DESERT TORTOISE HABITAT AND THE ALTERATION OF THE LANDSCAPE AND ITS NATURALLY SCENIC BEAUTY,

THERE HAS NOT BEEN MUCH SAID ABOUT THE SHORT SIGHTED BUSINESS ASPECT. THIS OPERATION WILL ONLY BE IN BUSINESS AT THIS LOCATION FOR A SHORT ~~PERIOD~~ AREA AND BY GAINED BY THE AREA AND BY GOVERNMENT AGENCIES SHOULD BE WEIGHED AGAINST THE POTENTIAL THEY LOOSE (NOT PERPETUITY) BY THE DESTRUCTION OF A SCENIC NATURAL RESOURCE. THIS RESOURCE HAS VALUE IF PROPERLY MANAGED, AND AS AREAS SUCH AS THIS ~~BECOME~~ MORE AND MORE SOURCE WITH URBAN GROWTH THEY WILL

GAIN IN VALUE. STRIP MINING WILL DESTROY THAT VALUE FOREVER.

Dale Ralph Sedler

DALE RALPH SEDLER
257 EAST F ST.
COLTON, CA 92324

C.D.D. Needles RA

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APR 26 1989

APR 26 1989

C.3-173

May 3, 1967

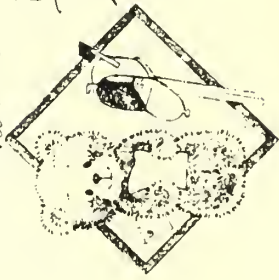
Mr. John Bailey
Bureau of Land Management
P.O. Box 888
Needles, Calif 92363-0888

Dear Mr. Bailey

We have been residents of Searchlight, W for the past 6-7 yrs.

We are in favor of Viceroy Golds Castle Mountain Gold mine because your operation will create employment for local personnel and if your employees may decide to make Searchlight their homes

Very truly yours
Thelma B. Shuler
Kearney A. Shuler
Box 4
Searchlight, W
89046



5/13/89

Sir:

Please do what you can to see that we do have a Proposed National Park. I'd like to see your support the "no project" alternative. Your attention to this matter is most appreciated.

Kimley H. Simpson
8381 R Bucklehorn
Desperia, Ca.
92345

5/13/89

Sir: M. J. [unclear]
Re: Viceroy Camp. [unclear]
Cattle Maintenance.

It is incredible that you folks are even considering issuing a permit to operate the above referenced subject. Clearly, you aren't thinking that project will be the way through. Please give us a great deal of thought and cancel the whole thing.

Kimley H. Simpson
8381 R Bucklehorn
Desperia, Ca. 92345

EMILEY 7885

B.L.M.

To whom it may concern
Support the Castle Mt. Project

100%. They are going about it in
the right way. To protect a case for
the environment. Take away its body
be done.

-Hal Spuecher
31275 - Frisco Dr.
Redlands Cal
92373

RECEIVED
1983 MAY 15 AM 11:37
NEEDLES AREA

EMILEY 7885

May 10, 1985

B.L.M.

Dear Sir:

As a long time pro land, we need
protection and desert metal detection
I would like to inform you as to my
opinion on S 11 Bill. I oppose it!

I'm in favor of supporting the Western
Mining Councils. Castle Mountain Project
I thank you,

Karl W. Magnolia
477 Magnolia
Cocke Moore Dr 92622

RECEIVED
DUKEAU OF LAND MANAGEMENT
1989 MAY 15 AM 11:22
NEEDLES AREA
NEEDLES, CA

Bill Spreng
16530 Verano
Hesperia, Ca
92345

4-9-89

Dear John,
I recently heard about the plan to put a large open-pit gold mine in the East Mojave National Scenic area. I am opposed to the Castle Mountain project. I have spent time in that beautiful area and we don't need it ruined by mining. Thank you for your time.

Yours Truly,
Bill Spreng

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 10 AM 11:08
FBI - LAS VEGAS

Bill Spreng

3620 Moneno Ave. - #121
La Verne, CA 91750
May 7, 1989

Mr. John Bailey
Bureau of Land Management
P. O. Box 888
Needles, CA 92363

Dear Mr. Bailey:

I was appalled to find out about the Castle Mountain Gold Mine, which would be located in the proposed Mojave National Park, if the Bureau of Land Management authorizes this project. It's difficult to believe that anyone would authorize something like this that would do so much damage to our environment.

I am very opposed to this and ask that the BLM adopt the NO-ACTION ALTERNATIVE. This mine would destroy one of the most beautiful areas in the proposed Mojave National Park. Mining operations will almost certainly divert water from the Piate Spring riparian habitat, which is essential to wildlife and also one of the most beautiful riparian areas in the entire desert. Also, two hundred million gallons of water would be used each year for this mine to leach gold - in the West, water is more valuable than gold, so how can this use of water be allowed?

Thank you for your attention.

Yours truly,

Norma Standard
Norma Standard

1989 APR 12 11 03 27

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Part II/Saturday, May 6, 1989

Gold Mining and Wildlife

In "Gold Mining Cyanide Blamed in Wildlife Deaths" (Part I, April 18), Rep Mel Levine (D-Santa Monica) and the Wilderness Society call for an "investigation" of wild animal kills at "heap leach" mining operations in California and Nevada.

Thus, large-scale gold mining, one of the U.S. industries that is effectively competing with everybody else in the world, and which provides direct, well-paid employment for about 10,000 people in remote areas of California and Nevada, is to be "investigated" with all that implies because of a claimed animal kill of less than 1% of the sports kill.

The Wilderness Society claims there were a total of 6,400 wild animal deaths due to cyanide at mining operations during the past 5 years. For the 53 mines considered, this amounts to about 1 kill per month per mine. The reporting of a total kill of 6,400 animals since 1984 implies that lots of deer and foxes have been killed. It is far more likely that essentially all the reported 6,400 animals were birds and small animals like rabbits. To put the matter in perspective, during the 1988-89 three-month hunting season 78,000 migratory waterfowl were reported killed by sport hunters in California federal and state preserves. This doesn't include any hunting in Nevada, on other public lands, or on private lands. In other words, this claimed total is clearly less than 1% of the total kill by sportmen in the two states. The claimed total would be even more insignificant if road kills were considered.

The article does not discuss the fact that all mining operations are subject to extremely severe permit requirements, which consider all phases of the project and an extensive environmental impact report. Nor does the article make it clear that the leach ponds are small and that the measures used to keep birds and small animals out are extremely effective. The permit process includes a comprehensive shut-down and restoration plan.

Large-scale gold mining as practiced in the California and Nevada deserts is an excellent example of how the U.S. should apply technology to increase productivity. It is a capital-intensive activity which enables American mining companies to compete internationally, while paying good wages to a hard-working and productive group of employees.

I think our elected representatives should devote themselves to enhancing U.S. competitiveness, not to "investigating" an ununabridged, responsible industry.

HAROLD STEINGOLD
Santa Monica

What fool would pose such a question: "Should we allow a foreign interest to extract gold from the American soil of a proposed national park and leave us a seething, cyanide-laced toxic pit?" At best, the popularity of such a proposal is laughable. Unfortunately, the humor is lost both on the Bureau of Land Management as well as to our archaic and permissive General Mining Law of 1872, which predictably range from shock to incredulous disbelief (tell us that Californians are not humored. The BLM hearing, which should have asked the question "whether; merely asked "how." But despite this breakdown of the representative process, thanks to the efforts of Levine and the environmental conscious bureau and the Viceroy Fracasas both, will receive their unsolicited reply.

PATRICIA KELLY
Vice President
Citizens for Mojave National Park, Inc
Barstow

407 16th St
Santa Monica, CA 90402
May 8, 1989

*sent
Bailey*

Mr. John Bailey
Needles Resource Arts
PO Box 888
Needles, CA 92363 - 0888

Dear Mr. Bailey:

At the suggestion of Mr. Chris Mitchell of Viceroy Gold, I am enclosing a letter to the editor of the LA Times, which was published May 6. I have attempted to address the question of how many animals are supposed to be killed by heap leach gold mining in California and Nevada.

As implied in my letter, I believe that we should use a classical cost-benefit approach to evaluating any activity, including gold mining. I also believe that we should take into consideration the fact that this form of gold mining is efficient and productive, enabling us to compete world wide, without governmental subsidy.

I hope you find this approach interesting and useful. If you have any questions, I can be reached at (213) 393-2335.

Sincerely,
Harold Steingold
Harold Steingold

Copy to Chris Mitchell, Viceroy Gold

Encl: letter to editor

100
JF

Martin Stimpers
1510 Vista Larga Ct NE
Albany, MN 87106

May 3, 1989

Dear Mr. Bailey,
I've spent time in the Mojave Desert of California off and on for 20 years. I support your concept of multiple use and hope the desert can continue to be used by us all, not locked up as all wilderness.

Nowhere in the Mojave is an area better suited to mining than the old Hart mining district. The gold prospects and workings are extensive and productive. If one can't mine here, where can one? I think you've had Vicroy Resources do more than enough environmental impact studies, and it's clear that mining should proceed with the safeguards they've proposed. I hope you'll approve their project as soon as possible.

Thank you
Mart Stimpers

888
Bailey

Dear Sir

I am writing in support of the Castle Mountain Project and Mining in general. Viceroy has shown a sincere interest in protecting the environment and protecting the wild life in the area.

Gold and Silver is not just for jewelry anymore but is a vital part of our military, aerospace and industry. The minerals of the southwest of great importance to our nation and the right to extract these minerals MUST be protected.

Walter H. Stewart

Walter H. Stewart
920 6th St.
Huntington Beach,
Cal. 92648

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 15 AM 11:34
NEEDLES RESOURCE AREA
NEEDLES, CA.

C.3-179

Howard Suskind 1133 Arbor Lane San Marcos, CA 92069
(619)740-9254

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 18 AM 9 54
NEEDLES, CA

AREA MANAGER
BUREAU OF LAND MANAGEMENT
P.O. BOX 888
NEEDLES, CA 92363

May 15, 1989

Mr. J. Straun

Bureau of Land Management
P.O. Box 888
Needles, CA 92363

RE: Canadian Viceroy Lerp, open pit mine in East Mojave Scenic Area

- 1) The East Mojave Scenic Area is just that, scenic. The large volume of tailings alone will permanently destroy the value of significant acreage.
- 2) This area is habitat for bighorn sheep and desert tortoise. An open pit mine the attendant access roads would destroy their homes and negate important efforts to sustain these endangered species.
- 3) The proposed mine would take scarce water from the local aquifer endangering the riparian habitat at Piute Spring. This spring is a year round oasis for both people and wildlife.
- 4) The disposal of the cyanide waste from the mine will endanger migrator birds and may one day endanger the aquifer. Even though retention basin technology has been improving, historically, such basins eventually fail. Contamination would just be a matter of time.
- 5) In all, such development in rare relatively untarnished habitat is unacceptable. In recent years people have become more aware that land can be just shoved out of sight. This development is no different than someone littering the public streets or highways. Please stop open pit mining in the East Mojave Scenic Area.

Sincerely,

Ann J. Straun
8540 Catalina Place
Riverside, CA 92504

RECEIVED
1989 MAY -8 AM 10 21

Representative Jerry Lewis
Representative Al McInnis
Representative George Brown

I recently attended a hearing in San Bernardino concerning the Castle Mountain project that is currently subject to approval by the Bureau of Land Management. Rather than jumping to the emotional conclusions of many of the speakers during the hearing, I decided to visit the East Mojave National Area in order to obtain first hand knowledge of the proposal. I was quite surprised to see heavy equipment, and a great deal of work already underway in a project that has not yet been approved. This work was far beyond anything that could be defined as exploratory, and because the location of the project is somewhat remote, I wanted to bring this to your attention as a concerned citizen. I realize that because of the size of the East Mojave the BLM cannot patrol all of the areas all the time, and must rely on citizens like myself to report on possible violations.

Please let me know what you find. Secondly, if the current activity at the project site is within the bounds of the law, would you briefly explain why. Thirdly, who will be responsible for the clean up if the project is not approved. I look forward to hearing from you in the near future, and want to thank you for your time. I hope that I am assisting the BLM in its management of the East Mojave.

Yours truly,

Howard Suskind

Presented my copy of letter to you

C.D.D. Needs BA

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JOHN R. SWANSON
P. O. Box 6538
Minneapolis, Minn. 55486

May 19, 1967

Swanson, John R. Swanson and
1400 Pillsbury Building - 12th Fl. -
Minneapolis, California 95835 - 1967

Dear Sirs:

Please accept my compliments for the information you
concerning the National Forest - East of the National Preserve Area
I wish to advise that my organization is such project, Castle Mountain
Project which includes mining activity and other unique activities
located within the East of the National Preserve Area

Sincerely,
John R. Swanson

926

80141

5-10-1967

RECEIVED
MAY 15 11 44
FBI - DENVER, CO


BLM
101 W. Spikes Road
Needles Ca

Mr John Barley

I'm writing this letter in opposition to the proposed
Castle Mountain gold mine operation. I oppose this
development on the following grounds:

- 1) I believe water usage for this mine will reduce
the flow at Piute Springs, a most significant and
valuable riparian resource.
- 2) The cyanide ponds will act as a magnet for
wildlife and have an impact on birds to their death.
- 3) This operation, with its 890 acres of developed
area, is within the East of the National Preserve Area,
This is a most controversial idea to say the least.
Also this entire area is part of the proposed Piute
Desert National Park. I am strongly against

This misguided proposal. Thank You


John R. Swanson
8985 Balsa St
Granary, Ca. 91750

VB

Needles Resource Area
Bureau of Land Management
Attn: John Bailey
POB 888
Needles, CA 92363-0888

April 15, 1989

This letter is a comment on the proposed Cable Mtn. Granite pit in the East Mojave Scrub Area. This area, which is for Patrimial Pith Station, should not be burdened with such a meadows project. The soil disturbances would be reason enough to disturb it, but the cyanide process used is deadly to wild life and should not be outlined. BFO, water is a precious commodity in the desert and should not be abused in the fashion.

Gold mines are what the least valuable forms of resource use (arguably) at our public lands - the gold is mostly hoarded by the richest of our citizenry (or the citizenry of other nations) and has no recycling value for ordinary people except as tooth fillings and wedding rings. Any 5% of the gold mined is used for these purposes - the rest is stored in vaults and for subject to speculative bubble.

If you agree to give this project a negative declaration, but do not allow it to take place.

Steve Taber
STEVE TABER Apt 4
2011 DOOLITTLE DRIVE
SAN CLEMENTE, CA 92677

~~It is a national race that more have been time in this country to protect the land and water resources for the public which the Bureau of Land Management has a responsibility to maintain and the proposed project would not only destroy the land but would do so with little regard. This type of mining should be left alone.~~

It is a national race that more have been time in this country to protect the land and water resources for the public which the Bureau of Land Management has a responsibility to maintain and the proposed project would not only destroy the land but would do so with little regard. This type of mining should be left alone.

There in California, which has a great many horses from western population, it is particularly important that we take some action to protect what little there is left of our own natural heritage.

Steve Taber
2011 Doolittle Drive
San Clemente, CA 92677

Steve Taber

112247 3:14 PM
San Bernardino, CA 92404
30 April 1989

B.L.M.
Mr. John Baileys
PO Box 888
Needles, CA 92363-0888

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY -4 PM 11:02

Dear Sir
Below are my comments about the
Castle Hill Project.

Lizard to Tortoises
New reports, including members of the
"Tortoise Protective League" mention tortoises
within the work areas of the project. Be aware
that the developer rebroke them to sit
side the work area.

Lizard to Spring
Monitor the Spring level after work
starts. If depletion occurs shut the
project down until an alternate water
supply is developed.

Worried to Birds
Require screening and/or fencing so
far on the fence line above the work
thus avoiding making it an obstruc-
tion to birds. Where fencing is
required require rock, treated material
be added to make it appear as an
obstruction to birds.

II

Backfill of Hole
Require the pit to be filled preferably
along with the mining. If the developer
is required to backfill, he will plan to do
it in the least costly manner. He might
change the mining operation for this purpose.
Although it is acknowledged there will be
bulking due to breakage of rock. The
backfill can be blended in a planned
fashion, preparing to regrade.

Stripping of Upper Soil
The upper layers of soil bear water
sands in all varieties and are also en-
riched from humus. These layers should
be removed - 4 to 6" and used to regrade.
The work areas after backfill.

Follow Up
B.L.M. or County should establish
a regular and frequent inspection of
the site to ensure compliance. For the
the inspection should be paid by the
developer. All work should be done in
accordance with the permit requirements.
Posting a bond will be proposed to
defray work until mining is complete.
This should not be allowed. The de-
veloper may go broke and there will
be no money to do the work.

Cleaning of Area

All piles of excavated material shall be included in the backfill. If pond areas have been constructed by excavation they shall be refilled.

Banding

The developer's band shall be such that it will extend through the period of decaying vegetation. This may involve 10 or more years until vegetation has begun to re-establish.

None concludes his comments

Please send a copy of revisions to the EIR.

Sincerely,

Roger A. Teal

JUNE TETSWORTH
2811 MOUNTAIN AVE
CLAREMONT, CA 91711

May 6, 1989

Mr. John Bailey
Bureau of Land Management
P.O. Box 588
Madison, CA 97363

at post

Dear Mr. Bailey:

I wish to express my opposition to the
same proposal by the Varney Co. to be
located in the proposed Mojave National
Park. If allowed, this project will have
a tremendous impact on birds, animals
and desert plants as well as destroying
one of the most beautiful areas in the
proposed Mojave National Park.

I urge the Bureau of Land Management
to adopt the "No-Action Alternative" which
would prevent the development of the
proposed plan and helpfully prevent any
flow at all. Any help you can give
in preventing the high level of the
proposed plan will be appreciated.

Sincerely,
June Tetsworth

Steven L. Thorson
P. O. Box 21314
Reno, NV 89515

WJH

1983 MAY 13 AM 10:20

Bureau of Land Management
P. O. Box 888
Needles, CA 92363-0888

Attn: Mr. John Bailey

Re: Castle Mountain Mine Project
Viceroy Gold Corporation

Gentlemen:

Over the past eighteen months I have followed the activities and proceedings associated with the above mentioned project. I am a concerned citizen sensitive to the need to protect our environment. I am also a practical businessman who abides by the law. I possess keen insights into the costs associated with environmental impact statements and the delaying tactics being employed by preservationist groups relative to these proceedings.

I should not have to remind you that the Hart Mining District has been actively mined for over eighty years. Additionally, Viceroy Gold has addressed all of the issues outlined in the Environmental Impact Statement (EIS) surrounding operation of Castle Mountain in this particular mining district. The EIS shows no significant negative impacts at the site in question. No company should be forced, due to third party coercion, to spend resources going beyond what is required by existing regulations. It seems to me that you, as regulators, are accountable to the general public for issuing responsible decisions consistent with the intent of those regulations.

The Castle Mountain project will provide 150 jobs and considerable economic benefit to the area. Since Viceroy Gold has complied with all the requirements contained in the EIS, I urge you to shoulder the responsibility of your position and quickly approve the project. This will allow the Company to actively pursue their legal rights consistent with the terms of due process, that system upon which our country was founded and is expected to operate.

Sincerely yours,

Steven L. Thorson

*J. 1/6
E. 1/6
E. 1/6*

*To the ears of Mr. J. Bellard,
I believe the forest will
be over seen with slight environmental
concern. So it does not seem
in my thinking that there would
be any cause for that
concern. And in the past that
there is already expecting
mine on the other and
unmonitored and left unmonitored
could be responsible to those
who might be unaware.
They - the Castle Mountain Group
have put a great deal of
research in this area, so see
that their dumpings be utilized
to their best use not to pollute
the landscape. And in the future
to employment and the taxes
to this area can only help a
already low economic resources
the benefits seem to over
ride the negatives. So let's
use these resources. Robert Thorson*

17402 Adobe Street
Hesperia, CA 92345

John Bailey
BLM
P.O. Box 888
Needles, CA 92363

Sperry

1989 MAY 10
MAY 10 10 10
MAY 10 10 10
MAY 10 10 10

Dear Mr Bailey

This is to let you know that I am against the Proposed Cyanide gold strip mining in the Castle Mountain area of the Mojave Desert, of any other area for that matter.

This type of mining destroys too large an area. We have to think about more than the monetary gain sometimes

Sincerely
Jean Tobias
Jean Tobias

April 27, 1989

Bureau of Land Management
150 Cool Water Lane
Birstow, CA 92311
Re: Castle Mountain open pit mining project

Sirs:

- I am writing you to oppose mining in this area for these reasons:
1. Cyanide in the pools of water attract wildlife and birds, poisoning them.
 2. Underground water will be contaminated.
 3. Water needed for mining will diminish Paiute springs.
 4. The area cannot be reclaimed - huge pits will remain.
 5. Mining will cause excessive damage in the Mojave Scenic Area.

Sincerely,

Alan Cranston
Mrs. H.R. Toenjes and Family
1865 Park Dr.
Palm Springs, CA. 92262

c.c. Senator Alan Cranston

7000
Baker

1/10/89
5-9-89

Mitsuo Tomita
7749 Wing Span Drive
San Diego, California 92119

May 10, 1989

Dear Mr. Bailey:

Please add my name to those very concerned about the proposed Castle Mountain Mine. I believe the BLM should not approve this project. — *Saturnina D. Alvarez*

Respectfully yours,

[Signature]
Mitsuo Tomita

Dear Sirs,

Mining in this area would prove very profitable for our community. Viceroy has been a very good company and I support their being here.

Thank You
Alfred Toplis
P.O. Box 34
Seaside, Nev.
89046

1989 MAY 12 PM 5 44

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 15 AM 11: 11
NEEDLES BUREAU AREA
NEEDLES, CA.

8/88
Bailey

Dan Trunk
1811 E. Grand Ave.
Esccondido, CA 92027
May 10, 1989

RECEIVED
MAY 15 11:02 AM '89

Mr. John Bailey
BLM
P.O. Box 888
Needles, CA

Dear Mr. Bailey,

In 1849 gold miners hit California. They washed away mountains, dug shafts, and left gravel piles from dredging operations.

The gold went to Fort Knox or into other frivolous uses such as jewelry and California got the (mine) shaft!

(2)

Now 140 years later Viceroy Gold Mining, a mining company from Canada, not the United States would like to mine at Castle Mountain without even having to fill in the pits when they are done.

Has the BLM not learning from 140 years of mistakes?
Please stop the Castle Mountain mine.
Thank You.

Sincerely,

Dan Trunk

60151

5415 Palms Dr
San Francisco, Ca 94101
May 1, 1989

1989 MAY 15 AM 11:40

Division of Land Management
Wildlife Resource Crew
PO BOX 3889
Needles, Ca. 92363-0888

Mr. John Bailey
State Hwy, Needles.

The proposed Castle Mt gold-mining project should not be allowed. The fragile desert scrub desert to be enclosed in the new proposed Mojave National Park will permanently impact to the Coyolito. The Manager Mr. Murb recently had a leak which destroyed evidence of

the project. Although the corporation is EIR-S water but it is supposed to be new feet the company will dig up many ways. Why should we spend the project in their project to the Corporation?

Sincerely,
Lawrence M. Feldt

RECEIVED

1989 MAY -8 AM 10:21

MAIL ROOM

41

Mr. John Bailey
Bureau of Land Management
Wildlife Resource Area
P.O. Box 888
Needles, CA 92363-0888

Dear Mr. Bailey:

We are against the Castle Mountain Mine project for the following reasons:

- 1. The fragile desert tortoise habitat will be impacted by all the road and mine construction.
- 2. New open pits and deadly cyanide ponds should not be permitted within the National Scenic Area.
- 3. The impact to Piute Creek is not worth the cost.
- 4. The bighorn sheep habitat will be lost.

Please DO NOT allow this project to begin. We do not want this area to become a toxic waste ground that will ruin the wildlife and endanger the wildlife.


Howard P. Alessio
Needles, CA

B. L. M.
P. O. Box 888
Needles, California
92363

RECEIVED
BUREAU
1983 MAY 26 4 10 13
NEEDLES, CA

Attention: John Bayley

I have known Viceroy for approximately a year. I'm aware of their Castle Mountain Gold Project. This project is in the historic Hart Mining Districts which has been mined off and on for the past 80 years.

Viceroy has identified an Ore body of widely disseminated gold which will produce about 100,000 ounces a year for 8 to 10 years.

The best use for this area is to continue as a gold mine. I ask that you please approve the project.

Sincerely,
Georgia Had Patten

RECEIVED
BUREAU
1983 APR 25 10 10 53
NEEDLES, CA

April 23, 1983
Bureau of Land Management
P.O. Box 888
Needles, CA 92363

Dear Bureau:

I urge you to refuse the permit which would allow an open pit gold mine at Castle Mountain.

Even if the Canadian company were to fill in their 110 plus forty acres of 600 ft. deep holes, the environmental hazards resulting from the use of cyanide for leaching the ore on site are unacceptable. This fiasco could make the Love Canal look like a birthday party.

I suggest the BLM study as report released by Watershed Group Consultants of Santa Cruz, which seems to more accurately define the hazards of cyanide percolation.

Yours truly,

M. Lois Sparks
Marion Vassiliatos
6380 Denair Ave.
San Bernardino, CA 92346

cc: Rep. Jerry Lewis, U.S. Congressman
Barbara Rioridan, County Supervisor

5/11/89
Baker

Dear Mrs. Bailey,

I've just finished reading the Carter-McIntosh Report Draft CIS/IR. I found it to be disconcerting because of the lack of detail - we've never, past, told her as a lot of my comments/questions:

1. What would be the effect of building the gas pipeline along Saskatchewan? Shouldn't we look at that before we do anything else?
2. A "locking mechanism" is mentioned. What is it? How will it work?
3. Some of the overbids will be said to build the drainage basins. Is this in case the basins are built? Will the stream drains be built? Or will the overbid be dropped?
4. The pits will not be backfilled. Exactly how will people and wildlife be protected from these pits? Will fences be left there forever?
5. This approval may request approval to dispose of tires, metal, concrete, and wood in the overburden pits. I would like this issue to be settled now, not later. This does not sound like a good idea.

6. What are the details of the spill prevention and preparedness plan? I would like to know this, even before any project approval.
7. Draft Technical Report will be disturbed whether or not the Saskatchewan road is improved because of the gas pipeline. The average "break size of culverts" are allowed to increase to 1000 m. How much does that really work?
8. There are competing interests in whether or not the water authorities will object to the Pipeline. How much do we believe?
9. The project will disturb forest trees and the Horn Sheep habitat. This is not acceptable.
10. The reclamation plan is not detailed enough, and what is there is based on speculation. The applicant does not know yet (more of the known yet) how well transplanting vegetation will work.
11. Will migrating birds get caught in the pits and the catch ponds? This is not acceptable.

13.

12. I assume that BSA will monitor the applicant's compliance with the mitigation and safety plans. Thus is a cost to taxpayers. What will taxpayers get in return? Apparently not impact or clearing fees. Why should taxpayers pay for this? Can't the company a Canadian form?

In general, the DEIS/EIR requires that we put too much faith in the applicant to do things right. This is a spill at River William Sound where we think that we get a good idea of what we want to do. The applicant seems to want to take shortcuts in order to make the mine economically feasible. Why should taxpayers allow this? Why should they get back at public expense? The unavoidable adverse impacts are not acceptable to me.

The "no project" alternative is the only solution to this.

Sincerely,
 JOANNE VINTON
 737 LAM ST. #4
 SAN CARLOS, CA 94070

Marguerite A. Ware
3740 Panama Way
La Crescenta, CA 91214

May 8, 1989

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 11 PM 3:08
NEEDLES RESOURCE AREA
NEEDLES, CA

Mr. John Bailey
Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888

John Bailey

Dear Mr. Bailey,

This is to express opposition to Castle Mountain gold mining. I think the process used would be hazardous to plants and wildlife in the area, as well as being unsightly. I'm sure there are other areas where mining has less impact on the environment. I'm not an expert but I do enjoy the desert! I understand this area would become part of Mojave National Park Sincerely,

Marguerite Ware

P.S. You need not reply to this letter. I just worry about what is happening in the desert.

EMILY B. J.

5/8/89

Dear Sirs

I hereby give notice
That I Gene S. Voden do
Assign The Castle Mountain
Project

Gene S. Voden

G. S. Voden
1880 S. Altadena Dr.
Altadena, Ca.

RECORDED
INDEXED
MAY 15 1989
FBI - LOS ANGELES

Post
Emick

May, 8, 89

John Bailey
Area Manager
U.S. Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, California 92363

Dear John Bailey,

I live in Searchlight Nevada. Searchlight has been a gold mining town since about 1900. We need the Castle Mountain gold ~~mine~~ mines.

Respectfully

Gene Watt
Box 55
Searchlight Nevada
89046

V. Bailey - 5-2-89

Dear Mr. Bailey,

After attending the Public Meeting on April 18 in San Bernardino it is my considered opinion that the Castle Mountain Mine project should not proceed.

I believe that this type of mine is not compatible in a National Scenic Area.

I urge you to adopt the No-action Alternative which will cause no destruction to water, wildlife and scenic values.

Sincerely,

Henry W. Wangyok

Mr. Henry W. Wangyok
638 Central
Lawrence, CA
94701

1989 MAY -5 14 03 13

C.D.D. Needles RA

FRANCIS M. WHEAT
ROOM 4600
333 SOUTH GRAND AVENUE
LOS ANGELES, CALIFORNIA 90071

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 APR 10 AM 10:07

April 6, 1989

Director
Bureau of Land Management
Needles Resource Area
Box 888
Needles, CA 92363-0888

Dear Sir,

We wholeheartedly oppose the projected Castle Mountain mine and urge you flatly to prohibit its proposed use of a cyanide heap leaching process inside the East Mojave National Scenic area.

To classify this area of magnificent desert scenery as a "national scenic area" would be a travesty if you nevertheless permit this extraordinarily ugly process, threatening to nature, to be used.

Moreover, to allow the use of any of the water of Piute Creek for such a mine, thereby even partially drying up the only year-round stream in the national scenic area would, in our opinion, be no better than a cynical negation of the idea that this area continues, in any sense, to be a "national scenic area". In all decency, if this kind of a mine is permitted, you could no longer use that designation, carrying as it does the clear implication that this is an area deserving special protection in the national interest, and that it is receiving such from you.

Please place this letter in the record of the hearings you are conducting on this project.

Very truly yours,

Francis M. Wheat
Mr. & Mrs. Francis M. Wheat

| Routing | Date | Initials |
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Bureau of Land Management
Please! NO Grande Ojo P.T. Mines
in the Mojave Desert. It's AN
Admin of the Pristine beauty
of NATURAL Desert—Save
the beauty of

National Resource
to preserve

Bill (C...)
11774 Mandeville
Encino CA 91436

APR 6 1989
POSTAL SERVICE
FBI
FBI

PS: Support a National EARTH!
Please stop Canadian Ureacoy Corporation
Plan to destroy the desert.
IN Piute Springs

May 7th, 1989

Mr. John Bailey
Bureau of Land Management
P.O. Box 888
Needles, CA 92363

Dear Mr. Bailey:

I recently became aware of the plan proposed by the Viceroy Corporation of Canada to begin a gold mining operation in the Mojave National Park. This mining operation would dig huge open pits, and use cyanide to leach the gold out of the raw ore. I am writing to express my distress, opposition, and outrage at this plan. I urge you and the Bureau of Land Management to quickly halt this plan by adopting the No-Action Alternative.

I grew up in Arizona, and I learned early in my life just how beautiful and harsh the desert environment is. I also learned that it is a fragile environment, with the wildlife and plants living in a delicate balance of survival. If the Viceroy Corporation is allowed to proceed with its mining plans, it will be a disaster for the Mojave National Park. The open pits would ruin the aesthetic beauty of large expanses of the Park. The large mounds of tailings and leach ponds would allow large concentrations of cyanide to enter the environment, and would kill thousands of desert animals. The huge amounts of water that would be needed to operate the mine would be water diverted from other areas and uses that would be more beneficial to both nature and mankind. In the desert, water is more precious than gold.

There are many other negative aspects of this gold mining scheme that I could mention, but I hope that those few above will help to convince you that it would be a serious mistake to allow this mine to be opened. The consequences would be disastrous for the environment and wildlife, and it is likely that the mess created by the mining would never be cleaned up after the gold had run out and the Viceroy Corporation fled back to Canada. Surely our environment is much more valuable and precious to allow its destruction for a few hundred or thousand pounds of gold!

Again, I urge you to put a stop to this outrageous plan to ruin much of the Mojave National Park. Please use your influence to preserve the beauty and life of our fragile desert.

Thank you very much for your time and consideration in this matter.

Yours truly,

Willard T. Wheeler

Willard T. Wheeler
660 Wedgewood Avenue, #14
Upland, CA 91786
Phone: (714) 946-5859

MAY 10 1989

5/2/89 JJK
EM/MS

Can the men.

I too support the
EASTLE Mountain Project
This country has become
a plantation nation where
we squander our resources,
buy us Trash and export
us leech paper. As
this continues we become
POOR! Mineral Resources
are the undergins basis
of our wealth. Without
mining we will really
POOR.

Grace White
2507 Green Top Dr.
Lake Wood CA
90712
C.3-197

Handwritten: 1989 APR 27 11:05:50
REC'D
APR 27 11 05 50

Handwritten: 5/10/89
Dear Director of the B.L.M.,
(Regarding the Castle Mtn. Project)

Handwritten: I am outraged to find out that once again a unique and valuable wild area is being given to a foreign entity for exploitation. Why should a Canadian firm be allowed to extract our mineral wealth and despoil a National Scenic Area in the process, and then leave us with a toxic waste problem and eyesore?

Handwritten: Desert Tortoise habitat will be adversely affected by the operation as will Bighorn sheep habitat. In addition, all species of flora and fauna will be negatively impacted by any degradation of Pute Spring.

Handwritten: Open pit mines with the accompanying cyanide ponds are inexcusable in a National Scenic Area. Any Benefit/Cost Analysis which accounts for this "cost" will show a negative rate of return.

Handwritten: As an American and a teacher, I find the decision to allow this mining to occur in a National Scenic Area especially by a foreign firm, totally unacceptable. In a time when the petroleum industry demonstrates their inability to coexist with the environment despite their "best efforts", you should reconsider an outsider's ability to do this.

Handwritten: Sincerely,
Daniel W. Verzet

TO: BLM
P. O. Box 888
Needles, CA 92363

FROM: Claire Wikle
46-618 Madison St. #31
Indio, CA 92201

Dear Sirs:

I recently visited the East Mojave National Scenic Area for the first time in many years, and my memory of its dazzling beauty was doubly reinforced. I am stunned to learn of the proposed development of a cyanide heap leach operation by the Canadian Viceroy Corp. It would seem that its effect upon the wildlife of the area would far outweigh any benefits that might be accrued from it. Desert tortoise habitat will be impacted by road and mine construction. Bighorn habitat will be lost. The effects on wildlife attracted to polluted water sources would be frightening.

I believe that new open pits and cyanide ponds should not be permitted within the National Scenic Area. The impact on wildlife is just too great.

Yours truly,
Handwritten: Claire Wikle
Claire Wikle
April 20, 1989

LOUIS A. WILKINSON
185 CAZNEAU AVE
BAUBALITO, CALIFORNIA 94985

5/31/89

8388

Paul
C

Dear Mr. Bradley,

I am writing to state that I support the "no project" alternative to the Castle Mtn Mine.

I worked along Piute Creek about a month ago and am very much concerned about the water supply. I am concerned about the loss of Tortoise that Castle Mtn Mine would cause. I am also concerned about the danger of wild life mortality from cyanide leaks, back mining.

Sincerely,
L. A. Wilkinson

April 17, 1989

To The Bureau of Land Management:

I beg of you not to authorize the development of the massive new cyanide heap leach operation in the East Mojave National Scenic Area, as proposed by the Canadian Viceroy Corp

The Castle Mountain project would use thousands of tons of toxic chemicals each year and destroy at least nine hundred acres of the Scenic area. The desert tortoise habitat would be affected; the bighorn sheep habitat would be lost and the potential impact to Piute Creek is not worth the risk.

Sincerely,
Paul Wilkinson

encl. 1

we support the Castle Mountains Mining Project

Joseph R. Williams
Joseph R Williams
Russell Williams
14224 Bara Dr
La Merced, Ca 95338

RECEIVED
BUREAU OF LAND MANAGEMENT

1989 MAY 12 AM 9:46

FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

Mrs. Pat Williams
613 Sam Jonas Dr.
Las Vegas, NV 89128

May 9, 1989

Needles Resource Area
Attention: Mr. John Bailey
P. O. Box 888
Needles, CA 92363-0888

Dear Mr. Bailey:

Having recently reviewed the EIS/EIR prepared by Environmental Solutions I feel that the Castle Mountain Project should be allowed to proceed.

Our natural resources should be utilized, that is what made this country what it is today. The economy will benefit from this mine and I feel that it would be a great error if they are not allowed to open the mine.

The area can only be enhanced by this not deteriorated. Obviously mistakes by miners in the past have been made let them show how they can be corrected.

Sincerely,

Mrs. Pat Williams
Mrs. Pat Williams

RECEIVED
BUREAU OF LAND MANAGEMENT

1989 MAY 15 AM 11:46

FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

JEB
Bailey

C.3-201

13 May 89

Mr. John Bailey
Bureau of Land Management
Needles Resource Area
Post Office Box 888
Needles, CA 92363-0888

Mr. Bailey:

I advocate the approval of the Castle Mountain Project.

While perusing the DEIS/EIR for the project, I considered the many potential opportunities the Mojave Desert affords inhabitants of the Earth. For example, habitats for a variety of fauna and flora, vast areas for recreation and scientific endeavors, and access to the numerous geologic features that it encompasses.

As a geoscientist, I am aware that geologic features may be of economic value in addition to providing insight to the nature of the planet and the evolution it has experienced through time. As a consumer-of-goods, I am aware that the economic value of mineral resources is inherent in the maintenance/advancement of our technological society. As a resident of San Bernardino County and admirer of desert environs, I am aware that the protection of its inhabitants and landscape is of the essence. Since the "potential" is actually "potentials", it is justifiable to view the desert as an area deigned for multiple use.

I view the proposed Castle Mountain Project as a good candidate to exercise such multiple use. I believe that the Viceroy Gold Corporation will follow the mitigation measures outlined and will be comprehensive in their efforts to limit impacts to one of California's, or more correctly...the nation's, greatest resources, the Mojave Desert.

I encourage the BLM to support such mining applications.

Handwritten:
Wendi J. Williams
13255 Kiowa Road #2
Apple Valley, CA 92308
(619) 240-5417

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 15 AM 11:17
NEEDLES RESOURCE AREA
NEEDLES, CA

RECEIVED
1989 MAY 18 AM 9:55

Bureau of Land Management
Needles Resource Area
P.O. Box 888, Needles, Ca

Dear Mr Bailey and concerned others:

Handwritten:
I am familiar with the Viceroy gold corp situation I understand that that now there is some conflict as to whether the project will go ahead as planned. Because, once again some environmental groups are involving themselves. Well I don't know how they support themselves but are they or anyone else taking in to consideration how many are being affected? Or are they aware of the unemployment rate in the U.S. that is just something for them to add to their list to think about.

Handwritten:
As for their argument, Viceroy had a study done about the environmental impact. Why would a company give false info? It seems like Viceroy has done everything they are supposed to do and later all for their gold mines opening!

Handwritten:
Concerned Citizen
Fatty Williams
4800 Korte #14
Reno, NV 89502

Division of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363

688 MAY 17 1989

Handwritten: 5/12/89

Needles, CA 92363-0888
John Bailey

Dear Sir,

I would like to comment on the
Needles Resource Area I am very concerned
about potential damage to the Pine
Grove Reserve from COALMINE EXTRACTING
TO WHAT THE PROJECT I AM ASKING
CONSIDERABLE RESISTANCE FROM THE PINE
GROVE RESERVE I THINK THE SCENE
AND CONSIDERABLE DAMAGES IN THE EXISTING
MINING EXISTING EXISTING THE POTENTIAL
CONSIDERABLE DAMAGES OF THE MINE TURBINE
RESERVE THE NO PROJECT ALTERNATIVE.
- Hank (you)
James Wilson
307 Wilson
Fresno, CA 93511

U.S. Bureau of Land Management
Needles Resource Area
101 West Spike Road
P.O. Box 888
Needles, CA 92363

Attention: John Bailey

RE: Draft EIS/EIR
Castle Mountain Project
San Bernardino County, CA

I would like to go on record as supporting the Castle Mountain Project. Today's mining industry is keenly aware of the environment and its reclamation obligations. The proposed Castle Mountain mine is a good example of the "multiple use" concept on public lands and will provide new wealth from the California desert while still respecting the surrounding environment. "Multiple use" of public lands is the only acceptable management of our desert resources, especially with the new, stronger safeguards administered by Federal and local agencies. Furthermore, as in Nevada, the mining industry provides high-paying jobs which are important to the economy of our rural communities. The average mining job in Nevada pays \$33,631 per year. This is a far cry from the minimum wage paid by the many service industries in the big cities. I strongly endorse the Castle Mountain project and encourage its approval by the Bureau of Land Management and the County of San Bernardino. Let mining work for California.

Sincerely,

C.D.D. Needles RA

| Routing | Date | Initials |
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| Wild. | | |
| C. Ranger | | |
| Return By: | | |
| Return To: | | |

Handwritten signature: James Wilson
James Wilson
105 Tule Drive
Carlsbad City, NV 89703

Mr. John Bailey
BIM, Needles Resource Area
101 West Spikes Rd./PO Box 888
Needles, CA 92363

RECEIVED
APR 13 PM 2 22

11 April 1989

Dear Mr. Bailey:

Thank you for the draft of the EIS on the Castle Mountain Project.

There are at least three points that are not adequately addressed by this statement.

1. The water use assessment in the EIS suggests that the mining operation's water use will not have a significant effect on water flow at Plute Springs. This directly contradicts two hydrologic studies of the area- the 1984 USGS study and the 1987 study by Dr. Robert Curry, a hydrology consultant. Both of these studies found that the mine's water use would significantly affect the aquifer that feeds Plute Springs. Since Plute Springs is a critical water source for wildlife and the analysis presented by the EIS is not in agreement with available data, this portion of the EIS merits closer examination. Also, the draft does not state what action will be taken if the mining operation's water use does affect Plute Springs. This possibility must be dealt with.
2. The EIS does not specify the materials that will be used to line cyanide ponds. Given the recent aquifer contamination found at toxic waste dumps such as that at Casamita, California, the result of seepage through lined ponds, the lining materials are of great concern. Even if materials are approved by the RWQCB, independent tests of the materials are strongly indicated. Cyanide leakage into the aquifer could exterminate wildlife.
3. The reclamation bond amount, to be based on the design of the area to be disturbed and the projected costs of reclamation, may prove inadequate.

Having worked on reclamation myself, at the Vandenberg AFB Peacekeeper Missile Project, I know that reclamation costs may far exceed original estimates. Unexpected factors can and do arise, and reclamation methods often require revision, usually at an additional cost. The reclamation bond must be designed to accommodate costs that become apparent only as reclamation actually occurs.

On the preceding three points, the present draft of the EIS for the Castle Mountain Project is not adequate. Until all issues are fully addressed, this project should not be approved.

Sincerely,
Kirsten Winter
Kirsten Winter
1800 Refugio Rd.
Goleta, CA 93117

Dear Mr. Darling, May 13, 1989

I would like to say a few things about Castle Mountain. I believe that the people of East Mojave should be able to express their feelings about what is going on in their back yard. Mercury gold is being just flown by themselves, by not denigrating the land they use. They are helping people by creating jobs; giving them a communications system, which they had very little of in the past. I believe Mercury Gold Co. is not hurting the ecology of the land or of the mine. If his company should be allowed to work in cooperation with the residents with out B.L.M. interfering. If his company will do very well with out your organization trying to stop them. I believe in what they are doing and I will support Mercury Gold to the fullest!

Yours very truly,
John P. Day
Terry Krueger P.O.B. 3350
P.O. Box 285
Coker CA 92309

John Bailey
Bureau of Land Management
P.O. Box 888
Needles, Ca. 92363-0888
Merge Land point - Wmed 18?
We need McKay Mine near Searchlight Area. It will be good for employees Robert Wise

RECEIVED
1983 MAY 17 AM 10 13
FBI

May 4, 1989

1989 MAY 15 11:43

Castle Mtn Project
BLM
Needles Resource District
P.O. Box 888
Needles, Ca 92363

To whom it may concern,

I support the Castle Mountain Mining project and all mining in general. I also support the small mineral prospectors.

I think our deserts are always open for generations to come and not closed, if closed our future generations will never be able to see sand land.

So S-11 for the Sierra Club only? If S-11 passes are they going to manage the land? Who then? Land the land under the Management of Federal Government NOT THE SIERRA CLUB!

Sincerely
Michael Woolery

Mike Woolery
356 N. Sierra Way
San Bernardino
CALIF. 92405

April 25, 1989
Page Two

Bureau of Land Management
Needles Resource Area

RICHARD V. WYMAN, PH.D.
REGISTERED PROFESSIONAL ENGINEER AND GEOLOGIST

NEVADA #2181
ARIZONA #618
CALIFORNIA #44

610 BRYANT CT.
BOULDER CITY, NEVADA 89005
(702) 293-1098

April 25, 1989

Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888

RE: Castle Mountain Project

Attn: John Bailey

I am addressing the problem of the Castle Mountain project of Viceroy Gold Corporation. In particular I have a number of comments concerning the extensive environmental impact statement which I have before me.

By way of background, I am a professor of Civil Engineering at the University of Nevada Las Vegas, and a member of the CRMP committee for the Las Vegas district of the BLM representing mining interests. I have been a resident of this area for 35 years, and am a registered geologist in California. I am also a licensed water rights surveyor in Nevada. I have extensive experience in mining and operation, including ground water and am familiar with the area in question on both sides of the border. The local CRMP committee has also reviewed the Nevada area.

The Draft Environmental Impact Statement has been thoroughly prepared and has considered the wildlife protection, especially with regard to cyanide use. The Desert Tortoise is in no danger of becoming extinct from this operation, and if the Nevada access road is approved, this passes through an area of relatively low tortoise population. The measures described in section 3.2.7.4. are very adequate for wildlife protection. These measures have proven effective at the large gold mines in Nevada. Certainly the wild statements made at the public hearings cannot be supported in any way.

The problem of reclamation and revegetation has been thoroughly planned (3.2.8.2.) and will return the area to a very acceptable level after mining.

The problem of water supply was studied at length (5.3.1.2.). The measures to mitigate any damage should be completely acceptable to all. The recirculation and reuse of water will mean a minimum impact on the ground water reservoir. After mining the reservoir will be recharged naturally.

There are a vast number of laws of an environmental nature now controlling all phases of economic activity, especially mining. The groups which have appeared at hearings to oppose the Viceroy operation were instrumental in getting those laws passed. Now they should support the application of these laws by the BLM and other agencies of the State and Federal government.

Yours truly,

Richard V. Wyman
Richard V. Wyman

xc: County of San Bernardino
Environmental Public Works Agency
Viceroy Gold Corporation

May 11, 1989

Director of Land Management
Bureau of Resource Area
P.O. Box 3888
Needles, Ca

Dear John Bailey:

At this time I must ask you to support the "no protect" alternative for the Castle Mountain Mine. No more destruction of the land and reservoirs of chemical standing ponds.

The desert must be preserved and not turned into wastelands. There is life in all deserts. This fact is known by Australian Aborigines, Arizona American Indians, New Mexico Artists, African Tribes, and Mongolian plainsmen. Many Americans from the eastern United States don't understand the west and along with foreign interest, could care less.

Yours truly,

Chris Jennings

48
MAY 11 8 44 AM '89

788
Bailey

11350 Football Blvd #119
Lakewood Terrace Ca 91342
May 3rd, 1989

Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, Calif. 92363-0888

Dear Mr. Bailey

I am writing you about the Castle
mountain gold-mining project. I feel
that the loss of cyanide to recover gold
will have too strong a negative effect
on wild life in the area. I oppose this
project very strongly.

Sincerely,

John A. yard

Mr John Bailey
BLM
P.O. Box 888
Needles, Ca. 92363

Mr. Bailey;

I have been a resident of
Searchlight for 20 years. I am
in favor of Vicroy Gold Castle
Mountain because we need the
employment & revenues for our
town. Vicroy for the past year
has shown to be a good
caring neighbor & we believe
in what they are doing

Mr. Botte Joann
Searchlight Nev 89046
Exp 23

City
RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 17 AM 10:13
NEEDLES, CALIF.

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 15 AM 10:57
NEEDLES, CALIF.

May 15, 1989

Dear Sirs -

It certainly is obvious that some of the land is not your concern - If anyone wants green in front of you, you involuntarily agree - And to allow a foreign country to come into our desert area, especially one designated a scenic area, to withdraw 450 gallons of water a minute proves the stupidity of the people involved. This is desert no one should be allowed to waste that much water to the destruction of land, the destruction of the tortoise habitat. The Pinto Creek is a fragile system that should be protected

not destroyed - Open parts of Coyote will certainly kill all of the desert creatures who will be forced into drinking from it. I wish I could understand how your minds work to even think of allowing a private, foreign country into this area to destroy - You certainly are in the wrong area - You certainly don't have the right to ~~own~~ ^{own} our private desert as your main concern -

Sincerely,
 Jeannie Yumoto
 Box 80
 Morongo Valley
 Ca 92256

RECEIVED
 MUSEUM OF THE DESERT
 1989 MAY 19 AM 9 52
 HERMAN
 HERMAN, CA

P.O. Box 608
Rightwood, CA. 92397
May 7, 1989.

RECEIVED
MAY 11 1989
FBI

1141
P.O. Box 888
Needles, CA 92363

Dear Sirs,

I am writing in response to the proposed gold mining project at Castle Mountain California.

I understand the cyanide leaching process has many risks. Some of these risks can be mitigated some are just too damaging. The loss of habitat for the Lighorn Sheep and Desert Tortoise cannot be avoided under the current proposal. Both these species need protection before they become extinct. The water from Lute Spring is essential for the Lighorn and other species, any possibility of damage is not worth the risk.

The Mojave desert is one of the less populated parts of our state. To me the idea of a large scale pit mine using toxic chemicals is offensive and dangerous in any location, not to place such a project in a national scenic area seems criminal.

I realize that mining and development is necessary, but in an era of extinction, air pollution, toxic drinking water, pesticide contamination and uncontrolled growth industrial America should be thinking more of public health and a health environment than of profit. The EPA is entrusted with using our public land in a responsible manner. A cyanide extraction gold mine in a scenic area is a blatantly irresponsible action. I expect the EPA to protect our public lands by defeating this proposal.

Sincerely,

Andrew W. Zanella
Andrew Zanella

copy sent to Rep. Jerry Lewis, House of Rep.

2-18
LAWYER

644 Rockford Dr.
Claremont, CA 91711

11 May 1989

RECEIVED
MAY 15 1989

MR. JOHN BAILEY
ASLM
PO BOX 888
NEEDLES, CA 92363

DEAR MR. BAILEY:

I AM WRITING TO EXPRESS OPPOSITION TO THE ATTEMPT BY VICEROY CORP. TO INTRODUCE A CYANIDE PROCESS FOR GOLD MINING AT CASTLE MOUNTAIN AS A CHEMIST, I KNOW THE DANGERS OF CYANIDE TO ORGANISMS AND TO THE ENVIRONMENT. IT WILL ALSO USE LARGE VOLUMES OF PRECIOUS WATER IN A REGION WHERE WATER IS A SCARCE RESOURCE.

I FIND IT IRONIC THAT THE CANADIAN LECTURE THE U.S (EVEN BLAME) ABOUT ACID RAIN ORIGINATING SOUTH OF THE BORDER, AND NOW THEY PROPOSE TO POLLUTE OUR FRAGILE DESERTS FOR MARGINAL PROFITS.

I URGE YOU TO ADOPT A NO-ACTION ALTERNATIVE. WE DO NOT NEED THIS TYPE OF ENTERPRISE.

SINCERELY,

Andrew W. Zanella
ANDREW ZANELLA

Petitions/Form Letters



1989 MAY 16 11:10:13

[Handwritten initials]

May 9, 1989

John Bailey, Area Manager
Bureau of Land Management
Needles Resource Area
P O Box 888,
Needles, Calif. 92363

Dear Mr. Bailey,

I wish to express my support for the Castle Mountain, Viceroy Gold Mining Project.

It is my opinion that this project will enhance and improve the quality of life in the remote East Mojave desert. The residents of the East Mojave welcome this project with open arms, and open minds.

Viceroy Gold has already developed needed wells in the area which will benefit the wildlife, and have plans to develop more. They also plan a communication system which will remain in place when the project is completed. At present, little or no communication links exist in the Castle Mountain area.

We would appreciate it if some attention were paid to the fact that this is OUR backyard. We are likely better able to judge whether it will help or hurt the residents, human or animal, and the vegetation of the region.

I urge you to join with us in support of this project.

Yours very truly,

[Handwritten signature]
(Signed) *[Handwritten name]*
P.O. Box 122
P.O. Box 122
P.O. Box 122

J.C.C.
Bailey

1988 MAY 15 10:30

May 9, 1989

John Bailey, Area Manager
Bureau of Land Management
Needles Resource Area
P O Box 888,
Needles, Calif. 92363

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I urge you to join with us in support of this project.

Yours very truly,

John Bailey
Box 888
(Signed) John C. 92363

J.C.C.
Bailey

C.3-214

1988 MAY 15 10:30

May 9, 1989

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Bureau of Land Management
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P O Box 888,
Needles, Calif. 92363

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I urge you to join with us in support of this project.

Yours very truly,

John Bailey
Box 888
(Signed) John C. 92363

RECEIVED
MAY 16 1989
MAY 15 1989

May 9, 1989

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Needles, Calif. 92363

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Yours very truly,



(Signed)

RECEIVED
MAY 16 1989
MAY 15 1989

May 9, 1989

John Bailey, Area Manager
Bureau of Land Management
Needles Resource Area
P O Box 888
Needles, Calif. 92363

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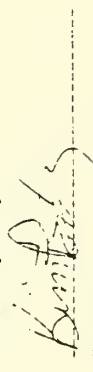
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Yours very truly,



(Signed)

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 16 AM 10:13
15000 N. HIGHWAY 101
NEEDLES, CALIF.

May 9, 1989

JP

John Bailey, Area Manager
Bureau of Land Management
Needles Resource Area
P O Box 888,
Needles, Calif. 92363

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I urge you to join with us in support of this project.

Yours very truly,

J. L. B...
(Signed)
P.O. May 1989
Jesse, Calif 92309

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BUREAU OF LAND MANAGEMENT
1989 MAY 16 AM 10:14
15000 N. HIGHWAY 101
NEEDLES, CALIF.

May 9, 1989

JP

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Bureau of Land Management
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Needles, Calif. 92363

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J. L. B...
(Signed)

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MAY 16 1989

MAY 16 AM 10:14

[Handwritten initials]

May 9, 1989

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Bureau of Land Management
Needles Resource Area
P O Box 888,
Needles, Calif. 92363

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Yours very truly,

[Handwritten signature]

(Signed)

RECEIVED
MAY 16 1989

MAY 16 AM 10:15

[Handwritten initials]

May 9, 1989

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Bureau of Land Management
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I urge you to join with us in support of this project.

Yours very truly,

[Handwritten signature]

(Signed)

6-17-89
1989 MAY 16 PM 15
JB

May 9, 1989

John Bailey, Area Manager
Bureau of Land Management
Needles Resource Area
P O Box 888,
Needles, Calif. 92363

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I urge you to join with us in support of this project.

Yours very truly,

Mary E. Hoover
(Signed)

JB
1989 MAY 15

May 9, 1989

John Bailey, Area Manager
Bureau of Land Management
Needles Resource Area
P O Box 888,
Needles, Calif. 92383

Dear Mr. Bailey,

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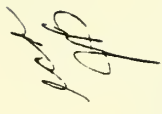
I urge you to join with us in support of this project.

Yours very truly,

Mary E. Hoover
(Signed)

Mary E. Hoover

RECEIVED
MAY 15 14 10:13



May 9, 1989

John Bailey, Area Manager
Bureau of Land Management
Needles Resource Area
P. O. Box 888,
Needles, Calif. 92383

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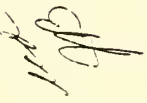
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I urge you to join with us in support of this project.

Yours very truly,

Larry B. Stryker
(Signed)
P.O. Box 214
Barr, Ca. 92309

RECEIVED
MAY 15 14 10:13



May 9, 1989

John Bailey, Area Manager
Bureau of Land Management
Needles Resource Area
P. O. Box 888,
Needles, Calif. 92383

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I urge you to join with us in support of this project.

Yours very truly,

Larry B. Stryker
(Signed)
P.O. Box 214
Barr, Ca. 92309

FILED
1989 MAY 16 AM 10:14
NEEDLES, CALIF.

May 9, 1989

John Bailey, Area Manager
Bureau of Land Management
Needles Resource Area
P O Box 888,
Needles, Calif. 92363

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I urge you to join with us in support of this project.

Yours very truly,

William C. Hammond
(Signed)

FILED
1989 MAY 16 AM 10:15
NEEDLES, CALIF.

May 9, 1989

John Bailey, Area Manager
Bureau of Land Management
Needles Resource Area
P O Box 888,
Needles, Calif. 92363

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I urge you to join with us in support of this project.

Yours very truly,

William C. Hammond
(Signed)

File
Folder

1989 MAY 15 10:17:30

May 9, 1989

John Bailey, Area Manager
Bureau of Land Management
Needles Resource Area
P O Box 888,
Needles, Calif. 92363

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I urge you to join with us in support of this project.

Yours very truly,

Ann A. Jackson
(Signed)

Box 160

BARTON, CALIF

92309

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Folder

1989 MAY 15 10:30

May 9, 1989

John Bailey, Area Manager
Bureau of Land Management
Needles Resource Area
P O Box 888,
Needles, Calif. 92383

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I urge you to join with us in support of this project.

Yours very truly,

Barbara Jackson
(Signed)

P.O. Box 27

BAILEY, CALIF

92309

RECEIVED
MAY 16 1989
1:00 PM

May 9, 1989

John Bailey, Area Manager
Bureau of Land Management
Needles Resource Area
P O Box 888,
Needles, Calif. 92363

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Yours very truly,

(Signed)

RECEIVED
MAY 16 1989
1:00 PM

May 9, 1989

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Bureau of Land Management
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I urge you to join with us in support of this project.

Yours very truly,

(Signed)

P.O. Box 205
Baker Ca 97309

1989 MAY 16 4:10:15
JRB
JB

May 9, 1989

John Bailey, Area Manager
Bureau of Land Management
Needles Resource Area
P O Box 888,
Needles, Calif. 92363

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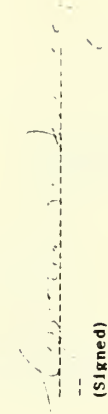
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(Signed)

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JRB
JB

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I urge you to join with us in support of this project.

Yours very truly,


(Signed)

RECEIVED
1989 MAY 16 AM 10:13
MAIL ROOM
U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
NEEDLES RESOURCE AREA
NEEDLES, CALIF. 92363
[Handwritten signature]

May 9, 1989

John Bailey, Area Manager
Bureau of Land Management
Needles Resource Area
P O Box 888,
Needles, Calif. 92363

Dear Mr. Bailey,

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(Signed)

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John Bailey

May 9, 1989

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Yours very truly,

John Bailey
(Signed)
P.O. Box 1015
Baker, Calif. 97307

RECEIVED
MAY 16 1989 16 PM 10:13

John Bailey

May 9, 1989

John Bailey, Area Manager
Bureau of Land Management
Needles Resource Area
P O Box 888,
Needles, Calif. 92363

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John Bailey
(Signed)

RECEIVED
MAY 16 1989

JP

May 9, 1989

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Bureau of Land Management
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Needles, Calif. 92363

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I urge you to join with us in support of this project.

Yours very truly,

Stella D. Middel

(Signed) P.O. Box 411
Kidder, Pa. 17030

RECEIVED
MAY 16 1989

JP

May 9, 1989

John Bailey, Area Manager
Bureau of Land Management
Needles Resource Area
P O Box 888,
Needles, Calif. 92363

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I urge you to join with us in support of this project.

Yours very truly,

Stella D. Middel

(Signed) P.O. Box 51
Kidder, Pa. 17030

RECEIVED
MAY 16 1969
MAY 15 1969

[Handwritten signature]

May 9, 1969

John Bailey, Area Manager
Bureau of Land Management
Needles Resource Area
P O Box 888,
Needles, Calif. 92383

Dear Mr. Bailey,

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Yours very truly,

Richard M. Rayzadeh
(Signed)

*2-2-69
F-10107*

RECEIVED
MAY 15 1969
MAY 14 1969

May 9, 1969

Ading
John Bailey, Area Manager
Bureau of Land Management
Needles Resource Area
P O Box 888,
Needles, Calif. 92383

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I urge you to join with us in support of this project.

Yours very truly,

Arthur E. O'Brien USM Ret
--
(Signed) P.O. 31
Kelsey, Pa. 92351

RECEIVED

1989 MAY 16 14:10:13

MAIL ROOM

John Bailey

May 9, 1989

John Bailey, Area Manager
Bureau of Land Management
Needles Resource Area
P O Box 888,
Needles, Calif. 92363

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Yours very truly,

Carolyn Stover

(Signed) P.O. Box 31
Lemoore, Pa. 16837

RECEIVED

1989 MAY 16 14:10:15

MAIL ROOM

John Bailey

May 9, 1989

John Bailey, Area Manager
Bureau of Land Management
Needles Resource Area
P O Box 888,
Needles, Calif. 92363

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Yours very truly,

Carolyn Stover

(Signed)

FB
EX-107

15

MAY 15 10 59

6

May 9, 1989

John Bailey, Area Manager
Bureau of Land Management
Needles Resource Area
P O Box 888,
Needles, Calif. 92363

Dear Mr. Bailey,

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I urge you to join with us in support of this project.

Yours very truly,

Quia Stewart
P.O. Box 117
Baker, CA 92309
(Signed)

15

MAY 16 10 59

[Handwritten signature]

May 9, 1989

John Bailey, Area Manager
Bureau of Land Management
Needles Resource Area
P O Box 888,
Needles, Calif. 92363

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Yours very truly,

Quia Stewart
P.O. Box 117
Baker, CA 92309
(Signed)

1989 MAY 16 AM 9:17

Handwritten initials

May 9, 1989

Acting

John Bailey, Area Manager
Bureau of Land Management
Needles Resource Area
P O Box 888,
Needles, Calif. 92363

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Yours very truly,

Handwritten signature: A. T. P. Enterprises

(Signed) A. T. P. ENTERPRISES
P.O. Box 100
Baker, CA 92309

Handwritten initials

1989 MAY 15 AM 9:30

May 9, 1989

John Bailey, Area Manager
Bureau of Land Management
Needles Resource Area
P O Box 888,
Needles, Calif. 92363

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(Signed)
A. T. P. Enterprises
Baker, Ca 92309

RECEIVED
MAY 15 1989

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(Signed)

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PLEASE HELP TO PRESERVE OUR PRECIOUS AND IRREPLACEABLE DESERT ENVIRONMENT BY NOT APPROVING THIS NEEDLESS PROJECT.

SINCERELY,

Norman C. Clark

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W. J. Barker

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Donna M. Holmberg

msc JB

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SINCERELY,

Janet Miller

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SINCERELY,

Carol Miller

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SINCERELY,

Yvonne Polton

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DEAR MR. BAILEY:

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PLEASE HELP TO PRESERVE OUR PRECIOUS AND IRREPLACEABLE DESERT ENVIRONMENT BY NOT APPROVING THIS NEEDLESS PROJECT.

SINCERELY,

Yvonne Polton

DEAR MR. BAILEY:
 I SUPPORT THE "NO PROJECT" ALTERNATIVE ON THE PROPOSED CASTLE MOUNTAIN MINE. THE POSSIBLE LOSS OF THE WATER SUPPLY FOR PIUTE CREEK AND RESULTING ENVIRONMENTAL DEGRADATION ARE OF GREAT CONCERN TO ME. THE USE OF THE CYANIDE HEAP LEACH MINING PROCESS POSES A MAJOR DANGER TO WILDLIFE AND CREATES A TOXIC HAZARD. INADEQUATE PROTECTION OF DESERT TORTOISE HABITAT WILL FURTHER ENDANGER THE TORTOISE POPULATION.
 PLEASE HELP TO PRESERVE OUR PRECIOUS AND IRREPLACEABLE DESERT ENVIRONMENT BY NOT APPROVING THIS NEEDLESS PROJECT.

SINCERELY,

John C. Ferguson

DEAR MR. BAILEY:
 I SUPPORT THE "NO PROJECT" ALTERNATIVE ON THE PROPOSED CASTLE MOUNTAIN MINE. THE POSSIBLE LOSS OF THE WATER SUPPLY FOR PIUTE CREEK AND RESULTING ENVIRONMENTAL DEGRADATION ARE OF GREAT CONCERN TO ME. THE USE OF THE CYANIDE HEAP LEACH MINING PROCESS POSES A MAJOR DANGER TO WILDLIFE AND CREATES A TOXIC HAZARD. INADEQUATE PROTECTION OF DESERT TORTOISE HABITAT WILL FURTHER ENDANGER THE TORTOISE POPULATION.
 PLEASE HELP TO PRESERVE OUR PRECIOUS AND IRREPLACEABLE DESERT ENVIRONMENT BY NOT APPROVING THIS NEEDLESS PROJECT.

SINCERELY,

John J. Wendland

DEAR MR. BAILEY:
 I SUPPORT THE "NO PROJECT" ALTERNATIVE ON THE PROPOSED CASTLE MOUNTAIN MINE. THE POSSIBLE LOSS OF THE WATER SUPPLY FOR PIUTE CREEK AND RESULTING ENVIRONMENTAL DEGRADATION ARE OF GREAT CONCERN TO ME. THE USE OF THE CYANIDE HEAP LEACH MINING PROCESS POSES A MAJOR DANGER TO WILDLIFE AND CREATES A TOXIC HAZARD. INADEQUATE PROTECTION OF DESERT TORTOISE HABITAT WILL FURTHER ENDANGER THE TORTOISE POPULATION.
 PLEASE HELP TO PRESERVE OUR PRECIOUS AND IRREPLACEABLE DESERT ENVIRONMENT BY NOT APPROVING THIS NEEDLESS PROJECT.

SINCERELY,

Robert Winstel

DEAR MR. BAILEY:
 I SUPPORT THE "NO PROJECT" ALTERNATIVE ON THE PROPOSED CASTLE MOUNTAIN MINE. THE POSSIBLE LOSS OF THE WATER SUPPLY FOR PIUTE CREEK AND RESULTING ENVIRONMENTAL DEGRADATION ARE OF GREAT CONCERN TO ME. THE USE OF THE CYANIDE HEAP LEACH MINING PROCESS POSES A MAJOR DANGER TO WILDLIFE AND CREATES A TOXIC HAZARD. INADEQUATE PROTECTION OF DESERT TORTOISE HABITAT WILL FURTHER ENDANGER THE TORTOISE POPULATION.
 PLEASE HELP TO PRESERVE OUR PRECIOUS AND IRREPLACEABLE DESERT ENVIRONMENT BY NOT APPROVING THIS NEEDLESS PROJECT.

SINCERELY,

Robert Winstel

1950 OCT -2 10 3 57

May 3, 1989

Area Manager
U.S. Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, California 92363

To Whom It May Concern:

We are a group of politically minded students who presently attend Snow College. Recently we have been informed on matters dealing with the Castle Mountain Gold Project. Upon evaluation we are strongly in favor of the Viceroy Corporation.

The residents of San Bernardino County would greatly benefit employment wise as well as economically. Including the creation of 150 new jobs and the investment of over 190 million dollars.

The Castle Mountain Gold Project has established programs that will meet or exceed all requirements to protect the environment.

Many of us while retaining our conservative out looks still feel the benefits of this project should be considered over a small group of very vocal individuals.

Respectfully Yours,

Elmer R. Anderson - Richfield, Utah
 Marc W. Crisher - So. Jordan, Utah
 Pilly Cochran - Fern, Utah
 Melvyn Brothers - Mid. Desert, UT
 Ted Hadley - Kayville, VT
 Archie Walker - Oran, UT
 Don Clew - W. Jordan, Utah
 Bruce Flattman - Richfield, Utah
 Jay Minkedog - Auburn, W.V.

Paul Anderson - B.C., Utah
 Ted Smith - Salt Lake City, UT
 Andy Smith - South Jordan, Utah
 Wendy Anderson - Hurricane, UT
 Edward Brown - Bunk, UT
 Bryan Smith - West Point, UT
 Steve Chalkey - Moapa, UT
 Greg Smith - Clifffield, UT
 Carl Korman - Blanding, UT
 Keith Jones - Carey, UT
 Hartwig Allen - Mountain View, UT
 Ed Smith - Richfield, UT
 Robine Wood - Lewiston, UT
 Scott H. Snowback - Fort Collins, Colo.
 Gene H. Johnson - Idaho, UT
 Donald Smith - Bunk, UT
 Fred W. Young - Monticello, Utah
 Rita Marya - West Valley, Utah
 Natalie Nelson - Hurricane, Utah
 Missy Wilson - Mansfield, Utah
 Lee Hill - Farmington, UT
 Kenneth Skelton - Moapa, UT
 Nevada Miller - Bunk, UT
 Steve Kedington - Sandy, UT
 Doug K. Johnson - St. George, UT
 Greg Smith - Bunk, Utah

Illegible Signatures



888
50111

3720 - Las Palmar
Blundell, Ca. 91208
May 5, 1989

Bureau of Land Management
Needles Resource Area
PO Box 888

Attention: Mr. John Bailey
Dear Mr. Bailey:

I strongly support the "no project"
alternative to the Castle Mountain project.
The cost is simply too high for
all forms of wild life - destruction
of new beautiful country - damage
from toxic waste - all for Canada
& Japan - Please approve the project

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 15 AM 11:00
NEEDLES RESOURCE AREA
NEEDLES, CA.

888
50111
May 9, 1989

Needles Resource Area

Dear Sirs:

We are in favor of opening
the Cherry Mine. It will be
good for our town of Leadville.
Also, it will help to keep
the desert open

Sincerely,
Sally Coon

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 15 AM 11:28
NEEDLES RESOURCE AREA
NEEDLES, CA.

ppp
C.3-242

Dear Sir:

Chap. part the Castle
Mountain Project.

Royal E. Schilstone
3701 Hillman St.
Ap. 183
Briarville, Ca. 92505

RECEIVED
BUREAU OF LAND MANAGEMENT
1989 MAY 15 AM 11:45
MEDAN, CALIFORNIA
MEDIANA, CALIF.

TO:
MR JOHN BAILEY
BUREAU OF LAND MANAGEMENT
PO BOX 888
NEEDLES, CALIF 92363-0888

DEAR MR BAILEY
I have been a resident of SEARCHLIGHT NEV. for 3 years; and I am very much in favor of VICEROY GOLOS Castle Mountain gold mine because it will boost our local economy provide many jobs. The Rewards & benefits to our Community as well as the others around us will be great & for bringing thank you

Charles E. Shalk
PO BOX 770
Searchlight Nevada
89046



Mr. John Bailey
Bureau of Land Management
P.O. Box 888
Needles, Ca. 92363

Mr. Bailey.

I have been a resident of Searchlight for 20 years. I am in favor of Viceroy Gold's Castle Mountain gold mine because of employment & revenues for our town which is badley needed.

Dave Foy

Box 23 Searchlight

NEU

997-1427

89046



Tom Bailey ^{get by}

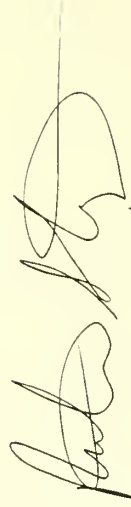
I think the mine would be good for Searchlight & local town at least it would put people to work & not in Wilfong town. If more companies would put people to work it would be a blessing. I lived in Ariz. for 27 years & would not leave Ariz. They had neither the people or Wilfong and unemployment than Working.


P.O. Box 857
Needles, Ca. 92363

UNIT 7082

Dear Sir:

I support the Castle Mountain project, it is known to be a safe project and they have taken precautions to protect the surrounding area & wildlife.



196 Price St
Redlands, Ca 92373

RECEIVED
BUREAU OF ENVIRONMENT
1989 MAY 15 AM 11:38
RECORDS MANAGEMENT
MENDOCINO, CA.

UNIT 7082

C.3-244

I SUPPORT THE CASTLE MOUNTAIN PROJECT. THEY HAVE PROVED THIS OPERATION SAFE BY THEIR ENVIRONMENTAL IMPACT STUDY


345 VALERA
POMONA, CA. 91767

RECEIVED
BUREAU OF ENVIRONMENT
1989 MAY 15 AM 11:46
RECORDS MANAGEMENT
MENDOCINO, CA.

SECRET
BUREAU OF LAND MANAGEMENT
1989 MAY 16 AM 10:13
NEEDLES, CALIF.

ack
JP

May 9, 1989

John Bailey, Area Manager
Bureau of Land Management
Needles Resource Area
P O Box 888,
Needles, Calif. 92363

Dear Mr. Bailey,

I wish to express my support for the Castle Mountain, Viceroy Gold Mining Project.

It is my opinion that this project will enhance and improve the quality of life in the remote East Mojave desert. The residents of the East Mojave welcome this project with open arms, and open minds.

Viceroy Gold has already developed needed wells in the area which will benefit the wildlife, and have plans to develop more. They also plan a communication system which will remain in place when the project is completed. At present, little or no communication links exist in the Castle Mountain area.

We would appreciate it if some attention were paid to the fact that this is OUR backyard. We are likely better able to judge whether it will help or hurt the residents, human or animal, and the vegetation of the region.

I urge you to join with us in support of this project.

Yours very truly,

L.L. Smith
--
(Signed) *L.L. Smith*
Box 12
Needles, Ca. 92363

5-14-89
Mr. John Bailey
Director of Land Management
P.O. Box 888
Needles, Ca 92363-0888

Dear Mr. Bailey
We have been residents of
Needles for 3 yrs, and
are all for Viceroy Gold's
mine. We really need
the jobs in our area that
are still going to protect the
environment. I think we
need them and
Edm will for you
I thank you
Theresa Jones



RECEIVED
BUREAU OF LAND MANAGEMENT

1989 MAY 16 AM 10:14

NEEDLES RESOURCE AREA
NEEDLES, CALIF.

May 9, 1989

John Bailey, Area Manager
Bureau of Land Management
Needles Resource Area
P O Box 888,
Needles, Calif. 92363

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I urge you to join with us in support of this project.

Yours very truly,

--
(Signed)

RECEIVED
BUREAU OF LAND MANAGEMENT

1989 MAY 16 AM 10:15

NEEDLES RESOURCE AREA
NEEDLES, CALIF.

May 9, 1989

John Bailey, Area Manager
Bureau of Land Management
Needles Resource Area
P O Box 888,
Needles, Calif. 92363

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I urge you to join with us in support of this project.

Yours very truly,

--
(Signed)

DEAR MR. BAILEY -
I AM WRITING TO VOICE MY STRONG
OPPOSITION TO ~~THE~~ THE CASTLE
MAY PROJECT AS IT WILL CAUSE
AN UNACCEPTABLE LEVEL OF
ENVIRONMENTAL DAMAGE TO
LANDSCAPE, HABITAT, WILDLIFE
POPULATIONS & WATER FLOW FROM
PISTE CREEK. STOP THIS DESE-
CRATION NOW! SINCERELY,
A CONCERNED CITIZEN

APPENDIX D
DRAFT EIS/EIR PUBLIC HEARING TRANSCRIPTS



D.1 San Bernardino, April 18, 1989





UNITED STATES DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

PUBLIC HEARING

ON

CASTLE MOUNTAIN PROJECT

SAN BERNARDINO COUNTY, CALIFORNIA

DRAFT EIS/EIR

BEFORE

ADMINISTRATIVE LAW JUDGE JOSEPH E. MCGUIRE

APRIL 18, 1989

7:00 P.M.

San Bernardino County Government Center
1st Floor Hearing Room
385 North Arrowhead Avenue
San Bernardino, California

STATEMENT OF

- 1 RUSSELL H. CROUSE, Professional Engineer
- 2 CARL MCWILLIAMS, Redlands, Ca.
- 3 SHAWN DRISCOLL, Las Vegas, Nevada
- 4 MIKE ATTOWAY, Bond Gold Colosseum
- 5 WILLIAM W. SAVAGE, San Diego, Ca.
- 6 WILLIAM MCBRIDE, Nordberg
- 7 EARL R. GIDDINGS, California Trails Conservancy
- 8 DENIS KIDD, Colton, Ca.
- 9 RUSSEL D. HARTILL, History of Mining, Inc.
- 10 DOUG KARI, Self/Desert Survivors
- 11 ELDEN HUGHES, Sierra Club
- 12 STEVE HAMMOND, Sierra Club, San Geronio Chapter
- 13 LU HAAS, California Native Plant Society,
- 14 Los Angeles Chapter
- 15 JAYNE L. CHAVEZ-SCALES, Desert Tortoise Preserve
- 16 Committee; California Turtle/Tortoise Club, Inland
- 17 Empire Chapter
- 18 NORBY RIEDY, The Wilderness Society
- 19 HOLME PETERS, Moreno Valley, Ca.
- 20 DAVID RARING, The Raring Corporation
- 21 MARGARET SCHNAIDT, Apple Valley, Ca.
- 22 MARGARET McNAMARA, Apple Valley, Ca.
- 23 ALICE KRUEPER, Defenders of San Geronio
- 24 Wilderness
- 25 SCOTT SIMONS, Sierra Club - Mojave Group
- 26 AL KELLEY, San Bernardino City Unified School
- 27 District, Serrano School
- 28 GEOFFREY SMITH, Sierra Club, San Diego Chapter
- 29 Chair
- 30 HARRIET ALLEN, Desert Protected Council
- 31 SALLY READ, Cardiff, Ca.
- 32 SUSAN QUILLMAN, Sierra Club - San Diego Chapter
- 33 CAMILLE MORGAN, San Diego Chapter Sierra Club
- 34 BRUCE GIBSON, Wildlife Technology
- 35 MICHAEL SANDECKI, State Division of Mines and
- 36 Geology
- 37 ANDREW C. SANDERS, San Bernardino Valley Audubon
- 38 Society
- 39 FRANK COONY, Victorville, Ca.
- 40 KAREN CANNARELLA, Desert Resident
- 41 PHILIP LINDGREN AND FAMILY, Wilderness Society
- 42 LARRY R. TODD, Gold Fields Op. Co. - Mesquite
- 43 GARY L. BENNETT, Vice President, TIC
- 44 DARRYL GOODSON, Granite Construction
- 45 CAROL WILEY, Sierra Club
- 46 KRISTEN BETTENCOURT, Out Door Club of UCR
- 47 HOWARD SUSKIND, Sierra Club
- 48 PETER L. BURK, Citizens for Mojave Natl Park
- 49 HAZEL WEAVER, Sierra Club/Wilderness Society
- 50

1 STATEMENT OF: (Cont'd)

2 H. MARIE BRASHEAR, Natl Outdoor Coalition

3 EDNA MCCOLLUM, Sierra Club/Greenpeace

4 DENNIS CASEBIER, Friends of Mojave Road

5 BILL REYNOLDS, Advanced Concrete Technology

6 DR. GERRY SCHERBA, Desert Studies Consortium

7 DR. PREM SAINT, Desert Studies Consortium

8 BERN SCHWENN, Tahquitz Grp Sierra Club

9 DR. DAVID POLCYN, Dept of Biology, Cal State

10 University, San Bernardino

11 DIANE HOOD, Sierra Club

12 HANK WARZYBOK

13 MADELINE DEXTER, Citizen, Native California

14 JAMES GARRETT, Calif. Nature Magazine

15 JIM POSS, Yucaipa, Ca.

16 BOB HARTMAN, Public Lands Committee, Sierra Club

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P R O C E E D I N G S

JUDGE MCGUIRE: Good evening ladies and gentlemen, and welcome to the April 18, 1989 public hearing which has been arranged by the Bureau of Land Management of the Department of the Interior, in order to receive oral comments on the adequacy and the accuracy of the Draft Environmental Impact Statement/Environmental Impact Report which the BLM and the County of San Bernardino have prepared in connection with Victory Gold Corporation's proposed development and operation, of an open pit cyanide heap leach gold mine in the historic Hart Mining District of the Castle Mountain region of San Bernardino County, California.

That Joint Draft Environmental Impact Statement/Environmental Impact Report, has been prepared under the requirements of the National Environmental Policy Act, and the California Environmental Quality Act in order to analyze any probable environmental impacts that that undertaking might create.

My name is Joseph E. McGuire, and I am an Administrative Law Judge assigned to the Hearings Division, Office of Hearings and Appeals, Department of the Interior. I do not participate in this administrative policy process, nor do I make any recommendations in that connection. The extent of my role in this matter is limited to chairing this public hearing.

The Bureau of Land Management requested that an Administrative Law Judge conduct this public hearing, as well as those public hearings which are to be conducted in Barstow, California on April 19, 1989, and in Las Vegas, Nevada on April 20, 1989.

Notice of this public hearing was published in the Federal Register on Friday, March 3, 1989 at page 9091.

An official reporter will provide a verbatim transcript of this public hearing, and that reporter is Mr. Warren E. Doget who is seated to my right. Mr. Doget will record all oral remarks, and in order to assure a complete and accurate record of the hearing, it is necessary that only one person speak at a time. We request that everyone remain as quiet as possible while the hearing is in progress.

If speakers have an extra copy of their prepared remarks, it would be helpful to the reporter if they would provide a copy to him just prior to their presentation. This is only for Mr. Doget's assistance, however, your remarks will be recorded verbatim whether or not you follow a written text.

This hearing is not an adversary proceeding, and the parties presenting their views will not be placed under oath. The purpose of the hearing is to receive information and not to exchange views. However, it is requested that all

presentations be relevant and supported by pertinent data. Speakers will be called in the order in which their names appear upon a prehearing sign-up list which has been provided to me for that purpose. In the event that a speaker is not present when his or her name is called, we will simply proceed by calling the name of the next speaker who is here. The name of the then unavailable speaker will be called later after those scheduled speakers who are present, have delivered their remarks.

After hearing from those scheduled speakers who have given advance notice by having signed the sheet or the cards at the desk located at the hearing room entrance, I will grant to all others present an opportunity to be heard.

Each speaker is requested to begin his or her remarks by providing your name, address, occupation, and if applicable, the organization or group you represent. If any speaker wishes to submit additional written testimony, kindly provide that material to the Reporter, and it will be marked as an exhibit and placed in the hearing record.

In view of the number of persons who wish to be heard this evening, speakers are requested to limit their remarks to three minutes.

The Bureau of Land Management will accept written comments from parties who prefer to make written rather than oral submissions. From those wishing to supplement their oral presentations, and from parties unable to attend this public hearing.

Those written submissions must be received by May 8th 1989, and should be addressed to Mr. John Bailey, Bureau of Land Management, Needles Resource Area, 101 Spike's Road, P.O. Box 888, Needles, California 92363-0888.

All written statements timely received, will be included as a part of this public hearing record, and will be granted the same consideration as the oral statements presented at this hearing.

Anyone wishing to speak who is not already registered for that purpose, should do so at their next convenience by consulting the Departmental employees who are at the sign-up table located at the entrance to the hearing room.

A complete record of this hearing will be available for public inspection on or about 20-30 days following this public hearing.

At this time I would like to call upon Mr. Gerald E. Hillier. BLM's District Manager for the California Desert District.

Mr. Hillier?

MR. HILLIER: Thank you very much, Judge McGuire. I am certainly pleased to see such a wide and

diverse turnout tonight. It is very gratifying to see so many people who are interested in the desert and are interested in some of the issues that are facing us relative to management of the California Desert Conservation Area.

I want to reinforce one of the things that the Judge indicated, that we are not here tonight to engage in dialog. I know that with many of you, feelings do run high and that's understandable, and certainly acceptable, and I hope you make your feelings known. By the same token, neither the company representatives that are here are going to engage in any kind of a debate, this is simply not the forum for that, and of course I remind you that this is not the BLM's proposal, but simply a proposal that we have under analysis that has been made by the company, and so we are not prepared at this point to enter into a dialog on that matter.

We are here to hear your testimony; we are here to hear your ideas; we are here to hear your suggestions. The Needles Staff who prepared this is here

represented -- John Bailey, the East Mojave Scenic Area Manager and who served as the Project Manager for the Environmental Impact Statement work; Elena Daly, the Acting Area Manager for the Needles Resource Area are both here.

I would like to also point out that this is a joint document. It is a Draft Environmental Impact Statement to meet the requirements of the National Environmental Policy Act. It was also jointly prepared under the auspices of under the authority of the California Environmental Quality Act or CEQA, and also then is an EIR for that purpose, and for just a moment I would like to introduce Joe Bellandi who is the San Bernardino County Representative, and they served as the lead agency for the County's part of this document.

Joe, do you have a few words you would like to say?

MR. BELLANDI: Yes. Thank you, Gerald.

My name is Joe Bellandi. I am the Representative for San Bernardino County, and again, the environmental document, the EIR/EIS, was prepared for the Viceroy Gold Project. The draft was sent out for your review and comments, and again we are here to listen to your comments as they apply to the Draft Environmental Document. Thank you.

MR. HILLIER: Judge McGuire, I turn the meeting back over to you, and you can start down your list. Thank you.

JUDGE MCGUIRE: Thank you, Mr. Hillier. The first scheduled speaker is Mr. David A.

Childress.

Mr. Childress?

MR. HILLIER: While Mr. Childress is coming up, there is one piece of information that I would like to put on

1 in developing the project with little or no adverse impact on
 2 the desert environment. Viceroy is not only a well organized
 3 corporation, but is financially able to support the plans
 4 described in the EIS.

5 I strongly recommend to the BLM and the various
 6 state and other agencies involved in the approval process, to
 7 issue the required approvals so this project can proceed with
 8 construction and eventual operation in a very environmentally
 9 safe manner.

10 Thank you very much for your time.

11 JUDGE MCGUIRE: Thank you, Mr. Crouse.

12 The next scheduled speaker is Mr. Carl

13 McWilliams.

14 Mr. McWilliams?

15 STATEMENT OF CARL MCWILLIAMS, RESIDENT

16 MR. MCWILLIAMS: Thank you. My name is Carl
 17 McWilliams and I don't need the microphone. I am a native
 18 Southern Californian and I consider this county my home
 19 county.

20 And I call horse-headers! Think about it.
 21 According to the Sun Telegram -- well, the Sun today, right?
 22 A Canadian group with a Vegas corporation -- think about the
 23 tax structures between California and Las Vegas -- getting
 24 this? Getting this? Good. Is going to come into our back
 25 yard -- it's our back yard, right? Huh? I call
 26 horse-headers. It's a little stream up there and there's
 27 turtles and mule deer or whatever it is, right, and they are
 28 going to come into our back yard -- Huh? 1,000 acres, guys,
 29 is gone, and let me design a scenario for ya.

30 One day there'll be a President in the White
 31 House that thinks like you and I do, right? And that's about
 32 10 years out. 10-12 years out. Okay? And this
 33 horse-headers garbage about, huh, you know, tax revenues or
 34 whatever it is -- remember asbestos? Remember Mansville?
 35 Remember how Mansville bankrupted through the asbestos
 36 problem? Huh? Who's shitting who?

37 It is a done deal, it is a dead deal. Queer the
 38 deal right now! End of statement. A Vegas corporation, a
 39 foreign corporation from this state and a Canadian, you know,
 40 input, huh?

41 By the way, do you know what this means?
 42 (gesturing) Huh? Remember the peace sign? Remember when the
 43 Nazis were taken out in part by the Victory sign -- remember
 44 that? Remember when we ended the tragedy of the Vietnam War
 45 with a victory sign? Okay. Three fingers means "Earth First,
 46 Environment Before Profits." Earth first! Earth first.

47 Thank you. You and I are brothers.

48 JUDGE MCGUIRE: Thank you, Mr. McWilliams.

49 The next scheduled speaker is Shawn Driscoll.

50 Mr. Driscoll?

1 to the record and make known.

2 In the introductory comment that you made, we
 3 perhaps gave you an erroneous ending date. The comment period
 4 will end May 15 -- not May 8th.

5 JUDGE MCGUIRE: Thank you, Mr. Hillier.

6 MR. CHILDRESS: I will make the written comments
 7 rather than oral remarks.

8 JUDGE MCGUIRE: Mr. Childress, it is your

9 preference, sir, to submit written comments rather than to
 10 extend oral remarks this evening?

11 MR. CHILDRESS: Yes, sir.

12 JUDGE MCGUIRE: Thank you, sir.

13 The next scheduled speaker is Mr. Russell H.

14 Crouse.

15 Mr. Crouse?

16 STATEMENT OF RUSSELL H. CROUSE, ENGINEER

17 MR. CROUSE: My name is Russell H. Crouse. I

18 live in Salt Lake City at 5232 Armita Drive 84712.

19 I received a B.S. degree in mining engineering

20 from the University of Utah in 1951 and was awarded a Master

21 of Mines Degree from that same school in 1974. I am a

22 licensed professional engineer, and I have 35 years of

23 experience in the mining industry dealing with development,

24 engineering, planning and operations of large and small mines.

25 The past 10 years, I have been involved as a consultant with

26 organizations developing precious metal mines in Montana,

27 Utah, Nevada and California.

28 I was retained by Viceroy Gold Corporation in

29 1987 to help in the development of plans to put their Castle

30 Mountain project into operation. My primary efforts and

31 duties were directed at dealing with access roads, mine

32 planning, metallurgical testing, process water supply and

33 overall mine project planning.

34 I have read the Draft Environmental Impact

35 Statement, the EIS, and find it to be a very complete in

36 addressing the environmental concerns raised in the public

37 scoping hearings held last year. I am extremely impressed

38 with the amount and also the quality of hydrologic studies

39 and the computer modeling work in regards to the effect of

40 processed water withdrawal from Lanfair Valley on the Piute

41 Springs discharge. It is apparent that this project will have

42 no long term effect on the existing water discharge from Piute

43 Springs. The actions taken in the project planning and the

44 mitigating measures described in the EIS appear to be more

45 than adequate to allow this project to proceed with very

46 little long term effect on the desert environment.

47 While working on the project, I found the

48 Viceroy Gold Corporation officers and staff, to be very

49 competent professional people. They are dedicated to making

50 this project not only an economic success, but also a success

pooling has been very successful in reducing usage on the access road to our mine. Over 95 percent of our employees use company transportation.
 We have contributed to the construction of a new wildlife guzzler in our area to help the wildlife.
 The mitigations proposed in the EIR/EIS will be successful there also.

Thank you.
 JUDGE MCGUIRE: Thank you, Mr. Attoway.
 Next we will hear from Mr. William W. Savage.
 Mr. Savage?

STATEMENT OF WILLIAM W. SAVAGE, San Diego, Ca.
 MR. SAVAGE: I am William W. Savage, 5130 Georgetown Avenue, San Diego 92110.

I am a retired teacher and previously I was in mining.
 I have some comments to make about the release of the tremendous book. I would like to say this. What I am concerned about is it doesn't list there how many mining claims, how many lode claims, how many placer claims, how many millsite claims. And I think this is very important, and I think there should be a map showing how they are placed according to the operation, according to the project. Looking at it, as I see it, the project will encompass some four square miles, a little over four square miles of the desert. The pits consist of only some 140 acres; about a quarter of a square mile. This is what could be controlled by a mining claim along with say an individual millsite claim. The project report doesn't say how they got ahold of the 2,700 acres when the mining area is only about 110 acres. Where did that come from? How did they get it? Is it leased, or is it just given to them -- that amount? Interesting to note that the overburden, pardon me, the overburden that is stripped will cover more area than the pit itself.

I am also concerned about reclamation. If we look at one section on complete backfilling, they say it is not suitable for backfilling from operational and economic standpoint.
 Now, in this day and age, mining and reclamation go hand in hand. If they cannot afford to reclaim, they cannot afford to mine.
 In addition to that, they say it is not suitable from an operational standpoint. Well, what it takes is a shovel and about four trucks, and they can just back fill all they want. There is no problem there.

Now, I know the law says certain things, however, I don't feel that back filling should preclude future recovery -- just start another pit. Fill it up, and if you

STATEMENT OF SHAWN DRISCOLL
 MR. DRISCOLL: Thank you. My name is Shawn Driscoll, I live at 4357 Powell Street, in Las Vegas, Nevada. I work for a communications company, but represent only myself and my observations of this project and of the area.

I have been working with Viceroy Resources for two years consulting on communications for the mine site. I was asked by the company to supply phone communications at the mine site, and more specifically, communications that would have minimal, environmental and visual impact. To meet these requirements we located a site for a microwave repeater that would be located below the ridgeline out of visual site, and on an existing road needing no new construction to get to it. This microwave system which does not require trenching or installing poles to hang phone lines, will provide valuable emergency communications in a scarcely travelled area.

I have been out to the proposed mine site over 50 times in the past two years while researching an appropriate communication site, and I have seen that this area has been scarred and pitted by past mining activities. Open shafts and old foundations scatter the area already. It is my opinion that reclamation of the area after mining, will enhance the appearance and safety of an area that is scarred and pitted at this time.

Thank you.
 JUDGE MCGUIRE: Thank you, Mr. Driscoll.
 The next scheduled speaker is Mr. Mike Attoway.
 Mr. Attoway?

STATEMENT OF MIKE ATTOWAY, BOND GOLD COLOSSEUM
 MR. ATTOWAY: My name is Mike Attoway. I am vice president and general manager for Bond Gold Colosseum, the owner and operator of the Colosseum Gold Mine located in Eastern San Bernardino County. Our address is Post Office Box 94078, Las Vegas, Nevada.

I wish to make comments tonight concerning the mitigation measures proposed in the Draft EIS/EIR for the Castle Mountain Project. The proposed mitigation measures are adequate and sufficient to allow open pit mining to take place in the Mojave Desert without harm to the environment.
 Similar measures have been used successfully at our mine. We have similar mitigations for the protection of the desert tortoise. Their success is evidenced by the fact that no tortoises have been run over on our access road in over two years of use.

Our program for staining fresh rock surfaces has helped reduce the visibility of our road cuts. We recycle as much of our water as we possibly can. There have been no bird deaths on our ponds in 20 months of operation. Our use of van

1 want to start another pit, if you've got the ore, start
2 another pit.

3 One other thing that bothers me is the use there
4 of uneconomic -- low grade ore -- because it is not
5 economical, and really, that is not ore at all. When it is
6 not economical, it is not ore, and they have no right to it.
7 I am also concerned about bonding. That is for
8 reclamation. It is unbelievable to me that they will start a
9 mine and then not have 'em bonded in order to have the money
10 available for reclamation. I mean they are going to -- as I
11 read that, they will go ahead and mine for several years and
12 then they are going to set up a bond. The time to put up a
13 million dollar or five million dollar bond is now before it
14 starts.

15 I am also concerned about whether this
16 reclamation will take place. In Riverside County it is the
17 giant Eagle Mountain Iron Ore Mine -- 10 miles long,
18 three-quarters of a mile wide, abandoned for all purposes, for
19 10 years -- approximately. I don't know.

20 I hope that the Bureau of Land Management will
21 go down and visit that and see to what extent their plan of
22 reclamation has been completed. I don't think they will find
23 one shovel full of dirt there. And I think before a new
24 project is started, lets reclaim the old one.

25 Also on the maps where it shows the pits, they
26 are long distanced, so that it looks like the pit is a very
27 small item. Instead the project is four square miles. That
28 is a pretty big hunk of land.

29 Thank you very much.

30 JUDGE MCGUIRE: Thank you, Mr. Savage.

31 Next, Mr. William McBride.

32 Mr. McBride?

33 STATEMENT OF WILLIAM MCBRIDE, NORDBERG

34 MR. MCBRIDE: Good evening.

35 I am William R. McBride, I reside at 43537

36 Elinda Road, in Temecula, California.

37 I am associated with a company by the name of
38 Nordberg which is a world class mining equipment manufacturer.
39 We have been in this business on a worldwide basis for the
40 last 60 years. My responsibilities are for the Southwestern
41 District, and I have been involved in those activities for the
42 last 15 years, and I would like to make some comments tonight,
43 mostly personal because of the emotion here, about the
44 positive economic impacts of responsible mining companies.

45 From the report you can see that this project
46 will generate 150 jobs -- that is pretty much a given issue.
47 What goes on from there is what happens that we find and know
48 that happens within the industry as far as I guess, the term
49 "trickle down" economics? Typically in the last 10 years we

1 have seen a number of mining operations, particularly in
2 Nevada, have a very positive impact on small communities
3 providing goods and services that would not be normally
4 available to those people in terms of schools and housing and
5 hospitals.

6 Once we go beyond the local community, there is
7 an impact on a regional level because mines draw from regional
8 suppliers because of their proximity and their reliability.
9 Beyond the regional impact of mining, we get to a national
10 impact, and that is with manufacturers of major capital goods
11 and also the vendors that supply the goods to those particular
12 manufacturers, and this is an ongoing process because of the
13 goods and services that are required to operate the mine in a
14 responsible manner.

15 Now, on a personal issue, I grew up in an era
16 when all sorts of consciences were raised and in the last
17 15 years having visited maybe 400 mine sites, I found
18 responsible mining companies to be very good neighbors.

19 JUDGE MCGUIRE: Thank you, Mr. McBride.

20 Next, Mr. Earl R. Giddings.

21 Mr. Giddings?

22 STATEMENT OF EARL R. GIDDINGS, CALIFORNIA TRAILS CONSERVANCY

23 35240 San Carlos, Yucaipa. My name is Earl R. Giddings,

24 Trails Conservancy. I am Chairman of the California

25 comment on the Castle Mountains project.

26 As trail users, we are interested in individual
27 qualities of the areas we travel through. This includes not
28 only beautiful blue skies, scenic lands, but also the plants,
29 the animals, birds, and all that God put in the desert for man
30 to enjoy -- not for man to destroy.

31 Three areas of concern for us, the huge amounts
32 of cyanide being used, the large quantities of water to be
33 consumed, and the lack of adequate restoration after the
34 project is finished.

35 The use of cyanide will cause death to birds.
36 It has in the past and it will continue. It does not
37 adequately address how the covers on the ponds are to seal the
38 ponds completely.

39 The cyanide and the heavy metals that the
40 cyanide releases in this process will contaminate the soil and
41 most likely infiltrate the water table in spite of the
42 precautions that are taken.

43 The use of large quantities of water will lower
44 the water table and affect the flow at Piute Springs. The
45 fact that the spring is 700 feet below the wells, will only
46 delay and not prevent drying up of the spring. This is a 10
47 year project. Drying up will cause the loss of our bighorn and
48 sheep and the other desert critters that require the water and

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1 the riparian habitat.

2 Restoration requirements are completely
3 inadequate. I look at it this way. If they had the money and
4 the resources to dig huge pits and create massive piles of
5 rock and dirt, they also have the resources and money to fill
6 them back up and get rid of the piles of dirt.

7 The revegetation process should be complete. By
8 that I mean we actually want the plants to grow and not to
9 throw a bunch of seed on the dry dirt. Not only that, but
10 this should be monitored for a period of at least as long as
11 the mine is in operation -- at least 10 years after they have
12 finished.

13 The size of the bonds for restoration should be
14 large enough to ensure that the process will be completed, and
15 I think about 5-10 million ought to do it.

16 Thank you.

17 JUDGE MCGUIRE: Thank you, Mr. Giddings.

18 Next, Mr. Denis Kidd.

19 Mr. Kidd?

20 STATEMENT OF DENIS KIDD, COLTON, CA.
21 MR. KIDD: Denis Kidd, 22874 Pico Street,

22 Colton.

23 I am opposed to this project. I have seen the
24 big open pit mine they have at Bisby, Arizona, and that is
25 really an eyesore. I think that the BLM ought to preserve
26 their land as a scenic area for the benefit of all the people,
27 and for future generations, and not give it away to somebody
28 to be destroyed just for the benefit of a few.

29 I am also concerned about all the amount of
30 water that will have to be used there. Water is really scarce
31 in the desert, and I am worried about the possible pollution
32 of the underground water.

33 Thank you.

34 JUDGE MCGUIRE: Thank you, Mr. Kidd.

35 Next, Mr. Russ Hartill.

36 Mr. Hartill?

37 STATEMENT OF RUSS HARTILL, HISTORY OF MINING, INC.

38 MR. HARTILL: My name is Russell D. Hartill. I
39 live at 1969 West Clemson Street in San Bernardino,
40 California 92407.

41 I have studied at the Colorado School of Mines
42 but have graduated from Cal State Fullerton with a degree in
43 history, specializing in the history of the mining frontier.

44 I am the author of Desert Fever, an overview of
45 200 years of mining history in the California desert.

46 I am executive director of the History of

47 Mining, Incorporated, a California non-profit educational

48 organization based here in San Bernardino, California.

49 I have not worked nor affiliated myself with

50 Viceroy Resources so I can provide an impartial view of the

1 proposed activity.

2 The BLM in our county are inquiring about the
3 suitability and desirability of allowing 150 people over the
4 next 10 years to mine for gold using open pit and cyanide heap
5 leach methods. Opponents of this activity would have you
6 believe that the impacts to wildlife and wilderness will be
7 unprecedented, will be long term and profoundly undesirable,
8 should this type of activity be allowed to take place.

9 Ladies and gentlemen, their arguments are coming
10 82 years too late. Between December 19th of 1907 and December
11 31st of 1915 for eight solid years, the mining camp of Hart
12 was the site of at least four separate mining operations, two
13 cyanide mills -- was home for between 200-700 individuals, and
14 all of today's wildlife and all of today's wilderness and
15 scenic values that we are being asked to protect, have
16 survived and are descendants of a much higher level of mining
17 population than the mining activities currently being
18 contemplated today.

19 The History of Mining is a San Bernardino based
20 California non-profit educational corporation. We feel that
21 the Draft EIR/EIS are more than adequate and complete that the
22 Castle Mountain Project should go forward without haste.

23 We also are satisfied that Viceroy Gold
24 Corporation will protect and properly interpret the historic
25 values contained within the project area. Such history would
26 not be interpreted except for such efforts. Mining and Mining
27 History are not trash to be swept away.

28 Thank you.

29 JUDGE MCGUIRE: Thank you, Mr. Hartill.

30 Next, Mr. Doug Kari.

31 Mr. Kari?

32 STATEMENT OF DOUG KARI, SELF/DESERT SURVIVORS

33 MR. KARI: My name is Doug Kari. My address is
34 333 South Hope Street, 31st Floor, Los Angeles, California
35 90071.

36 I am a lawyer, a volunteer conservation lawyer
37 and the founder of Desert Survivors, a non-profit conservation
38 organization dedicated to protection of desert lands in the
39 west.

40 There is so much I could say about this Draft
41 Environmental Impact Statement, I have very little time to do
42 it, but lets just start with the cover. You see, on the
43 cover, they've got a picture of the burros and the miners of
44 old with their picks and shovels who went out there to mine.
45 Hey, they're not fooling anybody. This proposal is not about
46 miners from 1907 with their burros and their picks and
47 shovels, this proposal is about 100 ton haul trucks and
48 cyanide ponds, it's about poisoning birds and about poisoning
49 the water. That's what this proposal is about.

50 Now, you would never know from reading this big

of the dreams; what about the impact of the proposed park; lets talk about that. Lets see them talk about the impact of that before they go ahead with this mine.

Thank you very much.

JUDGE MCGUIRE: Thank you, Mr. Kari.

Next, Mr. Elden Hughes.

STATEMENT OF ELDEN HUGHES, SIERRA CLUB

MR. HUGHES: I am Elden Hughes, 14045

Honeysuckle Lane, Whittier, California. I am a person who loves the entire East Mojave Desert. I speak for the Sierra Club.

We looked at the Draft EIS, we want the no action alternative. There are real problems with this project.

It is presented as a great economic advancement for San Bernardino County and Southern California, more likely the gold will go to Japan, the profits to Canada and we will get left with the hole in the ground.

We are going to get left with the hole in the ground and we asked them to fill that up and they haven't agreed to do that.

They are citing the 1872 mining law; how about the 1976 FLMPA -- Federal Land Management Policy Act -- that governs BLM that says "Thou shalt protect" among the other things. We don't see these protections; we don't see the mitigations.

A large part of this EIS is asking us to trust the regulators; trust the mining company. Presently we are in the middle of a \$100 billion bail out of the Savings and Loans because we were told they didn't need regulation.

Right now we are watching the oil spread across Alaskan waters because we were told the extractive industry could regulate itself, and the regulators trusted them. It's trashing three National Parks and five wildlife refuge; we don't want to see that in San Bernardino County.

Lets look at the regulators. You know you are in trouble when the regulator is also an advocate for the project. The BLM repeatedly sides with mining over protection. Last year we were told there would be no negative impacts. Now you can get a hernia carrying the book telling you about all the impacts and what they are going to do about it.

If they signed off a year ago -- and I mean the BLM on that first negative declaration or EA -- can we trust them to find everything that is there now? They say the birds won't die in the cyanide ponds because they will put up nets. We say the birds will get caught in the nets. We even have a BLM letter that says the birds will get caught in the nets.

It says they will paint the trash when they are done so we can't see it. We are saying fill it back in the

thick book here, but this isn't the only proposal like this that is out there right now. They know about it in New York -- here is an article from the New York Times, a New Kind of Mining Disaster. Talking about the scores and scores of these kinds of mines that are being excavated across California and Nevada. The time has come for us to ask, for us to demand an answer, what kind of cumulative damage is being done to the air and to the water and to the birds and to the environment in the west. And we want to know the answer before they start to dig.

I would like to make another point. The public land belongs to Americans, it belongs to all Americans. Now, what we've got here is a company, a foreign corporation to be precise, that wants to come in and they want to dig -- they want to dig a hole big enough to bury Disneyland out there in our desert. They tell us in a couple of pages without any facts or figures at all, they tell us it will be too expensive, it might violate some laws if we filled it back up, we are just going to leave that hole when we are done.

I say if they can afford to dig the hole in the first place, they damn well better be able to afford to fill it back up, and if they can't, it's unnecessary and undue degradation of our land.

As long as we are talking about the law -- they talked about the law in here -- they talk about the 1872 mining laws as if it's handed down from God to Moses. Well, it wasn't, there are other laws about protecting the environment out there. Did you know, for instance, that the BLM has the control over this project under the right of way statutes to decide whether they are going to give this project the right of way for the water it needs, and they have the control, they have the duty to evaluate whether that will be in the public interest. Well, it's not in the public interest, and we are going to tell them that tonight.

Now, let me tell you. There is another thing that they kind of vaguely mention in here, and that is that the California Desert Plan, has a classification for these lands, it's Class L - Limited. That means "Low intensity." Well, I will tell you, the only thing low intensity about this plan is the BLM's commitment to protecting the East Mojave.

And finally, I want you to take a look at some of these people up here. These people have a dream, a dream of creating a park, a legacy for our babies and our grandchildren and their children and grandchildren. And did you know that right now and for the past several years, California's Senior Senator, has been carrying a proposal that would make the East Mojave a National Park. Do you see that dream? Do you see the impact on that proposal discussed anywhere in this book? No, it's not. What about the impact

1 hole. It says Piute Creek will not be at risk. We say they
 2 have used the most favorable assumptions from an area that is
 3 wetter than the East Mojave to come up with this no risk
 4 assessment. Piute Creek is definitely at risk; anything goes
 5 wrong, and we've lost it.

6 It says they will use technology, common on the
 7 industry to control risk of contamination of the environment.
 8 This is an industry that has leaky pads and known pond
 9 accidents. 20 miles away they lost 24,000 gallons.

10 We need precise statements on what is the worse
 11 case scenario if the ponds break, what will it take to clean
 12 it up? Bond for that, and index the bond for inflation.

13 I own property in San Bernardino County over the
 14 Cañon Pass. I hope some day to retire there. Let's not think
 15 of this as a problem at the far end of the county. Heap leach
 16 gold mining can come far closer than that. When the gold is
 17 leached, so are the heavy metals, lead, zinc, cadmium and
 18 copper. These are in the ponds -- accidents occur, these into
 19 the water.

20 Now, think about our desert cities - Hesperia,
 21 Apple Valley, Barstow, Victorville - they are all on the
 22 Mojave River. Where does the Mojave River get its water?
 23 Well, you go in the San Bernardino Mountain at Holquin Valley
 24 -- what's at Holquin Valley? An old gold mining area. Start
 25 approving heap leach gold mining in the desert, you are going
 26 to have it in Holquin Valley -- Do you want that over your
 27 drinking fountain? That's what you are approving.
 28 We say the No Action alternative.
 29 Thank you.

30 JUDGE MCGUIRE: Thank you, Mr. Hughes.
 31 Next we will hear from Mr. Steve Hammond.
 32 STATEMENT OF STEVE HAMMOND, SIERRA CLUB, SAN GORGONIO CHAPTER
 33 MR. HAMMOND: My name is Steven Hammond, I am
 34 the Chair of the San Gorgonio Chapter of the Sierra Club, 568
 35 North Mountain View Avenue, Suite 130, San Bernardino 92401.
 36 Dear Mr. Bailey:

37 The San Gorgonio Chapter of the Sierra Club,
 38 with over 5100 members, appreciates this opportunity to
 39 comment on the proposed open pit, heap leaching gold mine in
 40 the Castle Mountains.

41 As much as the EIS attempts to minimize the
 42 impacts of this project - indeed, to suggest that they are all
 43 but nonexistent - there clearly are significant impacts as
 44 well as issues which the EIS simply does not adequately
 45 address. Before addressing the impacts and the unresolved
 46 issues, however, it is worth taking a moment to examine the
 47 rationale for this project. It is certainly legitimate for
 48 the public to ask why public lands containing desert tortoise
 49 and bighorn sheep habitat, Joshua tree forest, native
 50 grasslands, and centuries old creosote rings are going to

1 disappear under a 200 foot, 60 million ton mountain of
 2 rubble, and four or more heap leach pads reaching heights of
 3 up to 80 feet.

4 The rationale or need for the project is
 5 described as follows on page 3.2-1 of the EIS:

6 The Castle Mountain Project is proposed
 7 as a private industry undertaking. Federal Government
 8 policies encourage private enterprise in the economic
 9 development of domestic mineral resources to help
 10 assure satisfaction of the nation's industrial and
 11 security needs.

12 Two important points emerge from an analysis of
 13 this statement. First, the motive for the exploitation of
 14 public lands is private profit. Second, there is nothing in
 15 the EIS to substantiate the implied claim that this private
 16 gold mining venture is necessary for "national security" or to
 17 meet United States industrial needs. The bottom line is that
 18 the EIS fails to document a need for the project. This is a
 19 serious shortcoming in the EIS and raises the question of
 20 whether BLM is really without discretion in this matter. In
 21 other words, can any mining interest use public lands in the
 22 fashion of their choice without a clear documentation being
 23 made that it is an appropriate use of public lands.

24 This issue is briefly addressed in the EIS on
 25 page 2.2-1 which states:

26 Federal regulations require that mining
 27 operations, including access, proposed on Federal
 28 land be reviewed by BLM. The BLM is required to
 29 approve any operations as long as such activities
 30 will not cause unnecessary or undue degradation to
 31 the public lands.

32 From a decision-making point of view, the key
 33 words are "unnecessary or undue." Will this project cause
 34 unnecessary or undue degradation to public lands. As we just
 35 pointed out, there is nothing in the EIS to substantiate that
 36 this project is necessary.

37 The second key question is whether the project
 38 would cause undue degradation of public lands. Data in the
 39 EIS leaves no doubt on this score. The project would
 40 permanently eliminate Joshua tree woodlands, desert
 41 grasslands, and desert tortoise habitat, and would radically
 42 alter landforms in the East Mojave Scenic Area by excavating
 43 enormous open pits, in one instance half a mile in diameter
 44 and 600 feet deep; creating a new mountain of "overburden"
 45 which would handily bury downtown San Bernardino; and
 46 depositing several crushed ore mesas. Such massive alteration
 47 of the landscape is clearly a significant impact, particularly
 48 in a National Scenic Area. The reclamation plan does not
 49 require restoration of the natural landforms and the
 50 revegetation plan is conceptual only and amounts to more of a

research project than a true revegetation plan.
 Further, the EIS does not adequately evaluate the project's impacts vis-a-vis the proposal now pending in Congress to include the area in a new National Park. With Southern California's population expected to exceed 18 million in the next two decades, areas such as the East Mojave will be of ever greater importance to vast numbers of people; thus, the decision to allow massive impacts to the landscape in a potential National Park has profound implications. Indeed, within 20 years it is proposed that one in every 13 Americans will live in Southern California. The Riverside and San Bernardino county metropolitan area is, in fact, the fastest growing major metropolitan area in the country.
 In summary, the EIS is seriously deficient in its analysis of the need for this project and of the extent to which the project results in irreversible degradation of public lands. The Sierra Club submits that the project represents the gratuitous destruction of public lands and ought not to be approved.

Thank you very much.

JUDGE MCGUIRE: Thank you, Mr. Hammond.

Next, Mr. Roger Teal.

Mr. Teal?

MR. TEAL: I will send mine in.

JUDGE MCGUIRE: Thank you, sir.

Next, Mr. L. Haas.

Mr. Haas?

STATEMENT OF LU HAAS, CALIFORNIA NATIVE PLANT SOCIETY
 LOS ANGELES CHAPTER

MR. HAAS: My name is Lu Haas of 638 Swarthmore Avenue, Pacific Palisades, California.
 I am here tonight representing the Los Angeles Chapter of the California Native Plant Society, and the views that I am expressing also represent the state organization as a whole with some 8,000 members.

I presented a detailed set of questions based on week long study of this document for the Castle Mountain Project, so I will only address one or two issues here.
 The previous speaker touched on the one that concerns me as it did Elden Hughes, and that is the one of a No Action alternative on page 3.4-3 in the EIS. This statement in the No Action alternative says that the Castle Mountain project could be disqualified under a finding by the BLM of "unnecessary or undue degradation" of federal lands.
 I submit that this project is unnecessary and it is degradation -- massive degradation.

It is unnecessary because gold is not a strategic mineral. It is already in great supply, most of it hoarded by nations and individuals in vaults and banks. That is unnecessary.

It is undue degradation because it involves both strip mining and open pit operations which will heavily impact 2700 acres of the project, and destroy hundreds of acres of plant and animal communities.

These destroyed communities could not be restored except, perhaps, by heroic, multi-million-dollar efforts which are not proposed by the Applicant.

The desert tortoise population which should be listed as endangered given its continuing and rapid decline, will almost certainly never be restored. This project will hasten its extinction in the East Mojave.

The EIS dismisses the No Action alternative with absolutely no discussion of the possibility that there will be "unnecessary or undue degradation." Only three paragraphs are devoted to the subject, and no argument is presented in favor of "No Action." The implication is left that mining laws and so-called multiple use of public lands require approval of this project.

Now, lets keep in mind that this is a 10 year project -- maybe. If the applicant decides to process lower grade ore, the project could go on for many, many more years, and there are many, many more ore bodies out there to continue the processing.

So, the decision we are looking at here is not -- is long range indeed, it is not 10 years, it is perhaps 20 years and then 20-30 or 50 years of rehabilitation if indeed it is possible to rehabilitate something that has been so devastated under the impact of this kind of a mining operation. And all this is taking place on land that has been designated as a National Scenic Area.

Now, you know, if you want to laugh, this is the time to do it.

My final point is this. I am appalled at the almost total lack of discussion of the inherent dangers to humans, wildlife and water supplies in the cyanide heap leach process. We know that thousands of birds and hundreds of other animals have already been killed in Nevada and California, and we know from the recent bitter experience at Valdez, Alaska, that if accidents can happen they will happen. That is the history of mining, oil drilling and the chemical industry generally. But the EIS dismisses the widespread use of cyanide -- a deadly chemical indeed -- as just another part of a routine process.

The public is entitled to know in far greater detail than the bare bones of this EIS discloses what is involved in the transportation, handling and chemical processes in cyanide heap leach mining.

Thank you very much.

JUDGE MCGUIRE: Thank you, Mr. Haas.

Next, Joyce L. Chavez-Scales.

Ms. Chavez-Scales?
STATEMENT OF JAYNE L. CHAVEZ-SCALES, DESERT TORTOISE PRESERVE
COMMITTEE; CALIFORNIA TURTLE/TORTOISE CLUB, INLAND EMPIRE
CHAPTER

Ms. CHAVEZ-SCALES: My name is Jayne L. Chavez-Scales, 1431 Arlene Street, Redlands, California 92374. I am the President of the Desert Tortoise Preserve Committee, and also the President of California Turtle and Tortoise Club, the Inland Empire Chapter. I just want to bring up a couple of points. We are concerned about the increased traffic that this project will bring. There is good probable cause for crushed tortoises by trucks. There is also a \$1000 fine enforced by Fish and Game whenever they get around to it. Will this mine enforce that regulation; will they just run over the tortoises and just bury it and say "whoops"?

Number two, the cyanide ponds, we feel that is a real threat to the wildlife, the netting for the birds is almost laughable. I don't think that netting will last in the heat and in the wind. The water will be contaminated in the Piute Springs. The reclamation bond, I think a specific amount should be set and deposited before construction begins. As far as the desert tortoise, the chain link fence is inadequate. It needs to be dug one to two feet in the ground. There should also be some kind of paneling or board at least three feet off the ground so the desert tortoise cannot see on the other side. They are quite notorious for climbing over the chain link fence and also digging under.

What is to prevent a desert tortoise from trying to climb up a chain link fence and falling on its back and dying from the heat? I suppose there is not going to be any monitoring around the fence lines.

Where is Fish and Game in this? They are supposed to be monitoring our wildlife. Reseeding is not feasible because of winds. Weeds often take over. You can plant the seeds but it might take two-three years before native plant species can take over.

As far as water guzzlers, desert tortoises have been found drowned in these water guzzlers, so they need to be fenced off.

I would also like to remind the audience that the desert tortoises are a federal candidate for endangered species, and it is also a state candidate for threatening species. The state listing will take place in June. So there is a real possibility for this species to be a endangered species.

What is the price that we are paying for, for a dead and extinct species in this project? Wildlife has no price. Wildlife is priceless.
Thank you.

JUDGE MCGUIRE: Thank you Ms. Chavez-Scales.
Next, Mr. David Rabino.
Mr. Rabino?
(No response.)
JUDGE MCGUIRE: Next, Mr. Nobby Riedy.
Mr. Riedy?

STATEMENT OF NOBBY RIEDY, THE WILDERNESS SOCIETY
MR. RIEDY: I am Nobby Riedy. I am the Assistant Regional Director for the Wilderness Society, 116 New Montgomery Street, Number 526, San Francisco, California 94105.

I am only going to offer a few comments today, I will have detailed comments in writing by the 15th of May. I want to do something a little different and thank the mining company for its efforts to improve the original document and find what they did doing that. On the other hand I am still not satisfied and the Wilderness Society will be supporting the No Action alternative.

Just to touch on a few points, there will be wildlife deaths here. There is going to be a loss of bighorn sheep habitat. There will be a loss of desert tortoise habitat, and there will be direct kills of tortoise.

Thousands of birds and other animals have been killed at similar mines in Nevada and Arizona. The EIS indicates that nets will be used to excludes the birds from the cyanide ponds.

BLM in Arizona has written, "Merely netting the ponds would not work." Entanglement of birds in the nets is not even considered in the Environmental Impact Statement.

Piute Springs - we are all concerned about the loss of water through the mining process at Piute Springs. Piute Springs and the stream-side habitat associated with it, which supports more than 80 species of birds, hunting habitat and bighorn sheep habitat is in jeopardy. The EIS overstates the ability of the local aquifer to provide for both the spring and the more than 200 million gallons of water that will be used each year at the mine site.

Any loss in flow at Piute Springs will have a significant impact to the environment, of the largest riparian area in the East Mojave.

Reclamation considered in the EIS is inadequate. The EIS indicates that the pits and piles of rocks covering more than 700 acres will remain in place. Old tires, chunks of concrete, scrap metal and wood, would be left in the overburden piles. Restoration of the natural habitat is not even considered.

While the EIS states that the Bureau of Land Management does not have the discretion to prohibit this mine, it has -- BLM has a clear mandate to prevent unnecessary and undue degradation of public lands.

1 There is a vague promise of relocation, but to where and how
 2 this might be accomplished is not specified. To begin with,
 3 the EIS itself indicates that the tortoises are very difficult
 4 to locate. As for those tortoises exposed to the
 5 substantially increased traffic along the access routes, the
 6 applicant proposes to institute vehicle pooling to reduce
 7 trips and to educate its employees as to the importance of
 8 driving within speed limits. The Applicant offers to install
 9 tortoise proof fencing and culverts along the access routes to
 10 prevent road kills, but then offers the BLM monetary
 11 compensation instead of mitigation.
 12 Will the local population of desert tortoises be
 13 written off as a loss, or will there be a serious effort to
 14 prevent road kills and prevent fragmentation of the
 15 population? Can we seriously expect the educational efforts
 16 to work?

17 Will employees of the mine be sufficiently aware
 18 and understanding of the tortoises needs in general? Can we
 19 be sure that garbage will be properly disposed of to prevent
 20 the establishment of resident ravens? Will anyone enforce
 21 that meaningful protective measures for the tortoise are
 22 being seriously undertaken and properly maintained?
 23 Unfortunately, I see only the most negative
 24 answers to all these questions looming ahead.

25 The desert tortoise is well adapted to life in
 26 an extremely harsh environment, however, experience has shown
 27 that the species is extraordinarily sensitive to changes in
 28 its environment, changes most often brought about by man.

29 The Ivanpah Valley population of the desert
 30 tortoise is one of the most significant remaining populations
 31 of the species. In view of the fact that the creature is
 32 rapidly being wiped out throughout its entire natural range, a
 33 critical question arises which is not directly addressed in
 34 the EIS. Is it rational and reasonable to endanger or
 35 otherwise stress this crucial population with a project such
 36 as this considering the precarious condition of the California
 37 Desert Tortoise?

38 I believe the answer is no, meaning that the
 39 writers of this EIS should consider more closely the No Action
 40 alternative meaning no Castle Mountain Project.
 41 Thank you.

42 JUDGE MCGUIRE: Thank you, Mr. Peters.
 43 There is a possibility that I mispronounced the
 44 surname of the speaker scheduled previously. I have it here
 45 as David -- it appears to be Rabino -- Santa Rosa, California.
 46 His affiliation is the Rabino Corporation?
 47 MR. RARING: Raring.

48 JUDGE MCGUIRE: Raring. Thank you, sir. And
 49 the spelling is R-a-r-i-n-g.
 50 MR. RARING: Correct.
 51 JUDGE MCGUIRE: Thank you, Mr. Raring.

1 Is it necessary to permit the destruction of
 2 habitat within a National Scenic Area when there are more than
 3 100 gold mines in this country, and more coming on line every
 4 month? Isn't it undue degradation when each ounce of gold at
 5 this particular project will require the extraction and
 6 crushing of at least 20 tons of earth?

7 The EIS indicates that any impact is not
 8 significant and not unnecessary - is not too significant and
 9 not unnecessary when it comes to getting gold out of public
 10 lands. This is an inadequate analysis.

11 What is the cumulative impact of this enormous
 12 destruction when it is combined with other mines and surface
 13 disturbing activities in the region?

14 Three more similar mines - three more mines -
 15 are being proposed for the area just north of Mojave along the
 16 border and boundary of Death Valley National Monument in the
 17 Panamint Range. What are the cumulative impacts of these
 18 mines and others already operating within the Pacific flyway
 19 for migratory birds? The EIS fails to adequately consider
 20 this impact.

21 Thank you, and we will be submitting more
 22 extensive comments later.

23 Thank you, Mr. Riedy.

24 Next, Mr. Holme Peters.

25 Mr. Peters?

26 STATEMENT OF HOLME PETERS.

27 MR. PETERS: My name is Holme Peters. My
 28 address is 24051 Groven Lane, in Moreno Valley.
 29 My expertise is as a biologist and a biochemist.
 30 However, rather than discuss all the biological and ecological
 31 effects of this project, I intend to focus my comments on this
 32 project's impact on the California desert tortoise.

33 As noted in the Environmental Impact Statement,
 34 the construction at the project site and along the access
 35 routes, will destroy desert tortoise habitat and individual
 36 tortoises.

37 The access routes pass through some crucial
 38 tortoise habitat. Most significantly, the habitat of the
 39 Ivanpah Valley population of tortoises.

40 The movement of vehicles and heavy equipment
 41 along these routes will kill tortoises. The problem of raven
 42 predation on young tortoises has been of great concern
 43 lately, and the establishment of a large scale industrial
 44 development such as this, could conceivably provide a point
 45 from which new raven populations will radiate outward to
 46 exploit the region's tortoises.

47 With these recognized problems, what sort of
 48 mitigation is offered by the EIS?

49 Well, for those tortoises in the path of
 50 construction, very little. Their habitat will be destroyed.

STATEMENT OF DAVID RARING, THE RARING CORPORATION

MR. RARING: My name is David Raring. I am President of the Raring Corporation in Santa Rosa, California. We are a company involved in Air Pollution Control. We do primarily fugitive dust control work in the mining industry in Nevada.

We were requested by Viceroy to propose to them an air quality system for their crushing, screening and conveying systems that would protect the environment, meet all federal and local requirements, and that we did.

It sounds like there is not a lot of interest in air quality here. I think we are more concerned with tortoisises.

I submit that perhaps air quality is the more important issue. Driving here from the airport today, I can certainly understand why some of you might ought to be concerned.

Looking at the greater issues, I think that perhaps the quality of human life might be as important, particularly in more crowded areas such as we are in here, then perhaps in the desert. However, I can speak to the issue of air quality in mines, and I can tell you that from the crushing, screening and conveying applications on the mine site, there will be no visible emissions, it will not be an issue like it was in the '50's and '40's where a mine site was equivalent to a cloud of dust rising from the sky. That is not how it is anymore; the federal government does not permit that.

From our point of view, Viceroy and the others in this area and in Nevada today, the major mining corporations, are doing an excellent job of maintaining air quality and they are being required to meet those standards which are far above the standards that are being met, for instance, here in your local area on construction sites. That's all that I have to say.

Thank you very much.

JUDGE MCGUIRE: Thank you, Mr. Raring. We will now proceed through these handwritten cards. And if I inadvertently mispronounce any surnames, please invite that to my attention.

The next scheduled speaker is Ms. Margaret

Schnaidt from Apple Valley.

STATEMENT OF MARGARET SCHNAIDT

MS. SCHNAIDT: My name is Margaret Schnaidt, 11225 Pawnee Road, Apple Valley 92308.

Having lived in the high desert for 25 years, I am totally opposed to the inevitable desecration of a Desert Scenic -- of the Desert Scenic Area -- by this proposed mining project.

Who benefits from it? Certainly not the

county; certainly not the people and not the wildlife. If Canada needs more gold, let them strip and cyanide and soak it out of their own wilderness land. Perhaps retribution is in order. This country has exploited and raped so many countries in the past, now it looks like it is being our turn to get screwed. Canada gets the gold and we get the pit as a potential superfund site.

JUDGE MCGUIRE: Thank you, Ms. Schnaidt. Next, Margaret McNamara. Ms. McNamara?

STATEMENT OF MARGARET MCNAMARA

MS. MCNAMARA: My name is Margaret McNamara. I live at 10054 Merino Road in Apple Valley, California; United States. And I am angry at the way our country is being trashed.

We criticize the people of Brazil for cutting down their rain forest because they want to farm the land, but we are doing something that is even worse. This enterprise will not provide food for anyone, even temporarily. It is unnecessary.

They plan to have a cyanide lake that will be 50 times the size of Lake Woe-be-Gone, and they tell us that it isn't going to kill the birds, it isn't going to inconvenience the sheep or the tortoisises or the rabbits or anything else that lives out there. They are going to dig an immense pit and make an immense pile of slag, and the seven little dwarfs are going to clean it up.

We have a mess up in Alaska -- and that should suffice us for the time being. Lets not allow this new one to be developed.

JUDGE MCGUIRE: Thank you, Ms. McNamara. Next, Ms. Alice Krueper. Ms. Krueper?

STATEMENT OF ALICE KRUEPER, DEFENDERS OF SAN GORGONIO WILDERNESS

MS. KRUEPER: My name is Alice Krueper. I live at 4296 Mountain View Avenue, San Bernardino. I have been a resident here for 32 years. When I first moved to San Bernardino the word "smog" was not even coined. As time has gone by, I have been involved in environmental issues for a number of years. I see the continual degradation of our environment, and I think it is time for us to say, hey, let's wait a minute, let's begin to protect what we have. If we look into our history books, any of the really great civilizations in the past history of man, you will find that they have collapsed when they lost their natural resources, and I don't want that to happen to our country. So I would like to say that we need to protect our country in any way that we can.

-- but he himself views these heap leach pads as potential superfund sites, and he does have his staff studying this matter.

So, I am just wondering why in the EIS a lot of these important safety considerations weren't discussed up front. Okay. Others. The fact is that heavy metals are known to concentrate in leached ore piles, okay. Erosion after many years could naturally expose them. Even after the heap is rinsed to reduce residual cyanide content to the level stipulated by the Regional Water Quality Control Board, there is reason to fear that this pile will still be hazardous. The discussion in 5.7-1, -2, does not allay my fears about heavy metal, and apparently, I am told, that a federal court just this past month in Washington, D.C., in a case involving a heap leach pad, did say that they could be classified as hazardous wastes. Now, I have not seen that, so again I can't speak from specific -- all I can say is -- I can voice my fears. Okay. We are talking about a vast toxic waste pile, potentially lethal, and yet everything in the EIS leaves it up to the future. Oh, some government regulator will define the standards. If the company is so concerned about the standards of safety of this mine, why don't they tell us up front what they propose to do.

On a lesser scale, a lot of space is given to the proper training of company employees. Okay. They will drive slow, they will be trained to handle toxic chemical spills, they will be drilled in safety procedures. As the Captain of the Exxon Valdez proved, it takes only one alcoholic to mess up the best laid plans.

Again, I don't know the company's standards as it is not in the EIS. What specific company standards are there concerning alcohol and drug abuse? Will there be random testing of employees? Will there be testing with cause? What about an employee who shows up groggy on Monday morning -- like we all do. Will there be immediate suspension for a week if someone drives too fast? What happens to the employee who speeds home on a Friday afternoon to get home to his family in Las Vegas? Will drivers of materials be paid by the hour? Of course that encourages speeding. All these questions totally unanswered and they all relate to the safety of this mine.

Considering the inadequacy of the EIS, considering how in this point to many others, important questions have not been addressed or answered, considering the long term hazards that this project possibly might have, it is quite clear that the No Action alternative is in the best interest of the people of the United States.

Thank you.
JUDGE MCGUIRE: Thank you, Mr. Simons.
Next, we will hear from Mr. Al Kelley.
Mr. Kelley?

Thank you much.
JUDGE MCGUIRE: Thank you, Ms. Krueper.
Next, Mr. Scott Simons?
Mr. Simons?

STATEMENT OF SCOTT SIMONS, SIERRA CLUB - MOJAVE GROUP
MR. SIMONS: My name is Scott Simons. I can be found at Post Office Box 1062 in Phelan, California 92371. I am Chairman of Sierra Club, Mojave Group, a local group in the desert. I have been a resident for 13 and a half years in the desert myself, and I love it. When this large book came to my door, -- I had commented two years ago when the initial EA came out -- and so I confined my studies to things that to me were new, and so I didn't dig deeply into it, I dug deeply into a few areas. The area that concerned me the most was an air quality issue, and that is the release of hydrogen cyanide gas, an incredibly toxic and deadly poison. It seems as I talked with an expert on the matter, an air quality engineer who worked for the EPA, it seems that when you combine the sodium cyanide solution with some of the acids used in the project, what can happen, okay, if these two compounds come together, this creation of hydrogen cyanide gas -- I believe this is the same gas that is used in gas chambers throughout the United States.

The EIS flatly states that the leaching operations associated with the proposed action could result in emissions of hydrogen cyanide gas. And it then goes on to talk about continuous pH control of the leaching solution, but nowhere does it discuss what happens if something goes seriously wrong.

For instance, one thing that is not talked about - I really don't know enough about it myself, but I do have a question. What happens if we get a potentially very high level of acid rain coming upon these leach pads? Are we going to have that entire 300 acres of leach pad pits oozing hydrogen cyanide gas?

We have seen in the case of the oil spill in Alaska, at Three Mile Island, in Bhopal how much vaunted safety measures can fail. What happens then? Nowhere do I see a discussion of emergency evacuation procedures if something does go wrong. What happens to wildlife in the area in case of a catastrophe? Who is responsible for the clean up? What kind of public warning will be given? How will it be given? Who pays if there is a major disaster? We can be assured ultimately the U.S. Taxpayer will.

I talked also with a high official who is currently with the Environmental Protection Agency. He told me that he personally is looking into these operations. He views them himself -- this is not -- I don't want to give anybody false impressions -- this is not an official statement

STATEMENT OF AL KELLEY, SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT, SERRANO SCHOOL

MR. KELLEY: My name is Al Kelley of Yucaipa, California. I am a San Bernardino school teacher. I teach 7th and 8th grade gifted individuals -- 220 daily. But I have to tell you, I get a little, a little Goddamn sick of these environmentalists, okay? Even though I teach science, I think they are carried a little bit too far. Let me tell you what I mean.

I want this mine to go in. I'll tell you why. First, of all, the benefits, economic, millions are going to be generated to the local economy. It's very generous of the company; we know that the employers will be going to Barstow rather than Tanderloin and Tush in Las Vegas. So a lot of funds are going to go toward those cities. National defense -- minerals are strategic. Every Ranger on the BLM gets a gold watch by Jerry Lewis for effectively guarding 10,000 square miles a day. And as far as nature -- every environmentalist is always complaining about endangered species. If that mining operation is accepted, wildlife will do better by having to adapt to dropping H2O levels. Shotguns. Cyanide refreshment. It's all for a healthy ecosystem. Okay.

And you know, you talk about solitude. Drop down to BLM's Imperial Mines. It's so quiet and peaceful, not even an insect - beautiful, cool, green water.

I accept the BLM stewardship of this land. After all, where can you go west of Topeka and feel at home? Okay?

Finally -- I hope everybody got that -- finally, the other thing. Viceroy mine. Everybody knows of Viceroy and a swallow tail, you can't tell them apart except that Viceroy's dump the poison.

Thank you very much.

JUDGE MCGUIRE: Thank you, Mr. Kelley.

Next, Mr. Geoffrey Smith.

Mr. Smith?

STATEMENT OF GEOFFREY SMITH, SIERRA CLUB, SAN DIEGO CHAPTER CHAIR

MR. SMITH: My name is Geoffrey Smith. I live at 3541 Burbank Court in San Diego, California. I don't have any jokes or gags, I just have a few words to say.

I am the Chapter Chairman of the San Diego Chapter of the Sierra Club. We represent San Diego and Imperial Counties, 14,000 members all told.

Why did we drive up here? Why did we drive for an hour and a half to come up to this hearing for a mine that is a couple hundred miles away? Well, the desert is for us all to share. We all have an obligation to protect it no

matter where it is.

We think that this mine is an inappropriate use for a proposed national park, and we are concerned about the precedence that it might set for areas in our own desert, in our own backyard.

The proponents of this mine are concerned about the beneficial "economic impact", but the proponents are few, they are well monied and they are closely tied financially to the project. We who oppose the project see beyond the money. We see the project as an abuse of public lands. Let's stop this project for the benefit of ours and future generations.

JUDGE MCGUIRE: Thank you, Mr. Smith. Next, Harriet Allen.

STATEMENT OF HARRIET ALLEN, DESERT PROTECTION COUNCIL

MS. ALLEN: Your Honor, I am Harriet Allen, 3750 El Canto Drive, Spring Valley, which is near San Diego.

I would like to speak for the Desert Protection Council, a 35 year old national organization.

I would appreciate it if you would let me know when two and a half minutes is up, and then I will stop asking my questions.

JUDGE MCGUIRE: Ms. Allen, take all the time you need, please.

MS. ALLEN: Maybe you won't want me to.

We really have a series of questions that we would like to put before the County and BLM. For some reason, the Pony Express didn't feed the ponies and I don't have an EIR yet, so I am perhaps asking questions that are addressed in the document.

We are trying to determine if this is an open pit or a strip mine because the basis of our comments would be based on that.

What are the benefits that will accrue to the United States, to the BLM, and to San Bernardino County, and if the information in figures is privileged information, then we would want to ask for those figures in a percentage.

What is the cost to the taxpayers?

What rehabilitation laws will prevail -- the Federal or California State laws, or County laws?

Will there be a completion bond -- and we have been through that.

What Federal laws are going to prevail? Will the Endangered Species Act of the United States prevail over the California laws. The Federal and State laws are not necessarily the same. And will a new HR-37 which was introduced recently, affect the clean water? That is the Water Resources Authority of the Geological Survey Act.

Who is the lead agency for the final decision on this document and project?

Will CEQA prevail, or will NEPA prevail?

STATEMENT OF SALLY READ

MS. READ: My name is Sally Read and I live in San Diego County, and one of my favorite areas to recreate is the desert.

I visited the East Mojave National Scenic Area over last Thanksgiving and I thoroughly enjoyed my stay.

I looked over the EIS on the Castle Mountain Mine Project, and I am extremely concerned about the desert being able to remain in its natural state.

The unavoidable adverse impacts stated of vegetation, wildlife, air, water and visual resources, need to be examined more closely. It was mentioned so matter of factly that there would be impacts. The impacts were minimized in my opinion.

My feeling is that the project is absolutely inappropriate for this sensitive and special area. This area is proposed as a National Park, and I don't find that that is compatible with 2700 acres of disturbance proposed by this project.

Thank you, Ms. Read.

Next, we are pleased to hear from Ms. Susan Quillman.

MS. Quillman?

STATEMENT OF SUSAN QUILLMAN, SIERRA CLUB - SAN DIEGO CHAPTER
MS. QUILLMAN: Good evening. My name is Susan Quillman and I am from San Diego, California.

I am here to say no to Castle Mountain Mine. There is no room for this kind of activity in a proposed National Park. Putting cyanide pits in the desert is an open invitation for an environmental disaster such as Prince Williams Sound, and I think the risk is just simply too great. Thank you.

JUDGE MCGUIRE: Thank you, Ms. Quillman.

Next, we welcome Ms. Camille Morgan.

Ms. Morgan?

STATEMENT OF CAMILLE MORGAN, SAN DIEGO CHAPTER, SIERRA CLUB
Morgan. I live at 1675 Queenston Drive, Escondido, California.

I am serving as a volunteer Desert Chair for the San Diego Chapter of the Sierra Club.

14,000 members of the San Diego Chapter are requesting your serious consideration of our response to the Draft EIS.

Why should the BLM consider our request? Three reasons at least. (1) Many of our members visit the East Mojave National Scenic Area each year to enjoy the scenic, wildlife and vegetative values. (2) We pay the costs of managing these public lands. (3) The BLM needs to know what the majority needs are so they can manage for our long term

And what is the schedule for the public response to the final EIS/EIR?

Will the decisions made by San Bernardino County prevail, or will those by BLM prevail? And to whom would we appeal a San Bernardino County decision? I do not believe that they come under the Public Lands Appeals Board, though I think the BLM does.

Where do Cal Fish and Game and U. S. Fish and Wildlife Service come in, particularly in relationship to wetlands and riparian areas? Section 404, I think it is, of Fish and Wildlife that we have to address.

Is the permit which allows this activity to take place in the WSA under the grandfathered operation of FLPMA and under valid existing rights of FLPMA, and did this company own or lease that property on or before October 21, 1976? And will there be a finding made that wilderness suitability will not be impaired by this activity?

Does this project comply with BLM's significant resources acquisition program? And how does it conform with the desert plan? Will the amendments be made before or after the EIS is submitted? The EIS/EIR is approved? Or the permit issued?

Will the tortoise be used to disguise mining and cyanide facilities such as at the Mesquite Mine in the Imperial Dunes where many, many miles of chain link fence topped by razor wire or whatever you call that shiny stuff, follow miles -- over four sections -- with beautiful signs "Tortoise area, be aware." They are using a tortoise symbol to hide their mining operations, and I don't think that is what we want anywhere in the desert.

Have the BLM and the County factored into the document recent findings from the president's Outdoor Conference on Ethics, the ethics of outdoor recreation, or the wildlife recreation survey?

Which strategic mineral list does the BLM and the County use in this document?

What percentage of gold goes to Canada; what percentage stays in the United States?

And there a conspiracy to ship this gold out of our country to a foreign shore which is not friendly to the United States?

We talked about jobs. 100 permanent jobs, but the water discussion addresses only 10 years down the road. So 100 people in 10 years when they run out of water, will not have permanent jobs.

I think I have gone over my time, and I thank you for your attention, sir.

JUDGE MCGUIRE: Thank you, Ms. Allen.

Next, Ms. Sally Read?

Ms. Read?

public welfare.

After carefully considering and studying the Draft EIS/EIR, we strongly request that the BLM stop the Castle Mine Project because the proposed project would result in "unnecessary and undue degradation of our federal lands." We urge no on this Project for three major reasons. Reason One.

We feel this Project does not meet the goals specified in the 1988 EMNSA Management Plan. In this plan the area rates as a Class L limited use area for lower intensity use. The Castle Mountain Project definitely qualifies as high intensity.

Next, the plan requires that mining operations should be visually unobtrusive to protect the scenic integrity of EMNSA. This project would be extremely obtrusive -- rather like a bombed war zone.

Finally, the plan requires mitigation and reclamation measures to protect all the natural values. We conclude that the Project does not adequately reclaim the wildlife, vegetative or scenic values.

Reason number two we oppose it.

Allowing the Castle Mountain Project would be poor environmental planning for these reasons:

The possibilities of serious threat to wildlife and the habitat destruction and hazardous cyanide, are high and they pose too great of a possible loss.

The fact that any possibility of negative impact on Piute Creek, EMNSA's only perennial stream, warrants serious concern. Negative effects on this water source would be a major environmental loss to EMNSA.

In addition, the restoration proposal proves inadequate for many reasons. First of all, in our estimation, the simulated pictures after restoration result in a net loss of the scenic character. In addition the bond dollar amount needs to be stated so the public can determine the adequacy of the proposal. The company must pay the full price for the restoration so the public does not bear any third party cost for the restoration.

And, finally, reason three.

Allowing the Castle Mountain Project is poor economic planning in addition to the other points.

Think of it. With the huge government deficit that we now face, how can we justify subsidizing the use of water, land, and natural resources? The company needs to pay the fair market value of the water and these resources. The Castle Mountain Project is in fact probably not economically feasible without our general public subsidy. We feel it is unfair that a mining company receive such special economic treatment.

In short, the public loses in this venture and

will most likely end up paying the third party costs for long term environmental protection. We have no guarantee that the project will be free of major or long term environmental problems.

The BLM also needs to consider that non-consumptive uses are much more economically valuable to our country. According to a recent study by the Department of Fish and Game, wildlife viewing has become one of the fastest outdoor recreation activities in the 1980's, and the trend will continue. The majority of the 60,000 visitors who visit the EMNSA go for the non-consumptive uses, and we Sierra Club members feel the Castle Mountain Project would result in negative impact to this area.

In conclusion, the San Diego Chapter of the Sierra Club requests that the BLM deny the Castle Mountain Project.

Allowing this project would be another example to prove that the BLM is not wisely managing and protecting our natural desert resources as is promised in the Desert Plan.

It would be one more reason for the public and Congress to support the California Desert Protection Act. Thank you.

JUDGE MCGUIRE: Thank you, Ms. Morgan.

Next, we welcome Bruce Gibson.

Mr. Gibson?

MR. GIBSON: WILDLIFE TECHNOLOGY

My name is Bruce Gibson, Wildlife Technology out of Fresno, California.

We are here at the request of Viceroy Gold to explain a little bit about the specialties that our company does, and that is bird exclusion work on cyanide ponds.

We are currently utilizing a system in Nevada which has been very successful. I know many people have expressed concern about birds getting stuck in pond netting. This is not currently happening. We can totally exclude all species, both migratory and local species with great success.

The material that we are using is a polypropylene material, it is U-V stabilized, and it is withstanding five to ten years of longevity under direct environmental impact, both in heat loads, weather conditions, wind conditions and we are here to assure you that Viceroy really desires to protect the wildlife. There is a system available of protecting the species around there. The netting itself is just part of a program. There still has to be a protective barrier of fencing put around. That is the secondary measure of protecting any land species from coming in. But as far as entrance into the leaching ponds, if a system is put up and put up properly and maintained properly as with any other equipment, the species themselves, both migratory and local

California and I know there are several others under consideration. Therefore there are several instances in the EIR where it is stated that this Project will affect only Point "X" percent of some natural resources, say of the East Mojave, is all right as far as it goes, but I think we have to be thinking about cumulative impacts of this kind of project on natural resources of the southwest, in particular, Southern California. We can't just say that this is one small project. Okay. A few specific comments on the adequacy of the vegetational wildlife portions of the EIR. I sincerely wish the Project proponent had spent half as much money studying these things as it did hiring people to come here and speak on its behalf this evening.

Unfortunately, there is a complete lack of quantification in most of the wildlife features. We have mentioned that there are maybe bighorn, that we have some indication of tortoise. We have mentioned there is the "thrasher" as definitely being on the site. We have absolutely no information of how many individuals, how important are the populations on this site. The information is very weak.

It is apparent that the field surveys conducted prior to this were of a very brief nature. I know this because I actually was involved in one of them. I was there for two days and I think I am largely responsible for the plant survey that was done. As a matter of fact the list looks like mine almost completely.

When I did the work out there, I provided a list of about 15 rare plant species that could be present on the site. Somehow or other about nine of those didn't get mentioned in the EIR. Of those that were mentioned, -- a curious thing happened. There were two cacti which are -- there is some controversy about the taxonomy of these groups, but oddly enough, both of the cacti where the species concerned are the taxonomy of concern was the sub-species. Where I had suggested that they could potentially be the rare taxonomy, the final EIR they became the common taxon.

I am not sure, I think we need to have another look here. As far as I can tell, there has been no voucher prepared of any of the specimens. The time I was there was very early in the year and things could not be identified with certainty. As far as I can tell there has only been one further survey and it was apparently brief also.

Further work is needed on the plants. We need quantification on the animals. Right now we simply have no basis for deciding exactly what the impacts of this project are going to be on vegetation or wildlife. Just we do not have an adequate data base.

The other major area of concern is the lack of any substantial mitigation measures for vegetation and

Thank you.
 JUDGE MCGUIRE: Thank you, Mr. Gibson.
 Next, Mr. Michael Sandeckki.
 Mr. Sandeckki?

STATEMENT OF MICHAEL SANDECKKI, STATE DIVISION OF MINES AND GEOLOGY

MR. SANDECKKI: I am Mike Sandeckki. I can be reached at 1416 9th Street in Sacramento. The reason I am here is to discuss the Department of Conservation, Division of Mines and Geology's role in reclamation of mine lands. And this is in accordance to SMAA - which is the Surface Mining and Reclamation Act of 1975.

I thought I would take this opportunity to read a couple of the general provisions of this Act, and I am quoting from SMAA 1975 here.

"The Legislature hereby finds and declares that the extraction of minerals is essential to the continued economic well being of the State and to the needs of society, and the reclamation of mine lands is necessary to prevent or minimize adverse affects on the environment, and to protect public health and safety."

It also says "The production and conservation of minerals are encouraged while giving consideration to values relating to recreation, watershed, wildlife, range and forage, and aesthetic enjoyment."

The Department of Conservation will be commenting on the Draft EIR in written form. However, I wanted to take this opportunity to ask that a reclamation plan, both detailed and specific, be prepared for this project.

Thank you very much.
 JUDGE MCGUIRE: Thank you, Mr. Sandeckki.
 Next we will hear from Mr. Andrew C. Sanders.
 Mr. Sanders?

STATEMENT OF ANDREW C. SANDERS, SAN BERNARDINO VALLEY AUDUBON SOCIETY

MR. SANDERS: My name is Andrew Sanders. I live at 422 Campus View Drive, Riverside. I represent the San Bernardino Valley Audubon Society of which I am Vice President.

I just want to make a few brief points touching mostly on wildlife and vegetation issues. First of all, I think it's important in considering this whole issue to realize the fact that these leach heap mining processes are becoming very widespread throughout the western United States. We are not dealing with just this one particular case. There already have been at least two others that I personally observed put in in Southern ones, have no entry point.

wildlife. The measures that are proposed are generally of a rather vague nature, they are nothing that anybody can hold any of the responsible government agencies to in court. If somebody makes a big mistake out there, does the public have any redress? It is not clear that they do at the present time.

What I would like to see would be some firm, hard, strong mitigation measures. How about off-site mitigation? How about the project proponent goes and buys four square miles of privately held land out in the Lanfair Valley somewhere and gives it to the BLM as a dedicated wildlife area. Hey, that would be a nice solid, something we could see if it happens or not.

It is proposed in there at a couple points that we are going to have some monitors hired by the Project proponent to, for example, examine water levels in Lanfair Valley. I think it would be really nice if these monitors were in fact clearly and distinctly independent. The way it is, they are working for the Project proponent. They might have a big interest in not noticing the fact that water levels dropped a little more than they were supposed to. The guy who is paying their salary has an interest in seeing that it doesn't happen.

I think those kinds of measures need to be considered. We need something that is firm and hard and reliable. All we've got in this is some promises that we are going to do some experimental work on revegetation. If it doesn't work, what happens? If we don't work out something that is going to in fact recover the natural environment there, the public is left with a rough hole in the ground.

I think that's about it. I thank you very much. JUDGE MCGUIRE: Thank you, Mr. Sanders. The 33rd speaker of the 67 that we will hear from this evening, is Mr. Frank Coony.

Mr. Coony?
STATEMENT OF FRANK COONY

MR. COONY: Thank you, your Honor. I am Frank Coony of Victorville, California. Five years ago I retired as this County's Director of Economic Development, and one of my present volunteer jobs is with the Advisory Board at the Salvation Army in Victorville.

At this morning's Board meeting, we read the March monthly report. One of the items there was more than 680 meals served to the hungry, some of them homeless, and all of them jobless.

We who live in the desert need a healthy local economy so there will be local jobs for all.

Our Victor Valley population right now is a little above 160,000. Of these adults around Victorville,

about 1200 are working presently at our local mining companies. More than 400 are working in the trucking firms that take our minerals to market. These jobs are critical to our local economy. Whether the Viceroy employees choose to live in Baker or in Las Vegas, well, that's their business. The jobs in the desert, again, are important.

I am only appalled at the length of time it takes to start a business these days in this county so you can provide jobs. Viceroy has been collecting data on this project for two years.

I have a suggestion. Try it sometime. Volunteer for a day in the Salvation Army's soup kitchen feeding the homeless, and maybe we could gain an appreciation for those who provide jobs.

Thanks.
JUDGE MCGUIRE: Thank you, Mr. Coony. Next we will hear from Ms. Cindy Brennan -- it appears to be Brennan -- a young lady from Hesperia, California, 18970 Lemon.

Does anyone recognize that as their address? (No response.)

JUDGE MCGUIRE: Next, Ms. Karen Cannarella from Hesperia, California.

Ms. Cannarella?
STATEMENT OF KAREN CANNARELLA, DESERT RESIDENT

MS. CANNARELLA: I am Katie Cannarella from Hesperia, California, which is located in the Mojave Desert. I wish to make a comment that I feel regarding all the comments that were made regarding conservation, and which I am in total concert with.

I feel that America is a great nation, and we are selling ourselves short. Acre by acre we are selling out our farm lands, our industries and our real estate to foreign investments.

I am asking the BLM to stop. Please do not give away our natural resources; they belong to us.

Thank you.
JUDGE MCGUIRE: Thank you, Ms. Cannarella. Next, Mr. Philip Lindgren.
Mr. Lindgren?

MR. LINDGREN: That's "and family."
PHILIP LINDGREN AND FAMILY, WILDERNESS SOCIETY

My name is Philip Lindgren. I reside at 9818 Bianca Court, in the City of Rancho Cucamonga.

My profession is a landscape photographer. I have always considered myself a member of the silent majority who voices his opinion in a voting booth, however, as I will not be given the opportunity to vote on this issue, I can be silent no more.

After reading the studying the Environmental

Impact Study submitted for public debate this evening, I stand before you tonight with my wife and two children to ask a simple question, when does it all stop?

Our great desert can no longer bear the scars that shall be put upon it by a mining process which will forever alter the appearance of this beautiful area. What has taken nature a millieum to create, will be destroyed in a matter of days.

Unlike some who are gathered here tonight, I'm not here to compromise on heap leach mining procedures, or to suggest we do this or reroute that pipe or cover the poison ponds with netting, or set up colored flags and shoot off cannons once in a while to frighten migratory birds. Instead, I strongly urge the Bureau of Land Management not allow an operation of this kind in a designated National Scenic Area, a now proposed National Park Land.

In comparison it absolutely amazes me how just recently three grapes -- we are talking three grapes now -- were found to be laced with cyanide poison, and millions of dollars of produce were destroyed. However, it is okay to use as much as 3,000 tons per year of the same cyanide poison to wash 90 million tons of earth to obtain what -- a few microscopic pieces of gold.

Where is logic, folks? Is there logic?

Groundwater pumping used for this mine may threaten the East Mojave's largest riparian habitat at Piute Creek which is in the heart of the Fort Piute Wilderness Study area, and one of the desert's richest wildlife areas. Loss of the water feeding Piute Creek would destroy habitat used by over 80 species of birds, the bighorn sheep, and the elf owl which coincidentally is being reintroduced into the area.

The Environmental Impact Study suggests no impact is likely, however, further analysis has indicated a reduction in flow is possible. Don't these animals have enough of a hard time adapting to the desert as it is, or must we make it more difficult for them?

Must these children, our next generation, and, yes, folks, we are all going to die eventually, for a little bit of gold in our profit and log sheets, we are going to die, and these are the ones that are going to carry on.

Must these children, our next generation, see the bighorn sheep and desert tortoise only as pictures in a book? I should hope not.

As far as the economic benefits the San Bernardino County is concerned, I don't see any. At least 80 percent of the mines employees will come from the Las Vegas valley area, and to steal a line from somebody earlier, "so in other words Canada gets the gold and San Bernardino County gets the poison pits."

According to Federal Regulations, Volume 46,

number 11, dated 1-16 1981, and I quote, "This designation as the East Mojave National Scenic Area will provide added emphasis to the BLM's plan to protect the area's outstanding, natural scenic and cultural resources." End of quote.

I ask -- no, I challenge the BLM to look my children in the eye and explain how Viceroy Corporation's poison mining operation will add emphasis to the plan to protect the area's outstanding natural scenic and cultural resources.

Please, don't let Viceroy Corporation do to our California desert what Exxon did to Alaska. I beg you. Thank you.

JUDGE MCGUIRE: Thank you, Mr. Lindgren.

Next, Mr. Larry R. Todd.

Mr. Todd?

STATEMENT OF LARRY R. TODD, GOLD FIELDS OP. CO. - MESQUITE

MR. TODD: My name is Larry Todd and I am the Plant Superintendent at Gold Fields Operating Company, Mesquite, HCR 76, Glamis 100, Brawley, California.

Gold Fields Mesquite Mine is an open pit heap leach operation in Imperial County. I, myself, have been involved in the gold mining industry in mining and recovery operations since 1980 in both Nevada and California.

I would like to make a few comments concerning the heap leach process, and in particular, cyanide usage.

Cyanide has been used safely by workers in the gold mining industry since the turn of the century in a large number of mining operations as a preferred choice for a number of reasons.

First of all, a very small amount of cyanide is needed to dissolve the gold and the ore, and as a result, the process solutions tend to be very dilute and can be used safely by properly trained workers.

Secondly, cyanide is not a cumulative poison. It does not build up in an organism systems over time. It is not carcinogenic, it is not a reproductive toxin.

Cyanide is not persistent in the environment. It degrades rapidly over time which is well documented from studies of old mine tailings, and explains why we don't presently have any cyanide tailings superfund sites.

Cyanide can be rinsed very effectively from the heaps which allows the cyanide to be used again, and more importantly, allows spent heaps to be abandoned in a non-toxic condition.

And lastly, the solutions containing the cyanide can be controlled to exclude contact by wildlife. The bird mortality numbers recently being referenced from Nevada, are associated primarily with milling operations which have larger tailing ponds which Castle Mountain will not have. The facts indicate that by utilizing existing developed technology, the

1 impacts on wildlife can be mitigated.

2 Thank you.

3 JUDGE McGUIRE: Thank you, Mr. Todd.

4 Next, Mr. Gary L. Bennett.

5 Mr. Bennett?

6 STATEMENT OF GARY L. BENNETT, VICE PRESIDENT, TIC

7 MR. BENNETT: I am Gary Bennett. I can be

8 located at 40185 County Road 129, Steamboat Springs, Colorado.
9 I am Vice President of TIC which is an industrial
10 construction company. We also have operations and companies
11 in California. Our firm has been associated with various
12 California mining companies and other industries for a number
13 of years.

14 I wanted to briefly make a couple points
15 regarding socio-economic part of the report on employment for
16 the Castle Mountain Project.

17 I might mention that my firm has no contractual
18 relationship with the applicant. I have simply -- we've
19 constructed a number of similar mines and other industrial
20 facilities in this part of the country. I just wanted to make
21 a couple points about the effect of employment on the local
22 economy.

23 There is mentioned seven percent plus
24 unemployment is relatively high, a project such as this
25 usually almost always emphasizes local hiring as our firm does
26 throughout the state.

27 There seems to be reasonable availability of
28 skilled labor in the widely surrounding area. A project such
29 as this, the construction phase of it, could provide valuable
30 employment for unemployed miners as well as regular
31 construction employees in this region. It also frequently
32 does supply employment for either unemployed or under-employed
33 agricultural, et cetera, workers.

34 In addition, some of these same people have
35 become involved in the actual construction of a project such
36 as this, often receive training and remain as part of the
37 permanent operating staff for the mining company.

38 It has been my experience that there are a
39 number of local services that are utilized, they do have an
40 economic impact on the area, again speaking to the
41 construction phase, services and goods such as food, housing,
42 purchase of retail goods such as clothing, fuel, recreation,
43 equipment rental, parts, materials, various sub-contractors
44 who do business in this region all realize a benefit from it.

45 I realize it depends on the economist you talk
46 to what the turnover factor is, the dollar turnover factor,
47 but if you pick a factor of four which says that theoretically
48 a dollar spent in an area will turn over four times in that
49 area before it leaves, dissipates. If you had a labor payroll
50 of approximately two million dollars - I have no idea exactly

1 what it would be for this project - but if you had that it
2 would roughly equate to eight million dollars in the area with
3 the multiplier effect. If materials and equipment,
4 consumables, installed materials and that sort of thing, not
5 counting the actual permanent equipment for the plant, the
6 large items such as crushers which was mentioned earlier and
7 that sort of thing, came to five million dollars, then times
8 four, you would have 20 million dollars spent in the area.

9 I would like to say that in our experience in
10 working on mine sites, particularly in the western states,
11 that the environmental restrictions are imposed, in our
12 experience quite rigidly by the mining companies, as well as
13 regulating agencies. We are always required and do carry out
14 education programs for our workers who albeit, are there
15 temporarily, so they are also cognizant of the sensitive
16 areas, whether it be wildlife, vegetation or terrain.

17 In addition, we frequently continue to work with
18 mining companies in a maintenance capacity. Employees are
19 exposed to continuing compliance with such regulations and we
20 know from experience they are in all cases, strictly enforced.
21 I would like to thank you for the opportunity to
22 speak here this evening.

23 JUDGE McGUIRE: Thank you, Mr. Bennett.

24 Next, Mr. Darryl Goodson.

25 Mr. Goodson?

26 STATEMENT OF DARRYL GOODSON, GRANITE CONSTRUCTION

27 MR. GOODSON: Good evening.

28 Your Honor, Mr. Bailey, ladies and gentlemen.

29 My name is Darryl Goodson, I am a project
30 manager for Granite Construction which is a 67 year old
31 company located in Watsonville, California.

32 I have also read through the Environmental
33 Impact Report. I think it is interesting that the cover, and
34 I believe it is on the summary as well, indicates miners with
35 mules and picks and shovels, and I can assure you today's
36 miner does not do that.

37 We are a competent, professional group of
38 organizations. I have no contractual relationship with
39 Viceroy, nor my company, either. But today's contract miner in
40 a modern world is a group of professionals who know the
41 business, they are working in a technology that is
42 established, has been here for some 20 years, and we
43 understand the necessities and requirements of doing that work
44 in a manner that is environmentally acceptable.

45 It is really, as I have seen here this evening,
46 this is an emotional issue, and those emotions run strong on
47 both sides. There is really two things that I would like to
48 comment on quickly.

49 First is the implementation of these necessary
50 environmental protection actions, and the second is what we

1 are in lingo that is quite large, is the socio-economics.
 2 The company which I work for which is typical of
 3 your contract miners, employs in excess of 5,000 people. Of
 4 that 5,000 people we have over 250 engineers. We have a large
 5 group of people who are very, very cognizant of safety,
 6 environmental aspects involved as well as the finances of
 7 course.

8 In any given year, for instance last year, we
 9 paid in excess of 200 million dollars in wages. We have asked
 10 what is the benefit to the county, what is the benefit to the
 11 state -- what is the benefit to the United States -- obviously
 12 200 million dollars in wages is a major benefit. And I am
 13 here in the interest of the industry which I work in.
 14 Before I address anything in the
 15 socio-economics, I would like to just quickly make a note that
 16 the company employees - that seems to have been a comment that
 17 has come up - what kind of training is given to the people who
 18 are physically driving the trucks who go up and down the roads
 19 every day. These are in depth programs which are set up as the
 20 employee is hired. It includes videos quite often, they
 21 include the areas where concentrations are noted, and these
 22 are standard procedures, these are not something we are just
 23 doing here. As it was pointed out earlier, this type of
 24 technology is ongoing all over the western United States.
 25 This isn't a new ball game, we are practiced at this.

26 The last thing is the specific socio-economics.
 27 It is very easy to say, well, we've got this factor over here
 28 and it is four times this many dollars that you spend, but the
 29 thing that comes into play is this, and I will put it down on
 30 my personal level.

31 In 1947, my mom and dad came out from Colorado
 32 with five kids. My dad didn't have a high school education.
 33 He was an operator in construction and mining. He raised
 34 those five plus a younger brother that I've got, all in the
 35 mining construction industry. He didn't come out here because
 36 he liked California or he liked any area, he came out because
 37 he wanted a job, and jobs is what this is about. The taxes
 38 that he has paid, my brothers and sisters and I have gone to
 39 college, I personally am a professional engineer in
 40 California, and I have a Master's from Stanford.
 41 The economic contribution of mining and construction
 42 in the United States, cannot be looked over. It's a major,
 43 major factor.
 44 I would like to thank you for the opportunity.
 45 Good evening.

46 JUDGE MCGUIRE: Thank you, Mr. Goodson.
 47 Next, Ms. H. Marie Brashear.
 48 Ms. Brashear?
 49 (No response.)
 50

1 Mining Council? JUDGE MCGUIRE: Mr. Greg Ouellette, Western
 2 (No response.)
 3

4 JUDGE MCGUIRE: Moving on, Ms. Carol Willey.
 5 Ms. Willey?
 6

7 STATEMENT OF CAROL WILEY, SIERRA CLUB
 8 MS. WILEY: My name is Carol Willey. I reside at
 9 15457 Eto Camino in Victorville.
 10 I have been a long time resident of the desert;
 11 I love the desert, especially the Eastern Mojave Area.
 12 One of my main objections to the project is that
 13 this is a scenic area, and a proposed national park. It means
 14 it is supposed to be protected and preserved. So besides the
 15 obvious destruction to the wildlife, to the scenic area, the
 16 water, it should not be allowed in a scenic area or a national
 17 park.

18 Thank you.
 19 JUDGE MCGUIRE: Thank you, Ms. Willey.
 20 Next, J. W. Monroe.

21 MR. MONROE: My remarks will be mailed.
 22 JUDGE MCGUIRE: You are mailing your remarks,
 23 sir?
 24

25 MR. MONROE: Yes. Thank you very much, Mr.
 26 JUDGE MCGUIRE: Thank you very much, Mr.
 27 Kristen Bettencourt?
 28

29 STATEMENT OF KRISTEN BETTENCOURT, OUT DOOR CLUB OF U.C.
 30 RIVERSIDE

31 MS. BETTENCOURT: Hi. My name is Kristen
 32 Bettencourt, and I am a student at UCR.
 33 I am a political science and environmental
 34 science, and I am also the President of the Out Door Club.
 35 I think that the Mojave Desert is a beautiful
 36 place. I don't want to see the vegetation destroyed, number
 37 one.

38 Has anybody read this book?
 39 There is not one -- they say according to this
 40 book there is not one significant impact. On page 1-15 they
 41 say it will take 30-60 years for the vegetation to recover.
 42 They say that is not significant -- I'll be dead in 60 years.
 43 Number two, the wildlife. I don't want to see
 44 the wildlife destroyed. I like the tortoises. I go out and
 45 look at them. I have seen bighorn sheep in the area, and it's
 46 beautiful. And I don't want to see those killed.
 47 And my third point is, I don't want the water to
 48 be polluted and to be contaminated.
 49 Have you heard of Stringfellow acid pits? They
 50 said that there is no way that the water would be polluted
 51 there, and what happened? Those residents of Glen Avon have
 52 to have their water piped in, they cannot drink the water, and
 53 I don't want to see that happen.

tower. BLM sat on its hands just like they are doing now, and we defeated them just like we will now.

Let me tell you the reasons why. Number one, Piute Creek is one of the most beautiful riparian habitats in the whole California desert. There are very few of them.

When Senator Cranston, when we brought him out to the East Mojave to see the proposed park, I showed him over Piute gorge and I said, Senator -- this is about 1987 -- the Viceroy Company says the water here doesn't come from Lanfair Valley to this creek, they say it comes out of some caliche somewhere, or some other thing that the EA said, and we looked at it and we have seen subsequent hydrology reports. I am glad to say now in the IE -- the Draft EIS, Viceroy says, well, I guess the water does come from Lanfair Valley. So there has been an improvement in the Draft EIS -- not much.

Another improvement is they've -- the only other improvement I can see is the water here has been changed from something like 1400 acre feet per year to 725 acre feet per year, and we are glad of this very minute change. But we are not going to put Piute Creek at risk.

The purpose of our organization is to save Piute Creek. We will do it in spite of the BLM, and we are going to do it in spite of Viceroy because we cannot lose this precious, precious resource. The water in Piute Creek is worth more than the gold that they plan to mine.

We are not going to allow a cyanide process, a cyanide pit in the area of our proposed National Park. They are just incompatible. We are just not going to allow it. They are going to have to come up with another way to try to mine their gold, and this wasn't even listed in the Draft EIS. There wasn't another alternative. They said they had to do it right there. Well, we are not going to let them do it there. If they have to do the cyanide process, it is going to have to be outside of the proposed park, outside of the national scenic area.

This is something that the Final EIS is going to have to address because we are just not going to allow it. We don't want the superfund there. We don't want another Stringfellow, so it is not going to happen.

Another thing, we are very concerned about the desert tortoises. Two crucial desert tortoise habitats that are impacted -- the Ivanpah Valley and the Piute Valley. The Draft EIS deals with the tortoise -- this is something that really got me. I just couldn't believe it when I read it. The reader is given the choice of deciding should the road go to Searchlight, be a brand new road, or should we use the Ivanpah road. And you know, I ran this past my wife, and you know what Joyce said, she said, gee, that's like having a murderer tell you would you rather have me kill your wife or your sister.

I say no to the Castle Mountain Project. Thank you.

JUDGE MCGUIRE: Thank you, Ms. Bettencourt. Next, Mr. Howard Suskind.

Mr. Suskind?
MR. SUSKIND: My name is Howard Suskind. I live in San Diego.

The Bureau of Land Management, by even considering this project, has once again demonstrated its inability to properly manage and preserve our California desert.

The area where this project is planned, is designated for limited use by the BLM which is supposed to be for low intensity use only. An open pit, toxic mine in this area is a complete contradiction of the limited land use designation.

I am extremely opposed to this project and continue to be disappointed with the BLM's approach to this project. This type of continued ineptitude on the part of the BLM has proven that the BLM is incompatible with the proper management and protection of our desert, and demand support for the California Desert Protection Act.

Only after the passage of this Bill will the private citizen be assured that their public lands and natural resources of the desert, be protected from this type of savage mining project.

And finally, a responsible mining company does not conduct open pit toxic mining.

Thank you.
JUDGE MCGUIRE: Thank you, Mr. Suskind.
Next, Mr. Peter Burk?

Mr. Burk?
MR. BURK: I am Peter Burk, P.O. Box 106, Barstow, California.

I am the President of the Citizens for Mojave National Park. I came down here to tell all of you people that in this area, the project that is going to happen is the Mojave National Park. There will not be a Castle Mountain mine.

Our organization was formed July 4, 1976 as a bicentennial project in the Barstow area, and our vision was that the East Mojave is the best part of the Mojave Desert, and by God we are going to save it.

Ever since 1976 we have fought every single adverse environmental project that has been proposed. We have taken on many of them without the BLM, we took on MCI, they wanted to ruin the national scenic area with a microwave

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so they -- the time I was out there, they brought a lot of speculators by in 4-wheel drives to see if they could sell them on their project. So it seems the main thing they have been doing is doing a lot of studies, bringing speculators out there and building roads out there and degrading the area. They haven't improved it at all. So that's just what I have seen so far.

From an economic viewpoint it's not going to help our area. Most of the workers are going to live in Nevada, they are going to spend their money there, they are going to get free welfare water from BLM which isn't right. This is our public water. They just can't get it free. I am very disturbed by the burros and the picks and axes here -- I went to see Colosseum Gold Mine and that looks like Dante's Inferno. They have literally moved mountains. These people talk about burros and picks and axes, they've got earth moving equipment almost as big as this room. I was just horrified -- utterly, utterly horrified -- when I saw what they did at the Colosseum Gold Mine, and we cannot allow something like this to happen here.

Our organization recommends the No Action alternative until we get a National Park in this area.

Thank you.

JUDGE MCGUIRE: Thank you, Mr. Burk.

Next, Ms. Hazel Weaver.

Ms. Weaver?

STATEMENT OF HAZEL WEAVER, SIERRA CLUB/WILDERNESS SOCIETY
 MS. WEAVER: My name is Hazel Weaver. I live at 15252 Seneca Road in Victorville.

I am a retired teacher. I have lived on the desert in Victorville for 40 years, and I love it.

I oppose this project. I would not like to see more destruction to the National Scenic Area because of the fragile nature of the desert environment.

Besides the threat to the scarce, vital water resources to animal, bird and plant life, every scar, every abuse of the desert is visible for many lifetimes. Recovery is not noticeable for those same lifetimes.

Thank you.

JUDGE MCGUIRE: Thank you, Ms. Weaver.

Next, we welcome Ms. H. Marie Brashear.

Ms. Brashear?

STATEMENT OF H. MARIE BRASHEAR, NATIONAL OUTDOOR COALITION
 MS. BRASHEAR: My name is Marie Brashear. I live at 8387 Tamarind Avenue in Fontana, California.

I Chair the National Outdoor Coalition. I think I must be one of maybe eight or nine people in this room who has read the entire EIS, who has read the desert plan, and who has read the California Desert Protection Act.

There have been a number of speakers who have

We are talking about 150 vehicles coming into crucial desert tortoise habitat. That is unacceptable. The East Mojave has four of the eight crucial desert tortoise habitats that are found in the desert plan, and these are in the East Mojave. It is quite possible right now that East Mojave has more tortoises of this species than anywhere else in the world, and we are not going to let them be at risk.

We also asked the question -- the Draft EIS never considers this -- we work with the Forest Service quite a bit, and this type of document -- and the Forest Service uses multiple use, and we are asking what multiple uses are being asked -- being specified for this area. I don't know, maybe I don't read very well. I read all three documents -- all fat ones -- and they seemed all like single use to me. It seemed like all the water -- it's our water that they are not getting a fair market value, it is going just for mining. It seems like 150 new vehicles all for one single use -- it the mining laws the way the Forest Service and other multiple use agencies do, they would not allow a company like Environmental Solutions -- guess who paid for this -- it was Viceroy. They would have professionals prepare a document and they would put the public resources as the main concern.

Whoever pays for a document like this, guess what it turns out to be -- it's just no surprise.

The final -- I would just like to conclude with a couple of things. If the National Park Service which -- the California Desert Protection Act will allow for mining -- if the National Park Service were to allow for a mine like this, how would they do it, and this of course should be an option in the Final EIS.

The National Park Service would require the water to come from outside of the scenic area, from outside of the park. This is only a logical way to preserve the scenery of a National Scenic Area or a National Park. What we are talking is of national significance, but Viceroy says oh, this would cost too much, our profits are more important. That's tough. The water has to come from outside the proposed park or the scenic area.

Secondly, you can't have a toxic waste dump inside this area; it's got to be somewhere else. You are going to have to do it somewhere else.

So far, I have been out to see what Viceroy has done on the ground. I have taken a couple trips out there. I understand they spent 13 million dollars -- Well, I want to see exactly what they have done. They put out a lot of literature today, they put out to all the newspapers, this little rag right here, but what have they done? Well, it seems to me from what they've done from when I viewed it 10 years ago between now, they've built a few more roads in there

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made gross errors. The philosophy statement for the East Mojave National Scenic Area was developed in 1980 in Riverside, California. I was a participant in that meeting. Jim Dotson represented the Sierra Club; Peter Burk represented the Californians for an East Mojave National Park. Chuck Bell represented the Desert Protective League -- excuse me -- Council. There was one miner present, one motorcyclist, a number of other governmental entities who were interested, and this plan for this mine falls within the philosophy statement that all of us agree to.

The Desert Plan designated that area as Class L. That's true. We said it was a National Scenic Area. That's true. It's a special area. It has some really unique and special features. The clay pit mines and other mines at Hart, if any of you had bothered to look at the pictures outside, you would know this is not a pristine area, it has been mined off and on for the last 100 years.

The EIS says to protect wildlife, we are going to fence, we are going to put netting over the ponds, we have installed a closed system. It says we are going to post signs and contrary to what you have been told, there will not be 150 vehicles per day running down whichever road. The EIS clearly says there will be a bus or two buses to take the workers to and from work. The Plan clearly talks about the hydrology of the valley. The Plan talks about and answers most of the issues that were raised here today except for peoples fears.

The Plan also says that instead of rainbirds which is what most heap leach operations use, they are going to use a drip irrigation system so water can't pond.

I think that if everyone in this room went home and read the EIS, read the Desert Plan, read the California Desert Protection Act -- and by the way, some of you obviously don't agree with Senator Cranston because while I believe your position is the correct one when he says the desert will be closed to mining. Senator Cranston says the desert will not be closed to mining. So you take your choice.

Thank you for allowing me to comment; I will be submitting some written comments later on behalf of our 350,000 members. Thank you.

JUDGE MCGUIRE: Thank you, Ms. Brashear. Mr. Weisel?

MR. WEISEL: I would like to submit my statement in writing at a later date.

JUDGE MCGUIRE: Surely. Do so at your convenience, Mr. Weisel. Thank you, sir.

Next, Ms. Edna McCollum.

STATEMENT OF EDNA MCCOLLUM, SIERRA CLUB/GREENPEACE MS. MCCOLLUM: I am Edna McCollum. I live at 26787 Bruce Street, San Bernardino, California.

I have lived in California for 18 years. Thank you for this opportunity to speak.

What I would want to say is that the beauty of an area is more important than gold, although gold is beautiful. You cannot replace an animal, you cannot replace clean air, you cannot replace a tree. This factor is one thing that is stronger than anything else there is.

When I think of mining I think of land scraped away, denuded. I think of the nature and the beauty destroyed -- animals dead and dying.

A company can promise to beautify a site after the mining. Who is going to be there to see that they do this? Who will be there to see that they keep their promise? What will happen to the water of this area? What will happen to the water table?

I say it is time to say no; I say it is time to say no to many things that are happening in Southern California, and this is one of them.

Thank you.

JUDGE MCGUIRE: Thank you, Ms. McCollum.

Next, Mr. Gary Spisak?

MR. SPISAK: Sir, I would like to respectfully request to make a written statement.

JUDGE MCGUIRE: Granted.

Thank you, sir.

Proceeding, Mr. Dennis Casebier from Norco, California representing the Friends of Mojave Desert.

Mr. Casebier?

STATEMENT OF DENNIS CASEBIER, FRIENDS OF MOJAVE ROAD MR. CASEBIER: It is Casebier, Friends of the Mojave Road. I am Dennis Casebier, P.O. Box 307, Norco, California. I am a physicist and an operations research analyst for the United States Navy, and nothing I say has anything to do with the United States Navy.

I am a property owner in the East Mojave. I have been intimately associated with that area, and Lanfair Valley and Piute Springs for over 30 years.

I have been involved in the reconstruction and interpretation of East Mojave history and have written 15 books on the subject including the history of Piute Creek more than 15 years ago.

I am Chairman of Friends of the Mojave Road, a group of volunteers that goes out into the East Mojave and works with the Bureau of Land Management to try to help them implement the mandate that we gave them many years ago that Marie Brashear just so eloquently referred to.

going on here to a very large extent as a contest over whether we are going to manage the East Mojave under multiple use concepts. That's really part of the issue, and it is being managed that way. Peter Burk mentioned that there has been a large group that has been resisting management under those concepts since 1976. My friends, that is 13 years. For 13 years that group of very capable individuals have not put their shoulder to the wheel of the people who are actually managing that land out there today, while you and I involve ourselves in a soap opera here in San Bernardino.

As to restoration. I don't really know what to say about that. My own perception of what it says in the proposal is that the hole will not be filled back up. I will say this, that I have led literally thousands of people to the East Mojave and introduced them to the flora and the fauna and the wildlife and the cultural remains, and I find them all to be fascinated by the cultural remains which is what Viceroy leaves will become a cultural remain.

I know of nobody that isn't fascinated by the pit that was dug in Foshay Pass by Kaiser Steel during World War II. And so we have that to think about.

That's about what I was going to say. I plan to send written comments in from the Friends of the Mojave Road.

Thank you.
 JUDGE MCGUIRE: Thank you, Mr. Casebier.
 Next, Mr. Bill Reynolds.

STATEMENT OF BILL REYNOLDS, ADVANCED CONCRETE TECHNOLOGY (DESERT VARNISH)

MR. REYNOLDS: I am Bill Reynolds. I am the owner of Advanced Concrete Technology at 11622 Newport Avenue, Santa Ana. I was contacted by Viceroy to address the scarring that is going to occur as a result of their mining operation.

This is probably one of the best opportunities I have had -- I don't want it to be a commercial -- but I would just like to tell you a little bit about the coloring that you find in the desert.

The browns and blacks you find in the desert are called desert varnish. That varnish takes up to 50,000 years to develop. It's a combination of manganese and iron and zinc and believe it or not, a lot of that comes out of the ocean in the form of little bubbles. Well, what do you do when you take a bulldozer through and you leave big white scars? You can't paint it, and how do you restore the desert varnish? The reason Viceroy contacted me is I've got a very unique system called Permion, that, or a matter of about four or five days to two weeks, will completely restore a natural desert varnish. You pick a rock up that has been treated with Permion and you compare it to one that has been in the desert for 50,000 years, even under an electron

I too have read the proposal and I have read the California Desert Plan and the other documents that Marie mentioned. I consider it to be a sound proposal and consistent with the way we all agreed to manage that region. There are things to be concerned about, and some of them have been brought up here tonight, and some wildlife. People have concerns about wildlife. We would recommend the establishment of some kind of independent oversight committee to monitor these concerns, and you can list them out of tonight's proceedings, but one of them is the concern over wildlife and the ponds.

The crowd that is here tonight clearly illustrates that there are a large number of people that are willing to come forward and give up their resources and their time for the public good. Well, there is a public good to be served out here in the East Mojave, and such a committee as this would provide good work for a group of that kind. So we make that recommendation.

As to Piute Creek itself, I am a scientist by training and have practiced as one for over 30 years, and I have read the report, it makes sense to me. I am not a hydrologist. I think that is one of the things that must be watched closely as the project is implemented.

I will make a personal comment about the Viceroy Corporation. My group which is about as independent as a group gets, and you can ask Gerry Hillier or anybody around here because we have butted our heads with just about everybody, butted head with Viceroy a little bit in a sense, in a sense that as we were laying out one of our recreation trails, interpreted back country recreation trails, we ran into their project, and it caused us to have to deal in a give and take situation with the officers of their company, and I can tell you that I came away from that feeling like they were sensitive to environmental concerns. They will talk to you.

I have a feeling that an awful lot of the people that I have heard here tonight aren't of a frame of mind to go talk to them about how do we solve this problem, how do we solve that one. For example, I heard a lot of talk about tortoises. Nobody likes tortoises more than me, and I know the population in Ivanpah Valley is very important. I also know a few things about tortoises. They are more active sometime of the year than they are others, like right now. They are very active.

My dealings with this company convinces me that if you went forward to them with some kind of a plan for extra caution this time of year, April and May, they would talk to you about it. I don't see that happening. I think that must happen.

I would observe that mining is legal in the East Mojave and this is the point that Marie made. I see what is

1 microscope you can't tell the difference.

2 When you talk of mining scars, last year or two
3 years ago, some of the limestone companies in Lucerne Valley
4 contacted me, and here is what you see when you drive towards
5 Las Vegas. You see that white highly reflective scar? Well,
6 after the Permian, it looks like a piece of granite and it is
7 totally permanent and it's environmentally safe. After the
8 treatment it's neutral and it does give a residual fertilizing
9 effect. It gives of (undecipherable) and trace metallic ions.

10 I went up to the Viceroy site and did a few
11 demos, this is the typical rock you are going to find, and
12 believe me, there is really no way you can change this here
13 color. It's highly reflective and it will be there forever.
14 After the treatment, I can make it almost any color, but it
15 restores it back to the natural desert varnish.

16 You have seen a lot of this in the Palm Springs
17 area. I've done a lot of major jobs there, where they have
18 bulldozed through, up to the new Ritz Carlton Hotel.

19 So that is a great commercial here. I've got
20 some beautiful people here that I would like to talk to, meet
21 and talk to further, but I will make a personal comment about
22 the Viceroy people I met. I found them extremely professional
23 and to the very man, they are interested as individuals in the
24 environmental reclamation.

25 Thank you.

26 JUDGE MCGUIRE: Thank you, Mr. Reynolds.

27 Next, Dr. Gerry Scherba.

28 Dr. Scherba?

29 STATEMENT OF DR. GERRY SCHERBA, DESERT STUDIES CONSORTIUM
30 DR. SCHERBA: I am Dr. Gerry Scherba, Helendale,
31 California, and I am Director of the California Desert Studies
32 Consortium, and I would like to make these comments with
33 respect to the EIS.

34 First, with respect to air quality. This is a
35 high wind area and it is not clear from the EIS just what the
36 composition of the ground ore will be. In some areas of the
37 East Mojave when you take the ore and grind it, you have a
38 high mineral content, particularly some of the heavy metals
39 such as lead. If these then are spread by the winds on
40 vegetation and eaten by insects, by rodents, you get finally a
41 bio-accumulation. I think that EIS should address the
42 question of whether or not there are any heavy metals that
43 will be present when the ore is ground to a fine consistency.

44 Second, with respect to revegetation, I think it
45 is excellent that they plan to conduct a research study,
46 however, there is a significant body of research on
47 revegetation of desert plants already in existence, and based
48 on that body of research, there are sufficient data to justify
49 establishing goals for revegetation before the project begins,
50 or before any approval is given.

1 In short, the EIS should state not that goals
2 will be established, but what the revegetation goals will be.

3 In connection with that, based on what we
4 already know about revegetation, a 30-50 year time line for
5 revegetation is simply too long and totally unnecessary.

6 With respect to wildlife, the proposal for
7 netting is really not an adequate solution despite what has
8 been said tonight. Netting can work, however, frequently
9 in place frequently birds will perch right on the netting
10 which presents problems.

11 I can't suggest a better solution, but some
12 other solution needs to be found.

13 With respect to mitigation measures that are
14 proposed for the desert tortoise, this is a beginning only,
15 and those mitigation measures are not adequate to protect the
16 desert tortoise in the Ivanpah population.

17 With respect to the access routes, we would
18 recommend against the Searchlight access route and the one
19 route, the Ivanpah access route, even though it is a little
20 longer for the employees, we believe that is sufficient, and
21 the additional route will just cause a further impact on
22 wildlife.

23 Thank you very much.

24 JUDGE MCGUIRE: Thank you, Dr. Scherba.

25 Next, we are pleased to hear from Ms. Louise

26 French.

27 Ms. French? I will send in mine in writing

28 later.

29 JUDGE MCGUIRE: Thank you, ma'am.

30 Next, Mr. John Veelik?

31 Mr. Veelik?

32 (No response.)

33 JUDGE MCGUIRE: Next, Mary Lou Waldrop.

34 Ms. Waldrop?

35 MS. WALDROP: I will send mine in later.

36 JUDGE MCGUIRE: Did you wish to submit written

37 comments later, ma'am?

38 MS. WALDROP: Yes.

39 JUDGE MCGUIRE: Thank you.

40 Next, Dr. Prem Saint.

41 Dr. Saint?

42 STATEMENT OF DR. PREM SAINT, DESERT STUDIES CONSORTIUM

43 DR. SAINT: Mr. Chairman, sir, my name is Prem
44 Saint. I am a Professor of Hydro-geology at California State
45 University, Fullerton.

46 I am associated with the Desert Studies
47 Consortium, and I would like to comment and raise some
48 questions on the hydrology as discussed in the Environmental
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those well fields would impact the valley in that area, and how is that related to the fracture system.

The model that is used, the computer model at figure 5.3.4 and figure 5.3.1, I believe, is not applicable to the conditions that exist. That model is good for dealing with granular material and granular permeability rather than fracture permeability with the rates of flow of water is much greater, much faster, as is shown in the Stringfellow quarry where again the fracture permeability wasn't taken into account when the Stringfellow quarry permits were given.

In the EIR there is no demonstrated plan on ground water monitoring; probably it may exist in the other reports which I have not had a chance to look at. So there needs to be some plan to monitor the vadose zone, up gradient and down gradient wells in the alluvium as well as some kind of monitoring system in the fracture system.

In summary, the EIR/EIS does not delineate the ground water basin contributing to the Piute Spring system. There is no analysis of the fracture system associated with the fault which may be responsible for the springs. The spring water flow fluctuation is not adequately explained. No water quality data is given to determine the source of the water although the technology exists to almost fingerprint the sources using geo-chemical and radioisotope methods, and no ground water monitoring plan is demonstrated in the EIR/EIS.

Thank you, sir.

JUDGE MCGUIRE: Thank you, Dr. Saint.

Our next scheduled speaker is Bern Schwenn.

Ms. Schwenn?

STATEMENT OF BERN SCHWENN, TAHQUITZ GROUP SIERRA CLUB, CONCHILLA VALLEY NATIONAL HISTORY ASSOCIATION

MS. SCHWENN: I'm Bern Schwenn, P.O. Box 1547,

Palm Desert.

I am going to keep my comments very brief because I am falling asleep, and I have a two hour drive home. I am speaking for the Tahquitz Group Sierra Club and the Conchilla Valley National History Association.

We are opposed to this project in the Scenic Area, and in general to cyanide mining, and recommend the No Action alternative.

I would also like to speak - personally comment - of working in the mining industry. My degree/training is in geophysics. I have a Master's from MIT, and I worked at Eagle Mountain, and have worked at several other mines -- and I didn't work in the front office, I worked out on the site. We have heard from various people that

mitigation measures will be put into effect that will protect the animals, the wildlife and such -- if they are properly maintained.

My experience has been that profit is always

Impact Statement/Environmental Impact Report.

I have not had an opportunity to look at the documents mentioned there by the Mock Group and Environmental Solutions which I believe go into much greater detail in studying the hydro-geology and the hydrologic resources, but just based on the EIR/EIS, I have the following comments.

The document does not define the hydrologic pathways that exist between the project site and the spring system.

The figure, 4.3.4 delineates the surface water drainage system, but there is no attempt at delineating the groundwater recharge area feeding the springs.

I do know that it probably is there in the Lanfair Valley but the area that feeds the spring comes not only from the interstitial flows that take place in the alluvium that is there in the valley, but also the fracture system that would be related to the normal fault shown in the geologic map, figure 4.2.3.

There was an attempt made in the EIR/EIS for gaging the flow of the spring seeps, figure 4.3.9, which shows that there is probably a fracture controlled input to the water in the vicinity of the Fort Piute Springs -- of the Fort Piute ruins.

There appears to be, based upon the historical hydrological information, a great deal of variation in the flow between the original outlet and other springs that appear along with the valley -- and I have not visited the site so I can't speak from personal experience, but based on the data cited in the EIR. And it would appear that there are other sources other than the immediate area behind the spring where one of the wells which is supposed to monitor the flow, is located.

The spectacular rise and fall would indicate that there are other factors associated, and those are usually from my own experience of having taught and worked in hydro-geology in the last 17 years at Cal State Fullerton, are probably indicative of a fracture system.

The comment made there that the fluctuations probably refer to the evapo-transpiration variations, but it seems that some of the rising flows during July, August, September '88, would not coincide with the consumptive use expected at that time.

So, my feeling is that the fluctuation is related to some significant area and the project should demonstrate that the significant area is not within the area of the influence of the project.

If we consider the fracture flow associated with the fault and the withdrawals that would be there in the western area in the well field and some from the eastern well field, there needs to be demonstrated an understanding of how

leaching and other heavy metal removals. I contend that no matter how much money we want to throw at the problem, we still don't know what to do in the first place, and it bothers me to see the word revegetation and restoration practices just thrown around as though it is an easy thing to do.

No matter how much we want to be able to do it, and I would like to be involved in any kind of research that is being done on it, we just don't know what is going on out there, and we don't know what to do.

If Viceroy has some secret information, I am sure my graduate students would like to share it with them, or have them share it with my grad students.

I will probably spend the rest of my life directing graduate research on desert revegetation, and if Viceroy thinks that they can do the job in 10 years that countless botanists and ecologists are trying to do, I have serious doubts about their integrity/intelligence.

I don't doubt their ability to extract gold. I think they have the technology and the ability to extract it, to move a lot of earth, but for them to say that they can revegetate the desert is tantamount to me saying that through my magical alchemy, I can turn lead into gold.

I think there are similarities between those comments that revegetation is not a simple matter. Some of their comments about revegetation and I quote from Table 1.1 page 16, number 2.1, one of their revegetative programs specified weed control shall be implemented in conjunction with fertilization and seeding.

This is basically city park and golf course type mentality. It not only hasn't been proven, I can guarantee it won't work. That is not how desert revegetation comes about. Especially on severely disturbed habitats.

Again, I applaud their efforts to implement a program, but I see nothing in there stating how they are going to implement it, who is going to do the work. I don't see any money involved. I don't see anything but some lip service.

And it is the same kind of lip service that we have seen in a number of other instances in the Mojave desert, and if you go look at some of those areas, they are not revegetated. Even in moderately or slightly disturbed habitats, 30-60 years might be painting a rosy picture. In these extremely disturbed habitats, I don't know if they will ever return back to normal.

On to just one comment on the desert tortoises. This refers to again Table 1.1 page 1.1-17, number 4.1, a comment that I had trouble comprehending dealing with the fact that the disturbance in terms of the desert tortoises is not significant. The reason given that no tortoises were seen but burrows were found, if tortoises occur, their density is

more important than the equipment or anything else. At Eagle Mountain it always --they could have maintained things, they would wait until it broke. And then they would try to jury-rig something back together. Maintenance was not a priority; we are not talking about people who are going to be maintaining things because the profits and keeping the mine in operation are more important.

We haven't seen in the Environmental Impact Report any accountability by the company, and unless they are proposing posting a bond, they will have no accountability for any of this.

I also do not see in the report any comparison in the dollar turnover factor comparing the number of jobs that the mine would produce versus the number of jobs that the Scenic Area would produce, or any other kind of industry in the area.

When Eagle Mountain was in existence, everybody lived either in the Cochella valley or in Blythe and drove in, and you might stay at the wonderful housing the mine provided, six people to a trailer, for a couple days a week because it was very inexpensive, but people were commuting in and out. There was no economic advantage to people who lived in Desert Center or the surrounding region unless you went down after work and bought some beer.

So the money won't be where you think the money is going to be. The money is going to be leaving the area all the time. I can't remember what else I was going to comment on because I am falling asleep.

Thank you very much.

JUDGE MCGUIRE: Thank you, Ms. Schwenn.

Next, Dr. David Polcyn.

Dr. Polcyn?

STATEMENT OF DR. DAVID POLCYN, DEPARTMENT OF BIOLOGY,

CALIFORNIA STATE UNIVERSITY, SAN BERNARDINO

DR. POLCYN: I am Dr. David Polcyn, Department of

Biology, California State University, San Bernardino.

I am an ecology professor. I live at 1264

Voltaire Avenue in Riverside.

My doctoral degree is in desert ecology. I

have quite a bit of experience in the Mojave desert. I am

currently directing graduate research in revegetation studies

in the desert.

I have several problems with the mitigating

factors. I will mainly restrict my comments to revegetation,

although I have one comment about desert tortoises.

Although Dr. Scherba correctly pointed out that

we do have quite a bit of information concerning revegetation

practices, we really have little to no information concerning

revegetation of severely disturbed desert habitats, especially

habitats that have experienced disturbances related to cyanide

water which we are supposed to be short on. And there is a possibility of it getting into the water supplies of the surrounding areas, and we have to rely on them reporting it to us. The accidents, if there are accidents. And for what is all this? For the profit of a private company; for making gold for a private company? I am getting tired too, but that is the main goal and it is all at the expense of our land and wildlife for generations to come, and is it really worth it? I just hope we can stop it now before it goes too far and the damage is irreversible.

Thank you.

JUDGE MCGUIRE: Thank you, Ms. Hood.

Next, Mr. Hank Warzybok?

Mr. Warzybok?

STATEMENT OF HANK WARZYBOK, TRW WILDERNESS CLUB

MR. WARZYBOK: My name is Hank Warzybok, and I live in Lakewood, California near Long Beach, and I am here representing myself.

I think if the average American or the average Californian were in this room, there would be absolutely no question what we would get. We would not have this mine, we would have a park.

A long time ago some far thinking people put some land aside - we call it Yosemite and Yellowstone. I would hope that we are the far thinking people that can put the Mojave in a preserved state so that some day people will say, hey, look what those guys did, we got a Mojave National Park.

A hundred years from now, this park is going to be infinitely more valuable than the little bit of gold that they can get.

So, I agree with everybody that says who needs this pit; we should have a park.

JUDGE MCGUIRE: Thank you, Mr. Warzybok.

Next, Ms. Madeline Dexter.

Ms. Dexter?

STATEMENT OF MADELINE DEXTER, CITIZEN, NATIVE CALIFORNIAN

MS. DEXTER: I am Madeline Dexter. I live at

7057 Barton Street, San Bernardino.

I have gone through the voluminous drafts and have read all of the material and thought about them. I have many questions and apprehensions, but that would take more time than I could in fairness take up, so I will read a short statement.

I am opposed to destruction of one of the few areas that is pristine in a desert that has been badly destroyed. I feel that the destruction to the plants and animals in the area will not be remedial. Has anyone seen where Patton trained? That is over 40 years ago.

Some things are not repairable, unless you want

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expected to be very low.

Well, I am under the understanding that that is the definition of endangered or threatened and endangered species in the first place. So if we can wipe these out for the mere reason that their densities are low, why do we even place them on threatened and endangered lists because their densities are low? I will send in the rest of my comments by May 15th.

Thank you.

JUDGE MCGUIRE: Thank you, Dr. Polcyn.

Next, we will hear from Mr. Doug Kari.

MR. KARI: Thank you. I have already spoken.

JUDGE MCGUIRE: All right, sir.

Thank you so much.

Next, Diane Hood.

Ms. Hood?

STATEMENT OF DIANE HOOD, SIERRA CLUB

MS. HOOD: I am Diane Hood from Glendale, California, and I am a new member of the Sierra Club. Most everything has already been stated, so I will be brief and just state a few of my main concerns.

And well, for one thing, earlier a woman stated that if we had read the book, everything had already been addressed and answered and explained, and we should be satisfied with that.

Well, on paper it may look good, and what people say may look good, but it doesn't always happen; in reality it just doesn't always happen that way. Because you can see everywhere big businesses, they will do what makes them the most profit. And it is usually at the expense of the general public, and when they are caught, they pay a small fine, and it is usually cheaper than making the corrections, so they will go on doing it the wrong way. In my own neighborhood I can't even get a big company to stop emitting toxins into the air at night. We called the Air Pollution people. They come out the next day, give them a warning and in a week they are doing it again.

So, I don't believe everything they say will happen the way they say it is going to happen.

A few of my main concerns which have already been stated maybe, are that the strip mining companies are completely exempt from the hazardous waste cleanup. They are completely exempt from the state federal regulations which require it of other companies, and they are not required to restore the land which they destroy and make gigantic holes, and there are no requirements which they say they will.

Already, thousands of birds and animals have been killed by the procedure which were supposedly protected, but they weren't. And they will be using immense amounts of

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1 to think in terms of 1,000 years. And how many people will be
2 born and die before the scar could possibly be healed?
3 Some things are just not compatible with the
4 Bureau's protection of our desert.
5 Thank you.

6 JUDGE MCGUIRE: Thank you, Ms. Dexter.
7 The next speaker resides or office is at 1020
8 Linden, number 63, Riverside, California. Is it Asheen -- and
9 I can't make out the surname.
10 Does that sound familiar?

11 (No response.)
12 JUDGE MCGUIRE: Moving on, Mr. James Garrett.
13 Mr. Garrett?

14 STATEMENT OF JAMES GARRETT, CALIFORNIA NATURE MAGAZINE
15 Mr. GARRETT: My name is James Garrett. I am
16 the publisher of California Nature Magazine. It has a
17 circulation of 35,000. I live at 3749 Greenwood Avenue, Mar
18 Vista.

19 The main issue that I am concerned with here is
20 it just doesn't seem appropriate to have a cyanide heap leach
21 gold mine in the middle of a scenic area. It seems like in
22 10-20 years the way scientists are progressing, that there may
23 be a better way to extract this gold without impacting the
24 environment so severely. And unfortunately in 10-20 years
25 there won't be a way to bring the desert back to life if we
26 destroy it now.

27 That is all I have to say.

28 JUDGE MCGUIRE: Thank you, Mr. Garrett.

29 We will inquire again as to whether those
30 individuals whose names were called previously without a
31 response, have rejoined us at this time.

32 Ms. Cindy Robinson, 18910 Lemon, Hesperia,
33 California?

34 (No response.)

35 JUDGE MCGUIRE: Next, Greg Ouellette, 2051
36 Pacific Avenue, Norco, California representing the Western
37 Mining Council?

38 (No response.)

39 JUDGE MCGUIRE: There being no reply, we will
40 proceed.

41 John Veelik, Box 210, Crestline, California
42 representing Earthonics, Inc.

43 Mr. Veelik?

44 (No response.)

45 JUDGE MCGUIRE: There being no answer, we will
46 again inquire as to whether the person residing at 1020
47 Linden, apartment, room or unit number 63, Riverside,
48 California, Asheen - undeterminable surname - is present?
49 (No response.)
50 JUDGE MCGUIRE: There being no response to that

1 inquiry, I will inquire as to whether Messrs. Hillier or
2 Bellandi had anything further?

3 MR. HILLIER: It might be well to ask whether
4 anybody -- just kind of as a wrap-up -- wants to offer their
5 remarks who hadn't earlier filled out a card, and then we will
6 close the thing off.

7 JUDGE MCGUIRE: Is there anyone else present
8 who wishes to make relevant remarks on the topic?

9 Gentlemen, you might come forward. Simply
10 announce your names and your addresses and your organization,
11 if pertinent, from the podium, please. Thank you.
12 STATEMENT OF JIM POSS

13 MR. POSS: I am Jim Poss, I live at 12671 16th
14 Street in Yucaipa, and I am representing myself.

15 Basically I would like to provide the Bureau and
16 the applicants with some of my expertise. I am a graduate
17 with a Master's degree in soil science at the University of
18 California in Riverside. For the past eight years or so I
19 have been working with water quality issues and am very
20 familiar with the literature on mathematical modeling of soil
21 transport and to some degree have a good feeling for the
22 literature on hydro-geologic modeling.

23 I would like to point out the state of the art
24 in modeling in terms of the scientific community, and point
25 out that there really is very little predictive capability
26 within these mathematical models.

27 It is kind of curious that even in this summary
28 here the mitigation measure - it admits as much. I would
29 simply like to read it -- a mitigation measure in Table 1.1 of
30 the summary that says if the amount of draw down at monitoring
31 wells exceeds the estimated 60 feet, the well field modeling
32 shall be reevaluated to assure that predictions of no
33 noticeable effect at Piute Springs remain valid.

34 Well, that is ridiculous. I mean the state of
35 the art of modeling today in science is such that there is no
36 validity; the real statistical validations of these models
37 simply cannot be performed. This statement is simply saying
38 that a computer jock will sit down at his computer model and
39 throw in a new parameter or fudge factor to essentially say
40 there is not going to be an effect on Piute Spring. That is
41 ridiculous. And that is not the way the science should be
42 done.

43 So based on that, the impact on Piute Spring can
44 simply not be mitigated or at least they cannot say that they
45 have the information to mitigate that.

46 In terms of soils and ground water
47 contamination, the closed system that they purport to propose
48 here, simply as we know and the experiences we have read in
49 the newspapers and in my field, that it is quite prevalent
50 that leaks do occur, the lined ponds do leak. Many times the

1 time it takes to detect these leaks is very long. And then
 2 the clean up procedures are not well defined. The fact that
 3 the Regional Water Quality Control Board is in control of
 4 certain criteria, doesn't make me feel much better. For
 5 example, the Santa Ana Regional Water Quality Control Board in
 6 my community which was under a moratorium for sewers because a
 7 ground water contamination due to septic tanks, they went
 8 ahead and they approved 80 septic tanks on a five acre parcel.
 9 That doesn't make any sense. And they have recently been
 10 required to go to sewer.

11 So the fact that they are giving you these
 12 criteria doesn't make me feel a lot better that the impacts to
 13 the soil and ground water will be mitigated sufficiently.

14 So for those two reasons, I would say the No
 15 Action alternative is the way to go in this project.

16 Thank you.

17 JUDGE MCGUIRE: Thank you, Mr. Poss.

18 The next gentleman, please.

19 STATEMENT OF BOB HARTMAN, PUBLIC LANDS COMMITTEE, SIERRA CLUB

20 MR. HARTMAN: Judge, my name is Bob Hartman. My
 21 address is 1988 Noble Street, Lemon Grove, California, San
 22 Diego County.

23 I represent the Public Lands Committee of the
 24 Sierra Club and Advisory Committee to the Board of Directors
 25 of that organization.

26 There has been distinguished testimony by a
 27 number of individuals this evening. I want to go back to the
 28 point that if it was not taken by the Bureau of Land
 29 Management and the County of San Bernardino, that it should in
 30 the Final EIS address specifically the proposal that has been
 31 made and introduced into this session of Congress, that the
 32 East Mojave Scenic Area be redesignated a National Park
 33 administered by the National Park Service.

34 The Final EIS should address what guidelines the
 35 National Park Service would employ in permitting such an
 36 activity as is proposed by the applicant in this case.

37 Having said that, and knowing that I have
 38 probably the longest drive to go home this evening and - will
 39 be home the latest - and have to get up early - I will just
 40 say that what we are seeing here tonight is a replay of what
 41 happened in Denver where \$40 million was spent on a EIR to
 42 justify an unneeded project before finally the Environmental
 43 Protection Agency said the mitigation is impossible, and the
 44 environmental losses are too great to pursue this course of
 45 action. Other alternatives are available.

46 I think it is quite clear that there is a real
 47 change in what is happening in public lands management, and it
 48 is a disappointment to me personally, and I am sure to many
 49 people in this room, that the Bureau of Land Management has
 50 had 13 years under FLPMA to reevaluate its practices and move

away from multiple use concepts which in the past, and
 historically have been beef, lumber and mining on the public
 lands. And with an opportunity to move to the protection of
 the natural resources on lands that they administer. They
 have not done that. It is a deep disappointment.

We need to move on to a new stage in the public
 lands administration in this country where a non-use agency
 such as the National Park Service, has jurisdiction over an
 area that the Bureau of Land Management was given the
 opportunity to manage as a National Scenic Area. And yet they
 entertain and act as if they are a proponent or an advocate of
 proposals that are made that there is no public support for at
 these hearings. Other than for those individuals who have a
 direct economic connection to it. So lets get on with the
 future and stop worrying about this dead horse of a gold mine
 in the desert.

Thank you.

JUDGE MCGUIRE: Thank you, Mr. Hartman.

Is there any other member of the audience who
 wishes to be heard on this subject?

(No response.)

JUDGE MCGUIRE: Mr. Hiller, did you have

anything further?

MR. HILLIER: Just to thank everybody. We've
 lost a few people, but I certainly would like to thank those
 of you who came tonight and gave your time and your energy and
 also sat through the three hours of non-functioning of the air
 conditioner this evening to boot.

I think we have picked up quite a little bit of
 information here tonight, we will be pursuing this in the
 Barstow and Las Vegas meetings in the coming two nights, and
 certainly will be in a position to incorporate many of these
 ideas into the final document when it evolves this summer.

Thank you all very much for coming, and thank
 you all very much for your participation.

JUDGE MCGUIRE: There being nothing further, we
 will let the record show that this public hearing which was
 opened at 7:00 p.m. will be formally concluded at 10:28 p.m.
 (Whereupon, at 10:28 p.m. the public hearing
 concluded.)

D.2 Barstow, April 19, 1989



UNITED STATES DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

PUBLIC HEARING

ON

CASTLE MOUNTAIN PROJECT

SAN BERNARDINO COUNTY, CALIFORNIA

DRAFT EIS/EIR

BEFORE

ADMINISTRATIVE LAW JUDGE JOSEPH E. MCGUIRE

APRIL 19, 1989

7:00 P.M.

Barstow Station Inn
1511 East Main Street
Barstow, California

| | | |
|----|---|----------|
| 1 | STATEMENT OF | PAGE NO. |
| 2 | PETER BURK, Citizens for Mojave National Park | 6 |
| 3 | GERALD FREEMAN, Nipton, Ca. | 8 |
| 4 | SUE HICKMAN, Yermo, Ca. | 9 |
| 5 | MRS. BETTY FORGEY, Desert Tortoise Preserve Committee | 10 |
| 6 | JOYCE A. BURK, Sierra Club | 12 |
| 7 | HENRY DUNLAP, Barstow-Victorville Mining Council | 13 |
| 8 | DAVID RARING, The Raring Corporation | 14 |
| 9 | DON ROBERGE, California Desert Protection League | 15 |
| 10 | J. S. NEALE, Barstow, Ca. | 17 |
| 11 | DONALD GROSS, Barstow, Ca. | 18 |
| 12 | JIM CAMPBELL, Activist Citizen | 20 |
| 13 | JIM BURTON, American Cyanamid Co. | 23 |
| 14 | HOWARD W. DARE, President, United Mining Council | 24 |
| 15 | of America, Inc. | 24 |
| 16 | HEATHER HAHN, Citizens for Mojave National Park | 26 |
| 17 | BILL MANN, Brubaker-Mann, Inc. | 26 |
| 18 | ALPHA WADE, Barstow, Ca. | 28 |
| 19 | PAT ALEMAN, Community Activist, Chairman, Citizens | 29 |
| 20 | Against Taxes | 29 |
| 21 | MARION ELY, II, Apple Valley, Ca. | 30 |
| 22 | JAMES CLAYTON, Apple Valley, Ca. | 32 |
| 23 | SALLY SNELLI, Environmental Safety Coordinator for | 35 |
| 24 | Bond Gold Colosseum | 35 |
| 25 | MELVIN HILL | 36 |

1 P _ R _ O _ C _ E _ D _ I _ N _ G _ S
 2
 3 JUDGE MCGUIRE: Good evening ladies and
 4 gentlemen, and welcome to the April 19, 1989 public hearing
 5 which has been arranged by the Bureau of Land Management of
 6 the Department of the Interior, in order to receive oral
 7 comments on the adequacy and the accuracy of the Draft
 8 Environmental Impact Statement/Environmental Impact Report.
 9 It is the BLM and the County of San Bernardino have prepared
 10 in connection with Victory Gold Corporation's proposed
 11 development and operation, of an open pit cyanide heap leach
 12 gold mine in the historic Hart Mining District of the Castle
 13 Mountain region of San Bernardino County, California.
 14 That Joint Draft Environmental Impact Statement/
 15 Environmental Impact Report has been prepared under the
 16 requirements of the National Environmental Policy Act, and the
 17 California Environmental Quality Act in order to analyze any
 18 probable environmental impacts that undertaking might create.

19 My name is Joseph E. McGuire, and I am an
 20 Administrative Law Judge presently assigned to the Hearings
 21 Division, Office of Hearings and Appeals, Department of the
 22 Interior, in Arlington, Virginia.
 23 I do not participate in this administrative
 24 policy process, nor do I make any recommendations in
 25 connection therewith. The extent of my role in this matter is
 26 limited strictly to chairing this public hearing.
 27 The Bureau of Land Management requested that an
 28 Administrative Law Judge conduct this public hearing, as well
 29 as the public hearing which was conducted last evening in San
 30 Bernardino, California, and the public hearing which is to be
 31 conducted tomorrow evening, April 20, 1989, in Las Vegas,
 32 Nevada.

33 Notice of this public hearing was published in
 34 the Federal Register on Friday, March 3, 1989 at page 9091.
 35 An official reporter will provide a verbatim
 36 transcript of this public hearing, and our reporter this
 37 evening is Mr. Warren E. Doget who is seated to my right. Mr.
 38 Doget will record all oral remarks, and in order to assure a
 39 complete and accurate record of the hearing, it is necessary
 40 that only one person speak at a time. We request that
 41 everyone remain as quiet as possible while the hearing is in
 42 progress.

43 If speakers have an extra copy of their prepared
 44 remarks, it would be helpful to the reporter if they would
 45 provide a copy to him just prior to their presentation. This
 46 is only for Mr. Doget's assistance, however, and your remarks
 47 will be recorded verbatim whether or not you follow a written
 48 text.

49 This hearing is not an adversary proceeding, and
 50 parties presenting their views will not be placed under oath.

1 The purpose of the hearing is to receive information and not
 2 to exchange views. However, it is requested that all
 3 presentations be relevant and be supported by pertinent data.
 4 Speakers will be called in the order in which
 5 their names appear upon prehearing sign up cards which have
 6 been provided to me for that purpose. In the event that a
 7 speaker is not present when his or her name is called, we will
 8 simply proceed by calling the name of the next speaker who is
 9 in attendance. The name of the then unavailable speaker will
 10 be called later after those scheduled speakers who are present
 11 have delivered their remarks. After hearing from those
 12 scheduled speakers who have given advance notice by having
 13 signed the cards at the desk located at the auditorium
 14 entrance, I will grant to all others present an opportunity to
 15 be heard.

16 Each speaker is requested to begin his or her
 17 remarks by providing your name, address, occupation and if
 18 applicable, the organization or group you represent. If any
 19 speaker wishes to submit additional written testimony, kindly
 20 provide that material to the reporter and it will be marked
 21 as an exhibit and placed in the hearing record.

22 The Bureau of Land Management will accept
 23 written comments from parties who prefer to make written
 24 rather than oral submissions, and those wishing to supplement
 25 their oral presentations, and from parties unable to attend
 26 this public hearing. Those written submissions must be
 27 received by May 15, 1989, and should be addressed to John
 28 Bailey, Bureau of Land Management, Needles Resource Area, 101
 29 Spike's Road, P.O. Box 888, Needles, California 92363-0888.
 30 All written statements timely received will be included as a
 31 part of the record of this public hearing, and will be granted
 32 the same consideration as the oral statements presented at the
 33 hearing this evening.

34 Anyone wishing to speak who is not already
 35 registered for that purpose, should do so at your early
 36 convenience by consulting the Departmental employees who are
 37 seated at the sign-up table located at the entrance of the
 38 hearing room. Mr. Doget will have a complete record of this
 39 hearing available for public inspection on or about May 1,
 40 1989. Anyone wishing to obtain a copy of the transcript of
 41 this public hearing may do so by making the necessary
 42 individual arrangements with the reporter.

43 At this time I would like to call upon Mr. John
 44 Bailey of the Needles, California BLM office -- Mr. Bailey?
 45 MR. BAILEY: Thank you, Judge.

46 My name is John Bailey from the Needles Resource
 47 Area Office in Needles, California. On behalf of the Bureau
 48 of Land Management I would like to welcome all of you to
 49 tonight's hearing.
 50

This meeting is one of three we are holding. It is part of a very lengthy process to evaluate the proposal before us, to wit, a gold mine proposed for the Castle Mountain region of the East Mojave National Scenic Area in San Bernardino County.

This meeting is one of our techniques of achieving public input into the this rather complex proposal to help us determine what its potential impacts would be on the natural and social environment.

I should point out a few things to you. First of all, the BLM itself is not the proponent of this project, that is Viceroy Corporation. We are here to listen to you tell us what the adequacies or inadequacies of the Draft Environmental Impact Statement may be. We will use your comments we receive in these three public meetings and in writing, to help us prepare the final Environmental Impact Statement which we hope to have available for another public review sometime on or about August 1st.

A few other BLM employees are also here in the audience with contractors and others who are responsible for the document, Mr. Bellandi to my left of San Bernardino County. We are all very interested in hearing from you. This is your evening to tell us what you think about the project.

MR. BELLANDI: Again, my name is Joe Bellandi, I am with San Bernardino County. I am the Mining Geologist for the County. We are in the process of working in conjunction with the Bureau of Land Management in the preparation of the Environmental Impact Statement/Environmental Impact Report, and the processing of the application for Viceroy Gold. And we are here and we are very interested in hearing your comments regarding the adequacy of that document.

Thank you.
JUDGE MCGUIRE: At this time we are pleased to welcome our first scheduled speaker, Ms. Sally Snell.
Ms. Snell?

MS. SNELL: I do not care to make a statement.
JUDGE MCGUIRE: Fine. I think you are indicating, Ms. Snell, that you wish to be included on any future mailings, is that correct, as opposed to wishing to be heard this evening?

MS. SNELL: Yes. I am just going to be a

spectator.
JUDGE MCGUIRE: Thank you. We are delighted to have you.

The first scheduled speaker then will be Ms.

Julie Mann Rohn.

Ms. Rohn?

Are you going to be a spectator also?

MS. ROHN: Yes.

JUDGE MCGUIRE: And an avid listener.

MS. ROHN: Yes.
JUDGE MCGUIRE: We are pleased to have you also. The next scheduled speaker is Mr. Peter Burk.
Mr. Burk?

STATEMENT OF PETER BURK, CITIZENS FOR MOJAVE NATIONAL PARK
MR. BURK: Peter Burk from Post Office Box 106 in Barstow.

I am the President of Citizens for Mojave National Park. This is an organization that was formed right here in Barstow on July 4, 1976, and the purpose of our organization is to save the best part of the Mojave Desert, the million and a half acres which is now the East Mojave National Scenic Area. For the last 13 years we have been working on this national park and we have been fighting every single adverse environmental impact to this proposed park for the last 13 years.

I came here tonight to tell you that the project that will be in this area is not the Castle Mountain Mine, but the Mojave National Park.

The first thing we are concerned about is Piute Creek. Piute Creek is a very rare riparian habitat. It is about five miles long, it is very precious, there are very few riparian habitats. According to this summary document, this puts Piute Creek at risk. The Piute Creek according to two hydrology reports is just barely a perennial stream. We are not going to sacrifice Piute Creek.

If the mining company wants to get water, they are going to have to get it from outside of the proposed park, from outside of the national scenic area. We will not allow them to take our water. This is water that belongs to the American people, we will not allow this water to be taken from us. It is much too valuable, it is irreplaceable, it is priceless.

The water in Piute Creek is more valuable than the gold.

Second point, we are not going to allow a toxic waste dump in the East Mojave. The toxic waste dump that could come here -- I serve on the Hidden Valley Local Action Committee -- we are fighting that toxic waste dump in Hidden Valley right here in the Cady Mountains. That toxic waste dump is not going to happen, and this toxic waste dump at Castle Mountain is not going to happen either. We are not going to allow it to happen. We taxpayers always get stuck picking up the costs of these toxic problems. We get stuck with Stringfellow, we get stuck with Tasmalia in Santa Barbara. We get stuck with the costs up at Valdez where the oil spill is. We taxpayers pay for that, and the companies walk off with the profits. It's not going to happen here. We are very concerned about the tortoises. Of

the eight crucial desert tortoise habitats in the California

to go to Japan, Canada is going to get the profits, and we are going to get stuck with the toxic waste and the mess, the pit that is left over.

So the project is unnecessary, it is not going to help us, it is not going to help our quality of life, it is going to degrade our quality of life. The undue degradation it has caused is something we don't want to live with. We are saying enough is enough.

Finally, the professionalism. Lets take a look at Viceroy's professionalism. What have they done so far in East Mojave during the last two years? Well, they have bladed a lot of roads and it's ugly. Go out there and take a look. It is ugly. They go out there with their brochures and they go out there and show people around to try to get them to invest in the project -- it really makes you wonder.

Lets take a look at BUM's professionalism. You know, the National Park Service would not allow somebody like Environmental Solutions to come out with a document like this. That would not happen. The U. S. Forest Service would not allow this. The Forest Service is a multiple use agency. The Forest Service and the Park Service prepare their own documents because they have the professionalism. They will not allow the cyanide pits. They will make sure there is reclamation. They will make sure that there is a bond of \$2-5 million for a project like this to make sure that we don't have this rape, ruin and run that we have seen so often. It has happened time and time again in this county, and we are not going to allow it to happen.

Finally, in conclusion, I would like to say, I feel very strongly about the motto "Take Pride in America." If we take pride in America, we are going to protect the best possible part of America, and the best part of America is our heritage with the wilderness, the heritage with the frontier, and our heritage with the National Park. Since the Mojave National Park is about two, three, maybe four years away, but our message to you is: "We Take Pride in America."

Thank you.
JUDGE MCGUIRE: Thank you, Mr. Burk.
Next we are scheduled to hear from Mr. Gerald

Freeman.

Mr. Freeman?

STATEMENT OF GERALD FREEMAN, NIPTON, CA.

MR. FREEMAN: Thank you, Judge.

My name is Gerald Freeman, I live and work in the East Mojave. I own and operate with my wife, the town of Nipton, California, where we have about 70 or 80 people living at this time.

I was trained as a geologist making my first visit to the East Mojave in the '50's when I was still an undergraduate. In the '60's we staked our first mining claims

desert, four of them lie with the East Mojave National Scenic Area. Two of them will be impacted by this project. The Ivanpah Valley crucial desert tortoise habitat and the Piute Valley which is partly in Nevada.

More than 150 vehicles will be going into this proposed mine area, those vehicles will crush tortoises. There are more tortoises in captivity than in the wild right now. Probably the East Mojave is the most numerous tortoise habitat in the whole world for the species; we are not going to put the tortoises at risk. We are not going to allow these tortoises to be decimated.

Lets talk about economics. The economics of Boom Bust Mining have crippled many local economies. In the Barstow area the last active commercial mines bottomed out in the panic of 1907. There really hasn't been any active commercial mining within the Barstow area since that time. There has been no gold mine in San Bernardino County that has lasted even 10 years. The deceit that the Viceroy people project with the 1907 and 8 burrows and picks and handles, this Hart project only lasted about a year, and then it was a boom bust. Taxpayers are going to pay the hidden cost of this project. We are going to pay for the clean up, we know that, with the toxic spills, just like we are paying at Valdez. We are going to end up paying for the reclamation cost. What about our water? This is our water. We are not going to let that go for nothing.

Let me tell you a little bit about gold. I have done some research on gold. Most of the gold that is produced goes for bullion. Can you imagine anything more absurd than taking gold out of the ground and putting it back in the ground?

The statistics on gold that is actually used, about 52 percent goes for jewelry, about 12 percent for dental needs, and the rest for electronics. I prefer nature's jewelry. I love Piute Creek. I just have fallen in love with Lanfair Valley, the Joshua Tree Forest, the tortoises, the bighorn sheep. I want to see nature's jewelry. I don't care about this kind of jewelry.

The Colosseum Mine is a perfect example of what we don't want to happen. I took a trip up to the Colosseum Mine. They don't use burrows and pick axes like this depicts, they use earth moving equipment that is the size of this room, and they literally move mountains. We will not allow that to ever happen again in the National Scenic Area.

We strongly recommend the no action alternative, and the no action alternative as stated in here, says if this proposal is unnecessary or causes undue degradation, then the no action alternative is the way to go. Well, first of all, this proposal is unnecessary. The gold, most of it, -- you know what is going to happen to the gold? The gold is going

which have since become the Morning Star Mine. Through the '70's we supported that project and now it is an ongoing gold producing project in the East Mojave of which we are all proud.

I have seen the Colosseum Mine from inception, early drilling, through the various stages in its development. I have been to the mine and visited it a number of times. Quite a few people who live in Nipton work at the Colosseum Mine. I have also seen the mining activities starting from the '50's, and not in the past, and have watched their efforts.

Right now my interests are shifting from metallic to hydrology, water and water conservation in our neighborhood as the pre-eminent resource of all, so I think in that respect I am in complete agreement with Mr. Burk.

I want to say I commend the EIS/EIR filed by Viceroy as the most sincere and encyclopedic work of its kind that I have yet to see. I really do believe that they are concerned about the environment and are prepared to take whatever necessary steps to mitigate their impact on this environment.

The one specific recommendation that I would make from the document itself is in connection with the access. If one were to attempt to minimize the impact on the desert tortoise in the Piute Valley, Ivanpah Valley area, you might very well consider grading the road from Nipton to Moore to Ivanpah, because the incidents of desert tortoise immediately west of the Union Pacific tracks, is nearly zero. The tortoise doesn't like the trains, they stay away from them. So traffic along that road would encounter almost no individuals.

Once again I want to commend Viceroy and the Bureau of Land Management and the County of San Bernardino, in the preparation of the document.

Thank you.

JUDGE MCGUIRE: Thank you, Mr. Freeman.

Our next speaker is Ms. Sue Hickman.

Ms. Hickman?

STATEMENT OF MS. SUE HICKMAN, Individual.

MS. HICKMAN: My name is Sue Hickman. My

address is P.O. Box 36 in Yermo.

I have no objection to seeing the mine in the very historic mining area. The East Mojave would probably not have been settled as soon if it were not for the mining that was done historically in that area.

As far as the environment, I can see concerns for the tortoises and so on and so forth, and I think that Jerry Freeman's suggestion regarding an access road sounds very good.

As far as the wildlife being poisoned by the

arsenic or the cyanide. Throughout the desert there are many, many water holes that are non-palatable because of arsenic or lead. And I believe that the wildlife has enough intelligence to understand that this liquid is not for them to drink.

The town of Virginia City when it was founded, their water they could not drink because of - I can't remember if it was arsenic or lead - they had to bring in all their water until a pipeline was brought in for fresh water for them.

I do appreciate the efforts of those who want to conserve the desert environment, however, I think a lot of us who enjoy the freedom of the desert are not given enough consideration. I don't think there is enough alternatives given by those that wish to lock up a lot of land for those that do not wish to lock up the land.

Thank you.

JUDGE MCGUIRE: Thank you, Ms. Hickman.

Next, Warren and Betty Forgey -- Mr. and Mrs. Forgey?

STATEMENT OF MRS. BETTY FORGEY, DESERT TORTOISE PRESERVE COMMITTEE

MRS. FORGEY: I am Betty Forgey, a resident of

Boron. I am a member of the Desert Tortoise Preserve

Committee.

I speak to you tonight totally unprepared. This document is the first document that I have seen, having not seen the Draft EIR. So you will forgive me if I stumble a little bit.

From this I find that regardless of what access route is used to get to the heap leach mine, we are going to be going through the tortoise habitat. In some areas you are going through ideal tortoise habitat.

I ask you, what mitigation and what compensation has been drawn up to adequately take care of the tortoise populations that will be lost?

I read here that the tortoise burrows are going to be relocated and inspected prior to surface disturbing activities. If tortoises are found, they are going to be relocated using procedures acceptable to the Bureau of Land Management.

This is the first time that I have heard that the Bureau of Land Management passes on what is an acceptable mitigation measure. If I'm not mistaken, the Desert Tortoise Council has to know about what mitigation measures have been planned for the desert tortoise.

If we look to the Bureau of Land Management, then probably we will hear that we ought to wait another two to four years to get the tortoise listed as an endangered species.

I feel that the mitigation and the compensation

JUDGE MCGUIRE: Thank you, sir.
 Next, Kevin and Elizabeth Buckrucker?
 MRS. BUCKRUCKER: No comment.
 JUDGE MCGUIRE: Thank you.
 Next, Joyce A. Burk.
 Ms. Burk?

JOYCE A. BURK, SIERRA CLUB
 MS. BURK: My name is Joyce Burk, and I am a representative of the Sierra Club, the San Geronio Chapter. I served as the Public Lands Committee Chair for the Sierra Club for the past 10 years and have seen many mining plans of operation, as well as EIS' for mining ventures. And the Viceroy Corporation EIS for the Castle Mountain Project -- we should "mine" -- it's not really just a project -- has to be the worse example of poor planning I have ever seen. And this is not too surprising since -- if many of you don't know, but the Bureau of Land Management originally planned to approve this project a year ago with a negative declaration, and an environmental assessment, until a number of environmental groups, vociferously objected and said there will be impact.

Everyone knows this project will have a severe impact on the environment. Everyone but BLM and the proponents. Are we fated to repeat the mistakes of past history such as was recently done by Exxon Corporation in Prince Williams Sound? You have read a lot about that in the newspapers, but think back. We received assurances over 10 years ago that no sort of accidents would ever occur. Were we ever ready for it? The Exxon Corporation to this day does not have an adequate contingency plan ready to go when their tanker hit a reef in the sound. Were they prepared? Are we prepared?

Do we as a society value monetary gain over the well-being of our desert environment? The nation's first scenic area, the East Mojave National Scenic Area which you will hear a lot about tonight, was traded by the Secretary of Interior in '81. If this scenic area -- and I have determined this is true -- was managed by any other agency, including the U. S. Forest Service, which I have a lot of dealings with, and the National Park Service, I am certain that we would not be here today protesting this disaster waiting to happen, and urging the BLM and the County to adopt a no action alternative.

The BLM does not need to allow wildlife to be killed at cyanide laced solution ponds or collection in conveying systems. It is mandatory that Viceroy enclose this system as was done at the Colosseum Gold Mine, but will this be done? No. This might cut into Viceroy's profits. Water should not be withdrawn from the Piute

is woefully inadequate. For 10 years or more this habitat is being taken away from wildlife. Where is the compensation for this lost habitat? I would draw your attention to the toxic waste site that is being developed in Ward Valley. Perhaps some of you have heard about the mitigation measures that is being done there. The tortoise populations are just as great in this area under question as they are in Ward Valley.

Those dirt roads that are being used for access are going to be fenced so that the tortoises cannot cross those roads. It is all right to say we are going to cut the speed down to 35 miles an hour on these dirt roads so that no one will run over a tortoise. Well, I am afraid that the 35 miles an hour on a dirt road is all together too fast to keep you from hitting a tortoise if one happens to be on the road. I repeat to you, the mitigation measures, I think, are woefully unacceptable.

I would also draw your attention to the raven problems. The ravens are taking juvenile tortoises in great, great numbers. We have no juvenile, baby, young tortoises, entering the adult population of tortoises on this desert due to raven predation. They sort of pass over it in this book and say, well, maybe the raven population will increase. I can assure you that the raven population will increase, and that measures must be taken to prevent sites that attract ravens because they come there for the food that is available.

So my bottom line, ladies and gentlemen, is that we have not properly mitigated or compensated for the loss of tortoises in this project. Thank you.

JUDGE MCGUIRE: Thank you, Mrs. Forgey. The next person for whom we have a card, is Mr. Len Smith.

Did you wish to make a statement, Mr. Smith?
 MR. SMITH: No.

JUDGE MCGUIRE: Very well. Thank you, sir. Some of the boxes are checked off and some are not. Rather than risk failing to call someone who wishes to speak, please let me announce the name of each person for whom we have a card, and you may indicate at that time that you don't wish to speak.

Next, Mr. Richard H. Johnson.
 Mr. Johnson?

MR. JOHNSON: No comment.
 JUDGE MCGUIRE: Thank you, sir.

Next, Mr. Jack Miller?
 MR. MILLER: No comment.

JUDGE MCGUIRE: Thank you, Mr. Miller.
 Next, Mr. J. L. Christman?
 MR. CHRISTMAN: I have no comment.

1 Creek watershed, thus eventually drying up the only year round
2 flowing stream in the East Mojave. Water should be brought
3 instead from outside the Scenic Area, but will this be done?
4 No. This might cut into Viceroy's profits.
5 Desert tortoises must be protected on whichever
6 route of travel is chosen for vehicles. I read that van
7 pooling is being suggested, but only for a majority of the
8 employees, not all the employees.

9 Viceroy should be mandated to finance tortoise
10 habitat improvements projects such as purchasing land for
11 a public ownership in Ivanpah and Piute Valley. Rather than
12 just simply fencing and laying culverts along the route of
13 travel and that is just part of the route of travel, but will
14 this be done? No. This might cut into Viceroy's profits.
15 Thus there is no alternative for any wise public
16 land manager but to endorse the no action alternative, but
17 will this be done? I doubt it. We cannot afford to lose
18 anymore of the Mojave Desert to questionable mining and
19 monetary ventures such as this. Future generations will look
20 back on our behavior toward the environment and judge it
21 unthinkable that we should take such risks such as just
22 occurred in Alaska and the East Mojave National Scenic Area.
23 Castle Mountain Mine is a disaster waiting to
24 happen.

25 JUDGE MCGUIRE: Thank you, Mrs. Burk.

26 Next, Ms. Barbara Reinhart.

27 Ms. Reinhart?

28 MS. REINHART: I have started a letter when I was
29 called for jury duty, so what I should do is complete that and
30 send it in.

31 JUDGE MCGUIRE: Fine. Thank you so much.

32 Next, Ms. Elthea Dunlap.

33 Ms. Dunlap?

34 MS. DUNLAP: No comment.

35 JUDGE MCGUIRE: Thank you, ma'am.

36 Next, Mr. Henry Dunlap.

37 Mr. Dunlap?

38 STATEMENT OF HENRY DUNLAP, BARSTOW-VICTORVILLE MINING COUNCIL
39 Phelan, California, retired. I am from

40 the KGB in Russia, they were the ones who really
41 perfected disinformation. Other organizations are using it.

42 I sometimes doubt some of the statements about
43 the vulnerability of the tortoise and the other wild animals,
44 for the reason that Mr. George Patton had over 80,000
45 vehicles - tanks, trucks, tractors - everything you could
46 imagine out here in this desert for years, and we still have
47 tortoises, we have ravens, we have the wild animals.

48 Some more information that is not correct is
49 about cyanide. I have worked with cyanide. What a lot of

1 people don't realize, you cannot use that in the sunlight; the
2 sunshine kills it. If you put it out on the ground in small
3 concentrations, the carbolic acid in the ground will kill it.
4 If you put a little bleach - washing bleach in it - you make
5 fertilizer out of it.

6 A lot of people are talking about cyanide -- you
7 don't know anything about it. They have never used it.

8 I don't think our desert is quite as fragile and
9 doomed to destruction as a lot of people think it is.
10 Thank you.

11 JUDGE MCGUIRE: Thank you, Mr. Dunlap.

12 Next, Mr. Kevin Moore.

13 Mr. Moore?

14 MR. MOORE: No comment.

15 JUDGE MCGUIRE: Thank you, sir.

16 Next, Mr. Duane Anderson?

17 MR. ANDERSON: No comment.

18 JUDGE MCGUIRE: Thank you, sir.

19 Next, Mr. and Mrs. Dan A. Parker.

20 MR. PARKER: No comment.

21 JUDGE MCGUIRE: Thank you.

22 Mr. Dick W. Davis?

23 MR. DAVIS: No statement.

24 JUDGE MCGUIRE: Thank you, Mr. Davis.

25 Next, Mr. Jim Proctor?

26 MR. PROCTOR: Not at this time.

27 JUDGE MCGUIRE: Thank you, sir.

28 Mr. David Raring?

29 STATEMENT OF DAVID RARING, THE RARING CORPORATION

30 MR. RARING: My name is David Raring. I am

31 President of the Raring Corporation from Santa Rosa,

32 California.

33 My company deals in air pollution control, and
34 for the past 15 years I have been dealing in the control of
35 fugitive emissions from the mining industry, particularly in
36 Nevada.

37 I am here on my own behalf in support of the
38 mining industry to say to you from my experience, that mining
39 which use to be a real hazard to the desert environment and to
40 the people that worked in the mines -- I for one have an uncle
41 who all his life has been involved in the mining industry and
42 died of silicosis here a few years ago, and I know a lot of
43 other people that have.

44 The government, the mining companies, have taken
45 a different attitude in the past 10 to 15 years, and what they
46 are doing with air quality today is quite different than
47 what they use to do in the past.

48 Someone reflected earlier on the deceit shown on
49 the cover the EIS/EIR. I would like to comment on that.

50 Those poor miners on the front there were subject to a great

concerning the use of public land. Instead, we get generalizations or outright omissions. We get bland assurances with no hard information to support them -- or we get carefully selected support that just happens to confirm what the mining company wants us to believe.

Consider the discussion of water use. This draft EIS states, "If draw down at monitoring wells exceeds the 60 feet estimated by hydrologic monitoring, project water use will be reevaluated -- to assure that predictions of no noticeable effect at Piute Spring remain valid."

And what measures will be taken to assure that these rosy predictions "remain valid"? We aren't told. Will the mine shut down until the water table can recover? Will Santa Claus marry the tooth fairy?

Cyanide leaches poisonous metals, such as lead and cadmium, so the liners and monitoring systems under the leach pads and the cyanide ponds must function, or there will be slow poisoning of the ground water. Heavy metal wastes from mining are already a problem throughout the west.

But what do we get in this draft EIS? We are told that "impermeable synthetic liners" will be installed under the pads and ponds. These are "designed to satisfy the requirements of the Regional Water Quality Control Board." Those requirements are not included in the draft. We aren't told how thick the liners are to be, how many layers, if there are to be seams, or how the seams would be bonded. The public might be able to find this out before the 60 day comment period ends on May 15, but I doubt it.

We're told that ground water monitoring will detect potential release of solution from the containment system. Accepting that without any supporting details calls for a degree of trust that I'm not willing to grant -- and none of us should.

The draft calls for monitoring systems under the cyanide ponds -- again no details -- but I found no mention of a monitoring system under the leach pads where up to 40 million tons of rock will bear down on the supposedly impermeable plastic liners.

We're told that a reclamation bond will be set at some later date. We shouldn't accept that. Just consider the mining industry's sorry record of cleaning up after itself. Consider any industry's temptation to avoid its responsibilities by declaring bankruptcy if the financial going gets rough. The public should demand an up-front, specific amount bond, based on a worst case assessment.

What we are seeing in this draft EIS in spite of the phrase I have heard for it tonight, is the kind of hurry up, corner cutting, irresponsible risk assessment that gave us the Valdez oil disaster and the Discovery space shuttle tragedy.

deal more damage to their bodies than the modern miners who drive large haul trucks, and who work in the mills and around the cyanide leach pads of today's modern mines.

As a matter of interest, the technology that Viceroy Gold has selected for this Castle Mountain Project, is a relatively new technology, it was developed in Sweden in the '70's. Sweden has been in advance of us in terms of air pollution regulations for as long as I can remember. That technology is known as agglomerative dust control and it's very similar to what San Francisco Bay fog does. In my area in Santa Rosa, our farmers won't plow their fields or their orchards unless it is foggy because if the dust gets on the leaves of the apple trees, the mites will come along and eat the apples.

This technology, though expensive to put in, is probably the most efficient, the most reliable, the most easily maintained. That means it will run more frequently than any other type of air pollution control system. I for one congratulate them for spending that extra money.

It has another effect to, it uses far less water than other most types of systems would use, which of course will have an impact on the Piute Creek issue.

I can't speak to the other issues that you are concerned with; they are certainly worthwhile issues, but from the standpoint of air quality and the impact it will have on the environment around the East Mojave, it is my considered opinion that probably the air quality will be improved because the old mining cuts and debris there is probably a larger source of fugitive dust emissions during wind conditions than the new mine will be at any time.

Thank you for your time.

JUDGE MCGUIRE: Thank you, Mr. Raring.

Next, Mr. Rick Chavez?

MR. CHAVEZ: No comment.

JUDGE MCGUIRE: Thank you, Mr. Chavez.

Mr. Dave R. Boden?

MR. BODEN: No statement at this time.

JUDGE MCGUIRE: Thank you, sir.

Next, Mr. Don Roberge?

STATEMENT OF DON ROBERGE, CALIFORNIA DESERT PROTECTION LEAGUE

MR. ROBERGE: My name is Don Roberge. My address is P.O. Box 1213, Lucerne Valley -- about 35 miles south of here.

I am retired, but I represent the California Desert Protection League.

When I read the Castle Mountain draft EIS, I wondered if this might be the Canadians' revenge for acid rain.

Too many parts of this document do not contain the detailed information that the public has a right to know

1 Let's not let that happen to the desert too.
 2 Thank you.
 3 JUDGE MCGUIRE: Thank you, Mr. Roberge.
 4 Next, Mr. Scott A. McKittrick?
 5 MR. MCKITTRICK: No comment.
 6 JUDGE MCGUIRE: Thank you, Mr. McKittrick.
 7 Mr. Paul L. Blair?
 8 MR. BLAIR: No comment.
 9 JUDGE MCGUIRE: Thank you, Mr. Blair.
 10 Mr. Tim Marsh?
 11 MR. MARSH: No comment.
 12 JUDGE MCGUIRE: Thank you, Mr. Marsh.
 13 Mr. Jim Brady?
 14 MR. BRADY: No comments.
 15 JUDGE MCGUIRE: Thank you, Mr. Brady.
 16 Mr. Mark McIntire?
 17 MR. MCINTIRE: Sir, I have nothing to say except
 18 I would like to remind the people to talk into the mike.
 19 JUDGE MCGUIRE: Are you having difficulty
 20 hearing, Mr. McIntire?
 21 MR. MCINTIRE: Yes.
 22 JUDGE MCGUIRE: Fine. Whenever that occurs,
 23 kindly raise your hand as a signal to me, and we will do what
 24 we can to remedy it. Thank you.
 25 Next, Mr. R. Simpson?
 26 (No response.)
 27 J. S. Neale?
 28 STATEMENT OF J. S. NEALE, BARSTOW, CA.
 29 MR. NEALE: My name is J. S. Neale. I live at
 30 25088 Agate Road in Barstow -- that's out in Grandview.
 31 I didn't prepare anything, so kind of live with
 32 me in this if you would, please.
 33 I was born and raised in Tucson, Arizona; spent
 34 about half my life out there. I was a scoutmaster, loved the
 35 desert, and I was a scout before that even. If you count
 36 back, I was born in '33 out there.
 37 Now, I don't know how many of you folks realize,
 38 but the Arizona Sonora Desert is probably the most prolific on
 39 this earth, and I loved it very much -- You notice I used the
 40 past tense.
 41 The State of Arizona at that time when I was
 42 growing up was mostly a ranching and mining and tourist
 43 industry, and they wanted very much to let industry come in
 44 and I am guessing, but I am saying that they just gave carte
 45 blanche to the mining industry to go do a bunch of strip
 46 mining.
 47 All down through south of Tucson, all I see are
 48 big mounds, some of them five miles long, maybe 100 feet high,
 49 -- this is the outskirts I am talking about -- the insides are
 50 sometimes a half mile deep. They have been deserted -- of

1 course there was supposed to be reclamation, but somewhere or
 2 other the enforcement didn't come through or maybe somebody
 3 went bankrupt -- I don't know. But I don't trust -- after
 4 seeing this I really don't trust anybody that says he is going
 5 to reclaim the environment and then come back and somehow or
 6 another come up with some lame excuse. I seen it, and it was
 7 a rape; it was a rape of my desert.
 8 Now, I moved to this desert. I have been here
 9 for the last 15-20 years and I love it. I am out there on
 10 that desert every other weekend. That's my church out there
 11 -- the whole thing. I haven't seen enough of it and I won't
 12 in my lifetime -- and I don't want to see this happen to your
 13 desert and mine.
 14 JUDGE MCGUIRE: Thank you, Mr. Neale.
 15 MR. NEALE: You are welcome.
 16 JUDGE MCGUIRE: Next, Elyln Gross?
 17 (No response.)
 18 JUDGE MCGUIRE: Mr. Donald Gross?
 19 MR. GROSS: I don't have any prepared statement
 20 but I do have some questions.
 21 JUDGE MCGUIRE: Would you come to the podium,
 22 sir, and with the benefit of the microphone, it might help you
 23 to pose those questions.
 24 Are you related to Elyln Gross, sir?
 25 MR. GROSS: Yes.
 26 JUDGE MCGUIRE: Is that your spouse?
 27 lobby. She was merely asking to be included on your
 28 distribution list.
 29 JUDGE MCGUIRE: As opposed to be wanting to be
 30 heard this evening.
 31 MR. GROSS: That is correct.
 32 JUDGE MCGUIRE: Fine.
 33 MR. GROSS: She is currently sitting in the
 34 lobby.
 35 STATEMENT OF DONALD GROSS, BARSTOW, CALIFORNIA
 36 MR. GROSS: The basic question is the
 37 availability of the Draft Impact Statements. I see according
 38 to your document, it is available at the --
 39 MS. MCINTIRE: Ask him to talk into the mike.
 40 MR. GROSS: I am sorry. Can you hear it better
 41 now?
 42 The document is available apparently at the
 43 Bureau of Land Management office in Barstow. What are the
 44 hours of operation of that facility?
 45 JUDGE MCGUIRE: The hours at the BLM office in
 46 Barstow, please.
 47 MR. BAILEY: From 7:45 until 4:30, Monday
 48 through Friday.
 49 MR. GROSS: In other words if I come home at
 50 5:00 o'clock in the evening, it is impossible to get a copy of

with regard to the publication of the Final, how does one get those questions fielded?

MR. BELLANDI: What we are doing is we are taking testimony on the Draft Environmental Impact report now. We are asking for your comments on that document. The Final Environmental Impact report will answer those questions. MR. GROSS: But they in turn will generate additional questions. How will you get that information to the public?

MR. BAILEY: By you putting your name on the card expressing an interest in receiving additional information; you will receive the Final Environmental Impact Statement, and it will be available for a 30 day review period.

MR. GROSS: Okay. You are not following through. During the 30 day review period additional questions may be generated. How does the responses to those questions get distributed to the public?

MR. BAILEY: There will be a Record of Decision that will address any comments we receive on the final document.

MR. GROSS: Okay. And that generates really my last question. Who is the ultimate decision maker on this action?

MR. BAILEY: A joint decision will be made by the Bureau of Land Management and by the County. There will also be permits by other agencies both at the state level and federal level.

MR. GROSS: Okay. Thank you very much. JUDGE MCGUIRE: Very well. Thank you, Mr. Gross.

Next, Mr. Jim Campbell?

STATEMENT OF JIM CAMPBELL, ACTIVIST CITIZEN MR. CAMPBELL: Thank you, Judge, for Chairing our meeting.

I will get over here where I can get to this microphone. I don't think anyone will have too much problem in hearing me talk.

My name is Jim Campbell. I have been a resident of Barstow for 31 years. I love the Mojave Desert from one end to the other -- and I have traveled most of it.

I find all of the activity which indicates to me nothing short of selling out our beautiful desert with the pit mines that these people are talking about. And particularly, I got nothing against Canadians, particularly, but we talk about an outfit based in Las Vegas, we are talking about a mine operation that is going to have a lot of people - 150 employees - I can see them all coming running out of Vegas now. That sure isn't going to help us here.

same. MR. BAILEY: After the meeting let me have your address, or I will get it from the card, and we will mail one to you.

MR. GROSS: I would merely suggest that you make it available in the local library. MR. BAILEY: It already is.

MR. GROSS: Okay. It is not stated in the form, so that is why I am asking the question.

Also I am somewhat puzzled in that the document does not clearly state who the proponent is for this particular action.

Is it Viceroy or is it the Bureau of Land Management, or is it the County of San Bernardino?

MR. BAILEY: Viceroy. MR. GROSS: Okay. That being the case I am not quite clear why BLM is so actively involved in the doings of a private company. That confuses me somewhat.

In essence our tax dollar is paying for a private company's show and tell, so to me that is somewhat puzzling. JUDGE MCGUIRE: Is that a rhetorical question, sir? Are you directing it to any --

MR. GROSS: It is a question I would like to prepare and submit in writing to the gentleman whose name is listed here. JUDGE MCGUIRE: Sure.

MR. GROSS: Okay. Not having read the Impact Statement obviously, based on my initial question, I am a little unclear. You are going to have liners for the leach pond. Will there be monitor wells associated with that action?

JUDGE MCGUIRE: To whom, sir, is that inquiry directed?

MR. GROSS: To whomever is capable of answering it. I am really not quite clear whose ding-dong on this particular action. So I don't know who to address these questions to.

JUDGE MCGUIRE: Mr. Bellandi, can you answer the question?

MR. BELLANDI: We are not answering questions; we are taking the testimony. These questions will be answered in the environmental document in response to this hearing.

MR. GROSS: In other words you are merely scoping to determine what the public concerns are, you will respond in writing a letter later?

MR. BELLANDI: Yes. MR. GROSS: In the Final.

MR. BELLANDI: Yes. MR. GROSS: Okay. Should questions be generated

I see the 25 million bucks or something -- as far as that report there, I have read it. I don't consider that hydrologist's report worth anything, no more than if you play golf with me and you let me keep score on the score card, I guarantee you, you are going to get beat. I will get a six every time and you will get a four on any hole you play with me.

So I'm very skeptical about that hydrologist's report; I am skeptical about this entire information that we, the people, have been allowed.

The gentleman that just spoke before, implied this, and the problem has always been with us -- when we talked about the Cranston Protection Bill here a couple years ago, I had Jerry Lewis being quoted in the paper and I took him to a little task on that with my own rights under the First Amendment, he said he had talked to 40,000 people here in the Barstow area and along the desert, and everybody thought it was a lousy idea. Well, I can't help the desert someone says here earlier.

I found that I have been around here very active in the Barstow area in many affairs, and in anything to do with the people and for the good of our desert for particularly the last 25 years. I never seen any meeting, I never seen Jerry Lewis or anybody else, and nobody ever did check with me, and I am one of the most high profile guys around this part of the town, and if you people don't know it, you just check me out and you will find that I like to think that I speak for the people. By the people I mean those people, the hard working lovers of the desert. I hate the idea -- hell, I held up the traffic over here for an hour and a half the other night because a jack rabbit was in front of my car. I don't want one bird killed. I don't want one Jack rabbit.

All this stuff about you are going to do this and they are going to do that -- ho -- if I may digress for just a moment.

I come from the mountains of West Virginia. We had a bunch of those hide-binders come in there from New York City and he sweet talked J. Rockefeller, our governor then, to letting him strip mine our beautiful mountains.

West Virginia is -- most of you have never been there -- but, you know, it's hill-billy, we are supposed to be ridge-runners, right? I mean -- But it's 97 percent beautiful mountains and gorgeous woods, timber of all kind.

We allowed these chaps to come in there, they said, aw, we are going to do this great rehabilitation thing. As soon as we get through stripping -- about a quarter mile wide down the side of some of our most beautiful mountains.

I guess you, to go back there today, 30 years later after those big time operators out of the New York area,

we still have those horrible scars on some of the most beautiful mountains in America -- and I am not saying that, believe me, because I originally came from there. My home is Barstow, California. Here are the people I respect. Here is the desert I love, and that desert out there, I have traveled most all of it. In fact just last week I stood at Afton Canyon, I was in Mitchell Caverns, I'm looking at 300 square miles of beautiful desert and I'm thinking, anybody that comes in here just for money to rip up the desert, is never going to get anything but all the letters I can write against it, and everything I can do to tell our own people in this area that we should fight this in every way -- I am going to do so. And thank goodness I am not intimidated by people with money, position, power -- certainly not BLM -- nobody.

I don't believe in allowing -- I appreciate those people that say they got no comment -- I appreciate get nervous at a microphone -- microphones are something that don't make me too nervous, but the point I am trying to make is we the people that I know and love this desert, we want no part of that Castle operation out there -- they are talking about digging two big holes in the mountain, and they are going to put it all back, remove the plants, they are going to set them all back like some sort of little nursery deal. It's just not going to happen.

Once those people like in my home state of West Virginia, once those big moguls get their money, they cut and run. Believe it. And then you try to take them to court and you know what you do, you can wait five years to get one of those big timers on the docket because they all got about 14 lawyers just standing around drinking coffee, and we got nobody -- we the people -- we got no money, we got no influence -- you know, not with the big cats, VIP's that can really change these things around.

I will conclude now because I have a tendency to take up other peoples time too long.

I understand what the Judge's instructions were here, and I have listened to Judges before -- as a jury member, thank goodness -- but I want to cut this off here with just the statement that as I understand it, the BLM and all, you've got two sides, you've got a pro and con type of thing in a public hearing, I just want to make an emphatic and complete statement that any further wreckage of our Mojave Desert, I will not stand for in any way, and I will use every I can go. I will fight it for all those wonderful people out means at my disposal to fight it in the press, radio, anywhere there who don't have the nerve so to speak, to come here tonight and stand in front of you wonderful people. We got a lot of wonderful people here, but I want you to know that's what we are here for.

I'm "agin it", I want no part of it, but I do

1 trained in cyanide safety. They all have access to 24 hour
 2 hotlines. Should an accident occur you would have the proper
 3 people on site before you knew what happened. And believe me,
 4 the oil companies in Valdez did not have that precaution --
 5 did not take that precaution.

6 I would like to also mention that cyanide is not
 7 only used in the gold mining industry, it is used in the
 8 tanning industry for instance. Now, in that respect maybe we
 9 better watch our children the next time we catch them chewing
 10 on our shoe -- or even the dog for that matter.

11 I said before that I graduated in 1947 and there
 12 has never been a fatality. I hear about disasters and what
 13 disaster is going to happen. They have been using cyanide in
 14 the gold mining industry in this country or on this North
 15 American continent since the turn of the century, and if
 16 anyone here can tell me of a disaster that has ever happened,
 17 I would be very pleased to know about it, because in all my
 18 schooling and my experience, I have never heard of one.

19 I don't think there are any concerns -- I do not
 20 sincerely and honestly have any concerns about cyanide and
 21 what it might do to the environment because the people
 22 handling it, the companies who sell it, and the people who
 23 work with it, are so thoroughly trained that I cannot imagine
 24 an environmental disaster, or not even a small disaster.

25 I think that's about all the comments I would
 26 like to make, and I am going to be around here for a couple
 27 hours. If anybody would like to ask any questions about the
 28 safety or handling of cyanide, I would be very happy to
 29 comment on it.

30 Thank you.
 31 JUDGE MCGUIRE: Thank you, Mr. Burton.
 32 Next is Mr. Bob Zaebst.

33 MR. ZAEBST: I don't wish to speak, your Honor.
 34 JUDGE MCGUIRE: Thank you.

35 Mr. Wade Ellett?

36 MR. ELLETT: I'll pass.

37 JUDGE MCGUIRE: Thank you, sir.

38 Mr. Tony Helm?

39 MR. HELM: No comment.

40 JUDGE MCGUIRE: Thank you, sir.

41 Ms. Sue Roberge?

42 MS. ROBERGE: No comment.

43 JUDGE MCGUIRE: Thank you, Ms. Roberge.

44 Mr. Walt Cassidy?

45 MR. CASSIDY: No comment.

46 JUDGE MCGUIRE: Thank you, Mr. Cassidy.

47 Next, Howard W. Dare.

48 Mr. Dare?

49 STATEMENT OF HOWARD W. DARE, PRESIDENT, UNITED MINING COUNCIL
 50 OF AMERICA, INC.

1 speak for a lot of wonderful people, I do believe, that if
 2 they had the nerve so to speak to get up here in front of this
 3 august body, they would be here helping me and a few others
 4 out with total statements against this entire operation.
 5 Thank you very much for your attention. Thank
 6 you.

7 JUDGE MCGUIRE: Thank you, Mr. Campbell.

8 MR. CAMPBELL: Yes, sir.

9 JUDGE MCGUIRE: Next, Mr. Ron Cypher?

10 MR. CYPHER: No comments.

11 JUDGE MCGUIRE: Thank you, sir.

12 Next, Mr. Bill DeSelms?

13 MR. DeSELMS: No comment.

14 JUDGE MCGUIRE: Mr. Jim Burton?

15 STATEMENT OF JIM BURTON, AMERICAN CYANAMID CO.

16 MR. BURTON: Thank you, sir.

17 My name is Jim Burton. I work for American
 18 Cyanamid Company, and I live in Sparks, Nevada.
 19 I have read the Draft EIS and I would like to

20 make a couple of comments on the concerns in there on safety
 21 and the handling of cyanide, per se, because our company
 22 manufactures cyanide along with a number of other companies.

23 Number one, I graduated from mining school in
 24 1947. I have never seen a cyanide plant fatality, poisoning
 25 fatality in the mining industry since that point in time, and
 26 I don't know how long before that it was that there has been a
 27 fatality in the industry. So the industry is concerned about
 28 the safety and of course the company that I work for is very
 29 much interested in the safety and handling of cyanide.

30 Some of the concerns mentioned in there were the
 31 ponds, leach pads and the pregnant ponds which will have
 32 cyanide solution in them.

33 For the people that are concerned, what happens
 34 after the mining company leaves, number one, any cyanide or
 35 any trace of cyanide that would remain in those ponds or in
 36 that leach pad, would gradually degrade and become harmless
 37 to the environment or to people or animals.

38 Number two, I have traveled all over this
 39 country in the last 42 years, all over North America, I have
 40 also been to Africa studying what happened in cyanide safety,
 41 et cetera, and I have never seen an operation that has taken
 42 as many cautions to protect the environment and the safety of
 43 its people as this mining company - Viceroy Corporation.

44 I would like to add at this point that I have no
 45 connection with Viceroy Corporation. I am interested in the
 46 gold mining industry in this country, and I am interested in
 47 the safety of the people and the environment.

48 All manufacturing companies in this country who
 49 could possibly be delivering cyanide to the Viceroy
 50 Corporation Project, their truckdrivers are all thoroughly

1 MR. DARE: Your friendly introvert has about two
2 minutes. Thank you.
3 JUDGE MCGUIRE: We welcome you, sir.
4 MR. DARE: Some of this is quite an act to
5 follow, friends.

6 I am Howard Dare, President of the United Mining
7 Council of America, Incorporated.

8 I can't hardly follow something like Mr.
9 Campbell; I have known him for years. We seem to be on
10 opposite sides.

11 Good evening, ladies and gentlemen. United
12 Mining Council of America are grateful for the attitude of
13 Viceroy. Our Council has been aware of the Hart Mining
14 District for many years. During the original mining
15 operation, the area was known as one of the most valuable,
16 high grade gold mining districts in California. At this point
17 in time, our designated researchers have not made the per
18 ounce dollar value available. My guess is 28 bucks an ounce.
19 Let us take a moment to consider the cash flow
20 which would have been generated had the discovery been made at
21 today's price of \$385 an ounce.

22 Our Mining Council was incorporated here in
23 Barstow as the Barstow Mining Council, Incorporated, during
24 1967. After 1967, several additional councils were formed.
25 During our convention in 1975 at the Royal Hawaiian Motel at
26 Baker, California, a motion was made and seconded to change
27 the name to the United Mining Council of America,
28 Incorporated.

29 The Barstow Mining Council retains their name
30 today.

31 During our 21 years of incorporation, our Board
32 of Directors are convinced that the draft prepared by
33 Environmental Solutions, Incorporated, Irvine, California, for
34 the Bureau of Land Management, Needles Resource Area, and the
35 County of San Bernardino Environmental Public Works Agency
36 which -- the book is two and one half inches thick, we believe is
37 the first demand of this kind by any of our government
38 agencies.

39 We are aware that many of our U.S. corporations
40 have been accepted by our neighbor to the north for the
41 purpose of mining. The point we hope to convey is the more
42 reasonable plan of operations which is acceptable and
43 appreciated.

44 In view of the above information, United Mining
45 Council of America, Incorporated, are asking to go on record
46 in support of the Castle Mountain Mining Project, wishing them
47 full speed ahead.

48 Thank you, folks.

49 JUDGE MCGUIRE: Thank you, Mr. Dare.

50 MR. DARE: Thank you, sir.

1 JUDGE MCGUIRE: Next, Clara B. McKinney?
2 MS. MCKINNEY: No comment, sir.

3 JUDGE MCGUIRE: Thank you, Ms. McKinney.
4 Heather Hahn?

5 STATEMENT OF HEATHER HAHN, CITIZEN FOR MOJAVE NATIONAL PARK
6 Mike, but I am going to try this anyway.
7 MS. HAHN: Thank you. I am intimidated by the

8 I have lived here for 15 years and I feel the
9 desert is very special. Like a previous speaker, I have also
10 lived in Tucson, and I have seen mountain ranges there leveled
11 and rearranged. For this reason I don't wish to see the
12 Viceroy Project continued.

13 I don't believe you can have a project of this
14 magnitude without having a negative impact on the environment.
15 And I don't think we have any guarantees that cyanide leaking
16 is harmless.

17 The tortoise population is already dwindling; it
18 is not healthy. You just can't tear the desert apart and put
19 it back together. Once the desert's cross is broken, it's
20 broken. You can't replant it like a lawn.

21 I think Viceroy will leave with the profits and
22 they will leave us with the destruction.
23 Thank you.

24 JUDGE MCGUIRE: Thank you, Ms. Hahn.

25 Next is Mr. Bill Mann?

26 STATEMENT OF BILL MANN, BRUBAKER-MANN, INC.

27 MR. MANN: My name is Bill Mann. I live at 30
28 Hilltop Terrace, Barstow, California. I own Brubaker-Mann,
29 and I am an Eagle Scout, and love the desert and consider
30 myself a responsible environmentalist besides being in the
31 mining industry.

32 I belong to five or six museums; I lead museum
33 groups throughout the desert. I have traveled this desert for
34 over 50 years.

35 Now, I hear an awful lot of ignorance here about
36 the Castle Mountain area, and just for fun, would everybody
37 that has been on the site, raise their hands?

38 Okay. Now I have heard a few statements here

39 that astounded me. One statement was that there was only one
40 year's mining in the Hart Mining District by Mr. Burk there
41 -- who is smiling back there -- who I consider a friend --
42 around the turn of the century, but for your information, the
43 Hart Mining District has been mined almost continuously for
44 100 years.

45 One job I use to have was delivering explosives
46 -- and I am still here. I delivered explosives all over this
47 desert for 25 or 30 years, and we use to deliver explosives by
48 the tons to the Hart Mining District.

49 It was mined by the Gladding, McBean and
50 Company, after that by Interpace, after that by the Pfizer

1 a 18 wheeler bypassing Barstow on the access road because there
 2 was no freeway because of the turtles, swerved across
 3 the middle line and struck my wife head-on and she was
 4 pronounced dead at the scene. They revived her and she is
 5 brain damaged and paralyzed at the house now because of this
 6 turtle thing. I just want you to know that; what that has
 7 caused my family.

8 JUDGE MCGUIRE: Thank you, Mr. Mann.

9 Next, Mr. Warren Bradley?

10 MR. BRADLEY: No comment.

11 JUDGE MCGUIRE: Thank you, sir.

12 Next, Alpha Wade.

13 Ms. Wade?

14 STATEMENT OF ALPHA WADE.

15 MS. WADE: I am Alpha Wade. My address is Post
 16 Office Box 1393, Barstow.

17 I am greatly concerned about this project. Now,
 18 this project has a beautiful name and I am happy that I can
 19 say one positive thing for it.

20 As most of you know, this project will take
 21 bundles and bundles and bundles of money to get started. Now,
 22 will it be completed -- We that live here in the desert have
 23 seen many projects start, and it looks like even the tea leaf
 24 reader sometimes could know that the project would not
 25 succeed.

26 Now, maybe we won't have to spend bundles and
 27 bundles and bundles of money to carry out this project
 28 effectively, but where is the money going to come from if it
 29 doesn't succeed?

30 How about the taxpayers money? Now, we in the
 31 desert have known several projects to get started and fall by
 32 the wayside.

33 We have a beautiful desert here, many beautiful
 34 people and many beautiful plants, but if we continue to let
 35 every project from everywhere else come in, not just the birds
 36 and the animals and these little plants that are going to die,
 37 but what is going to happen to our human race?

38 I am deeply concerned where anyone has their
 39 signature of anyone that has all this money to spend. I am
 40 not saying they don't.

41 The desert is a beautiful place, it has many
 42 beautiful people on it, and I am concerned about the survival.
 43 Now, if we can just do a few things each year to
 44 improve the quantity and the quality of the life, we will be
 45 doing a great deed.

46 JUDGE MCGUIRE: Thank you, Ms. Wade.

47 Next, Barbara A. Thompson.

48 MS. THOMPSON:

49 I'm just listening.

50 JUDGE MCGUIRE: Thank you, ma'am.

1 Corporation, right down to the present.
 2 That area is literally riddled with mines and
 3 quarries. To bring them together into an open pit, I can see
 4 no harm at all about that.

5 Now, another thing which I think a few of these
 6 people ought to do, is take ECON 1A, because a mining company,
 7 even if there is no regulations on it at all like in the old
 8 days, is an extremely risky venture, and of course all these
 9 regulations just make it worse. So these people are not
 10 coming in here with a few bucks and taking out a fortune and
 11 leaving. They will be lucky to leave this country with any
 12 profit at all. They will spend -- yeah, 90 percent of their
 13 money will stay here in the forms of jobs and things like
 14 this.

15 Now, another thing, Peter, you said that there
 16 was no mining in the Barstow area. Now, this is my 39th year
 17 in the mining business in Barstow, and at the tip of my
 18 fingers I can mention half a dozen mining companies that have
 19 been here a long time. In fact mining is the biggest industry
 20 in San Bernardino County, and the taxes that we pay, help to
 21 pay -- well, school teachers' wages for one.

22 I want to be up front with you. I believe that
 23 we should be responsible, and I believe we are.
 24 That was the one point I wanted to make because
 25 that is not a pristine virgin area. That has been mined
 26 continuously for 100 years.

27 Now, the next thing I want to tell the people,
 28 that this rapid or this strong environmental surge that we
 29 are going through, has a terrible price. I have witnessed the
 30 destruction of the California talc mining industry by this
 31 environmental surge. I consider it radical or unrealistic,
 32 because I consider myself a realistic environmentalist.

33 I have seen people in Shoshone and Tecopa lose
 34 their homes. I have seen truck drivers lose their jobs
 35 because of all this over-regulation in this environmental
 36 thing.

37 Now, you talked about the turtles and the birds
 38 and the bees and things like that -- How about the people?

39 I would like to have everybody in this room -- I
 40 heard turtle mentioned a lot. Now, I would like to have
 41 everybody that is involved in the shut down of Highway 58
 42 because of the turtles, or slowed down, let's say -- lets say
 43 the slow down of that because of turtles. Could you raise
 44 your hands?

45 Nobody here?

46 Well, there are some people here from the turtle
 47 industry anyway. You know that Highway 58 was slowed down
 48 because of the turtles, and I want to tell you what that has
 49 caused my family and me.

50 Two years ago -- a little over two years ago --

to take care of the politicians in Washington like they always do. So we really hate to come out against a project like this without all the answers, but as one gentleman came up here and tried to get answers -- answers weren't available. So if the answers aren't available, we will take the approach of being totally against the project.

Thank you.
 JUDGE MCGUIRE: Thank you, Mr. Aleman.
 Next, Chuck Mueller?
 MR. MUELLER: Pass.
 JUDGE MCGUIRE: Thank you.
 Next, Marion Ely II?

STATEMENT OF MARION ELY II.

MR. ELY: I am Marion Ely, A.V.S.R. Box V-11 in Apple Valley. A number of different things come to mind and I agree in large part with what Mr. Mann has said about the unfortunate lack of correct information, and I think that a lot of people are being misled by our leaders, and they need to check the things out.

One of the things that needs to be mentioned, I think, is the fact that this cyanide chemistry that is being used and has been known for over 100 years, and the system has been used for nearly a century now. It is not a circumstance that there is any great concern about outside the actual operation itself, and as mentioned by the one gentleman there, that he was not aware of any fatalities associated with the use of cyanide in the mining industry since 1947.

I have just researched the records up through 1906 from its inception, and I have talked with others, and they are yet to find any provable deaths as a result of that. It is interesting that there is concern about the cyanide waste from the standpoint that the water supply here in Barstow comes through mine tailings that were cyanided upstream here in Oro Grande. And there is also some around Barstow itself.

The concern has been expressed about the birds and wildlife being killed by the cyanide solutions. The EIS points out, as did the EA, that these areas will be fenced and they will have nets placed over the top of them. The industry in California has seen something like 200 deaths due to cyanide by wildlife in the last year, but I checked with some interesting sources, the Department of Fish and Game, for example, both in California and Nevada. There has been some concern about the water fowl, for example, and as I mentioned, less than 200 birds and animals have succumbed to cyanide poisoning in California in the last year.

The most recent statistics available from both states are 1987, and they showed in 1987 in California, there were 1,512,150 ducks that were killed -- and this was by

Next, Mr. John M. Wagstaffe?
 MR. WAGSTAFFE: No comment.
 JUDGE MCGUIRE: Thank you, sir.
 Next, Sarah and Richard Hoover?
 The Hoovers?
 (No response.)
 JUDGE MCGUIRE: Next, Pat Aleman.
 Mr. Aleman?

STATEMENT OF PAT ALEMAN, COMMUNITY ACTIVIST, CHAIRMAN, CITIZENS AGAINST TAXES

MR. ALEMAN: Good evening. I thank you for having this opportunity to speak before you. My name is Pat Aleman. I am the Chairman of Citizens Against Taxes. My address is 1160 Pueblo, Barstow, California.

I am sure you are all wondering why would a person against taxes be concerned with this project. There has been a lot of things mentioned tonight from the environmentalists and our group will let the environmentalists handle the environmental part of it. Our group is interested in the project, the same interest that the miners are interested in, and that is money. Because whenever you have money, we talk about taxes, and those taxes happen to be a concern of our group.

They are talking about bringing in revenue, \$25 million to the County. We look at it as them bringing in revenue, the more revenue will probably be going from the county coffers to pay for the project, because it is going to have to be monitored, and we believe that most of the money from our understanding, which we read from the press, is that the money is going to go to Canada. I don't have nothing against Canada, and I don't have nothing against Japan, but the gold is going to go to Japan, and if the gold is going to Japan and the money is going to Canada, we really don't care about the project. We are concerned about we are going to be stuck paying the bill, and that is the taxpayers.

We hear the politicians and they say they are going to get \$25 million in the county funds. Sooner or later we are going to get the bill. \$25 million will probably go in the general funds and they will get to spend that money on whatever little pet projects they have.

I would like to mention a ballot initiative that was fought here in our county locally, it was to have some sales tax. Our group was involved with that. The opposition raised \$300 thousand, we raised \$100 and we defeated them at the polls.

My point of this is that a lot of the money on this measure came from mining groups, they came from people -- a couple asphalt companies -- concrete companies, oil companies and we suspect that the mining companies are going

written comments later.

A couple of other things. One of the things on the water use there as well. The EIS hydrological study done was quite good, and one of the things that will mitigate the water situation is even in the worse case, low rainfall circumstance out there, is about 130 acre feet of water that is going to be intercepted by the heap leach pads themselves in those facilities. The ponds that they are proposing out there are really dinky compared with some of the ones in Nevada, because they are right around an acre each, and you have much, much larger ones in Nevada. That was one of the misleading bits of information. I am sure the Bond Gold people were interested in the news conference Monday because they showed their tailings pond as being one of these death traps that are "cyanide leached" was their term, that these poor birds and mammals are dying in. But they are under a situation where they are destroying the cyanide before it gets to that particular position.

So the mitigations that are put forth really are kind of in the extreme. There was some mention made last night at this circus down in San Bernardino about some of these disasters that were possible because of the chemicals that were used and so forth. The only time when you'd have a circumstance like that would be in some kind of terrorist activity or direct sabotage, because the chemistry is such, it has been around so long, it is very closely monitored and it takes a radical change in things for anything to occur. The EIS suggests that the heaps be monitored for the escape of hydrogen cyanide gas. That is really kind of an over-kill. Most agencies no longer require that. Hydrogen cyanide gas which is formed when the pH drops below 7, is released, is lighter than air, so you could fill balloons with it, so the gas that is released, is very small in quantity and it goes up in the air, and there is government studies to show it is destroyed in the stratosphere so there is no threat to the ozone layer or anything like that associated with it.

The EIS covers a great many things; a lot more could be said, and I will put those comments in my written comments later, but I thought it was pertinent that this information on wildlife really be entered into the record now, because it is in effect kind of a straw bird that is being set up.

JUDGE MCGUIRE: Thank you, Mr. Ely.

Next, Betty Forgey?

MS. FORGEY: We already heard from her.

JUDGE MCGUIRE: Thank you, Ms. Forgey.

Next, Archie M. Rieser, Sr.

MR. RIESER: No comment.

JUDGE MCGUIRE: Thank you, Mr. Rieser.

Next, Mr. James Clayton?

STATEMENT OF JAMES CLAYTON.

shotgun of course. That's what these game birds are for. In Nevada there were 76,949.

They are concerned about quail. There was an accident further south in California here, in Imperial County several years ago, when a covey of quail happened to land on a cyanide pond down there, and in 1987 in the State of Nevada, there were 51,400 quail that were killed in Nevada; in California in the same year there were 923,270 that were blasted out of the sky.

It goes on and on. Basically as far as birds are concerned, in the State of Nevada in 1987, there were 269,519 birds that were killed during the hunting seasons and so forth that are of record. In the State of California, there were 4,863,122.

Now, when a bird drinks some of the cyanide, it expires in a very short period of time. It doesn't get very far away from where it has been poisoned. People that have seen this happen can tell you that it is very, very quick.

In any case, concern has been proposed on the mammals as well. I know of two coyotes that have died as a result of cyanide poisoning, and in one case it may have drowned for some strange reason. But in the same year in 1987 in the State of Nevada, there were 6,373 coyotes that were either shot or trapped. In the Golden State of California, there were 44,982. Bobcats taken in California in that year, there was 2,278. And occasionally jack rabbits and cottontails are some of the victims in these cyanide things, but in this same year, in California there were 234,362 jack rabbits that were killed, and 244,324 cottontail that were killed. In Nevada they don't count jack rabbits, so the total is only 33,478. There was 151,164 tree squirrels killed in California, and 41,310 wild pigs; 53,278 deer, and 1,666 bears. The mammals taken during this particular period of time amounted to 773,364 in the State of California, and 41,301 in Nevada.

It is kind of ironic that there is a concern about the animals being poisoned with the cyanide which is a relatively quick death, as compared to being shotgunned and dying that way.

Fish and Game needs to get together with themselves and look at their same figures, because as you may have seen in the press conference Monday, they were concerned because over the last five years between California and Nevada, there has been something like 6,000 birds and mammals that have died as a result of this. What they didn't tell you is that more than half of those animals died in one project that was being set up, and so all the mitigations weren't in place.

But in any case, that is what I had to say, and I will submit this for the record. I will have additional

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else. And I think it should concern other people. Nobody knew 150 years ago that penicillin, for example, would cure infections. We could have done away with it. It would have been insignificant. Nobody knew when we started releasing freon into the atmosphere that it was going to affect the ozone. Nobody probably understands completely the ramifications of cyanide -- I am sure there are a lot of people here do far better than I -- but I am ignorant about this. And I came here with a very ignorant attitude. I have tried to ask a lot of questions of a lot of people and I haven't gotten a lot of answers that I can understand. I talked to a resource specialist at BLM and I asked him what he thought of the hydrologic study and he was in about the same boat I was. He said he didn't know enough about hydrology to really make an intelligent guess. I asked the gentleman who was the consulting firm that were here, the people that were hired by BLM because BLM did not have the internal expertise, I suspect, to prepare the documents themselves, what they felt about some of these questions.

What I keep encountering is that we are accepting a whole lot of stuff based on authority, on what somebody else says about it. And I am nervous with that. I think that we are at a stage in history right now where there is a new birth of environmental awareness, and a lot of people, we are realizing that the earth is finite, that when we do certain things to it, often times they are irreversible. We are faced with global warming, you know, we are faced with possibly increasing the instances of skin cancer, and the possibility of suppressing our immune systems by changing the ozone layer -- maybe permanently.

These things are of very great concern. And I think until we know more about this sort of thing, any increase in fugitive dust, you know, changing the overall reflectance of the atmosphere for example. Any increase in water pollution. Any decrease in ground water. You know, even if we are only looking at a 10 percent reduction of the stream, you know, if we are just looking at adding a little more stress to the wildlife, to the plant life in that riparian area. Maybe that is unacceptable, and it is certainly not for me to decide but I think these are questions that need to be asked.

Thanks for your time.
 JUDGE MCGUIRE: Thank you, Mr. Clayton.
 Next, Frank and Sonia Ray?
 (No response.)
 MR. CHAPMAN: Next, Mr. Terry Chapman?
 JUDGE MCGUIRE: No comment.
 Next, Elizabeth Hughes?

MR. CLAYTON: I would rather you not videotape me if you don't mind. If I may ask, who is videotaping? Excuse me. If I may ask, who is videotaping? JUDGE MCGUIRE: I have no idea, sir. UNIDENTIFIED SPEAKER: I am the controller at Viceroy.

MR. CLAYTON: At Viceroy. Okay. I don't want to seem cynical or anything like that, but I had my IRS trouble last week. My name is James Clayton. I am currently a sales manager with a corporation that is based back in New Jersey. I have lived in Apple Valley, I built a house there about 10 years ago.

A tip of the hat to the guys that said they were Eagle Scouts. This will be the first time in 25 years that I have had a forum to say that I was an Eagle Scout.

I spent 10 years with the National Park Service and with the U. S. Forest Service and with the BLM, and worked in this area for about five years.

The things that I want to address, really, are just simply that I think all this talk about wildlife, they are being insignificant because we kill them hunting. That is sort of like saying that two wrongs make a right. The fact that we allow people to shoot bighorn sheep, that we allow people to shoot mountain lions and this kind of thing, that that somehow makes it okay to let them fall into a leach pit, or something like that. I think there is a little faulty logic in that.

The whole issue that I want to get to, having been exposed to the three different agencies and their whole philosophy of how they protect natural resources, is that when you have an agency like BLM whose primary responsibility is to manage for multiple use. Okay. An agency that has momentum since its inception to basically convert public resources to private use which is what we are seeing here.

You've got a problem in philosophy. It is not for me to decide, it is for the public to decide whether they want to allow this sort of thing to happen. If they don't, you have to switch the responsibility for management of this area to an agency like the National Park Service whose basic philosophy is to preserve and protect. And if you want to do that, do it. But with the BLM, they are locked into a course of action that you really are not going to change.

Now, one of the biggest problems that we face is the fact that this momentum that we are trying to overcome, is something that is based kind of on a special interest. You know, we are not looking at the overall picture, we are not looking at down the road. I guess we don't know the value of a lot of the resources that we are talking about protecting, and that is the thing that concerns me more than anything

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1 have been talking about tonight. Our mitigation measures at
 2 the Colosseum are very similar to those being proposed for the
 3 Viceroy Project.

4 I have firsthand knowledge of how those
 5 mitigation measure work, and I am comfortable with those
 6 mitigation measures at the Colosseum. They are not perfect.
 7 I am a human being and I am doing the very best that I am
 8 capable of doing to make sure that we follow those mitigation
 9 measures.

10 You cannot eliminate the impact of a gold mine
 11 on the desert. You can only do the best you can to minimize
 12 that impact, and to restore the environment to the best of our
 13 technical knowledge when you are through. It will be my job
 14 to oversee that very reclamation, and being a mere human, I
 15 welcome anyone's suggestion. Now, if we all think about this
 16 and work together, maybe we can answer some of those questions
 17 and concerns we are all thinking about.

18 I am only 29 years old. I hope to live to be 80
 19 years old. I would like to see things change in attitude.
 20 You know, a lot of your concerns are legitimate, and in the
 21 past mining was notorious in the way that it handled things.

22 I am here to say to you today that things are
 23 changing. They are hiring people such as myself to defend the
 24 environment. I am very comfortable with what we do at
 25 Colosseum, and if any of you would like your questions
 26 answered, I am available after the meeting, and I will do my
 27 best to answer your questions.

28 Thank you very much.

29 JUDGE MCGUIRE: Thank you, Ms. Snell.
 30 Did any other person in the audience wish to be
 31 heard on this topic?

32 MR. HILL: I really don't think I have to
 33 introduce myself, I was born and raised in this country, I
 34 have been around a day or two.

35 JUDGE MCGUIRE: For the purpose of this hearing
 36 record, it might be advisable that we know your name.

37 STATEMENT OF MELVIN HILL
 38 MR. HILL: Melvin Hill. Township 9, North,
 39 Range 2, West, Section 4, 5, and 33.

40 I have been out in some areas -- without a doubt
 41 in my mind, this project would be very beneficial to our
 42 community if they can put it back kind of the way it was.

43 I would invite any of you to go out to Horse
 44 Thief Springs where Charlie Mitchell lived so long -- he's
 45 dead now -- and go down that canyon where they mined that
 46 stuff out between the Horse Thief Springs and Tecopa and look
 47 at that canyon and you will see what I am talking about -- a
 48 destruction of that canyon.

49 There was not made any attempt whatsoever to put
 50 it back the way it was -- and that ore went to Japan.

1 MS. HUGHES: No comment.

2 JUDGE MCGUIRE: Thank you, Ms. Hughes.
 3 Next, Erica Stemets?

4 MS. STEMETS: No comment.

5 JUDGE MCGUIRE: Thank you, ma'am.

6 Theresa Glenn?

7 MS. GLENN: No comment.

8 JUDGE MCGUIRE: Thank you, Ms. Glenn.

9 Mr. Chuck Bell?

10 Mr. BELL: Just here to listen, your Honor.

11 JUDGE MCGUIRE: Glad to have you, Mr. Bell.

12 Next, Mr. Jon K. Mahlum?

13 (No response.)

14 JUDGE MCGUIRE: We will again call the name of
 15 attorney R. Simpson, and inquire if he is present?

16 (No response.)

17 JUDGE MCGUIRE: There being no answer, we will
 18 proceed with the next card, that of Sarah and Richard Hoover.
 19 Are either one of the Hoovers with us?

20 (No response.)

21 JUDGE MCGUIRE: There being no reply, we will
 22 proceed.

23 Frank and Sonia Ray. Are either one of the
 24 Ray's present, please?

25 UNIDENTIFIED SPECTATOR: They have left.

26 JUDGE MCGUIRE: They have left.

27 Thanks so much.

28 And finally, I again call the name of Jon K.

29 Mahlum - surname spelling - M-a-h-l-u-m.

30 (No response.)

31 JUDGE MCGUIRE: There being no response

32 thereto, we have now called all of the names of the persons

33 who have been kind enough to prepare cards.

34 I now invite any other member of the audience

35 who wishes to favor us with relevant remarks, to so advise us.

36 MS. SNELL: I am Sally Snell. I would like to

37 make a statement.

38 JUDGE MCGUIRE: Surely. Are you Ms. Sally

39 Snell?

40 MS. SNELL: Yes, sir, I am.

41 JUDGE MCGUIRE: Thank you, Ms. Snell.

42 STATEMENT OF SALLY SNELL, ENVIRONMENTAL SAFETY COORDINATOR FOR

43 BOND GOLD COLOSSEUM

44 MS. SNELL: My name is Sally Snell. I am the

45 environmental safety coordinator for Bond Gold Colosseum.

46 I am an environmental scientist who chose to

47 work with the mining industry. I feel very strongly about the

48 environment; I care very much about the environment.

49 I have worked at Colosseum for the past two

50 years. It is my job to work with those mitigation measures we

1 So it has to be regulated, it has to be taken
 2 care of. So it is kind of a balance -- is the economy worth
 3 more than the environment? Right now I think the desert is
 4 being used for a great big fancy sand box for the cities to
 5 play in -- and it can't stand that.

6 That is our biggest concern. It is a thousand
 7 times worse than any mining operation could possibly be.
 8 Over a weekend out here we will have 30-40,000
 9 off the road vehicles over our desert. And on a long weekend
 10 there is pretty near twice that many. Our desert can't stand
 11 that.

12 The first time I was out here to Piute Springs,
 13 the old Fort was standing there with the slits and the rock
 14 walls, the corrals are down below where they could defend them
 15 from the Indian -- that is kind of a no man's land between the
 16 Colorado River Indians and these here. And they had to
 17 maintain that Fort.

18 The last time I was out there, one little corner
 19 of one of the rock walls of the Fort was left there. They
 20 built a monument out there with a nice brass plaque on it --
 21 at least I guess it was there -- but it was gone when I was
 22 there.

23 You see, we have to protect our desert, and I
 24 think the only way it can be done is through education. The
 25 people have all got to understand that the desert is here to
 26 enjoy and be part of.

27 I was out in Death Valley some time back. In
 28 the National Park out there. Rather interesting. People will
 29 say that a National Park here will stop all mining. Huh-uh.

30 I talked to the Ranger there at the Furnace
 31 Creek Ranch and asked him about that. Well, he says, the
 32 mining operation had to submit a plan for the next 10 years
 33 operation. If approved, you go ahead and operate
 34 according to the plan.

35 We have some 23 permits for mining, and only
 36 three or four of them are in operation.

37 Is that your answer to the restriction on
 38 mining? Maybe they put the restrictions so hard on themselves
 39 that they couldn't operate. I don't know. It's their fault
 40 if they did.

41 But you see what I mean? It has to be
 42 regulated. It has to be taken care of, or we will have
 43 something like the Kingston Mountains out there. There are
 44 many, many other thousands of examples around our desert where
 45 things have just been tore up and let blow away because they
 46 weren't made back. What assurance do we have that they will
 47 continue this operation? Maybe when they get through they
 48 will declare bankruptcy -- then who fills in the hole; who
 49 levels it up again? What assurance do we have of that?
 50 Thank you.

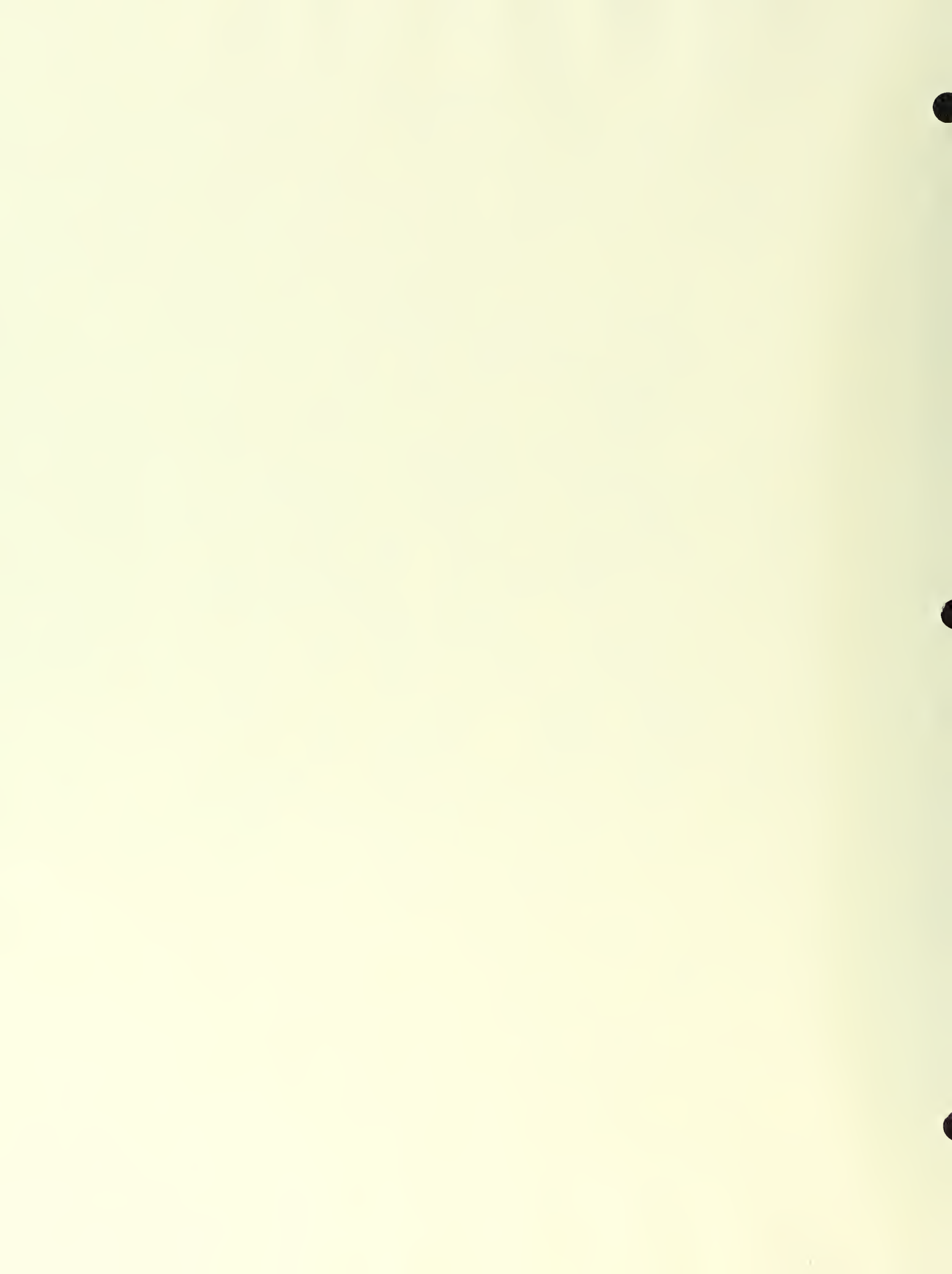
1 JUDGE MCGUIRE: Thank you, Mr. Hill.
 2 Did anyone else wish to be heard on this topic,
 3 please?

4 (No response.)

5 JUDGE MCGUIRE: Very well.
 6 Mr. Bailey or Mr. Bellandi, do either of your
 7 gentlemen have anything further?

8 MR. BAILEY: No.

9 JUDGE MCGUIRE: Very well.
 10 There being nothing further then, I would like
 11 to thank all of you for taking time to attend this public
 12 hearing, and please note that this hearing was officially
 13 opened at 7:08 p.m., will be formally concluded at 9:02 p.m.
 14 (Whereupon, at 9:02 p.m. the hearing was
 15 concluded.)



D.3 Las Vegas, April 20, 1989



UNITED STATES DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

PUBLIC HEARING

ON

CASTLE MOUNTAIN PROJECT

SAN BERNARDINO COUNTY, CALIFORNIA

DRAFT EIS/EIR

BEFORE

ADMINISTRATIVE LAW JUDGE JOSEPH E. MCGUIRE

APRIL 20, 1989

7:00 P.M.

Clark County Education Center
2832 Flamingo Road
Las Vegas, Nevada

STATEMENT OF:

1 VERLIE DOING, Searchlight Town Board
2 BILL MCBRIDE, Nordberg, Inc.
3 ROGER RHU, Inquipo
4 WILLIAM DIXSON, Gold Searchers of Southern Nevada
5 MARTIN W. LIPNAK, Equipment Supplier for Viceroy
6 Gold
7 DOUGLAS NOLAND, Southern Nevada Miners and
8 Prospectors
9 WALTER BARBUCK, Las Vegas, Nevada
10 DAVID W. BRICKLEY, Sierra Club, Las Vegas Group
11 MEADE STIRLAND, Chairman, Environmental Committee
12 of the Nevada Mining Association
13 WALT LOMBARDO, Nevada Department of Minerals
14 TROY NANCE, Democrat
15 KEVIN DEISHER, Las Vegas, Nev.
16 LARRY LOCKWOOD, Gilbert Western Corp.
17 ROY WILKES, Washington Corporations
18 NORBERT RIEDY, The Wilderness Society
19 JAMES S. PAWLOSKI, DuPont
20 DR. DAVID L. WEIDE, Ph.D., Dept. of Geoscience,
21 University of Nevada, Las Vegas
22 ROBERT TOPLISS, President, T.N.T. Development,
23 Inc.
24 FRED HINES, Nipton, Ca.
25 HOWARD BOOTH, Las Vegas, Nevada
26 WAYNE IRWIN, Engineer, Sparks, Nevada
27

presentations be relevant and be supported by pertinent data. Speakers will be called in the order in which their names appear upon sign up cards which have been provided to me for that purpose. In the event that a speaker is not present when his or her name is called, we will simply proceed by calling the name of the next speaker in attendance. The name of the then unavailable speaker will be called later after those scheduled speakers who are present have delivered their remarks. After hearing from the scheduled speakers who have given advance notice by having signed the cards at the desk located at the auditorium entrance, I will grant to all others present an opportunity to be heard.

Each speaker is requested to begin his or her remarks by providing your name, address, occupation and if applicable, the organization or group you represent. If any speaker wishes to submit additional written testimony, kindly provide that material to the reporter and it will be marked as an exhibit and placed in the hearing record. The Bureau of Land Management will accept written comments from parties who prefer to make written rather than oral submissions, from those wishing to supplement their oral presentations, and from parties unable to attend this public hearing.

Those written submissions must be received by May 15, 1989, and should be addressed to John Bailey, Bureau of Land Management, Needles Resource Area, 101 Spike's Road, P.O. Box 888, Needles, California 92363-0888. All written statements timely received will be included as a part of the record of this public hearing, and will be granted the same consideration as the oral statements presented at this hearing.

Anyone wishing to speak who has not already registered for that purpose, may do so at their early convenience by consulting the Departmental employees who are at the sign-up table located at the entrance to the hearing room.

Mr. Doget will have a complete record of this hearing available for public inspection on or about May 1, 1989. Anyone wishing to obtain a copy of the hearing transcript of this hearing may do so by making the necessary individual arrangements with the reporter.

At this time I would like to call upon Mr. John Bailey of the BLM Needles, California office, and Mr. Joe Bellandi, a mining geologist with the Department of Land Management, San Bernardino County.

Gentlemen?
MR. BAILEY: Good evening.
On behalf of the BLM or Bureau of Land Management, I would like to welcome you to tonight's meeting. My name is John Bailey, I am the East Mojave

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P R O C E E D I N G S

7:12 p.m.

JUDGE MCGUIRE: Good evening ladies and gentlemen, and welcome to the April 20, 1989 public hearing which has been arranged by the Bureau of Land Management of the Department of the Interior, in order to receive oral comments on the adequacy and the accuracy of the Draft Environmental Impact Statement/Environmental Impact Report. It is the BLM and the County of San Bernardino have prepared in connection with Victory Gold Corporation's proposed development and operation, of an open pit cyanide heap leach gold mine in the historic Hark Mining District of the Castle Mountain region of San Bernardino County, California. That Joint Draft Environmental Impact Statement/Environmental Impact Report has been prepared under the requirements of the National Environmental Policy Act, and the California Environmental Quality Act in order to analyze any probable environmental impacts that undertaking might create.

My name is Joseph E. McGuire, and I am an Administrative Law Judge presently assigned to the Hearings Division, Office of Hearings and Appeals, Department of the Interior, in Arlington, Virginia. I do not participate in this administrative policy process, nor do I make any recommendations in connection therewith. The extent of my role in this matter is limited strictly to chairing this public hearing.

The Bureau of Land Management requested that an Administrative Law Judge conduct this public hearing, as well as those public hearings which were conducted on April 18, 1989 in San Bernardino, California, and last evening in Barstow, California.

Notice of this public hearing was published in the Federal Register on Friday, March 3, 1989 at page 9091. An official reporter will provide a verbatim transcript of this public hearing, and that reporter is Mr. Warren E. Doget who is seated to my right. Mr. Doget will record all oral remarks, and in order to assure a complete and accurate record of the hearing, it is necessary that only one person speak at a time. We request that everyone remain as quiet as possible while the hearing is in progress.

If speakers have an extra copy of their prepared remarks, it would be helpful to Mr. Doget if they would provide him a copy of their remarks just prior to their presentation. This is only for his assistance, however, and your remarks will be recorded verbatim whether or not you follow a written text.

This hearing is not an adversary proceeding, and parties presenting their views will not be placed under oath. The purpose of the hearing is to receive information and not to exchange views. However, it is requested that all

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National Scenic Area Manager based in Needles, California, the BLM office there. And for the purposes of tonight's meeting, I am also the BLM coordinator for the permitting process that we are currently going through for the Castle Mountain Project.

We have had three meetings so far, this is the third and last of our public meetings on this matter. Tonight I would like to make a few short statements before we hear your comments that will explain how your comments will be used in our process, and that will hopefully answer a few questions that have come up in the previous two of the meetings.

First of all, something that should be clarified, the relationship between Viceroy Gold Corporation who are the permittees in this case, and the Bureau of Land Management and San Bernardino County represented by Joe Bellandi, and Environmental Solutions, Incorporated, who are the company contracted to prepare the environmental document that we are currently reviewing. The Viceroy Gold Corporation owns mining claims in San Bernardino County in the Hart Mining District. They have come to the Bureau of Land Management with a plan of operation which is a form of application that it is our responsibility to review, and if we find that it meets necessary laws, approve; or, if it doesn't meet those laws, deny.

The County will be doing much the same thing through slightly different procedures established by state law.

The Environmental Solutions, Incorporated, who have representatives here tonight, were contracted to prepare the draft document, and to begin that process collaborated with the Bureau of Land Management to begin to analyze what issues would have to be discussed in order to help the decision-makers involved in this process.

In order to figure out what those issues were, we also solicited public help. There was a public meeting here in Las Vegas, a scoping session about one year ago; there was also one in Barstow, California.

After starting with the scoping process, several months of instance with experts on the Bureau of Land Management's staff in Needles and in our Sacramento office and our District office, along with the experts on the staff of Environmental Solutions, Incorporated, to analyze the scoping issues and determine what the possible impacts of this operation would be if it were allowed to go to a full fruition.

We now have a draft environmental statement and report available for a 60 day review period. We are currently a little bit more than half way through that, and you are here I hope to give us some comments on how adequate or correct that document is, hopefully to give us some clue on how we can

prepare a better final environmental impact statement. The final environmental impact statement will be our response to your statements at these public meetings, and those that we receive in writing at the address on this card. The final EIS will be available approximately August 1st, maybe slightly delayed after that. You will have another opportunity if you have received the draft or if you checked the box on the card when you signed up tonight, describing that you would like further information on this matter. You will be sent a copy of the final EIS, you will have 30 days to review that, and after sifting through any comments we receive on that document, the Bureau of Land Management will prepare a record of decision explaining whether we will approve the operation with mitigation, and what that mitigation is, or possibly denying the operation because it cannot meet the requirements of undue or unnecessary degradation.

The document that we are considering tonight is the decision document. The information contained in that document will be used by our decision makers, both BLM, County and the various other federal and state agencies.

So, your comments are not only welcome, but they are necessary for the permitting process to go all the way through to completion. And we look forward to hearing what those comments may be tonight.

Mr. Bellandi?

MR. BELLANDI: Thanks, John.

Again, my name is Joe Bellandi. I am with San Bernardino County and I am the mining geologist for the county. We are working in conjunction with the Bureau of Land Management in processing this application for Viceroy Gold, and as John said, we have no connection to the company.

The draft environmental impact statement, environmental impact report, was prepared according to NEPA and the California Environmental Quality Act, the law that determines environmental quality for the State of California, and that is the way the county will be reviewing the document.

Following the completion of the document, we will, with the county, be reviewing the project as far as it fits with the land use and planning-zoning laws, and also with the California Environmental Quality Act, and also with the California Surface Mining and Reclamation Act. These processes will follow the completion of the documentation on the environmental work, and again we need your comments in order to make this a better and more accurate document. Thank you.

JUDGE MCGUIRE: Thank you, gentlemen.

We are pleased then to welcome our first

scheduled speaker - Verlie Doing.

STATEMENT OF VERLIE DOING, SEARCHLIGHT TOWN BOARD

MS. DOING: I am here as Chairman of the

1 text of their considerations. Just to focus a few moments --
 2 there is a dichotomy between the two, but yet the two are
 3 very closely tied together.

4 The social aspect of it, I think, can be very
 5 succinctly reduced to the effect of some economic impact on a
 6 society, or the quality of life, the economic aspect of it is
 7 normally reduced to monetary terms.

8 In previous meetings there was a lot of emotions
 9 expressed and as a comment to that, our children or our
 10 spouses, our friends, our neighbors, do not lose their social
 11 conscience when they go to work for a manufacturing company,
 12 be it mining, labor or manufacturing. They are driven by the
 13 guidelines of the companies to maintain Gainful employment
 14 with those, and there is a tremendous concern for safety for
 15 themselves, their environments and the things that they do.

16 To quickly address the economic issues, I would
 17 like to quote from the Nevada Bureau of Mines and Geology
 18 Special Publication L9, Economic Impacts of Nevada's Mineral
 19 Industry, 1988 Update by John L. Delbrook. In this
 20 publication it makes very clear reference to the fact that
 21 through 1986 and '87, there were 1500 -- in round numbers --
 22 direct mining employment from the generation and creation of
 23 mines. And there were an additional 6500 associated jobs that
 24 were created by the mining industry. Just to quote from that
 25 (see insert 17a on following page)

26 I think if we look at the documents we have
 27 before us when it talks about creating 150 new jobs at the
 28 actual employment level of mining, it would be very
 29 conservative to multiply that by 5, and that would be the
 30 number of new jobs that would be created in the local
 31 community. Beyond that, manufacturing companies,
 32 particularly mining companies, particularly in remote areas,
 33 even though this is adjacent to a metropolitan area, have
 34 elected, based on experience, to deal with local vendors.

35 So what we have addressed up to this moment, up
 36 to this particular time, is the direct impact of a local
 37 mining company or a manufacturing company, mining more
 38 particular because the capital intensity of the investments
 39 that it takes to make a project like this come into existence,
 40 and also the effect of the necessary consumables, in wear
 41 materials and supplies, in fuels, in all of the consumables
 42 that a mining company would have to acquire on a monthly and
 43 annual basis. If you look at just the labor statistics, we
 44 are saying -- and it is fairly well documented -- it has very
 45 conservatively been documented -- that one mining employee in
 46 this type of project, will generate five jobs in the local
 47 community. The mine will consume of this magnitude, about
 48 eight million dollars a year of consumables that would be
 49 purchased from local companies because they are in the
 50 vicinity, they are reliable, and they are responsible for that

1 Searchlight Town Advisory Board. We are the closest Nevada
 2 town to the Viceroy Gold Corporation proposal, and through the
 3 last year, they have appeared before the Board and we had
 4 public meetings in Searchlight because they were most anxious
 5 to keep the adjoining areas cognizant of just what was
 6 happening, and we appreciated that. We really feel very
 7 strongly that they are proposing a good operation.

8 The program that they presented to Searchlight,
 9 and we feel sure it will be monitored by various government
 10 agencies through the whole procedure, indicates that many of
 11 the old scars from the Hart Mining District will probably be
 12 improved after this is all over. I probably feel strongly
 13 about this because Searchlight and the State of Nevada will
 14 both benefit as a result of mining and we feel that we just
 15 don't want it curtailed if possible. And I also feel that if
 16 this country does not responsibly mine and develop its own
 17 sources of gold, silver, platinum and precious metals, we are
 18 going to be in the same position on the products of being at
 19 the mercy of the Soviet Union and Africa and the third world
 20 countries just as we were several years ago when we were
 21 depending on oil from the Middle East.

22 So, we just request every consideration for the
 23 proper monitoring by the proper officials.
 24 That's it.

25 JUDGE MCGUIRE: Thank you, Ms. Doing.
 26 Next, Mr. Bill McBride.
 27 Mr. McBride?

28 STATEMENT OF BILL MCBRIDE, NORDBERG, INC.
 29 MR. MCBRIDE: My name is Bill McBride. I reside
 30 in Temecula, California. I am associated with Nordberg,
 31 Coporation, which is a world class manufacturer of crushing
 32 equipment and has been involved with that industry for the
 33 last 60 years.

34 My comments are not -- or are actually
 35 representative of the entire industry that the mining
 36 community affects. That is major world class manufacturers of
 37 mining equipment. My comments tonight would be directed
 38 toward the socioeconomic effects of a major manufacturing
 39 project. The manufacturing process that is being discussed
 40 tonight is one that is described in the EIS/EIR that you have
 41 before you, this encompasses the Castle Mountain open pit heap
 42 leach project.

43 This project would have the same or a similar
 44 socioeconomic effect on a similar community that embraces a
 45 mature industry, be it lumber, paper pulp industry -- these
 46 are abundant -- steel fabrication or machining -- those
 47 industries are abundant -- or open pit mining, be it metals or
 48 metallic or non-metallic.

49 If you have heard anyone speak on this subject,
 50 they usually say socioeconomic very quickly and dive into the

1 granted, heap leach mining and bunny rabbits do not co-exist
 2 on the same specific piece of ground very well together. The
 3 relocation seems to be one that is reasonably compatible. It
 4 seems as if any time you bring water to the surface of the
 5 desert, and in a mining operation of this kind, you do have
 6 wells and you do bring water to the surface of the desert, and
 7 you have clear water that is running that is many times,
 8 places other than it ought to be. It is conceivable and it
 9 has been my experience that it is quite common that there will
 10 be minor water leaks in water lines and various other things,
 11 where vegetation and wildlife will flourish and it serves as a
 12 replacement environment for that which is offset by the mining
 13 activity as it takes place.

14 As I read the Environmental Impact Statement, it
 15 appears as if most of the consideration of it has been
 16 addressed and addressed quite well, and if you again look at
 17 what has happened in the State of Nevada over the last 10
 18 years, with the advent of heap leach technology and with the
 19 injection of the Environmental Protection Agency into these
 20 projects, that which might be deemed as dangerous has many
 21 times turned around and become environmentally secure for much
 22 of the wildlife that is present at the time the mine begins.
 23 And certainly some of these districts are taken and put into
 24 production and then returned to their natural state. The long
 25 term effect would be more positive than negative would be my
 26 thought.

27 I have interestingly seen a lot more quail and
 28 chukar -- chukar specifically in the Goldfield area when they
 29 were mining, then I ever did when they had shut the mining
 30 down. I can't quote you any statistics. I can say that as a
 31 casual observer who travels that country five days a week,
 32 observations become considerably more than casual most of the
 33 time.

34 In looking at this the way they intend to treat
 35 the heap leach and saturate the pile, it appears as if any
 36 spillage or puddling that might potentially be there, has been
 37 pretty well addressed. The way they intend to contain the
 38 leach ponds with pregnant solutions and so on, seems to
 39 address any violations by wildlife that I can imagine.

40 Absolutely there are mistakes, but progress is something that
 41 we've got to deal with at one time or another in our lives.
 42 I can imagine that whole Hart Mining District a
 43 much more attractive place 15 years down the road after the
 44 mining has been done by Viceroy, and the environment has been
 45 returned to its natural state. The clay pits have been done
 46 away with, the old millsite has been bulldozed under and the
 47 trash has been cleaned up. I think it will have a positive
 48 effect on the environment and wildlife and the area
 49 specifically. Thank you.
 50

1 particular distribution of national manufacturers.
 2 You take that back to the manufacturers and
 3 within our industry for this particular project, just with the
 4 company that I represent, there are 750 jobs in Milwaukee. We
 5 deal with vendors that represent another 1500 to 2000 people
 6 that supply goods and services to us. Take that through all
 7 the manufacturers that represent our particular industry, and
 8 the impact becomes very dramatic on a national scale.

9 So, my comments are that it is a very positive
 10 economic effect and in my experience and associated with the
 11 mining industry for the last 15 years, the mining community
 12 are good neighbors, they are responsible, they provide goods
 13 and services, public utilities and facilities, that would not
 14 normally be available, particularly to rural mining
 15 communities.

16 If you look throughout the State of Nevada, you
 17 can see evidence over the last 10 years where mining companies
 18 have made things like hospitals and schools available, and
 19 possible to communities that would not otherwise have them.

20 Mining companies are good neighbors and provide
 21 a very solid base of employment for the communities that they
 22 surround.

23 JUDGE MCGUIRE: Thank you, Mr. McBride.
 24 Next, Mr. Roger Rhu.
 25 Mr. Rhu?

26 STATEMENT OF ROGER RHU, INQUIPCO

27 MR. RHU: My name is Roger Rhu. I reside in Las
 28 Vegas, Nevada. I represent Inquipco. We are the distributor
 29 for Nordberg Products and for Ingersoll Rand Products in the
 30 State of Nevada and Nordberg in the Southern Part of the State
 31 of Nevada.

32 I am also here to speak as a 40 year resident of
 33 the desert and a sportsman and outdoorsman of sorts who has
 34 been around the mining community for -- I guess forever -- for
 35 most of my adult life and prior to that.

36 I was asked to speak to the effects on wildlife
 37 and vegetation, and just overall the environment as it exists
 38 in that Hart Mining District today.

39 The Hart Mining District sort of suffers from
 40 some environmental impact from years ago, there are dumps and
 41 clay pits and various other environmental scars from prior
 42 mining companies out there. I have also traveled a great deal
 43 of this state and find that to be the case in a lot of areas
 44 around the state. Many of those have had a detrimental effect
 45 on the wildlife in the older mining areas. However, if you
 46 take a look at the State of Nevada today, with the mining
 47 methods that are in place and with the environmental
 48 requirements and the conscience that seems to be present
 49 within the mining industry, many of the adverse effects that
 50 we saw in the past have been corrected.

JUDGE MCGUIRE: Thank you, Mr. Dixon.
 The next scheduled speaker is Mr. Martin W. Lipnak.

STATEMENT OF MARTIN W. LIPNAK, EQUIPMENT SUPPLIER FOR VICEROY GOLD

MR. LIPNAK: Good evening. I am Martin Lipnak. I reside in Charlotte, North Carolina. I work for the W. S. Tyler Company which is a manufacturer of vibrating screens. My occupation is that of product marketing manager for machinery parts and service. The W. S. Tyler Company will be supplying the vibrating screens, the tertiary and secondary screens for the Castle Mountain Project of Viceroy Gold.

In reference to the dust collection system and the dust emission that happens with vibrating screens, we will be working with Viceroy in providing them with the necessary drawings to fabricate dust enclosures for those vibrating screens.

We have provided similar vibrating screens and dust enclosures to companies such as Newmont Gold in Carlin, Nevada; Echo Bay in Battle Mountain, Nevada. There is companies in Arizona such as Cyprus Sierrita, Asarco, Magnum, Phelps Dodge, Chemstar. We have worked for Kaiser Cement, Mitsubushi Gold and Sonora Gold, all providing them with similar equipment and similar dust type enclosures to help contain the dust that is emitted and made when you do this kind of operation.

We feel that it is very positive and as I said, systems like this are actually all around us and have proven very successful in containing the dust in this process.

Thank you.
 JUDGE MCGUIRE: Thank you, Mr. Lipnak.
 Next, Mr. Douglas Noland.

STATEMENT OF DOUGLAS NOLAND, SOUTHERN NEVADA MINERS AND PROSPECTORS

MR. NOLAND: Yes. I am Douglas Noland. I reside at 4560 West Pamalyn. I represent the Southern Nevada Miners and Prospectors Association.

We feel that this would be a great asset - Castle Mining - to come into this area because Southern Nevada and the southeastern desert of California has had no mining for the last 100 years. They say there is no gold, no platinum in Southern Nevada. They are wrong and I would like to prove it that way.

Thank you.
 JUDGE MCGUIRE: Thank you, Mr. Noland.
 Next, we are pleased to welcome Mr. Walter Barbuck.

STATEMENT OF WALTER BARBUCK

JUDGE MCGUIRE: Thank you, Mr. Rhu.
 Next, Mr. William Dixon.
 Mr. Dixon?

STATEMENT OF WILLIAM DIXON, GOLD SEARCHERS OF SOUTHERN NEVADA

MR. DIXON: Good evening. My name is William Dixon. I reside at 790 North Sloan Lane, Las Vegas, Nevada 89110. I am a metal technician, I am representing the Gold Searchers of Southern Nevada.

I am a member of the Clark County Gem Collectors; I am a member of Gold Prospectors Association of America; I am a Board Member of the Prospectors and Miners of Southern Nevada; and I am President of the Gold Searchers of Southern Nevada.

We feel the public should be fully informed as to the full content of the Wilderness Society complete objective as pertaining to the Wilderness proposal in this mining project.

Their purpose is to close off hundreds of thousands of acres to the public and denying these access by means of any motorized vehicles. It also means the death of many animals as all man made watering facilities, windmills, guzzlers and springs developed by man, will no longer function to furnish drinking water.

Natural resources in this nation has been our greatest asset and still is. Ranchers convert ruffage to meat for the table while the hunters develop springs for water which also provide meat for the table.

Providing roads to be used for the public that brings people in these areas that has never been able to get out and see it -- especially the handicapped.

Mining provides more roads to never before seen areas. It is a great help. And it also provides a lot of our things that we use -- lumber -- of course we don't have much lumber here -- but provides lumber and minerals and things for our TV's and washing machines and so on and so forth.

All people I know want to protect the environment because there are an awful lot of hunters. We certainly want to watch for the wildlife.

Wildlife is one of our greatest heritages I believe, that we can pass on to our children.

Under the management which has been in effect for many years, this area is now coming into it most productive period. Let's not destroy what we worked for through all these years by closing a lot of these areas.

We therefore feel that the Castle Mountain project would be a great asset to the development of this area.

I thank you.

Specifically on these four points, first off, the completeness of the hydrologic study. Piute Creek is the only perennial stream in this region that flows the year round. It is essentially a magnet for wildlife. The hydrologic study done for Viceroy Mines states that recharge in the area including withdrawal by the mine, is sufficient and will not affect the discharge into the stream. That it will flow continually. I question that.

Is the hydrologic study looking at a closed system or an open system? If it is looking at a closed system, I question that this hydrologic study is over-estimating the recharge into the aquifer.

Also, I question the amount of rainfall that will be used to recharge that aquifer. How much rainfall really falls in this area. Where does the study that show how much rainfall gain its data. Does it gain its data from that site, or from outside the area. If it's outside the area, then they may have over-estimated the amount of rainfall recharge to the aquifer.

Also I remind you all that in 1983 a USGS hydrologic study also questions whether this mine will affect the flow of the Piute Creek and flow from the Piute Springs. In relation to the effectiveness of methods to protect wildlife from the heap leach cyanide extraction process. I understand that Viceroy would like to put netting over the ponds to protect birds from getting into the ponds and dying from the cyanide.

Well, how an effective a study is this? Have they looked at wind effects on these nets? Is wind going to bring these nets down? If it is, then wildlife are going to be - or birds could get into this area.

What about a lightning hazard? Are these nets being held up by metal poles? If lightning should strike these, will it bring down the nets thus exposing the waterfowl to the cyanide ponds again.

How effectively is the netting attached at the sides of the pond? Is it open so that birds could get in on the sides?

Also how is wildlife going to be protected from the tailings ponds? A lot of people believe that tailings ponds are barren of cyanide. This is not necessarily the case. In this region it has been shown that there have wildlife deaths from cyanide in these tailings ponds. Should these tailing ponds be treated? Should the cyanide be neutralized? There are existing methods for neutralization. Ferrrous sulphate can be used, dichlor can be used. In fact dichlor was used at the Copper Point Mine in Arizona, effectively.

I also question the viability of certain wildlife species survival in the mine area. What about the

MR. BARBUCK: I am Walter Barbusck and I live here in Las Vegas.

I am against the proposed Castle Mountain Mine Project. A great majority of water needed would be drawn from the Lanfair valley aquifer. The 725 acre feet per year could leave Piute Springs without an adequate source of water. Piute Springs is a five mile riparian oasis in Piute Creek which is an area of critical environmental concern. It is the home to a state endangered species, the elf owl.

A USGS report, that is the United States Geological Survey report filed in 1983 said the outflow at Piute Springs roughly equals the amount of water stored each year in the underground aquifer of Lanfair Valley.

Viceroy Mining claims its hydrologists state the recharge to Lanfair Valley is 3,000 acre feet per year. If they are wrong, it could cause an unprecedented environmental disaster, it couldn't be reversed.

I now ask for the record, whose report does the BLM choose to believe, the USGS report of 1983, or the hydrologists hired by Viceroy Mining?

I would now like to remind the BLM that Piute Creek is classified "C" as in "Control." In its management multiple use classification, this means as pertains to water quality, "This area will be managed to maintain and enhance both surface and ground water resources."

I hardly doubt that permitting the vast majority of water they need from the aquifer that supplies this Class "C" area, is an adequate interpretation of control class or Class "C".

If this project goes through, the BLM should insure that the water comes from outside the East Mojave National Scenic area, that the cyanide ponds be completely enclosed, and that the tortoise habitat be unaffected. End of statement. Thank you.

JUDGE MCGUIRE: Thank you, Mr. Barbusck. Next we welcome Mr. David W. Brickey.

Mr. Brickey?

STATEMENT OF DAVID W. BRICKEY, SIERRA CLUB, LAS VEGAS GROUP

MR. BRICKEY: My name is David Brickey. I am a professional geologist and the conservation chairman for the local Sierra Club group.

I have four concerns about this mining project. I question the sufficiency and adequacy of the hydrologic study; I question the adequacy of wildlife mitigation in relation to the cyanide heap leach process. I am concerned that the effect of the mine on wildlife is understated, especially in relation to endangered and threatened species of the region. I also question the sufficiency and adequacy of reclamation for the mine.

Project, and I was impressed with the scope of the report and the completeness with which the issues were addressed.

My conclusions are that with the appropriate mitigation measures, the Project will have no significant adverse environmental impacts.

Specific mitigation measures to be employed include:

Procedures to protect wildlife and habitat, proven by use at other well-managed gold mines in the desert southwest, will be installed at Castle Mountain. In addition, all solution ponds will be covered with netting to prevent birds and bats from gaining access to solutions containing cyanide chemicals.

Soils will be salvaged from sites to be disturbed, and stockpiled for respreading after such areas have been re-contoured. These areas will then be revegetated. Results from open pit mines in Nevada have shown that vegetation can be successfully re-established on leach pads and overburden stockpile areas under conditions similar to the semi-arid environment in Lanfair Valley.

Since the open pits will be excavated from solid rock, reclamation efforts in the pits will be directed at using rock-staining techniques to reduce visual contrasts with adjacent, undisturbed areas. The large clay pit on the southwestern slope of the Castle Mountains, which is a prominent feature in Lanfair Valley, will also be reclaimed. The color photographs on pages 5.8-5, -7 and -9 of the Draft EIS/EIR indicate the results expected from the foregoing activities. As part of the reclamation effort, Viceroy will dismantle and remove all processing equipment, buildings, et cetera, and bury concrete foundations before re-contouring these sites.

Extensive evaluations performed by hydrologists experienced with groundwater aquifers in Southern Nevada and Eastern California indicate the Project will have no adverse impact on Piute Spring, which is located approximately 16 miles southwest of the well field proposed for the Project.

The installation and operation of Project facilities have been arranged so that fuel and chemical storage and handling activities will not contaminate surface or groundwaters. In particular, cyanide solutions will circulate in a closed system, and the containment facilities will be approved and monitored by the Regional Water Quality Control Board.

The Project will comply with Federal and State standards to protect air quality. All emission control equipment proposed for installation at the Project will be submitted to the San Bernardino County Air Quality Control District for approval, and that agency will carry out regular inspections to ensure the Project is in compliance with permit

desert tortoise? There are two proposed roads that could go into this area. Both are critical habitats to the desert tortoise. I question the efficacy of the mitigation proposed by Viceroy.

The elf owl, an endangered species. It is being repopulated into this region at this time. What effect will this mine have upon that?

Also that the bighorn sheep population. My understanding is that the mine area itself is foraging habitat for the bighorn sheep. This should be considered within the EIS.

Finally, I question the efficacy of the reclamation plan. What is going to happen to the open pits, tailing ponds, overburden piles and heap leach piles? Why should we just leave an open pit in the ground? Why should we simply round off these piles? These piles, particularly the tailings and the heap leach piles, may still have cyanide within them. It could be a threat to wildlife, particularly the heap leach piles. Since the cyanide is being dripped down into these and percolating through even after the process is over, you still can have cyanide held in the pore spaces.

After the mining is done, what if rainfall comes along and falls on these piles? Well then, it could entrain the cyanide and bring it out to the environment, threatening wildlife.

So in summary, I feel that the draft EIS inadequately addresses these few of my many concerns, and until these questions are adequately answered, I cannot support this project.

Thank you.

JUDGE MCGUIRE: Thank you, Mr. Brickey.

Next, Mr. Meade Stirland.

STATEMENT OF MEADE STIRLAND, CHAIRMAN, ENVIRONMENTAL COMMITTEE, NEVADA MINING ASSOCIATION

MR. STIRLAND: Your Honor, my name is Meade Stirland, I am Chairman of the Environmental Committee of the Nevada Mining Association. I am also Manager of Environmental Affairs for Echo Bay Management Corporation, located in Reno, Nevada, at 5250 Neil Road, Reno, Nevada 89502. It is in my role with the Nevada Mining Association that I offer comments at this meeting.

I have been directly involved with the environmental aspects of mining for the past 10 years, and indirectly involved for seven years before that in a regulatory capacity. This 17 years of experience has been gained at geographic areas with environmental and operational conditions similar to those at the proposed Castle Mountain Project.

I have reviewed the Draft EIS/EIR prepared by Environmental Solutions, Inc., relative to the Castle Mountain

1 stipulations. The above cited technical responses to the
 2 potential impacts noted in the EIS/EIR form an appropriate and
 3 feasible basis for the findings of the document; that there
 4 will be no significant adverse impact from the Project.
 5 Member companies of the Nevada Mining

6 Association have already faced many of the same impacts
 7 identified in the Castle Mountain Project, and by working with
 8 the appropriate State and Federal agencies, have successfully
 9 mitigated these impacts.

10 Based on the completeness of the report and the
 11 extent and credibility of the studies leading to the
 12 mitigation measures, the Nevada Mining Association recommends
 13 approval of the proposed action.

14 I thank you for the opportunity to comment at
 15 this hearing.

16 JUDGE MCGUIRE: Thank you, Mr. Stirland.
 17 Next, Mr. Walt Lombardo.

18 Mr. Lombardo?

19 STATEMENT OF WALT LOMBARDO, NEVADA DEPARTMENT OF MINERALS

20 MR. LOMBARDO: My name is Walter Lombardo. I am
 21 a geologist and run the Las Vegas office for the Nevada
 22 Department of Minerals which is located at 4220 S. Maryland
 23 Parkway, Suite 304 in Las Vegas 89119.

24 The Department of Minerals acts as a liaison
 25 between the State of Nevada and the mining industry. Our
 26 primary responsibility is to facilitate the responsible
 27 development of the minerals industry for the benefit of the
 28 people of Nevada.

29 The Department of Minerals regularly reviews
 30 environmental assessment and impact statements on mining and
 31 mining related issues. I have personally reviewed the Castle
 32 Mountain Project draft EIS/EIR, and have found it to be a very
 33 thorough and competent document. This report in my opinion
 34 and that of the Department of Minerals, addresses all
 35 pertinent issues of concern and possible mitigation for this
 36 type of mining operation, including the use of cyanide for
 37 precious metals extraction. Extraction and impacts of ground
 38 water use in Lanfair Valley. Impacts on indigenous and
 39 migratory wildlife. Land use and reclamation and
 40 socio-economic impacts.

41 From the public standpoint, the use of cyanide
 42 in precious metals mining has invoked a lot of images which
 43 really aren't substantiated in the public record. Cyanide
 44 when used and handled properly, is a relatively safe
 45 material. Viceroy Gold's proposals as described in the
 46 EIS/EIR, show great regard for environmental concerns. The
 47 use of drip irrigation will greatly reduce water consumption
 48 from the groundwater reservoir; sub-surface monitors will be
 49 used to detect any potential for cyanide outside of the mine
 50

1 area, and immediately alert company and government agencies of
 2 potential problems. Also, netting and fencing will be used to
 3 prevent wildlife, especially migratory waterfowl from drinking
 4 from the cyanide laden leach ponds.

5 The use of netting and fencing is not
 6 insignificant as a deterrent to wildlife mortalities. For
 7 example, the majority of migratory birds mortalities in
 8 Nevada since 1989, is less than 6500 animals. Most of the
 9 bird fatalities occurred at new mines which did not have
 10 covered leach or tailing ponds. The number of bird fatalities
 11 has dropped in the past few years even though the number of
 12 mines in the state have increased dramatically. Much of the
 13 reduction can be attributed to the use of netting and covering
 14 of these ponds.

15 I have discussed the covering of ponds by
 16 netting with representatives from the Nevada Department of
 17 Wildlife and they have said that netting has been very
 18 effective and advocated its use wherever possible.

19 The groundwater use and potential damage to the
 20 Piute Spring riparian habitat has also been an area of great
 21 concern to many. The EIS and companion studies have shown
 22 that any impact on the Piute Springs riparian habitat will be
 23 minimal at best, and that recharge to the valley aquifer will
 24 take place relatively quickly after mining operations cease.
 25 Ground water monitors will be utilized throughout the life of
 26 the mine site to detect any significant changes in the aquifer
 27 and appropriate mitigate measures can take place at that time.

28 Reclamation efforts are well planned and will be
 29 overseen by BLM personnel who are experienced in their
 30 implementation.

31 Also, the use of access routes to the mine site
 32 and van pooling of the mine employees will reduce impacts on
 33 the desert tortoise population. This is one area that has
 34 been of great concern as well.

35 And finally, the negative socio-economic impacts
 36 will be negligible as most of the mine employees will live in
 37 established cities and towns such as Las Vegas, Boulder City,
 38 Henderson, Laughlin, Searchlight, et cetera. And conversely,
 39 tax dollars and wages generated by the Castle Mountain project
 40 will have a positive effect on San Bernardino and Clark
 41 County.

42 In summary, this EIS is one of the most thorough
 43 documents to be reviewed by the Nevada Department of Minerals.
 44 The Department advocates the responsible development of
 45 mineral resources. We also advocate the use of monitoring and
 46 measures to preserve the environmental quality of the area.

47 Mining companies such as Viceroy recognize their
 48 responsibility as good corporate neighbors, and are capable
 49 and willing to take measures that ensure adequate protection
 50 of the environment. And local state and federal regulations

1 That's what I've got to say about it and I don't
 2 think that you can go anywhere and find out a mining claim
 3 that has been worked to any extent, especially open pit
 4 mining, go up and look at Ely and places. It will never be
 5 the same -- it's ugly. It's dirty. It's filthy. Now, we've
 6 got to have a way to live; we've got to have minerals. But do
 7 it right. If you are going to do it, do it right.
 8 Now, I don't believe in what bureaucrats tell

9 me; we seem to have a mining congress here instead of a
 10 environmental study or protection, or anything like that. We
 11 are in the mining congress. Of course most people here are
 12 going to be for it.

13 Well, I'm not against it, I'm for doing it
 14 right, the way it should be done. Now, that's what you've got
 15 to do. Satan offers gold and the world stampedes to its
 16 destruction and they destroy everybody with it and everything
 17 in its path just to get gold. Now, that gold, you can't eat
 18 it, it will buy everything you want, but it causes more misery
 19 than it does good.

20 You've got to have the minerals to buy products
 21 is good, but if you are going to do anything -- one last word
 22 I have to say -- do it and do it right.

23 JUDGE MCGUIRE: Thank you, Mr. Nance.

24 Next, Mr. Kevin Deisher.

25 Mr. Deisher?

26 STATEMENT OF KEVIN DEISHER

27 MR. DEISHER: Good evening.

28 My name is Kevin Deisher. I would like to
 29 present my views on the socio-economic issues that would
 30 result from the opening of the Castle Mountain mine to be
 31 operated by Viceroy Gold.

32 As a businessman that has been and will be
 33 affected by this project, I firmly believe that we as a nation
 34 should make every possible effort to develop and utilize the
 35 natural resources available within our nation.

36 At a time when our country's economy seems to be
 37 on a delicate precipice, doesn't it seem odd that we are
 38 constantly looking to other sources, primarily other countries
 39 for such an important, economic stabilizer as gold.

40 I do not like to think I am speaking as a
 41 protectionist trying to cut off imports of products such as
 42 our natural resources, however, when vital resources such as
 43 the gold at Castle Mountain are available here and now, it is
 44 just common sense that we should take advantage of this
 45 resource.

46 Although the Castle Mountain Mine will be
 47 located in California, the majority of the jobs created will
 48 be held by Nevadans. As a result, the economies of both
 49 Nevada and California, as well as the country as a whole, will
 50 benefit from this mine.

1 mandate that they do that.
 2 Therefore, the Nevada Department of Minerals
 3 supports the findings in the EIS and recommends that this
 4 project be approved at a later date.
 5 Thank you.

6 JUDGE MCGUIRE: Thank you, Mr. Lombardo.

7 Next, Troy Nance.

8 Mr. Nance?

9 STATEMENT OF TROY NANCE, DEMOCRAT

10 MR. NANCE: My name is Troy Nance. I have been
 11 in Nevada over 50 years. The first mining camp I saw was
 12 Searchlight, a sleepy little town, and it still is. They have
 13 a drinking water problem there -- I think the lady here can
 14 tell you about that.

15 You look at Searchlight -- I have worked mines
 16 there. You take a look at the old Quartet Mine, you look at
 17 mines all around Searchlight, you go to Blue Diamond, you go
 18 into El Dorado Canyon, you will see traces of the mining
 19 industry everywhere. You take an earthquake, a volcano and a
 20 cyclone, floods, and hit one spot, it never leaves as much
 21 devastation as one mining claim.

22 I have been all over -- last summer I went in
 23 every county in the State of Nevada. Devastation everywhere.
 24 It took millions of years for the ecology to develop like it
 25 is, and it takes only a few days for a mining company to
 26 destroy it. It will never be the same again.

27 I just heard mention that cyanide, if handled
 28 properly is safe. Certainly it is. Anything is safe if
 29 handled properly, but have you ever heard of human error?

30 I just read -- it is too bad that 47 sailors
 31 were killed because somebody made a human error. Anything can
 32 get out of control. Your environment is in danger everywhere.
 33 Since man split the atom back in 1932, he started this old
 34 world on the way to destruction. You don't have to look down
 35 the road 10,000 years, man will be gone long before then. Man
 36 is destroying himself. The environment, the ecology, the
 37 underground water, the atmosphere, everything.

38 Now, you mean to tell me that what we have here
 39 is a first? Is this the first mining company that is suddenly
 40 going to do something right? Well, it will be great if they
 41 do. I would like to see them do something right for a change.
 42 They never have yet. They only have to do it now because they
 43 are forced to. And it is a good thing to have somebody to
 44 force the people to do something right.

45 They say that atomic energy -- everything
 46 connected with it is safe if handled right. It can't do any
 47 harm. But why do people wear protective clothing in atomic
 48 plants? Where everything for miles around are polluted.
 49 You tell me how to handle the ecology.
 50 Everything gets out of hand because of inept human error.

California will benefit from the corporate taxes and mining taxes paid Viceroy Gold Corporation. Nevada will be affected in a positive way by having 150 or more high paying jobs that will be in place for a 10 year period of time. The United States will benefit by having access to gold that is produced here rather than having it imported from other countries.

As for the high paying jobs, according to the 1988 study conducted by the University of Nevada, Reno, School of Mines, the jobs created by the mining industry ranked number one in annual compensation averaging \$32,000 per year, in comparison to other industrial type jobs in Nevada with an average annual compensation of \$19,500.

In Nevada alone the business community ranging from retail to food service, from real estate to the gaming industry, realized gross revenues of \$300-350 million in 1986 and 1987, all as a result from the Nevada mining industry. This revenue has resulted and will continue to result in the creation of new jobs that are unrelated to mining. While it is true that Viceroy Gold Corporation is part of Viceroy Resources, a Canadian company based in Vancouver and openly traded on the Toronto stock exchange, a very significant percentage of the investors are from the United States, in fact there are more investors from the United States in Viceroy Gold, than there are from Canada and from Europe.

I strongly encourage you to approve the Castle Mountain Project as proposed by Viceroy Gold for the good of potential employees and the communities directly affected. Thank you.

JUDGE MCGUIRE: Thank you, Mr. Deisher.
Next, Larry Lockwood.
Mr. Lockwood?

MR. LOCKWOOD: GILBERT WESTERN CORP.

Larry Lockwood. I live in Salt Lake City and I am a Manager with Gilbert Western Corporation, a company that has acted as a contractor and operator for mines in California and Nevada, Idaho, Montana, Wyoming and various other places.

I wanted to come to this meeting and make a statement concerning the site specific information on the location of this mine as chosen by Viceroy and some of the things that we can expect to see here.

Each mining site in the United States is unique. Situations exist that require solutions. This isn't a new industry. It would be hard to come up with a new problem for this mine that hasn't been encountered many times at other locations and in each case solutions have been found, procedures have been set, and the environmentalists, the government agencies are satisfied that with the proper care,

the problems can be managed.

If we have fewer problems, however, we should have greater confidence that we can find the solutions, and we should also have greater confidence about our concerns over the environment that our concerns will be met.

Looking specifically at the site proposed by Viceroy, -- let me say first if you have gold trapped in a compound with silver in it, it is necessary that this be oxidized first so that you can recover the gold. The situation at the proposed site, the gold is already in a compound with -- it is already an oxide form and therefore it isn't necessary to go through this one extra recovery process. It eliminates a problem before it even exists.

Other problems that exist are the presence of elements that can be dangerous, can be a problem to handle such as arsenic, lead, mercury. Again, an analysis of the ore at this specific site, shows an absence of these elements. If they existed, they could be handled, and they are handled at other sites. However, because they don't exist, it just eliminates again another problem and should give us greater confidence that the mine can be operated safely in terms of the environment.

It has been mentioned that some people have concerns about the cyanide. Again, the cyanide leaching process is common to almost all of the mines in Nevada, California, other states in the west, and procedures are well established for dealing with this poison. It should be remembered that this poison is not an element, it is a compound, unlike arsenic which exists as arsenic forever, and as this compound deteriorates, it gives us the elemental components which are nitrogen, carbon and hydrogen. Each of these is harmless.

So, we are dealing with something here that is not inherent to an eternal problem, but something that has been created to serve a chemical function and as it deteriorates, it disappears.

I think that equally important is the attitude of the company that is going to be managing this. With all of the solutions that have been found and have been used in various places in other states and other locations, it means nothing unless the company intends to be diligent in their efforts to face up to the problems, recognize the problems and do what has to be done to control a situation.

This is the reason I came down from Salt Lake. We have no affiliation with Viceroy, and I have no personal affiliation with Viceroy, however, I have been active in the mining industry for a number of years. I know the principal people that will be involved in the operating of this mine. Each of them comes from responsible companies, well established companies. Each has had leadership in management

1 positions in the operation of existing mines in other
 2 locations. Their background, their resumes, would suggest
 3 that the companies they have worked for are concerned about
 4 the environment, and they are concerned about safety, and have
 5 trained their employees to share this concern and to manage
 6 these facilities in such a way as to be a good corporate
 7 neighbor. Each of these are individuals; they are married;
 8 they have children; they are part of the community. They are
 9 not irresponsible people out trying to make a buck. They have
 10 a job to do, they recognize there is a right way and a wrong
 11 way, and I am convinced that they bring with them a background
 12 that gives Viceroy a corporate attitude of responsibility.
 13 It is very important that the people involved in
 14 the operation of such a facility, first of all know the laws,
 15 the regulations, the procedures. And then, second, they
 16 intend to follow these, that they are smart enough,
 17 experienced enough to be able to anticipate problems, and that
 18 as situations come up as they always do, that they have the
 19 experience and the concern that they will face the problems in
 20 a responsible manner.

21 I am personally convinced that the people that
 22 will be involved here have that experience, have that concern,
 23 and that we should show some confidence that our concerns are
 24 with the environment and the safe operation of this plant will
 25 be met.

26 Thank you.
 27 JUDGE MCGUIRE: Thank you, Mr. Lockwood.
 28 Next, Mr. Roy Wilkes.
 29 Mr. Wilkes?

30 STATEMENT OF ROY WILKES, WASHINGTON CORPORATIONS

31 MR. WILKES: My name is Roy Wilkes, I am a
 32 registered professional engineer. I am employed with the
 33 Washington Corporation from Missoula, Montana.
 34 Our company conducts mining activities in
 35 Montana, Idaho, Colorado, Nevada and California. We also own
 36 and operate an environmental permitting and hazardous waste
 37 remediation company.

38 I personally have been involved in permitting
 39 major mining projects in Southeast Alaska, the Absaroka
 40 Mountains of Montana, the central deserts of Nevada and the
 41 Piedmont country of South Carolina.
 42 I have had an opportunity to review this draft
 43 EIS and I have visited the proposed site.

44 Reading the document gave me the impression this
 45 project was being proposed in a pristine, unique setting,
 46 whereas a tour of this site indicated that we are talking
 47 about a multi-use public lands area that has been utilized for
 48 mining, ranching, recreation and transportation for many
 49 generations.

50 As we all know, mining, especially mining on

multi-use public lands, often encounters a great deal of
 emotion and sometimes hysterical comments. Mining is a very
 public industry. It is conducted in the open for all to see.
 It is for these reasons and others, that this
 document required 28 pages to outline process and compliance
 procedures required for a project such as this.

It also listed 25 major permits that this
 project will be required to obtain before it is allowed to
 operate.

I have had the opportunity or maybe the
 unfortunate experience of permitting projects with and without
 the EIS process. I can assure you for a project of this
 nature, the EIS is a valuable procedure. It studies the
 facts, not the rhetoric. It addresses the issues, not the
 hysteria. It establishes a procedure to weigh the
 information and facts and come to an informed decision.

I believe this EIS has thoroughly addressed the
 issues associated with this project; the EIS is complete and
 thorough. It indicates a willingness and a desire on the part
 of the applicant corporation to meet not only the letter of the
 law, but often exceed it.

The impact of this project are not unique. The
 mitigation proposed, although extensive and often expensive,
 are not technically or operationally difficult to achieve. I
 do feel the applicant not only has complied with the laws and
 regulations, but in many cases has exceeded the requirements.
 Not only has he addressed his impacts, but those of others.
 This may be a political reality of the site, but
 if applied to all future mining projects, could have a very
 negative effect.

I am sure by now you have heard from many
 experts on various impacts and mitigations proposed. I would
 like to comment on one that I feel I have particular
 experience with, cyanide and its use in our industry.

This is a chemical that can conjure more fears
 and hysteria than any other, although its track record of use
 for our industry for over 100 years has very few blemishes on
 it. I am sure you have heard the stories of large waterfowl
 kills associated with its use. It is true, there have been
 some very disastrous occurrences. This project though, does
 not employ the processes that have resulted in major events
 such as this.

It was erroneously stated here earlier this
 evening that this project would use tailings ponds. This
 project does not use tailings ponds. The areas where there have
 been major waterfowl problems have been related to large
 tailings ponds.

Heap leaching as proposed by the applicant
 affords little opportunity for wildlife contact. The
 mitigations proposed here will make that doubly difficult.

1 Even those operations utilizing tailings ponds containing
 2 cyanide, have developed techniques to control the adverse
 3 situations of the past.

4 The reclamation commitment of this project
 5 exceeds any I have been exposed to in the past. It was
 6 interesting to note on my tour of the site, that the Barnwell-
 7 Searchlight railroad grade is almost indistinguishable in
 8 areas where it is not utilized as a road. I would be curious
 9 to know what kind of a reclamation plan was used on it.

10 It is apparent as I reviewed this document that
 11 the unavoidable project impacts were very minimal, yet the
 12 socioeconomic impacts, not only to the counties and
 13 localities in California, but also those communities in
 14 Nevada, would be very positive. It would be especially
 15 positive for that employee who is sitting out there now
 16 without a job that finds himself with a job. Those are not to
 17 be ignored in the process.

18 I find it hard to believe that the positive
 19 socioeconomic impact associated with this project would be
 20 put aside for the very minor negative impacts of long lasting.
 21 I find this document both complete and thorough,
 22 and recommend that this document stand as it has been
 23 presented.

24 Thank you.
 25 JUDGE MCGUIRE: Thank you, Mr. Wilkes.

26 Next, Mr. Norbert Riedy.
 27 Mr. Riedy?

28 MR. RIEDY: Good evening, THE WILDERNESS SOCIETY

29 My name is Norbert Riedy, my address is 116 New
 30 Montgomery, Suite 526, San Francisco, California 94105.

31 I am the Assistant Regional Director for The
 32 Wilderness Society in California and Nevada, where we have
 33 more than 55,000 members. We will be submitting more detailed
 34 written comments at a later date.

35 The East Mojave is a National Scenic Area, not a
 36 national sacrifice area. Yet, the draft EIS for the Castle
 37 Mountain project concludes that there would not be significant
 38 impacts from the project, even though the project would:
 39 Strip open two pits, one large enough to hold
 40 Disneyland; bulldoze and pile 90 million tons of rock over 600
 41 acres, enough to fill the Los Angeles Coliseum more than 30
 42 times; drain more than 200,000 gallons of water from the
 43 local aquifer each year, putting the Mojave's only perennial
 44 stream in jeopardy; use as much as 6,000,000 pounds of cyanide
 45 and create ponds containing 9,000,000 gallons of cyanide
 46 solution.

47 All this and the draft EIS concludes there would
 48 be no significant impact. What, then, would be a significant
 49 impact in a National Scenic Area? The EIS needs to consider
 50

1 this.

2 We disagree with the conclusions of the EIS; the
 3 proposed mine, covering more than four square miles of the
 4 National Scenic Area, would indeed have a significant impact.
 5 It would destroy desert tortoise habitat and cause the deaths
 6 of individual tortoises. Bighorn sheep forage habitat would
 7 be destroyed and the extensive riparian habitat at Piute
 8 Spring will feel the impacts of this project. Those are all
 9 significant impacts.

10 And these impacts are not just for the 10 year
 11 life of the mine. The project would also leave behind it two
 12 open pits and piles of crushed rock covering more than one
 13 square mile. That is also a significant impact. Yet the
 14 draft EIS does not consider it so.

15 Created in 1981, the East Mojave National
 16 Scenic Area is now proposed for National Park status in
 17 legislation pending before the United States Congress.

18 At issue here is not whether there should be a
 19 mining on public land, at issue is whether there should be a
 20 huge cyanide gold strip mine within one of our country's
 21 National Scenic Area and proposed National Park. The EIS does
 22 not consider this.

23 Thousands of migratory birds and other animals
 24 have died at similar mines in Nevada and Arizona. The EIS
 25 indicates that netting will be used to exclude wildlife from
 26 the cyanide solution ponds. But BLM in Arizona has written,
 27 "merely netting the ponds would not work." Entanglement of
 28 birds in the nets is not even considered in the EIS.

29 The EIS fails to consider the cumulative impact
 30 on migratory bird populations of the Castle Mountain Mine and
 31 other similar mines already operating in the Pacific flyway.
 32 This must be done. By law, death of migratory birds in
 33 cyanide ponds is prohibited, yet they have continued to die.
 34 The economic analysis in the EIS is also
 35 insufficient. The document fails to consider the positive
 36 benefits to the Region's economy of creating a national park
 37 in the Mojave rather than a pit.

38 Death Valley National Monument, which, unlike
 39 the Mojave, is a considerable drive off the interstate
 40 highway system, received nearly 700,000 visitors in 1987.
 41 According to the National Park Service, those visitors spent
 42 as much as \$50 million in the region. As opposed to the
 43 Castle Mountain Project, which expects to employ 150 people
 44 for 10 years, Death Valley National Monument supports 500
 45 employees through jobs with the Park Service and
 46 concessionaires. And these jobs will last.

47 The Wilderness Society supports the No Action
 48 Alternative.
 49 Thank you.
 50 JUDGE MCGUIRE: Thank you, Mr. Riedy.
 Next, Mr. James S. Pawloski.

1 STATEMENT OF JAMES S. PAWLOSKI, DuPONT
 2 MR. PAWLOSKI: My name is Jim Pawloski. I am
 3 based out of Reno, Nevada. I am an account representative
 4 for DuPont Chemical Company.
 5 I am responsible for our cyanide business
 6 throughout California and in Western Nevada.
 7 I would like to comment on certain points in the
 8 EIS which we have reviewed, particularly the ones associated
 9 with the shipping and handling in terms of safety of cyanide.
 10 I am not under contract with Viceroy Gold, and
 11 as of now we aren't associated with the project, so these are
 12 objective comments.
 13 I would just like to give you a little history
 14 and empirical evidence associated with cyanide for information
 15 purposes.
 16 DuPont has produced cyanide safely for several
 17 decades, and continues to be the only domestic supplier to
 18 date. Over 100 million pounds is produced and shipped in the
 19 continental U.S. and used in many industries including mining,
 20 electroplating, heat treating, chemical production -- it goes
 21 into nylon and of course jewelry.
 22 Sodium cyanide has been used in the mining
 23 industry for over 100 years which many of you are aware of.
 24 It is currently used by tens of thousands of people in
 25 thousands of locations. To the best of our knowledge there
 26 has never been a death with DuPont cyanide in the mining
 27 industry. There has never been a death or serious
 28 environmental incident involving the shipping of DuPont
 29 cyanide. Furthermore, there has never been a death in the
 30 public domain around a DuPont cyanide plant which includes
 31 five extremely large sodium and potassium hydrogen cyanide
 32 plants.
 33 Cyanide is not a permanent pollutant. It can be
 34 destroyed chemically, it can be destroyed naturally, and small
 35 amounts are not toxic.
 36 Finally, the technology currently exists to
 37 operate safely and safely close cyanide using mining
 38 operations.
 39 For information, we currently ship cyanide in a
 40 solid form in brickets in returnable flow bins which are
 41 constructed of steel. We have trained and continually train
 42 hundreds of thousands of people including operators, truck
 43 drivers, mechanics, managers, regulators, emergency response
 44 individuals, nurses and doctors, government officials,
 45 mechanics, and anyone who is willing to listen to our story.
 46 We have a 24 hour hotline to provide emergency
 47 response for any potential problems or incidents. We also
 48 have a jet on 24 hour standby to respond to any concerns or
 49 incidents which may potentially occur.
 50 We continually provide consultation and

1 assistance to the mine sites and people using cyanide, and
 2 will continue to do so.
 3 Thank you.
 4 JUDGE MCGUIRE: Thank you, Mr. Pawloski.
 5 Next, Mr. David L. Weide.
 6 Mr. Weide?
 7 STATEMENT OF DR. DAVID L. WEIDE, Ph.D., DEPT OF GEOSCIENCE,
 8 UNIVERSITY OF NEVADA, LAS VEGAS
 9 DR. WEIDE: My name is David L. Weide, 7805
 10 Firehorn, Las Vegas, Nevada. I am a professional geologist
 11 and currently Chairman of the Geoscience Department of the
 12 University of Nevada, Las Vegas.
 13 I am, I hasten to point out, in no way
 14 affiliated with or obligated to the Viceroy Corporation.
 15 My comments are directed towards Section 5.11 of
 16 the Draft Environmental Impact Statement - Socioeconomics -
 17 and in part are based on five years of observation of the
 18 nation's second largest surface mine, the Navajo Coal Mine
 19 operated by Utah International in San Juan County, New Mexico.
 20 The Eastern Mojave Desert of Southern California
 21 has had a history of mining extending back well over 100
 22 years. The minerals extracted during this period range from
 23 gold to boron, and all of these minerals have formed a vital,
 24 natural resource, not just to California, but to all of the
 25 United States. There is no question that the United States is
 26 a nation that was founded on, and operates from, its natural
 27 resources.
 28 Speaking as a professional geologist with
 29 respect to these natural resources, a geologist has three
 30 obligations. First, it is the geologist who locates the ore
 31 deposits. Second, it is the geologist who develops the
 32 economics of the ore deposits. And third, and I admit this
 33 is a new and difficult role, it is the geologist that must
 34 bear the responsibility for protecting and preserving the
 35 environment during and after you extract the ore.
 36 If the Castle Mountain Project is approved,
 37 it is obvious that there will be some specific
 38 economic advantages to the States of California and Nevada.
 39 Among these we can expect employment, surely, but we can also
 40 expect opportunities for training of new, young geologists.
 41 We can expect income and we can expect tax revenue -- and I
 42 would like to point out an additional advantage that may not
 43 be obvious, especially to citizens who are quite rightfully
 44 concerned with preserving the quality of their environment.
 45 As a professional geologist and as a resident of
 46 Nevada and former president of California, I can say with 100
 47 percent certainty that in the California Division of Mines
 48 and Geology, the citizens of California have one of the finest
 49 geological organizations in the United States. It is part of
 50 the mission of the California Division of Mines and Geology to

1 examine mining operations, and to assist the State in applying
 2 the National Environmental Policy Act and the California
 3 Environmental Quality Act. It is also, and I really wish to
 4 emphasize this point to all concerned citizens, it is the duty
 5 of professional geologists to comply with these Acts. We
 6 understand that very well.

7 If the Castle Mountain Project is allowed to
 8 proceed, and I truly believe this, it will give our profession
 9 an outstanding opportunity to prove to the Citizens of
 10 California and Nevada that, as a profession, we geologists can
 11 accept our social responsibility, and we will succeed in
 12 first, providing a level of environmental quality during and
 13 after mining that is not just acceptable, but is excellent.
 14 And, second, that as a profession, we can provide this
 15 essential service while at the same time, extracting the
 16 mineral resources that form the basis of our society.
 17 Thank you.

18 JUDGE MCGUIRE: Thank you, Mr. Weide.

19 The final scheduled speaker is Robert Topliss.

20 Mr. Topliss?

21 STATEMENT OF ROBERT TOPLISS, PRESIDENT, T.N.T. DEVELOPMENT,
 22 INC.

23 MR. TOPLISS: My name is Robert Topliss. I am
 24 President of T.N.T. Development, Incorporated, and I work for
 25 Viceroy. I am not employed by them now, but I worked for them
 26 since 1983 since they took over the Castle Mountains Project
 27 and I have basically done all of the excavating there, 100
 28 percent of it, to build roads and pads.

29 It is my contention that they have exceeded what
 30 the environmentalists call for as far as leaving what
 31 vegetation we could, and they are very conscientious about the
 32 environment which has been my experience with them.

33 I heard some mention about a sheep habitat out
 34 there. In the last eight years I have seen sheep, you might
 35 say, double in sightings and what now. Why, I don't know,
 36 except maybe because of the grass growing on the roads, you
 37 know, where nothing grew before.

38 All I've got to say is that I have worked for
 39 these people and I've worked on reclamation projects for other
 40 companies like Noranda, Union 76 and if you go in and see what
 41 happens after it has been reclaimed and put back to the
 42 natural contours of the land and re-seeded, as compared to the
 43 existing desert around it, you will see a marked improvement,
 44 I think, because of the feed and what not that is generated
 45 there. I mean this is abandoned-type mining claims where they
 46 don't, where they are all through, and go back and reclaim the
 47 land. And I have been in this business for 30 years, and I
 48 think Viceroy are really a very conscientious mining outfit.
 49 That is all I have to say.

50 JUDGE MCGUIRE: Thank you, Mr. Topliss.

1 That then concludes the scheduled speakers, the
 2 individuals who supplied cards expressing a desire to be heard
 3 on this topic.

4 Is there any other member of the audience who
 5 would wish to extend relevant remarks -- Yes, sir?

6 Just identify yourself and proceed, sir.

7 STATEMENT OF FRED HINES

8 MR. HINES: My name is Fred Hines. You will
 9 have to excuse the way I am speaking, I am just recovering
 10 from a major oral surgery, but I can look off the northeast
 11 corner -- first of all, my mailing address is HCR Number 1,
 12 Box 512, Nipton, California.

13 I can look off the northeast corner of my porch
 14 and see the Viceroy, or where the proposed site for mining. I
 15 don't understand a lot about the cyanide and so forth; I am
 16 not a tortoise, nor am I an owl, but I consider myself
 17 somewhat of an ignorant endangered species because I have not
 18 been made aware of the implication of all this abundance of
 19 water.

20 My plans were within the next couple of years is
 21 to totally retire from public works and to live in Lanfair
 22 Valley where I have several hundred acres of land just
 23 southwesterly of the proposed site.

24 I, as I said, am considering myself now somewhat
 25 endangered because of my ignorance of the implications of what
 26 could be left in the soil.

27 I have seen in the summer and the end of the
 28 summer during the monsoons, water being lifted from ponds from
 29 previous rains a couple weeks prior to that. I have seen
 30 actually wash outs, and what implications that these washes,
 31 to see Joshua trees almost as tall as the outside of this
 32 building here, tumbling down the large washes. I don't know
 33 what containment can contain solutions that have the
 34 capability of contamination. I would like to see the impact
 35 study. I just recently found out about this as a result of a
 36 friend of mine calling me up and telling me about the article
 37 in the newspaper. Not knowing anything in reference to what
 38 this cyanide and so forth can do.

39 I do know that I live right down the way from
 40 where this proposed site is, have been developing there for
 41 the last 15 years with money out of my own pocket, and not
 42 expecting anything from anyone else. But to be ignorant of
 43 the implications that my water can be taken away from me, used
 44 up, or that it can become contaminated, and everyone has a
 45 desire. The investors of Viceroy or any other corporation
 46 that might sell services to Viceroy, have children, they have
 47 their homes, they have plans for their grandchildren. Well,
 48 these are my plans for my grandchildren, and I am doing it
 49 myself without any government assistance or whatever. I am
 50 not asking BLM to give me any land -- I purchased it and I pay

desert tortoise. The Summa Corporation-Red Rock Land Exchange which also had some serious impacts, and the continuing ORV activities in numerous areas, especially the nearby valleys of California and Nevada.

This is just one more project that also will tend to fragment that habitat. It would be particularly bad, perhaps, if this were the only project - if this were even the only mine that we can expect in the Southern Nevada and California Desert tortoise habitat area - but according to newspaper articles I have read recently quoting people from the university and mining industry people, this is merely the tip of the iceberg for our region. There are proposals, there are really thoughts of additional mines. The industry has sounded very high feelings about the potential for gold mining in our area. So we write an environmental impact statement for this particular project, but we really should be writing an impact statement, programmatic impact statement on where we are going and what the extent of the impacts for all of these future projects are likely to be, because if we don't, we are looking at the impacts from one particular project each time, and you are only looking at their sphere of influence around their particular project. And when we look at the overall picture, we may get an entirely different idea about the impacts on the sociological impacts on Southern Nevada.

One of the curious things about this is this is for gold, not for an industrial mineral that we use in building cars or other commodities that we use every day, this is an artifact of society, simply used as a figure of wealth. You show me what percentage of this gold that comes out of any of these projects is used in an industrial sense -- very little. Mostly it is used as an artifact of wealth. I could visualize some compensation, some adjustment to our way of living for something that is used in a useful manner, but not for such a thing as gold. Furthermore, like all minerals, you go through boom and bust cycles in production. Gold is only supported as long as the price is high. The history of mining has shown crashes after periods of boom, and the scars of those mines have been left behind to show up for decades and centuries down the line. This is going to be a boom and bust phenomena, I think, today. It's in a boom period now, but I think it will go through a bust, and that scar is going to be left behind.

Now, many of the mines in the past were hard rock mines. We all know that open pit mines create a lot more disturbance to the landscape. I think this is unavoidable, and it is recognized. I also think we have enough history in the mining history to show what the mining industry can do in this respect, in having such, such large areas that probably

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my taxes. So I don't know that that Valley recharges with the abundance or as fast as what has been said here. I have seen some other reports; of course that is beyond my geological comprehension.

I do know that I have seen pits in Sandy Valley or this range area, and I have seen dead birds. I have seen barrels left and am making this a part of record because I know a person in Sandy Valley who was opposing that and whose home was burned, but I hope the same thing does not happen to me.

I don't know whether to be for or against because I am trying to not be a person who don't like human beings and want to move far away from people as I possibly can, that's not my attitude. But I am wondering what type of sociological effect this will have with there being no water. I don't have to deal with the people, but I have to have a life giving substance so I don't -- the water really is a big problem and a question I have and would love to seek an answer to.

Thank you.

JUDGE MCGUIRE: Thank you, sir.

Is there any other member of the audience that wishes to be heard?

Yes, sir. Simply come forward and identify yourself, sir.

STATEMENT OF HOWARD BOOTH

MR. BOOTH: My name is Howard Booth, and I am a resident of Las Vegas, and I am just speaking for myself.

I have listened to all the comments today, and I too take some concern for the threats to the water in Piute Springs, for its historic values and for its riparian values there. The possible inadequacy of recharge. The difference in opinion of whether pumping of ground water will affect this area. And with the difficulty of taking alternative steps to acquire the water should this spring in the future show a draw-down.

I am also concerned by the loss of foraging habitat for the bighorn, and I am really concerned for the tortoise critical habitat.

I would just like to mention with respect to that, that the desert tortoise habitat has been very seriously fragmented throughout its range already, and within Nevada in particular, numerous projects have split that habitat severely so that according to the Desert Tortoise Council which has identified critical tortoise habitats throughout the southwest, the species may be seriously threatened by the fragmentation of habitats. Examples of this are the Aerojet General Land Acquisition northeast of Las Vegas, the proposed Apex Industrial Area Development would have an impact on

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1 are visible from satellites.
 2 I also feel that today we have a transportation
 3 system that gets people out from the cities where they need to
 4 get out into the countryside, and where they need to see the
 5 open spaces undisturbed, and I think that in the old days when
 6 there were mines, it took perhaps half a day or a day to get
 7 from Searchlight into Las Vegas -- maybe more. And the
 8 impacts of mining were therefore not so noticeable, and
 9 especially with these smaller mines. Today we have these huge
 10 mines and we have rapid transportation systems that bring
 11 people in contact with the scars and the impacts of mining
 12 much more readily and in far more numbers. So the impacts are
 13 far greater. The sociological impacts are far greater than
 14 was true in the past.

15 So I think actually that this area as a National
 16 Scenic Area, and with these kinds of impacts, the uncertainty
 17 of being able to protect and rehabilitate this area, these
 18 areas, I think is reason for going for the No Action
 19 alternative.

20 Thank you.
 21 JUDGE MCGUIRE: Thank you, sir.
 22 Did anyone else wish to be heard?
 23 Yes, sir?

24 STATEMENT OF WAYNE IRWIN, ENGINEER

25 MR. IRWIN: Good evening.

26 My name is Wayne Irwin. I am a professional
 27 engineer in Sparks, Nevada. The address there is 15 East Sky
 28 Ranch Boulevard 89432.

29 I am kind of a newcomer to your proceedings
 30 here, so bear with me. I am not knowledgeable of the
 31 environmental impacts, and I appreciate your concerns about
 32 that. I want to talk a little bit about the social and
 33 economics and infrastructure that we are going to have an
 34 impact on or hope we can impact.

35 What I wanted to mention was that I am the
 36 President of CN Communications which is a telecommunications
 37 company wanting to provide telephone service. We have
 38 provided telephone service in the past, and just yesterday we
 39 filed with the California Public Utilities Commission for a
 40 certificate to provide telephone service in the Cema and
 41 Ivanpah area to people that have been trying for years and
 42 years to get telephone service.

43 Just last year the Federal Communications
 44 Commission approved what they call BETRS - basic exchange
 45 telephone radio service - for areas of this nature where
 46 people are far flung and you can get telephone service to
 47 areas that otherwise you would have miles and miles of line to
 48 build. This is something to think about from an environmental
 49 impact and also from a mining industry where sometimes they
 50 don't last too long, a few years they are there, and a few

1 years they are gone. We are not going to be building lines or
 2 burying cable or building pole lines, we are putting radio
 3 services in that can be removed if need be, and won't impact
 4 the environment.

5 As far as the Castle Mountain Project is
 6 concerned, I just learned about this the other day and wasn't
 7 really a part of our plan, we have no immediate plans to
 8 provide service although we are willing, able and want to talk
 9 to the people, but to the point that they can be a part of the
 10 community in the communications world, we will help the rest
 11 of the people out there in making an economical and viable
 12 project.

13 I guess in summary what I want to say why I am
 14 here tonight is from the standpoint of serving the people in
 15 that area with telecommunications, we do support any economic
 16 growth that we can see coming, and this is going to help the
 17 people out there.

18 Thank you very much.
 19 JUDGE MCGUIRE: Thank you, Mr. Irwin.
 20 Did anyone else wish to be heard?
 21 (No response.)

22 JUDGE MCGUIRE: There being no further
 23 indication of any persons wishing to speak, I will inquire of
 24 Messrs. Bailey and Bellandi if they have anything further?
 25 (No response.)

26 JUDGE MCGUIRE: There being nothing further
 27 from those quarters, we will let the record show then that
 28 this public hearing which was formally opened at 7:12 p.m.,
 29 will be formally concluded at 9:02 p.m.
 30 (Whereupon, at 9:02 p.m. the public hearing was
 31 concluded.)

APPENDIX E
DRAFT EIS/EIR SUPPLEMENT COMMENT LETTERS



E.1 Agencies

Federal Agencies



UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
STATELINE RESOURCE AREA
4765 Vegas Drive
P.O. Box 26569
Las Vegas, Nevada 89126

In Reply Refer To:

1793
(NV-053)

MAR 11 1990

Memorandum

To: Area Manager, Needles Resource Area
From: Area Manager, Stateline Resource Area
Subject: Supplement Castle Mountain DEIS

Inasmuch as the relocation of the access road on the Nevada side is a key mitigation measure, the Desert Tortoise Habitat map p. 3-2 should show the Nevada habitat and the two access roads.

The analysis and mitigation measures that have been worked out in this process balance mining and wildlife/environmental concerns.

John R. Hill



United States Department of the Interior

GEOLOGICAL SURVEY
RESTON, VA 22092

In Reply Refer To:
WGS-Mail Stop 423

14 MAR 1989

Memorandum

To: Chief, Needles Resource Area Office, Bureau of Land Management,
Needles, California

From: Acting Assistant Director for Engineering Geology

Subject: Supplement to DEIS/DEIR for Castle Mountain Project Gold Mine,
San Bernardino County, California.

We have reviewed the subject document as requested in your memorandum of December 29, 1989. Our comments are as follows:

Neither the draft statement nor the supplement to the draft fully considers all the beneficial effects or costs of backfilling the pits created by mining operations. Environmental benefits would include reduction of modified surface drainages and areas of required re-vegetation, return of the pit areas to productive uses, and a decrease in the area impacted by spoils storage.

Eugene H. Roseboom, Jr.
Eugene H. Roseboom, Jr.

Copy to: District Chief, Sacramento, California



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
215 Fremont Street
San Francisco, CA 94105

Elena Daly
Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, California 92363

Dear Ms. Daly:

The Environmental Protection Agency (EPA) has reviewed the Supplement to the Draft Environmental Impact Statement/ Environmental Impact Report (DEIS/EIR) for the Castle Mountain Project, a proposed heap leach gold mine within the East Mojave National Scenic Area. The initial Castle Mountain Project EIS/EIR was issued in Spring 1989. Our comments on the Supplement are provided pursuant to the National Environmental Policy Act and Section 309 of the Clean Air Act.

The Supplement to the DEIS/EIR discusses modifications in the proposed action and expands analysis of alternatives and cumulative impacts. One of the important regulatory changes which has affected project design is protection of the desert tortoise under both state and federal Endangered Species acts. Additionally, the Supplement presents a draft Monitoring Compliance Program which has been developed largely as a response to recent State legislation (AB 3180).

When EPA submitted comments on the Castle Mountain Project DEIS/EIR in May 1989, the proposed action and impact statement were assigned a rating of EC-2, "environmental concerns-- insufficient information." This rating has been retained for the Supplement as well, since the proposed revisions affect only a few aspects of the much larger project. However, we do note that in several respects the Supplement improves documentation of impacts and includes changes in project design or proposed mitigation measures which could lessen adverse environmental impacts. We are encouraged that each of the three proposed project changes-- access road rerouting, redesign of the process solution storage, and redesigned onsite power supply and dust suppression equipment-- has the potential to reduce adverse impacts. Our detailed comments are attached.

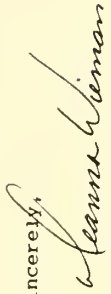
14 MAR 1989

When the Final Environmental Impact Statement is officially filed in our Washington, D.C., office, please also send three copies to the Office of Federal Activities at following new EPA Region 9 address:

Environmental Protection Agency, Region 9
1235 Mission Street
San Francisco, CA 94103
attn: Office of Federal Activities, E-3

If you have any questions, please contact me at 415-556-6383 (FTS 556-6383), or have your staff contact Carolyn Yale at 415-556-5108 (FTS 556-5108).

Sincerely,



Deanna Wieman, Director
Office of External Affairs

enclosure: 3 pages

dcn: 90-099

cc: Art Swajian, Colorado River Basin Regional Water Quality Control Board
Walter Mook, San Bernardino County Air Pollution Control District
Ray Bransfield, U.S. Fish and Wildlife Service

Desert Tortoise Protection

The Supplement states that because the main access route originally identified in the DEIS/EIR ("Searchlight Access Route," using Clark County Road) would have traversed high value (Category 1) desert tortoise habitat, a "mitigated Searchlight access route" avoiding this habitat has been proposed. Subject to County approval, the Clark County Road would be closed to traffic and reclaimed. A second access route-- Ivanpah Road, which also includes Category 1 tortoise habitat-- was originally envisioned for some equipment and supply deliveries, but under the new mitigated access plan "no project traffic would be directed through the Ivanpah Valley Category 1 desert tortoise habitat" (p. 3-14).

While the revised plan for the Searchlight route appears to improve tortoise habitat protection, we are concerned that the Ivanpah route would still be open and could be used for work commutes and deliveries. Ivanpah Road appears to be a more direct route than the "mitigated Searchlight" alignment for traffic from the Los Vegas area, which is within commute distance. Moreover, we note that as part of the revised mitigation measures, fencing in crucial habitat along Ivanpah Road would no longer be required (p. 3-21). What measures are anticipated to ensure that project traffic will in fact be directed along the new Searchlight route? If control over routes is limited, effective mitigation measures to protect the tortoise from traffic along Ivanpah Road should be required.

Process Solution Storage

In our earlier comments on the DEIS/EIR we requested consideration of smaller ponds or enclosed storage tanks to hold the process solutions, and we commend you for including these two design alternatives in the Supplement. Considering the advantages of enclosed tanks for preventing poisonings of wildlife and reducing water loss through evaporation, we encourage you to give this alternative serious evaluation. The FEIS should be more specific on water savings and also should elaborate on the use of the "emergency" solution storage pond which accompanies the storage tanks. The discussion on page 3-26 states that this pond would serve for "backup storage" and would require netting; how frequently would this storage use occur; what type(s) and volume of solution would be held here? If netting is needed for this "backup storage," do the planned dimensions permit secure, effective cover?

Environmental Impact of the Action

IO--Lock of Objections

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC--Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

EO--Environmental Objections

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EJ--Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of environmental quality, public health or welfare. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1--Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2--Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3--Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From: EPA Manual 1640, "Policy and Procedures for the Review of Federal Actions Impacting the Environment."

Air Quality

EPA's comments on the initial DEIS/EIR noted several problems with the air quality analysis and potential adverse impacts, including potential violations of state ozone standards, difficulties in meeting state and federal PM-10 standards, and high nitrogen oxide emissions. The Supplement proposes several project changes-- substitution of propane-fired electrical generators (resulting in a reduction of nitrogen dioxide) and use of baghouses to control fugitive dust from ore processing operations-- the overall effect of which is unclear. We note that revised calculations of particulate emissions predict over all a slight rise over earlier estimates, despite the use of baghouses.

Generally, the Supplement does not contain information which satisfactorily addresses our earlier questions and concerns. We request that the Final EIS/EIR respond in detail to questions stated in the May 1989 comment letter regarding air quality impacts modelling and analysis. The unresolved issues regarding ozone impacts, PM-10 background levels, and PSD are especially critical. Please also explain the changes in methodology for emissions calculations (referenced in the Supplement on p. 3-29).

State Agencies





STATE OF ARIZONA
DEPARTMENT OF MINES AND MINERAL RESOURCES
Mineral Building • State Fairgrounds • Phoenix, Arizona 85007
(602) 255-3791

March 12, 1990

Attention: Ms. Elena Daly
Needles Resource Area
Bureau of Land Management
Post Office Box 888
Needles, Ca 92363-0888

Dear Mrs. Daly:

Re: Castle Mountain Project
Supplement to Draft EIS

This letter is to voice my continuing support for Viceroy Gold Corporation's proposed mining project, known as Castle Mountain.

Viceroy's mitigating efforts in conjunction with their proposed operation would improve the area, access and be a model mining operation. Their efforts to protect the environment and wildlife have gone far beyond what could be reasonably expected. Their willingness to monitor the area and take further protective steps, if necessary, are on record. It is time to let them develop the mining property so all the improvements can be paid for. No one, not any level of government nor the environmental groups can finance improvements without a source of wealth. The new wealth created by Viceroy Gold Corporation from this project is what will allow them to protect the desert tortoise and other animals for all of us. Any further delays would be intolerable.

Thank you for this opportunity to comment.

Sincerely,

Myal J. Niemuth
Mining Engineer

JOHN K. VAN DE KAMP
Attorney General



State of California
DEPARTMENT OF JUSTICE

455 GOLDEN GATE AVENUE, SUITE 6200
SAN FRANCISCO, CALIF. 94108
(415) 557-2344

March 14, 1990

(415) 557-3764

Elena Daly
Bureau of Land Management
Needles Resource Area
101 West Spike's Road
P.O. Box 888
Needles, CA 92363-0888

Dear Ms. Daly:

Supplement to Draft EIS/EIR for Castle Mountain Project

These comments on the supplement to the draft EIS/EIR prepared for the Castle Mountain project are submitted on behalf of John K. Van de Kamp, Attorney General of the State of California, acting pursuant to his powers under the California Constitution and the California Government Code to protect the environment of California. These comments are not offered on behalf of any other State agency or official.

As stated in our previous comments, because the EIS/EIR is intended to be used by the Bureau of Land Management (BLM) and the County of San Bernardino to fulfill their environmental review obligations under the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA), respectively, this office has analyzed the supplement under both statutes.

Overall, the supplement does not address any of the issues raised previously by the Attorney General.¹ Therefore our previous comments stand (with the exception noted in footnote 1 below). In particular, the EIS/EIR still does not include a reclamation plan, in violation of CEQA and the Surface Mining and Reclamation Act (SMARA) and the EIS/EIR does not address adequately the Attorney General's concerns about vegetation, wildlife and

¹ The single exception is in the area of tortoise fencing for the access road. The Attorney General's previous comments took issue with the fact that the EIS/EIR sought to include fencing as a mitigation measure, without definitely committing to the fencing. The supplement makes clear that fencing is no longer being considered as a mitigation option. Therefore the previous comments concerning fencing are no longer applicable.

hazardous wastes.

The supplement raises several new concerns. The supplement fails to specify the measures that will be undertaken to mitigate the damage to the desert tortoise habitat. The supplement improperly rejects two project alternatives without a sufficient basis and does not adequately address the environmental impact of possible future changes in the project operation. Finally, the draft compliance mitigation plan is inadequate in several respects.

Desert Tortoise

A June 23, 1989 report to Senator Cranston from the General Accounting Office Resources, Community and Economic Development Division expressed particular concern for the plight of the desert tortoise. The report stated that the tortoise population in the California Desert Conservation Area was declining rapidly. Not long thereafter, the desert tortoise was designated an endangered species under federal law and a threatened species under state law. In recognition of the threat to the tortoise, the BLM in December 1989 cancelled the running of three off-road vehicle races in the California desert.

Despite the clearly recognized threat to the tortoise, the supplement simply lists a series of potential mitigations from which one or several may be chosen by the BLM. It states that the final mitigation program will be identified in the Fish and Wildlife Service (FWS) Biological Opinion. The EIS/EIR therefore delays submitting the mitigation plan until after approval of the EIS/EIR. This makes it impossible to judge the adequacy of the mitigation and is in violation of CEQA. See Sundstrom v. County of Mendocino, 202 Cal. App. 3d 296, 307 (1988) (EIR can't defer environmental assessment to a future date).

Cumulative Effects

In Laurel Heights Improvement Ass'n v. Regents of University of California, 47 Cal.3d 376, 396 (1988) the court held

that an EIR must include a [sic] analysis of the environmental effects of future expansion or other action if: (1) it is a reasonably foreseeable consequence of the initial project; and (2) the future expansion will be significant in that it will likely change the scope or nature of the initial project or its environmental effects. Absent these two circumstances the future expansion need not be considered in the EIR for the proposed project. Of course, if the future action is not considered at that time, it will have to be discussed in a subsequent EIR before the future action can be approved under CEQA.

The supplement purports to discuss the effects on the environment of future project modifications such as the change from heap leach mining to underground mining, modification of the ore processing procedures, selling mining by-products, expanding the plant by installing a grinding circuit and increasing the project operation beyond ten years. While the supplement mentions briefly some of the possible environmental impacts of such changes, it does not discuss these impacts in any detail and it overlooks a number of potential additional impacts. For example, in discussing the possibility of underground mining, the supplement states only that there would be additional impacts on wildlife, power and water consumption and air emissions, without attempting to quantify the extent of those impacts and without proposing any mitigations. If the permit currently being applied for contains the right to change the operation as discussed above, the environmental impacts must be discussed in detail in this EIS/EIR, along with any mitigation that will be undertaken. If the operator will be required to apply for a new permit in order to change the operation, the operator must submit a new EIS/EIR at the time it proposes to make the changes. See Laurel Heights, 47 Cal.3d at 396.

Alternatives to the Proposed Action

CEQA requires that public agencies "should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects. . . ." Pub. Res. Code Section 21002.

CEQA guidelines provide that an EIR must describe "a range of reasonable alternatives to the project, or to the location of the project, which could feasibly attain the basic objectives of the alternatives." Guideline 15126(d). The guidelines also state that the discussion of alternatives shall focus on alternatives capable of eliminating any significant adverse environmental effects or reducing them to a level of insignificance, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly. Guideline 15126(d)(3). Under CEQA, therefore, the lead agency must consider alternatives to the project and reject them only if they are infeasible. See Citizens of Goleta Valley v. Board of Supervisors, 214 Cal. App. 3d 174, 186 (1988).

NEPA similarly requires that the EIS discuss alternatives. 42 U.S.C. section 4332(c)(iii). NEPA is intended to provide a basis by which agencies can weigh the benefits of proceeding with a proposed project in light of its environmental risks and the risks presented by alternative courses of action. Natural

Elena Daly
March 14, 1990
Page 5

Resources Defense Council v. Morton, 458 F.2d 827, 833 (D.C. Cir. 1972). Both the range of alternatives considered, and the discussion of the alternatives, must be sufficient to permit a reasoned choice by decisionmakers. California v. Block, 690 F.2d 753, 761 (9th Cir. 1982). Alternatives must be considered even if they do not satisfy the applicant's private goals. Van Abbema v. Fornell, 807 F.2d 633, 638 (7th Cir. 1986).

Among the alternatives discussed by the supplement to the EIS/EIR is a faster ore processing rate. The EIS/EIR concludes that in most cases the environmental impact under this alternative would be the same, except in the area of noise and air quality, which would increase, but which could be controlled by additional mitigation measures. The period of environmental impact, however, would be reduced from ten to seven years. Thus, it appears that the faster processing alternative, along with appropriate mitigation measures, would result in an overall reduction in environmental impact. The supplement, however, reflects this alternative because it claims that it would be harder to obtain a workforce for seven years than for ten years; there would be a reduction in operational flexibility; and the faster processing would require a higher capital investment. There is no evidence in the record to support any of these assertions. Concluding comments in support of environmental conclusions are inappropriate. The public must be provided with facts and analyses, not just bare conclusions or opinions. Laurel Heights, 47 Cal.3d at 404. Furthermore, even if the alternative is more costly or impedes project objectives to some degree, it is not to be rejected unless it makes the project infeasible. Public Resource Code section 21081(c) and Guideline 15126(d)(3). Thus, even assuming that the assertions concerning project impediments are true, none amounts to a finding that the faster processing rate project would be infeasible.

The supplement also examines a reduced project alternative which would decrease the total amount of ore processed. A reduced project would significantly decrease environmental impact overall. The supplement to the EIS/EIR rejects this alternative solely on the basis that it would leave unprocessed 50% of the ore. The supplement claims that this would defeat the purposes of federal mining law and would constitute an unconstitutional taking of the property rights of the operator under the Fifth Amendment. The operator seems to suggest that federal law gives it an absolute right to develop fully any mineral rights it discovers, no matter what the environmental impact. This proposition is contradicted by the fact that federal regulations require a mining operator to avoid undue degradation of the

environment.² Furthermore, the operator has not met the requirements for showing that a taking would be effected by the reduced project alternative. A land use regulation can effect a taking if it does not substantially advance legitimate state interests or denies the owner an economically viable use of his land. The owner must show that the regulation makes it impossible for him to engage profitably in business or constitutes an undue interference with his investment backed expectations. See Keystone Bituminous Coal Ass'n v. De Benedictis, 107 S. Ct. 1232, 1242 (1987). The operator has made none of the above showings and has therefore not demonstrated why the reduced project alternative would constitute a taking.

Draft Mitigation Compliance Program

According to the draft mitigation compliance monitoring program, the owner/operator is responsible for all phases of monitoring and reporting, including issuing "out of compliance notices" and determining a schedule for remediation. Because the principle responsibility for the compliance program is with the owner/operator, all reports should be made under penalty of perjury. As the plan now stands, "out of compliance notices" along with quarterly and annual reports are supplied to the Bureau of Land Management (BLM) and county. The plan should be modified to require the operator to supply all quarterly and annual reports to any other government agency or member of the public who so requests. In addition, "out of compliance notices" should be supplied not only to the BLM and county, but also to any other government agency or member of the public who so requests.

The system proposed anticipates that in the event of a dispute over mitigation measures, an informal enforcement process must be undertaken prior to the initiation of formal enforcement proceedings. This may be unduly time consuming in certain emergency situations. There must be some mechanism by which the BLM and County can avoid the informal dispute resolution process if necessary.

The draft mitigation compliance report, as it now stands, is only

² Title 43 U.S.C. section 1781(6)(f) provides that "all mining claims located on public lands within the California Desert Conservation area shall be subject to such reasonable regulations as the Secretary may prescribe to effectuate the purpose of this section. . . . Such regulations shall provide for such measures as may be reasonable to protect the scenic, scientific and environmental values of the public lands of the California Desert Conservation Area against undue impairment. . . ."

a bare outline of procedures. It should include a specific statement of what will be monitored and the timetable for the monitoring. Without such specifics it is impossible to judge the adequacy of the plan.

Conclusion

Both CEQA and NEPA are intended to insure that agencies will be fully aware of the impact of their decisions when they make them, see Calif. Pub. Res. Code Sections 21000, 21001; Friends of Mammoth v. Board of Supervisors, 8 Cal. 3d 247, 254-56 (1972); Trout Unlimited v. Morton, 509 F.2d 1276, 1283 (9th Cir. 1974), and to facilitate widespread discussion and consideration of the risks associated with a project. LaFlamme v. F.E.R.C., 842 F.2d 1063, 1069 (9th Cir. 1988). CEQA also requires agencies to seek feasible means to reduce or avoid environmental damage that otherwise could result from their actions. Pub. Res. Code section 21002 and Guidelines sections 15002(a)(3), 15021(a)(2), (c), 15041(a), 15063(c)(2), 15091(a), 15093, 15096(g), 15126(c)(d), 15364, 15370.

The EIS/EIR and the supplement fail to comply with the requirements of NEPA and CEQA. The documents do not disclose the precise mitigation plan proposed for the desert tortoise. The EIS/EIR and supplement improperly reject two alternative project plans that would reduce environmental impacts and do not adequately analyze the possible effects of future changes in the project. In addition to the above, the draft compliance mitigation plan is inadequate in several respects.

The goals of CEQA and NEPA will not be served and the protection of a delicate and irreplaceable desert environment will not be fostered, without a more complete analysis and presentation of the environmental impacts of the project and without more serious consideration given to viable project alternatives that will reduce harmful environmental impacts.

Very truly yours,

JOHN K. VAN DE KAMP
Attorney General

Susan S. Fiering
SUSAN S. FLIERING
Deputy Attorney General



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1 EC - 1 1990

January 31, 1990

Elena Daly
Bureau of Land Management
Needles Resource Area
Post Office Box 888
Needles, CA 92363-0888

RE: Viceroy Gold Corporation's Castle Mountain Mine Project;
Supplement to Draft Environmental Impact
Statement/Environmental Impact Report, SCH NO. 88062708.

The Regional Board staff has no objections to either of the two proposed methods for storing process fluid for the subject project as described in the Supplement. However, in Alternative No. 2, which would use steel tanks for storing the process fluid, special attention needs to be given in the design of the liner(s) which would be placed under the steel tanks to allow for adequate protection from liner failure due to the added weight of these large tanks. In addition, storage tanks may be subject to the underground and/or Above-Ground Storage Tank regulations.

Should you have any questions or comments, please call me at (619) 346-7491.

W Paul Sweeney
W. PAUL SWEENEY
WRC Engineer

WFS/sw

File Reference: Working File; Viceroy Gold Corporation, Castle Mountain Mine Project.

JACK JEFFREY
Assemblyman
Clark No. 22
340 E. Chaparral Drive
Henderson, Nevada 89015
Home 564-1444
Office 452-8799

MAJORITY LEADER



Nevada Legislature

SIXTY-FIFTH SESSION

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

Dear Ms. Daly:


I am writing to express my support of Viceroy Gold Corporation's Castle Mountain Project.

Viceroy has shown a strong commitment to the community and the environment. They have made conscientious efforts to avoid and mitigate undesirable environmental impacts. The Castle Mountain Project's comprehensive Environmental Impact Statement (EIS)/Environmental Impact Review (EIR) and Supplement demonstrates Viceroy's commitment.

Also, the Project will have a very positive economic impact in the East Mojave, with a work force averaging 125 employees. The Project is expected to generate local, state and federal tax revenues of approximately 60 million dollars over it's ten year life.

Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and it's significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,


Jack Jeffrey
Nevada State Assemblyman

COMMITTEES
Chairman
Commerce
Member
Ways and Means
Labor and Management
Legislative Functions



STATE OF NEVADA

EXECUTIVE CHAMBER

Carson City, Nevada 89710

BOB MILLER
At-Large Governor

March 20, 1990

Elean Daly
U.S. Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, California 92363

Dear Ms. Daly:


Viceroy Gold Corporation has requested that I contact you regarding their proposed mining project located in San Bernardino County, California. There has been no formal review by the State of Nevada regarding the environmental impact statement prepared for the Castle Mountain Project since it is located in California. I would, however, like to share with you Nevada's experience with similar projects.

The State of Nevada leads the nation in gold production with approximately 125 active mine sites. Our experience has shown that when these sites are properly constructed and operated, they present a low potential for adverse impact to the environment.

If your review of the Castle Mountain Project shows it can be operated safely with minimal environmental impact, I recommend you approve the project as soon as possible.

Staff of the Nevada Division of Environmental Protection may be contacted at (702) 687-4670, should any technical assistance be required.

Sincerely,


BOB MILLER
Governor

BM/lw

JJ/sf

E.1-14

RECEIVED

MAR 23 1990

TELEPHONE
(702) 685-5670

11-11

Local Agencies



THALIA M DONDERO
Commissioner



Board of County Commissioners

CLARK COUNTY BRIDGER BUILDING
225 BRIDGER AVENUE
LAS VEGAS, NEVADA 89155
(702) 455-2600

RECEIVED

Mark T. O'Leary

March 14, 1990

Ms. Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spikes Road/P.O. Box 888
Needles, CA 92363-0888

Dear Ms. Daly:

It is my understanding that the BLM is now reviewing the EIS/EIR supplement for Viceroy Gold's proposed Castle Mountain project.

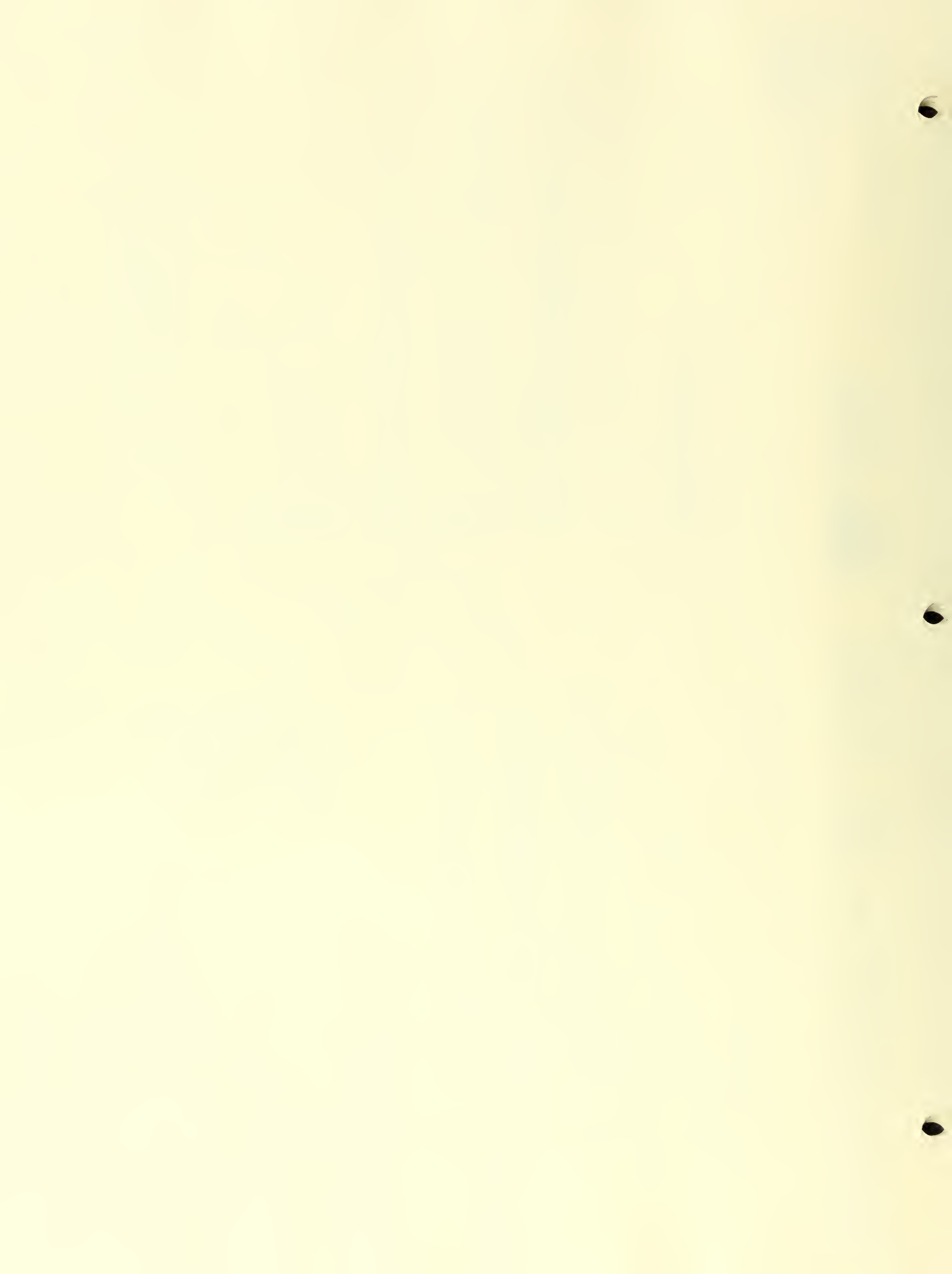
I wish to inform you that Viceroy Gold has worked diligently with Clark County in addressing the listing of the desert tortoise as an endangered species. Viceroy has offered an option to The Nature Conservancy to establish a desert tortoise preserve in an area of Clark County which is considered prime tortoise habitat.

This action represents a significant commitment and would not be possible without approval of the project.

Sincerely,

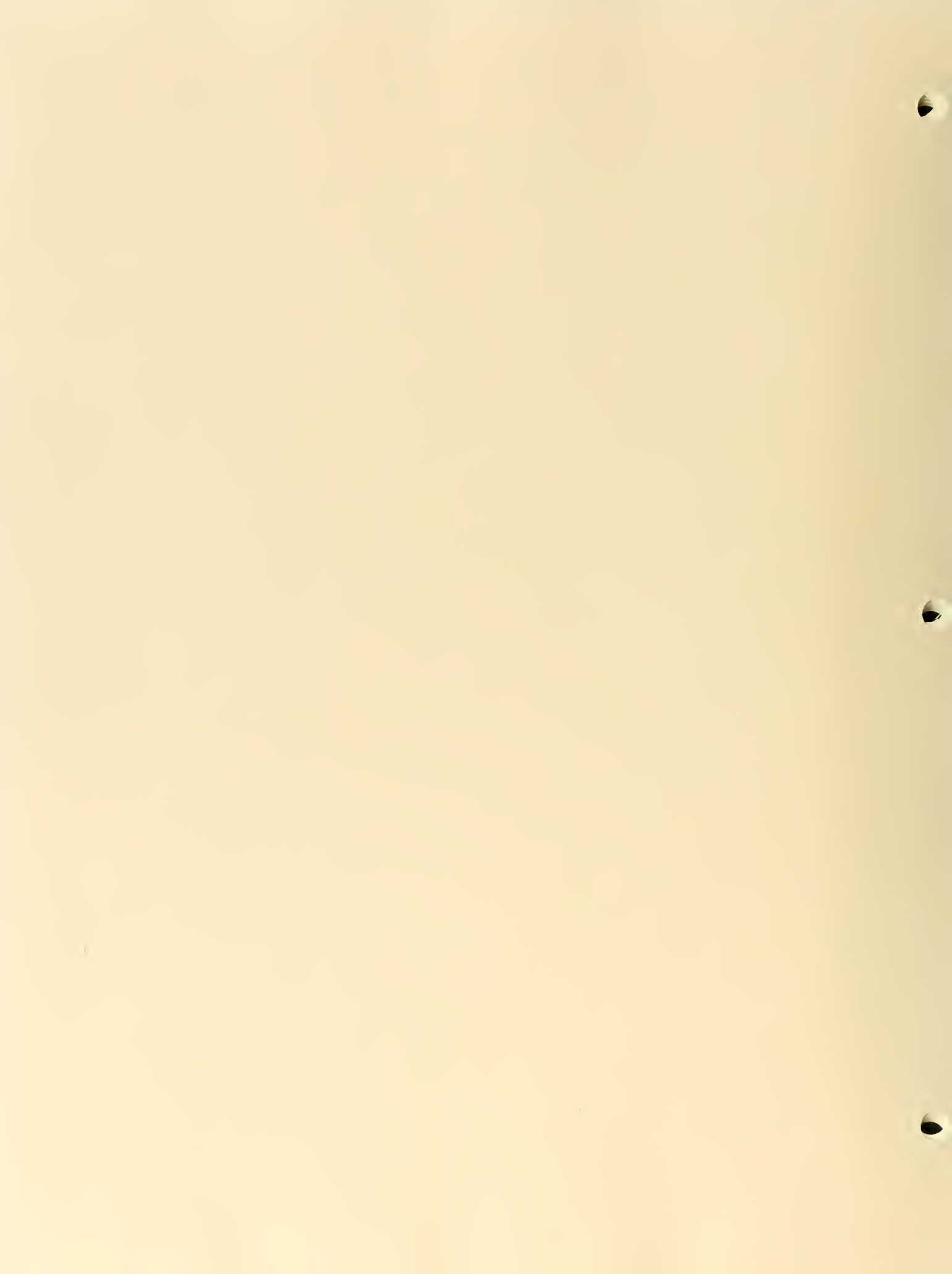
THALIA M. DONDERO
Commissioner

TM0:rh



E.2 Organizations





Business/Commercial Representatives



THE ARGEE CORPORATION
8055 East Tufts Avenue, Suite 700
Denver, Colorado 80237
Telephone (303) 779-5360

March 6, 1990

Ms. Elena Daly
BLM
Needles Resource Area
P.O. Box 888
Needles, California 92363-0888

Dear Ms. Daly:

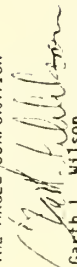
The Argee Corporation is a diversified general contractor performing contract mining work in several states. We have completed at least two mining projects in California and support the development of the Castle Mountain Project by Viceroy Gold Corporation.

Viceroy has clearly demonstrated a very conscientious approach to handling the recent changes in federal and county regulations affecting the project. Viceroy is prepared to make significant modifications to their facilities in order to accommodate the new regulations and has identified various alternatives to the proposed action. In addition, Viceroy will install a Mitigation Monitoring Program to relieve the impacts of the project on the environment.

We urge you to expedite permit approvals so that Viceroy may begin the project without further delay.

Sincerely,

THE ARGEE CORPORATION


Garth L. Wilson
Vice President Engineering

GLW/mb



183 N. Maribel Ave., Suite 230 Los Angeles, CA 90036 (213) 938 8642

BAGDAD - CHASE INC.

U.S. Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles Calif. 92363

6 March 90


Dear Mr. Bailey,

Once again I am writing in support of the Castle Mountain Project. It would seem that with the most recent changes to the EIS/EIR report for alternative actions there could be no objections to allowing the project to proceed.

I feel that Viceroy has demonstrated their willingness to provide for any and all environmental concerns.

Please do what you can to insure the timely approval of Viceroy's EIS/EIR.

Sincerely,



Paul Buller, Director

RECEIVED

March 10 1990

BOND GOLD BULLFROG, INC.

BOND GOLD CORPORATION



March 13, 1990

P.O. Box 370
Needles, CA 92363-0370
(916) 937-2700
FAX: (916) 937-2700

1000 South Elgin Street
Suite 100
Denver, Colorado 80202
916 937-2700
FAX: 916 937-2700

Ms. Elena Daly
Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888

Ms. Elena Daly
Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888

Re: Viceroy Gold Corporation's Castle Mountain Project

Re: Castle Mountain Project
Supplement to Draft Environmental Impact Statement

Dear Ms. Daly,

Dear Ms. Daly:

After reviewing the Supplement to the Draft Environmental Impact Statement/Environmental Impact Report, Bond Gold Bullfrog, Inc. would again like to lend its support to the Castle Mountain Project. The additional steps proposed by Viceroy to protect and preserve crucial desert tortoise habitat, to prevent wildlife from coming in contact with leach solutions, and to assure impacts on air quality are kept to an absolute minimum are above and beyond all industry standards.

My name is Pat Gochnour. I am Manager of Permitting and Environmental Affairs to Bond Gold Corporation. This letter is being written to encourage your approval and support of the above referenced project.

Viceroy Gold Corporation has, by their actions and the proposed mitigation measures outlined in Supplemental Draft EIS, committed and establish themselves as a conscientious corporate environmental citizen.

While mitigation is most often perceived as a way of minimizing or eliminating perceived impacts, Viceroy has gone the extra mile and in many cases, has created opportunities to enhance facets of the environment. A good example would be the agreement to purchase the former VKL Ranch near Searchlight, Nevada and the subsequent agreement with the Natures Conservancy.

Viceroy has repeatedly demonstrated its willingness to work with environmental and regulatory agencies to solve whatever problems arise. There is no reason to believe that they will not continue to do so in the future.

Sincerely,

J.P. Bingham
General Manager

Sincerely,

Lee "Pat" Gochnour
Manager of Permitting and Environmental Affairs

JPB: jh

cc: D. Stansbury

Thank you for taking the time to review my comments as well as other prior to making this very important discussion.

Viceroy's commitment to working with the various Federal, State and local agencies and environmental organizations should also not go unrecognized. I urge you to move ahead with approval of this project as expeditiously as possible so that they may begin their operation and start contributing to the employment and tax base of San Bernardino County and the State of California.



Brubaker-Mann, INC.
NATURAL COLORED CRUSHED ROCK

30984 SOAP MINE ROAD • BARSTOW, CALIFORNIA 92311 • (619) 256-2520 (619) 256-8317

MINED AND MILLED IN BARSTOW, CALIF
LARGE SELECTION OF NATURAL COLORS

OFFICERS

- President
William J. Mann
- V.P. of Administration
Julie Mann Rohn
- V.P. of Operations
Jennifer Henderson
- Secretary and
Treasurer
Dorothy E. Mann

March 10, 1990

Elena Daly
Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888

Dear Ms. Daly:

I have just read the supplement to the Castle Mountain Project Draft Environmental Impact Statement/Environmental Impact Report which was prepared to address certain changes. I know of no other project which has shown such continued commitment to mitigate environmental concerns, often exceeding minimum requirements. As an example, Viceroy made provisions to accommodate the tortoise even before its temporary listing as endangered. I urge you to expedite permit approvals for this Project.

Sincerely,

Julie Mann Rohn
V.P. of Admn.

C & C MINING & LAND COMPANY

JAMES W. COLE
President

828 MORTIMER DRIVE
BOULDER CITY, NEVADA 89005
(702) 293-2995

P.O. BOX 184
PICOHE, NEVADA 89043
(702) 962-5488



March 9, 1990

Bureau of Land Management
Needles Resource Area
Post Office Box 888
Needles, Ca. 92363-0888

Attn: Ms. Elena Daly

Dear Ms. Daly:

As a resident of Southern Nevada, and being very familiar with Viceroy Gold Corporation's Castle Mountain Mining project, I am writing you in support of this project.

I am sure that we can all acknowledge that mining is, and always has been, an important base for the economy of Nevada. Everywhere you look, in the home, factory, on the road, in the classroom, etc., you will see products produced from Nevada's mines. In wartime, or at peace, we need metals for our present way of life, as well as for our future development.

It is also very obvious that we can no longer blindly forge ahead stripping everything Mother Nature has left in the earth without regard for the long term impact of our actions. But since mining is only feasible where the ore is found in the ground, then we must cooperate to the utmost in harvesting those resources without totally destroying the environs from which it is taken.

I have followed very closely the proposed project and the impact it will have, both upon the environment and upon the economy of the Silver State. I have seen a number of major efforts by various agencies and independent groups, as well as the Viceroy Group, to assure that all aspects of this venture are well thought out and the long term ramifications are most carefully scrutinized. These efforts have included, but are not limited to:

- a) a number of changes in local and federal codes and regulations which would affect the project and its development;
- b) the proposed modifications which Viceroy has submitted as being willing to make to accommodate the new rules and regulations;

- c) alternatives to the original or proposed plan have been developed;
- d) a large variety of monitoring plans, as well as, public notice and disclosure provisions, are well in place showing Viceroy's desire to keep all interested parties not only aware but confident that Viceroy is willing to comply with the law and be certain to mitigate all the impacts of the project upon the environment and the ecosystem.

I truly believe that the Castle Mountain project should not be held up any longer. I feel they are making a significant good faith effort to meet the needs of the people of our state, the future users of this limited planet, as well as the non-human inhabitants of the area. I further feel we should work together for a common cause, and that cause is the continued well being of America's workplace. This project will mean more jobs, more support of local economies and more tax dollars in the hands of the government to continue to provide the goods and services 250 million Americans definitely need.

I am strongly in support of the Castle Mountain project with its environmental controls. I am certain it will help Nevada, both today and for generations to come.

Sincerely,

James W. Cole




CAPITOL NORTH AMERICAN

1780 South Mojave Rd
LAS VEGAS, NEVADA 89104
17021-457 5353

RECEIVED
MAR 11 1990

Viceroy Gold must be allowed to mine gold and the BLM must be allowed to manage the land. There must be some balance between the economic needs of this nation and the environmental concerns of the U.S. Fish and Wildlife Service and some environmental organizations.

Please approve this Project and allow Viceroy to proceed at the earliest date.

Sincerely,

Douglas Ward
President
Dk/sh

cc: J. C. Mitchell, Viceroy Gold Corp.

March 5, 1990

Bureau of Land Management
Vegetation Resource Area
Post Office Box 888
Needles, CA 92363-0888
Attn: Ms. Elena Daly

Re: Viceroy Gold Corporation's Castle Mountain Project

Dear Ms. Daly:

I am writing to voice my support for Viceroy Gold's activities in developing the Castle Mountain Project.

Viceroy, through the details of the Draft EIS/EIR and supplement thereto, have demonstrated their concern for compliance with the letter of the law as well as the spirit of law. It appears they have plans to develop the Project in a manner which will allow them to satisfy the environmental concerns of a small but very high profile group of critics.

The granting of the purchase option to the Natural Conservancy for the Yki Ranch property and the proposed future donations certainly indicates a willingness to share in the wildlife protection of the area, by Viceroy Gold.

The modifications in access to the Project, the plant and equipment, and method of operation indicate a desire to be seen as a leader in the mining industry.



CASHMAN
EQUIPMENT



CHILTON Engineering and Surveying Ltd.

March 12, 1990

Ms. Elena Daly
U.S. Bureau of Land Management
NEEDLES RESOURCE AREA
101 Spike's Road/P.O. Box 888
Needles, CA 92363

Dear Ms. Daly:

I am writing to express my support of Viceroy Gold Corporation's Castle Mountain Project.

Viceroy has shown a strong commitment to the community and the environment. They have made conscientious efforts to avoid and mitigate undesirable environmental impacts. The Castle Mountain Project's comprehensive Environmental Impact Statement (EIS)/Environmental Impact Review (EIR) and Supplement demonstrates Viceroy's commitment.

Also, the Project will have a very positive economic impact in the East Mojave, with a work force averaging 125 employees. The Project is expected to generate local, state and federal tax revenues of approximately 60 million dollars over its ten year life.

Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,

James Cashman III

James Cashman III
President

JC/jl:9013

Las Vegas
P.O. Box 431
Las Vegas, NV 89101
Tel: (702) 799-1111
Fax: (702) 799-0099

Nome
P.O. Box 7020
Nome, Nevada 89601
Tel: (702) 794-0111
Fax: (702) 794-0111

Elko
P.O. Box 7078
Elko, Nevada 89601
Tel: (702) 798-9711
Fax: (702) 798-9855

March 17, 1990

Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, Calif. 92363-0888

Att: Elena Daly

Subject: Castle Mountain

Ms. Daly:

I wish to state our continued support of this Castle Mountain Project posed by Viceroy Gold Corporation for I am satisfied that their proposals to mitigate the impact of their development on the environment are substantial and satisfactory.

We are hereby urging the Bureau of Land Management to expedite the permit approvals for the project.

Sincerely,

CHILTON ENGINEERING & SURVEYING, LTD.

Mark Chilton

Mark Chilton, P.E.
President

MC:lb

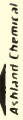
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421 COURT

ELKO, NEVADA 89601

(702) 738-2121
FAX (702) 738-7955



Ashland Chemical Inc.
Address Dept.
175 West 101st South
Suite 3100
Salt Lake City UT 84101
Phone (801) 534-0904
Fax (801) 534-0906

Ashland Chemical Inc.
Salt Lake City
Ashland Oil Inc.

Drew Industrial Division

March 9, 1990

Ms. Elena Daly
Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888

Dear Ms. Daly:

It is with dismay that I again write to the BLM regarding the Castle Mountain Project. I say dismay because I cannot for the life of me discern the intentions of the actions of the BLM.

I was under the impression the BLM's main function was to ensure for the general public, the best and most beneficial use of public land. Here on the one hand we have a company, Viceroy Gold, who is going to use the land for it's mineral worth, certainly a respectable purpose. Viceroy will, in this function, provide not only jobs but also a great deal of business for many others associated with the mining industry. In general, the mine will be a boost to the local economy.

On the other hand, we have people, led by that honorable Senator, Mr. Cranston, whom we soon may be calling the infamous Mr. Cranston, who have gone so far as to propose such ludicrous ideas as turning the desert area into a national park, in order to prevent the opening of the mine. Let's face it, if you have lived all your life in the desert, as I have, proposing a national park for these desolate areas is totally ridiculous.

San Francisco's Golden Gate, the Grand Canyon, areas where many people are going to visit (and do the inherent damage people always seem to do) - these are national park areas. Not only are a minimal number of people going to enter these desert areas, the ones that do, in this case, Viceroy, have bent over backwards to provide all the incredible precautions they are willing to undertake to prevent any environmental damage.

I believe it is about time for the government in this country to begin thinking of the people they represent. We need a strong economy, and much of the basis for this strong economy must come from within this country, not from foreign shores. I believe there is a growing sentiment in this country, and the feeling is that we are tired of hearing of foreign purchase of our lands and companies. America is slowly but surely being squeezed out of industrial production, in many cases due to, in large part,

Headquarters
One Drew Plaza
Beverly Hills, CA
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Branch Office
One Drew Plaza
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(310) 251-1741

Branch Office
One Drew Plaza
Beverly Hills, CA
(310) 251-1741

Drew Industrial Division
Page 2
Ms. Daly/BLM
March 9, 1990

costly federal regulations. For example, I cannot possibly foresee, even, the building of a new copper smelter in this country - the environmental restrictions are just too expensive. Are we inevitably heading towards the old miners saying - "let the bastards freeze in the dark?" I would hope not.

Please, show some common sense. No one is asking for anything that will abuse our lands, just a good and beneficial use of that land.

Sincerely,

Bob Hickman

Robert M. Hickman
Account Manager

DREW INDUSTRIAL DIVISION
Ashland Chemical Inc., A Subsidiary of Ashland Oil, Inc.

RMH:je

CC: J. C. Mitchell

Gold Fields Operating Co. - Mesquite - A Subsidiary of
GOLD FIELDS MINING CORPORATION
A Consolidated Gold Fields Group Company

HIGH 75 (Rev. 1/80)
Brawley, California 92224
Telephone (619) 352-6541

March 12, 1990

Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888

Attention: Ms. Elena Daly
Dear Ms. Daly:

I have followed with great interest the long and arduous path that Viceroy Gold Corporation has followed to obtain approval of its Castle Mountain Project. I am aware also that they have not followed the pain alone, but have been accompanied by many others who have worked equally as hard to assure that the project is properly evaluated, and appropriately planned. The Draft EIS/EIR and Supplement reflects that extraordinary effort by all.

Now the time has come for the Bureau of Land Management and San Bernardino County to weigh the merits of the project, as well as the comments and criticisms put forth by all - proponents and opponents alike.

I believe you will find the decision is not really that difficult after all. You will find that this project does not require a choice between development and environmental protection, but actually will provide the best form of development which will create wealth which will be distributed to the private and public sectors alike. Further, the existence of this project including the tremendous work already accomplished to date, will provide a larger body of knowledge of the Castle Mountain environment, than acquired previously. While the landscape will most certainly be altered, and some of the habitat changed, the overall environment which includes society as well as the natural environment will-on balance-be vastly improved. Clearly the proposed action as offered by the proponent is the most balanced choice and should be adopted as the final decision.

Finally it should be remembered that both public and private resources are being consumed continuously until a decision is made. All parties have had ample opportunity to provide their input. I would therefore urge that you expeditiously and finally make your decision so that the project can be implemented and the benefits can begin to flow to all concerned.

Sincerely,

Robert T. Filler
Manager

RTF/bs

ALLEN B. OBERMAN
BRUCE D. VARNER
PHILIP A. SARAFOT III
M. WILLIAM TILDEN
JAMES P. O'ROB
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THOMAS W. JACKSON
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BOBLYN BRACKETT COVARR
JOHN B. MCGUIRE
FRANK J. MCGUIRE
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MARTIN BRIZZEE
RICHARD D. MARA
PATRICK D. MITCHELL
JAMES W. MITCHELL
TARA BRILEY WINTER

GRESHAM, VARNER, SAVAJOE, NOLAN & TILDEN
LAW OFFICES
633 NORTH BARNHART AVENUE, SUITE 300
SAN BERNARDINO, CALIFORNIA 92404
(714) 864-1271 - (714) 924-0081

March 13, 1990

Elena Daly
U. S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/P. O. Box 888
Needles, CA 92363

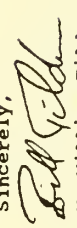
Dear Ms. Daly:

I am writing to express my support of Viceroy Gold Corporation's Castle Mountain Project.

Viceroy has shown a strong commitment to the community and the environment. They have made conscientious efforts to avoid and mitigate undesirable environmental impacts. The Castle Mountain Project's comprehensive Environmental Impact Statement (EIS/EIR) and Supplement demonstrate Viceroy's commitment.

The Project will also have a very positive economic impact in the East Mojave, with a work force averaging 125 employees and tax revenues of approximately 60 million dollars over its ten year life.

Because of Viceroy's demonstrated commitment to preserve wildlife habitat, visual resources and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,

M. William Tilden

DONALD W. JORDAN
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March 7, 1990

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MAY 1 1990

Ms. Elena Daly
US Bureau of Land Management
Needles Resource Area
PO Box 888
Needles, CA 92363

Dear Ms. Daly:

In April of last year, we wrote a letter to Mr. John Bailey expressing our support for Viceroy Gold Corporation's proposed "Castle Mountain Project". I am enclosing a copy of that letter for your review.

Since that time, due to several changes in State and Federal regulations, a supplement to the original Draft EIS/EIR has been filed. We have reviewed the supplement report, including all changes in the proposed action that will accommodate the Federal and State concerns for endangered species, as well as changes designed to minimize petroleum discharge and errant dust.

It is our observation that Viceroy's proposed steps to comply and cooperate are absolutely commendable, and should leave little doubt as to the seriousness which Viceroy places on protecting and maintaining our desert environment.

We are further aware of the very positive economic impact (a work force averaging 125 employees) this project will have in the East Mojave. We understand that during the ten year life of the project, Federal, State, and local tax revenues of approximately 60 million dollars will be generated.

In view of the above, please consider our firm in complete support of the Castle Mountain Project.

Sincerely,

HAYCOCK/DISTRIBUTING CO., INC.

John Haycock
Chair, Haycock
Chairman of the Board

CH/S5

cc: Senator Harry Reid Congressman James Bilbray
 Senator Richard Bryan Congresswoman Vuconovich

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BOULDER CITY, NEVADA

H.B.C. PUBLICATIONS, INC.
P. O. Box 893A 90430
PHONE 564-1881

HENDERSON, NEVADA 89009

March 7, 1990

Elena Daly
U.S. BUREAU OF LAND MANAGEMENT
Needles Resource Area
101 Spike's Road, P.O. Box 888
Needles, Calif. 92363

Dear Ms. Daly:

It has come to my attention that Viceroy Gold Corporation, operators of the Castle Mountain Project in Nevada and California, has recently filed a supplement to its Environmental Impact Statement and Review, a supplement that addresses changes in regulations and modifications following submission of the draft EIS/EIR.

As a journalist, I have first-hand knowledge of Viceroy Gold Corporation's dedication to the preservation of the environment and the health and welfare of the communities in which its operations take place.

Perhaps the most impressive of Viceroy Gold's efforts is that of the construction of solution storage tanks on site -- as opposed to traditional ponds -- as protection for wildlife. Similarly, the pact between Viceroy and the Nature Conservancy to establish a preserve for the endangered desert tortoise does the company credit in the same vein.

Further, the recent application by Viceroy to list the Walking Box Ranch on the National Register of Historic Places also demonstrates the firm's resolve to be a conscientious corporate neighbor. Would that all industries could be so determined.

Inasmuch as Viceroy has demonstrated -- not just in word, but in deed as well -- its sincere determination to be a responsible and considerate organization, I strongly urge that its Castle Mountain Project be approved at the earliest possible opportunity.

Sincerely,

Robert Groves Fisher
ROBERT GROVES FISHER
Managing Editor



KERMIT SKEIE ASSOCIATES INC.
3238 BELLE RIVER DRIVE
HACIENDA HEIGHTS, CALIFORNIA 91745
(818) 968-4135

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MAR 12 1990

March 12, 1990

Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, California 92363-0888

ATTN: Ms. Elaine F. Daly

RE: Castle Mountain Project/California Desert Plan By E.L.M.

I enclose a copy of the letter to the Congressman of the 33rd District of California, David Dreier, plus a copy of his letter to me earlier advising me of the forthcoming hearings on HR780 and S11 as a result of my earlier interest.

As indicated in this letter to my Congressman, he is a victim of "environmental extremists, political demi-gods, yellow journalists, and greedy lawyers" (an excerpt from a Charlie Reese column). In his concluding paragraph, "If we don't come to our senses, however, permanent damage will be done to our economy." If ever there was a prime illustration of this danger, it is this flack over the desert tortoise and ancillary extreme positions. The Environmental Impact Report of this project has not come to my attention; however, I have every confidence that it more than adequately covers all possible or potential attacks on the environment.

I firmly believe that the B.L.M., with adequate funding, and its California Desert Plan, can do a far better job of administering the California desert than any National Park District efforts, who must suffer from similar financial restraints.

Sincerely,

Kermit Skeie
Kermit Skeie

Marsh & McLennan

Marsh & McLennan Incorporated
1720 Howard Hughes Parkway Suite 240
Las Vegas, Nevada 89109
(702) 660-0191

March 8, 1990

Bureau of Land Management
Needles Resource Area
PO Box 888
Needles, CA 92363-0888

Attn: Ms. Elena Daly

Re: Viceroy Gold Corporation
Castle Mountain Project

Dear Ms. Daly:

Marsh & McLennan, Inc. has been the insurance broker for Viceroy Gold's property and casualty coverages since they opened for business in the Las Vegas area. As a result, we are quite concerned and knowledgeable about Viceroy's activities, safety measures, environmental impact, management, financial backing, etc. Being very informed about all aspects of their activities, we can honestly testify to the extent that Viceroy is totally concerned with the environmental impact of the Castle Mountain Project. Viceroy has in every respect gone out of their way to develop mitigation measures to protect the environment and they have spent millions to date performing studies and developing ways to protect the environment. We, as well as the insurance carrier, are as concerned about the safety and environmental impact of the Castle Mountain project as are the environmental groups. We and the insurance company are completely satisfied with Viceroy's operations to enhance wildlife and environmental conservation.

In addition, we understand a large amount of capital has been spent in the proper development of the project, with much more to be spent. This project will provide a substantial input of capital into Clark County, with the development of some 150-plus new jobs being created, providing additional business diversification in Clark County.

Marsh & McLennan is in favor of and completely supports the Castle Mountain Project.

Sincerely,

David C. Heckethorn
David C. Heckethorn
Assistant Vice President

DCH:kd



United States Department of the Interior
Bureau of Land Management
Bendless Resource Area
Castle Mountain Mine Project
Post Office Box 688
Needles, CA 92461-0688

Attention: Ms. Elena Daly

Re: Supplement to the Draft EIS/EIR
1987 (CO-069,05) Draft EIS/EIR
Castle Mountain Mine Project
San Bernardino County, California
Applicant: Viceroy Gold Corporation

Dear Ms. Daly:

Please reference my letter dated May 15, 1989, to Mr. John Bailey, BLM
Bendless Resource Area, wherein I expressed qualified and expert opinions
for the subject project. My name and residence are:

John D. Stockton, E.M.
400 South Pinto Place
Tucson, AZ 85749
(602) 296-0467

Recently, I studied the Supplement Summary to the referenced Draft EIS/EIR,
four items Viceroy has addressed and has responded to are:

1. Changes in certain federal and county regulations that have an
affect on the project;
2. Proposed modifications to several facilities;
3. Various alternatives to proposed actions;
4. A Mitigation Monitoring Program.

Viceroy has incorporated three significant design changes into the Proposed
Action:

1. Realignment of the plant access road to further protect the
habitat of the recently listed endangered desert tortoise;
2. Concept for storage of processing solutions;
3. Propane fuel for onsite electrical power generation engines
and additional dust suppression measures provided by baghouses,
all to further enhance air quality.

A Mitigation Monitoring Program is what I had in mind in the last paragraph
of page one in my previous letter.

ADMINISTRATIVE OFFICES:
24111 50th AVENUE W. MOUNTAIN VIEW, WA 98043 509/426-775 (R) FAX 509/426-775 (S) 5438
Regional Offices: 6 DANFORD WAY E. WASHINGTON, CA 95076 • 900 BERRY ROAD, DUBUQUE, IA 52004
145 W. 4000 NORTH FRONTAGE RD. SALT LAKE CITY, UT 84103 • 121 W. INLET AVENUE, REDDING, CA 96001
1151 PENNSYLVANIA ST. HUNTSVILLE, AL 35894



U. S. Department of the Interior
Attn: Ms. Elena Daly

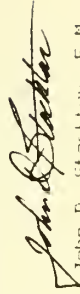
March 9, 1990
Page 2

All of these measures add significantly to the capital and operating costs
of a project. This is additional evidence that Viceroy and its personnel
are committed to the construction and operation of a model mining facility,
that will satisfy stringent requirements to the best quality of present
technology and practicality.

You are probably aware of the agreement in which Viceroy has offered to
purchase the former Hill Ranch near Searchlight, Nevada, and of its offer
to The Nature Conservancy (TNC). Thus, too, is additional evidence of
Viceroy's concern, and the benefit that the public has to gain.

I still heartily recommend that the permits necessary to construct and
operate the Castle Mountain Project be issued to Viceroy Gold, Inc., and
that they be issued as expeditiously as possible.

Respectfully submitted,


John D. Stockton, E.M.

ADMINISTRATIVE OFFICES:
24111 50th AVENUE W. MOUNTAIN VIEW, WA 98043 509/426-775 (R) FAX 509/426-775 (S) 5438
Regional Offices: 6 DANFORD WAY E. WASHINGTON, CA 95076 • 900 BERRY ROAD, DUBUQUE, IA 52004
145 W. 4000 NORTH FRONTAGE RD. SALT LAKE CITY, UT 84103 • 121 W. INLET AVENUE, REDDING, CA 96001
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McCLELLAND LABORATORIES, INC.

1016 Greg Street, Sparks, Nevada 89411 TEL: 756-1100
FAX: 756-8917

Ms. Elena Daly/Bureau of Land Management
March 8, 1990

-2-

March 8, 1990

Approval of this project will not compromise industrial development or preservation of the environment.

Sincerely,

Ms. Elena Daly
BUREAU OF LAND MANAGEMENT
Needles Resource Area
Post Office Box 888
Needles, CA 92363-0888

Dear Ms. Daly:

This letter concerns comment in support of Viceroy Gold, Inc. proposed heap leach operation at Castle Mountain. I have reviewed the Draft and Supplement to the Draft EIS/EIR for the project and feel that no significant impact will result from the commercial production operation. I also feel that Viceroy Gold displays a very cooperative attitude and willingness to mitigate all minor environmental impacts associated with the project.

Viceroy Gold is responding constructively to recent changes in certain federal and county regulations affecting the project. It is proposing modifications to several of the facilities, is providing various alternatives to the proposed action, and is planning a Mitigation Monitoring Program for public information regarding measures to mitigate all environmental impacts of the project. Viceroy Gold, Inc. should be commended for their effort and concern in minimizing total project impact.

We at MLI have worked closely with Viceroy Gold, Inc. to develop sufficient metallurgical and environmental data to insure the success of the project with a minimum of impact to the area.

We all function in an industrial society which enjoys leisure time in the beauty of our great country. No special interest group should be allowed to minimize or destroy our country's multiple land use concept, because all lifestyles would be drastically changed. We can continue to work together to provide raw materials and end item goods that make our nation strong, and at the same time, enjoy our leisure time in our natural beauty. One without the other weakens our nation.

Gene E. McClelland
Metallurgist/President

GEM:vjm

302 West 5400 South, Suite 200
Murray, Utah 84107 U.S.A
Telephone (801) 261-5544
Fax (801) 261-5529

Mine & Mill Engineering, Inc.



Ms. Blana Daly
Bureau of Land Management
National Resource Area
P.O. Box 1990
Meridian, CA 95369-0990

E.2-18
1

Ms. Blana Daly
Page 7
March 3, 1990

URGENT
Cedric Mountain Project Supplement
Environmental Impact Statement
Bureau of Land Management
Meridian, CA 95369-0990

Dear Ms. Daly:

Further to my letter of April 24, 1989, I would like to advise you that the following information was forwarded jointly by several employees of the company to provide support for this Project:

Several environmental and related groups have expressed concern about the effect this mine and attendant facilities would have on the environment. We respect these concerns, which are well understood by Mine & Mill Engineering, Inc. It is well established in the design and construction of heap leaching facilities for recovery of precious metals. At no time have we ever compromised safety and injury prevention, wildlife and damage to the environment in our engineering design. It is our intention to address certain aspects of the Supplement to re-assess all activities that are detrimental to the environment and permanent safety in the environment importance.

PLACEMENT OF THE DESERT TORTOISE ON THE ENDANGERED LIST
Viceroy Gold Corporation adequately addressed these concerns over before the tortoise was placed on the endangered list in August 4, 1989 by the U.S. Fish and Wildlife Service. The action initiated by Viceroy Gold Corporation in establishing a desert sanctuary and research center in conjunction with the Nature Conservancy has been well addressed. Such action represents a clear understanding of very real problems and an honest effort not to circumvent the issue by finding a practical solution. Our involvement on the subject matter is to insure that adequate barriers have been incorporated in the design to prevent ingress of desert tortoise into potentially hazardous areas. Measures to appropriate these migratory measures are costly and directly affect project cost activity.

The use of open ponds for storage of leachate and barren solutions is well established in the United States and increases. Obviously, open containment areas especially in arid areas would attract birds and various animals in the vicinity of the project site. To prevent this attraction, we are incorporating into the system design large steel tanks each having a storage capacity in excess of 500,000 gallons. These tanks are completely covered and act as "rain shields" to absorb fluctuations in plant operational flows. Tank piping located at the tank is duplicated in parallel thereby reducing the possibility of solution flowing into the emergency holding pond in the event of pump breakdown.

Construction of these large covered steel tanks is very costly but will most certainly prevent birds, reptiles, or farm coming into contact with toxic solutions in them.

The various alternatives to the proposed action has been presented in sufficient depth with respect to the following:

- (a) Alternate location of mine and plant
- (b) Project size
- (c) Rate of mining and processing of ore
- (d) No action alternative.

Evaluation of these various alternatives (a, b, & c) has demonstrated clearly that the potential project impact on the environment is not necessarily lessened to any significant level.

The no action option would be direct attempt to prevent mining without just cause. Such action would be in direct conflict with current national policy on mineral development in the United States.

At this time we wish to reiterate that Viceroy Gold Corporation has made every attempt to accommodate all current environmental requirements. In conjunction with their effort, the design engineering group is incorporating features to represent the

Ms. Elaine Daly
 Page 2
 March 6, 1990

interest in safety and provision of a sound environment for the employees. We vituously believe that the Castle Mountain Mine and related surface facilities when they become operational and operational will be second to none in the U.S. for environmental protection, to environmental protection and land disturbance.

All the safety, pollution, etc., as here, with little regard for community and the ultimate effect of their actions on the country. Instead they refuse to believe or admit that with into a segment of society and turn them into political issues.

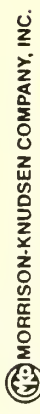
We also take this opportunity to enclose a booklet on the proposed Canyon Field Mine in Salt Lake County, Utah designed by your own Utah Engineering & Survey for the same Utah location. The booklet is in essence similar to the proposed Castle Mountain project.

We, the employees of Mine and Mill Engineering, Inc., Engineer for the Bureau of Land Management, respectfully submit approval on the Castle Mountain Project.

W. L. Peterson
 W. L. Peterson, P.E.
 Project Engineer,

APR 1990

CONTRACTORS
ENGINEERS
DEVELOPERS



MORRISON-KNUDSEN COMPANY, INC.

EXECUTIVE OFFICE
MORRISON-KNUDSEN PLAZA
170 BAYVIEW DRIVE HOUSTON, TEXAS 77058
PHONE (713) 865-7111 FAX (713) 865-7110

STEVEN Y. CHI
SPECIAL SERVICES AND MANAGEMENT GROUP

MORRISON-KNUDSEN COMPANY, INC.

Ms. Elena Daly
March 12, 1990
Page Two

As professional mine engineers and operators, we encourage your agency and the County of San Bernardino to expedite the issuing of the necessary permits and approvals to allow the Castle Mountain project to proceed.

Very truly yours,

[Handwritten signature]
Steven Y. Chi

SYC:vpw

cc: J. C. Mitchell
J. H. L. Miller

March 12, 1990

Bureau of Land Management
Needles Resource Area
P. O. Box 888
Needles, CA 92363

Attn: Ms. Elena Daly

RE: Castle Mountain Project
Comments on DEIS/EIR Supplemental Report

Dear Ms. Daly:

Having more than 45 years of mine operating experience and being a 50% owner and operator of an existing California gold mine, Morrison Knudsen Corporation (MK) is aware of the sensitive environmental balance which must be maintained when developing and operating an open pit, leach recovery gold mine.

MK's Mining Group has reviewed the information contained in the initial Draft EIS/EIR and recent Supplemental Report submitted by Viceroy Gold Corporation for their Castle Mountain project. (Please reference our letter to Mr. John Bailey of May 11, 1989).

It is our professional opinion that Viceroy Gold Corp. has implemented exceptional measures to protect the environment and mitigate potential negative effects. An integrated mitigation compliance program has been developed, the cost of which will be borne by Viceroy Gold Corp. The mine, from its inception, has been designed to be a model for the mining industry in terms of environmental protection. Further, the purchase by Viceroy Gold Corp. of the former YKL Ranch with a repurchase option granted to the National Conservancy, plus the restoration of the Rex Bell hacienda, is evidence that Viceroy Gold Corp. intends to be not only a good environmentalist, but a good neighbor to the surrounding community and the State of California.

The recovery of gold in the U.S. will continue to be important to our national economy and in satisfying future mineral needs. Permitting delays due to speculative effects on the environment serve no purpose.



RAM
PROJECT MANAGEMENT ASSOCIATES
P.O. Box 3526
Carson City, Nevada 89702
702-883-7235

March 9, 1990

Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, California 92363-0888
ATTENTION: Ms. Elena Daly

RE: Castle Mountain Project

I have reviewed the Supplement to the Castle Mountain Draft EIS/FIR and am writing to indicate my continued support of that project.

Viceroy has addressed all environmental concerns, including those contained in the revised U.S. Fish & Wildlife regulations with regard to the desert tortoise, in their efforts to put this project into operation. Their planned mitigation measures will make the operation a model for the mining industry in terms of environmental protection. Successful operation of this project will provide significant economic advantages to the surrounding area and will improve wildlife habitats and other resources. I urge you to approve this project as soon as possible.

Richard L. Keyburn, P.E.
President

RLR/jr

**Searchlight
Mugget
Casino**



Junction Highways 95 and 164
Post Office Box 187
Searchlight, Nevada 89046
Phone 702-297-1201

March 7, 1990

Bureau of Land Management
Needles Resource Area

Attention: Elena Daly
P.O. Box 888
Needles, Ca. 92363-0888

I wish to reiterate my statements in my letter of May 8, 1989 on the Castle Mountain Project of Viceroy Gold Corporation.

The State of Nevada was founded on mining, we truly hope that it will always be an important element in our economy. Searchlight was founded by early day miners and for 100 years, we have had our ups and downs with mining but it still remains an important part of our town. Nevada's Senior Senator, Harry Reid was born in Searchlight to a prominent mining family.

I realize that this project is located primarily in California but the impact of an operation such as this will be important to us also. I am sure that you are aware that Viceroy has purchased the YKL Ranch and I believe there are plans to establish a Desert tortoise preserve. This would be of great benefit to Searchlight since our new town well has been put on hold until the Fish and Wildlife reaches a decision on the status of the tortoise.

I cannot emphasize too strongly my opinion that unless the United States allows responsible mining interests to develop our natural resources then we will find ourselves at the mercy of the Soviet Union, Africa and the other third world countries to obtain the minerals such as gold, platinum and other minerals necessary to industry and commerce. I still believe that we should have learned a lesson from our experience with middle east oil.

I firmly believe that Viceroy Gold Corporation will leave the LanFair Valley in much better condition than it is at this point. We really appreciate your consideration of their request to move forward on this beneficial project.

Sincerely,

Mrs. Verlie Doing
Owner

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March 10, 1990



CONSTRUCTION SERVICES
P.O. Box 57762 Salt Lake City, Utah 84157-0762

March 9, 1990

U.S. Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, California 92363

ATTENTION: Ms. Elena Daly

RE: Castle Mountain Project

I have reviewed the revised plan for Viceroy Gold Corporation's Castle Mountain Mining Project and am writing in continued support of that project.

Viceroy's efforts to avoid negative impacts on the environment are very commendable. Also the economic impacts of this project for the surrounding area will be considerable, therefore, I urge that this project be approved as soon as possible.

Lloyd C. McEwan
Lloyd C. McEwan
President

LCM/jr



STEFFEN ROBERTSON AND KIRSTEN
Consulting Engineers and Scientists

STEFFEN ROBERTSON & KIRSTEN

Ms. Elena Daly
Bureau of Land Management
March 14, 1990
Page Two

March 15, 1990
SRK Project No. 11503

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MAR 20 1990

Bureau of Land Management
Needles Resource Area
P. O. Box 888
Needles, California 92363-0888

Attention: Ms. Elena Daly

RE: CASTLE MOUNTAIN PROJECT - COMMENTS ON SUPPLEMENT TO DRAFT EIR/EIS

Dear Ms. Daly,

I have followed the progress of the Castle Mountain Project for the past three years. I have reviewed all of the environmental documents that have been prepared and I have now reviewed the Supplement.

I have been in the environmental business for 18 years and have worked in all major states in the U.S. which have major mining operations. I have been responsible for reviewing numerous EA's/EIS's/EIR's and I have also been responsible for preparing in excess of 30 of these documents.

In my professional opinion, I have never seen a better compilation and presentation of a major mining project in any other environmental documents. The BLM, the County and Viceroy are to be commended for a herculean effort.

I am aware that there has been significant opposition to the project, although I believe that the opposition is opposed to mining in general and not the Castle Mountain Project per se. The mitigative actions and measures which have resulted from these efforts are unequalled in any other mining project that I have ever been associated with (personal experience with over 80 in U.S.).

The BLM and the County now have more than sufficient technical documentation to allow the project to proceed. I applaud the continued mitigation efforts and I urge the BLM to participate fully in the development, construction and operation of the project.

Thank you for the opportunity to comment.

Sincerely,

STEFFEN ROBERTSON AND KIRSTEN
(U.S.), INC.

Jeff Thatcher by E. Egan

Jeff Thatcher
Vice President

JT/b1

Tracy Drilling Co.
East Route
Monticello, Utah 84535

March 8, 1990

Dear Sirs,

I am writing to let you know that I am firm in my decision to support the Castle Mountain Project.

Viceroy is prepared to support extensive measures to provide and protect the environment by:

- 1- Upgrading and using an existing road on the side of Pine Valley, and reclaiming the Clark County road to stop traffic impact on tortoises.
- 2- Using steel tanks rather than lined ponds.
- 3- Allowing the TNC to purchase the YKII Ranch to assemble a major tortoise preserve in southern Nevada. Viceroy will donate back to TNC up to half the purchase price, for the benefit of the desert tortoise, such as research, habitat improvements, and additional habitat acquisition.

Viceroy will not only be helping the tortoise, but will provide employment for many people and help the economy of the United States of America.

I urge the BLM to expedite permit approvals for the Castle Mountain Project.

Thank you.

C. Diane Tracy
Diane Tracy
Tracy Drilling Co.

WASHINGTON CORPORATIONS

101 INTERNATIONAL WAY
POST OFFICE BOX 800
WASHINGTON, ARIZONA 86001
TEL: (602) 438-1100
FAX: (602) 438-1100



March 5, 1990

Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888

Dear Ms. Elena Daly:

As a respondent to the original Castle Mountain Project Draft EIS/EIR, I would like to take this opportunity to comment on my review of the Supplement to the Castle Mountain Project Draft EIS/EIR.

It is evident that Viceroy Gold Corporation continues to be a very responsible and environmentally sensitive company. The mitigation measures taken by the company would appear to go well beyond simply offsetting direct and even secondary impacts to the desert tortoise. Modifications to the facilities also point out the value of a constructive input process and the Mitigation Monitoring Program should provide for continued oversight and input to a most responsive company.

It is also evident that the BLM has carried out its duties in conducting a review of this project and should expedite the permit approvals for this project.

Sincerely,

L. E. Wilkes
Executive Vice President

/mc

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MAY 1 1990

Civic Organizations



BAKER AREA
Chamber of Commerce

POST OFFICE BOX 131 • BAKER, CALIF. 92309
March 9, 1990

BUREAU of LAND MANAGEMENT
Needles Resource Area
P. O. Box 888
Needles, Ca. 92363

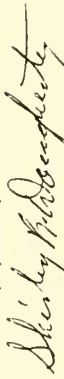
Attn: Elena Daly
Dear Ms. Daly;

The Baker Area Chamber of Commerce supports the traditional use of responsible mining in the desert. It is an industry that is an essential part of our business community.

We have reviewed Viceroy Gold's Castle Mountain Project. It appears to be a well thought out mining operation, as well as wildlife protection and reclamation plan.

It is our opinion, Viceroy Gold should be granted their permits. They need to start recovering the many development dollars they have spent. The county needs to start receiving the many tax dollars it will get and last but not least the desert economy needs the added support.

Sincerely yours,


Shirley Dougherty, President

henderson chamber of commerce



NEVADA

Dennis G. Casebier
Friends of the Mojave Road
Goffs School House
HCR G, No. 15
Essex, California 92332
619-733-4482

8 March 1990

Elena Daly
Bureau of Land Management
Needles Resource Area
PO Box 888
Needles, California 92363

Dear Ms. Daly:

I have reviewed the recent *Supplement to Draft Environmental Impact Report* for the CASTLE MOUNTAIN PROJECT, SAN BERNARDINO COUNTY, CALIFORNIA. I had reviewed the original report previously.

I'm writing to express my support of Viceroy Gold Corporation's Castle Mountain Project.

Through the provisions of their plan, and through steps already taken (for example, their work on the Walking Box Ranch), Viceroy has demonstrated a thorough commitment to preservation of wildlife habitat, scenic, and cultural resources beyond anything I've ever seen in the private sector. This project has the potential to demonstrate a new dimension to the concept of multiple use.

I am very familiar with the area of operations and consider Viceroy's proposals will adequately protect all essential resources in the area ... including the desert tortoise.

We recommend that you approve the project and permit it to proceed as soon as possible.

With best regards,

Dennis G. Casebier
Chairman

DENNIS G. CASEBIER
TALES OF THE MOJAVE ROAD
FRIENDS OF THE MOJAVE ROAD
GOFFS SCHOOL HOUSE
HCR G, No. 15
Essex, California 92332
619-733-4482

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MAR 10 1990

March 6, 1990

Ms. Elena Daly
Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888

Dear Ms. Daly:

On May 12, 1989 we addressed a letter to Mr. John Bailey of the Needles Resource Area stating our interest in the Castle Mountain Project. We mentioned that in July 1988 we engaged Viceroy Gold to brief some one hundred civic and business leaders on the scope of their project.

We have reviewed and are comfortable with the Draft Environmental Impact Statement and the Environmental Impact Report prepared by Environmental Solutions Inc., including the Supplement changes.

We feel the project will not only provide economic advantages to our area, but now offers a new set of special environmental advantages to Southern Nevada through a possible agreement with the Nature Conservancy which would in turn create a major desert tortoise preserve.

I hope you will concur that there are a number of excellent opportunities associated with this project.

Sincerely,

HENDERSON CHAMBER OF COMMERCE

Gary Johnson
Executive Director

GJ/sa

RECEIVED
MAR 31 1990

100 E. Lake Mead Drive
Henderson, Nevada 89015
702/565-8951

Conservation/Environmental Organizations





THE CALIFORNIA NATIVE PLANT SOCIETY

DEDICATED TO THE PRESERVATION OF CALIFORNIA NATIVE FLORA

Flema Daly
Needles Resource Area, BLM
P.O. Box 888
Needles, CA 92363-0888

15 January 1990

Re: Castle Mountain Project, San Bernardino County, California
Supplement to Draft EIS/EIR dated January 1990
EIS No1 890053; State Clearinghouse No. 88062708

Dear Ms. Daly,

The General Mining Law of 1872 gives the Viceroy Gold Corporation the right to pursue a reasonable mining operation AS LONG AS IT DOES NOT CAUSE UNDUE OR UNNECESSARY DEGRADATION TO THE ENVIRONMENT (emphasis added). Further, development of mineral resources is encouraged and is consistent with the Mining & Mineral Policy Act of 1970 and the Federal Land Policy and Management Act of 1976. Responsible federal agencies are required to ensure that adverse environmental impacts are minimized and that adequate reclamation measures are provided.

The Castle Mountain Project is a proposed open pit heap leach gold mine located in the Hart Mining District of Lanfair Valley in north-eastern San Bernardino County. Lanfair Valley is located in the East Mojave National Scenic Area (EMNSA) of the California Desert Conservation Area. The project site is comprised of 2735 acres of both federal and patented lands. The operation would use conventional heap leach (sodium cyanide solution) processing to recover gold in a disseminated orebody. At project completion, 1800 acres of the site would be disturbed.

About 930 acres of vegetation (creosote bush scrub, Joshua tree woodland, desert grassland and blackbush scrub plant associations) would be disturbed. Revegetation will take an extended time for complete recovery, if ever. Although there are no known rare and endangered plants in the area, it is noted that the project is included within the EMNSA. The BLM Management Plan, 1988, for the EMNSA describes it as "...containing some of the desert's finest scenery, notable natural and cultural features, and opportunities for a wide range of recreational activities."

The subject Supplement (pages 4-25 to 4-40) outlines in some detail a history of gold use and values in their justification of the project. One concluding statement (page 4-35) made is "Purchases [of gold] from abroad, while logistically feasible, would adversely affect the U.S. balance of trade. Based upon this, and the above considerations, purchasing abroad is not a desirable alternative."

The above conclusion would seem to be hypocritical and fraudulent in view of the fact that the Viceroy Gold Corporation is a subsidiary of P&B Mining Company of Canada and the U.S. would in effect be purchasing gold

abroad. The United States is probably the only country in the world that would allow a foreign company to mine precious metals--a nonrenewable resource--on public lands without payment of royalty and then buy the product from them at the world market rate.

The federal mining laws are archaic and provide a giveaway of the mineral resources of our public lands. There is no logic in a system that requires payment to extract sand and gravel from public lands but gold and silver are free for the taking. Coal lands are leased and a royalty paid on every ton mined, but hardrock minerals like copper a gift. The Federal Treasury and taxpayers are cheated, mineral lands are fraudulently acquired, public control of patent lands is lost, and mining is considered the best use of public lands--such a system cries out for reform.

One final point. A performance bond should be required prior to approval in view of some past delinquencies by other mining projects. In 1983, in Keynot Canyon, an abandoned mine cost the public \$25,000 to remove rusting drums of cyanide. A bulldozer and other junked equipment remains.

I thank you for the opportunity to be heard. If I have stated anything not factual I would appreciate being corrected.

Sincerely,

/ s /

Duffie Clemons
Desert Representative, CMPS

Copy: V.P. Conservation CMPS
Corresponding Secretary CMPS
Chapter President, San Diego
V.P. Conservation, San Diego
Secretary, San Diego Chapter



CITIZENS FOR MOJAVE NATIONAL PARK, INC.
P.O. BOX 106 BARSTOW, CALIFORNIA 92312

ESTABLISHED 1976
Bureau of Land Management
Needles Resource Area
PO Box 888
Needles, CA 92363

Dear Elena Daly,
March 10, 1990

Below are our comments on the Supplement to the Draft EIS on the proposed Castle Mountain project. After a thorough review of this document, we can find no reason to change our recommendation of the "no project" alternative. We are disappointed there is no detailed, fail-safe reclamation plan in this document.

We continue to object to the cover of the documents with the 1907 nineteenth century prospectors and barros. This is a totally misleading view of the holocaust destruction that Viceroy envisioned, just as the Colossium holocaust has sadly proved to be. We're not talking pick & shovel in the destruction planned in this document, but giant earthkilling machines.

We object to the opening statement on page 4-25, 3. There is no public use contemplated for the project site. Of course, there is a public use for the site. These public lands have been planned for use in the East Mojave National Scenic Area. And because BLM has such little regard for the public and is jettied around like a puppet by mining interests such as Viceroy, Congress is presently considering the public use for the area as part of the proposed Mojave National Park. Viceroy's plan for stripmining the area and poisoning it with cyanide and killing wildlife is a retarded nineteenth century idea whose goal is private greed. The Mojave National Park idea is a twenty-first century idea whose goal is public good.

This supplement does not propose any serious mitigations to the project's problems. What Viceroy plans to do for the tortoise in Nevada has no impact on mitigating wildlife impacts in ERMNSA, the area of proposed destruction. The only possible tortoise mitigation in ERMNSA would be for Viceroy to purchase the 22 private sections (14,000 acres) in Venepah and Fenner Valleys and donate them to BLM. These are mostly high priority acquisition sections which the ERMNSA plan of 1988 proposes for BLM acquisition. Now that would be a significant wildlife mitigation.

The supplement fails to address the problem of water and the problem of the possible over-drafting of Pluta Creek. We have entered the fourth year of a severe drought and cannot put Pluta Creek's water supply at risk. Once this creek's underground water sources in Linnair Valley dry up, there may not be any putting this back again. Nature is not some piece of furniture to be manipulated. The talk about a backup pipeline to Pluta Creek from a man-made well is absurd.

The proposed project is an all-out total assault on the integrity of the East Mojave National Scenic Area. Viceroy proposes dismemberment of part of a National Scenic Area. The BLM appears to be a helpless steward in their reclamation plan we want Viceroy to achieve the maximum amount possible of revegetation of disturbed soils before their bond is released. The 90% required by STADA at the end of a ten year period seems reasonable.

Our first preference is that Viceroy quit, go back home to Canada, and plan other manipulations on the Vancouver Stock Exchange.

Our last preference is that BLM administer the proposed project under the standards of the Mining in the Parks Act, make sure that all water sources are taken outside ERMNSA, have a closed fail-safe cyanide system enclosed completely in metal, have no open ponds whatever, have a sufficient enforced bond to ensure reclamation, backfilling, restoration to high quality scenic standards, and Viceroy acquire some 14,000 acres of crucial tortoise habitat in Venepah & Fenner Valleys for wildlife mitigation.

No other alternatives are acceptable. There has been nothing in any of Viceroy's documents to date that have given us any assurance that the proposed project is anything but an environmental disaster of the worst kind. We offer these comments in the hope that the final EIS will finally address the issues we have raised.

Sincerely,
Peter Burk
Peter Burk, President

Ms. Elna Daly
Page 2
February 13, 1990

Draft/ps

February 13, 1990

Bureau of Land Management
Needles Resource Area
Post Office Box 888
Needles, CA 92363-0888
Attention: Elna Daly

Re: Supplement to Draft EIS for
Castle Mountain Project

Dear Ms. Daly:

These comments are submitted on behalf of Desert Survivors, a California nonprofit conservation group, and address the Supplement to the Draft Environmental Impact Statement for the Castle Mountain Project (Jan. 1990) ("Draft EIS Supplement"). The Draft EIS Supplement has the same defects as we noted in our comments on the Draft EIS.

First, no analysis of substance is provided about backfilling the pits as a reclamation measure. The conclusory treatment of this issue is inexcusable given the emphasis that we and others have placed on backfilling as an alternative.

Another failing of the Draft EIS Supplement is that it fails to set forth a specific reclamation plan. We believe that this omission violates NEPA and its implementing regulations. We need to know in full detail what the operator intends to do to reclaim this massive project upon completion of the operations.

Furthermore, the Draft EIS Supplement perpetuates the deliberate silence about the impact of this project on the proposal pending before Congress to create an East Mojave National Park. It is inexcusable that this issue is ignored completely. We believe that the drafters may have a hidden political agenda that they feel would be compromised by acknowledging the pending legislation.

Finally, one specific measure that we would like to see adopted is the use of solution storage tanks, as suggested in the Draft EIS Supplement.

We appreciate what we perceive to be good faith efforts by the operator and the BLM to address many of the issues raised by this project, but it is not acceptable to sidestep the three major issues raised above. We recognize that backfilling, the park proposal and a reclamation plan are difficult and sensitive topics. It is precisely because of this, however, that the Draft EIS and Draft EIS Supplement are inadequate and, in our view, do not provide sufficient environmental review on which to approve the project.

Very truly yours,

Amey Kari
W. Douglas Kari

WDK:de

2-NPCA re Castle Mtn. draft EIS/EIR supplement



RUSSELL D. BUTCHER
Southwest & California Representative

March 7, 1990

Elena Daly
Needles Resource Area
Bureau of Land Management
P.O. Box 888
Needles, California 92363-0888

Dear Ms. Daly:

National Parks and Conservation Association, a 100,000-member nonprofit organization, founded 71 years ago to promote the protection and public understanding of the national parks, and the enlightened conservation of other public lands, appreciates this opportunity to offer comments on the Supplement to the Draft Environmental Impact Statement/EIR on the Castle Mountain Project.

We, first, want to strongly commend Viceroy Gold Corporation's plan to abandon and rehabilitate the road leading directly from Searchlight, NV, to the mine site; and to access, instead, by way of a route--the "mitigation alignment"--that greatly reduces the risk of impairment to the desert tortoise.

We would only question whether the southern half of the mitigation alignment must follow so far up on the side of Paiute Valley: is there possibly another existing ranch road farther downslope? The reason for asking is that roads constructed up on slopes (alluvial fans and bajadas) in the desert tend to interfere with natural surface water flows. Such interference could be considerably more environmentally disruptive than aligning the road lower downslope where there is a lower gradient. If there is no alternative road, then we would urge that the mitigation alignment be built so as to interfere as little as possible with water flows. Culverts and small underpasses could help alleviate this problem considerably.

Second, we want to express our strong support for Viceroy's proposal to utilize closed steel tanks, rather than open lined ponds, for containment of the leach solution. This should eliminate concerns over the potential for wildlife mortality. And...

Third, we are very pleased to see the provision for a Mitigation Monitoring Program that can keep the company, the BLM, and the interested public well informed as to the status and effectiveness of the project's mitigation actions.

We should also say that National Parks and Conservation Association is greatly appreciative of the fact that Viceroy has acquired the YKL Ranch in Nevada, so that the present road from Searchlight can be abandoned/rehabilitated and the mitigation alignment utilized instead, and so ultimately the ranch facilities can become a center for the interpretation and research of the desert tortoise. We commend all those who have had a part in making this possible.

Finally, we want to praise Viceroy for being willing to sit down with representatives of the environmental community and negotiate solutions to environmental problems. This is an outstanding effort--one that sets a wonderful example for the mining industry.

Sincerely,

Russell D. Butcher
Russell D. Butcher

RDB/prb
cc: NPCA headquarters

National Parks and Conservation Association
Box 67, Cottonwood, Arizona 86326
(602) 634-5758

The Nature Conservancy

Great Basin Field Office
P.O. Box 11486, Puncer Station • Salt Lake City, Utah 84117-0486
(801) 531-0999

March 20, 1990

Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888

Dear Sirs:

I am writing to comment on certain aspects of the Supplement to the Draft EIS/EIR regarding the Castle Mountain project.

As you are aware, The Nature Conservancy currently holds an option to purchase the YKL Ranch owned by Viceroy Gold Corporation. The arrangement we have with Viceroy provides for the purchase of the Ranch property with the provision that one-half of the proceeds will be donated back to the Conservancy for the desert tortoise HCP process in Clark County, less any off-site mitigation required by the final environmental review process. The net effect of such a purchase and anticipated gift would be to establish a desert tortoise preserve in order to address the increased threat to the species which exists and help resolve the ongoing conflict between growth in Clark County and the listing of the species, which occurred August 4.

Though we are not in a position to comment on the Castle Mountain project as a whole, nor upon the several inter-related questions involving mitigation which crosses state boundaries and involves different agencies, I am glad to write this letter of endorsement for the staff of Viceroy Gold Corporation in regard to the professional and open way they have dealt with The Nature Conservancy.

Viceroy has the clear objective of getting the appropriate permits to initiate gold production at the Castle Mountain site, but the single-mindedness of this goal has not prevented Viceroy's staff in any way from cordial and professional dealings with the many environmental interests involved in the process. On a personal and professional level, it has been rewarding to work with Viceroy Gold and we feel this should be noted as the EIS process continues.

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MAR 23 1990

Bureau of Land Management
March 20, 1990
Page Two

Thank you for your attention to this matter. Please do not hesitate to contact me if you have any questions.

Sincerely yours,



Dave Livermore
Director, Great Basin Field Office

DL:ls

cc: Gordon Fitzpatrick
Chris Mitchell



SIERRA CLUB

California/Nevada RCC Mining Committee
P.O. Drawer W, Independence, CA 93526
Stan Hays, Chair. (619) 878-2411, x2306

3/11/90

Subj: Castle Mountain Draft EIS/EIR Comment

Dear Sir:

As the Chair of the Sierra Club California/Nevada Mining Committee, I was privileged to be in attendance at one of the meetings with the Sierra Club Legal Defense Fund, Viceroy and BLM. As a result of this negotiation process, I believe the project has come a long way, environmentally, from the initial proposal. On outstanding issues, I totally endorse the policy of Deborah Reames, SCLDF attorney. This includes, but is not limited to, the proposals for the access route and on-site and off-site tortoise mitigation as outlined in the SCLDF letter to Elena Daley, BLM Needles, dated March 2, 1990

The other issues of concern to us are Plute Creek and on site reclamation.

Finally and definitively, I am not willing to trust the existence of Plute Creek into the indefinite future to computer modelling based on insufficient geologic information and site specific experience. I am also opposed to any mitigation plan in the event Plute Creek dries up as a result of this project, as no adequate mitigation is possible. Therefore, the final operating plan must include provisions for monitoring as discussed in the negotiating meetings, and also must include positive provisions for notifying the public of drawdowns in excess of those predicted by the computer modeling, and if these are more than 10% in excess of predictions the wells must be shut down until the computer models are revised and show no negative impact on Plute Creek will result if pumping is resumed, from now into the indefinite future, and the EIS/EIR is revised to reflect the new information. Plute Creek is an Area of Critical Environmental Concern, after all, and the reason is that this area is almost the by far the most important riparian area in the East Mojave. It can not be endangered for short term economic gain.

The other issue of most concern to me (but not to minimize the importance of other issues) is the eventual appearance of the area after it is mined out. Of first importance is a reclamation bond of adequate size to ensure that reclamation takes place, even if the price of gold goes down or Viceroy goes broke. However, it would be appropriate for the bond to be adjusted to reflect concurrent reclamation. There

To explore, enjoy, and protect the wild places of the earth.

SIERRA CLUB MINING COMMENTS CASTLE MOUNTAIN EIR/EIS

P. 2

also should be specific plans for recontouring, preferably in consultation with a landscape architect, and specific requirements for vegetative composition (same species and mix as presently exists) and cover (at least 75% of the original). More information is also needed on the feasibility and cost of backfilling at least some of the pits before this option is discarded, as backfilling would reduce the amount of waste to be reclaimed as well as improving the eventual appearance of the area. We also recognize and approve of the reclamation of the previous clay operations as proposed by Viceroy, and recognize their positive environmental value.

We trust that the progress that has been made will be continued in the Final EIR/EIS and the final operating plans, and that our concerns will be fully addressed. On balance, we would still prefer no mine at all, but if Plute Creek is finally and absolutely protected, and if reclamation/mitigation as presently envisioned occurs, there will at least be some positive environmental benefit from such a massive intrusion into a very sensitive area.

Sincerely,

Stan Hays
Stan Hays



**SIERRA CLUB
LEGAL DEFENSE FUND, INC.**

Law Firm for the Environmental Movement

2044 Fillmore St. San Francisco, California 94115 (415) 567-6100 FAX (415) 567-7740

April Adams

March 2, 1990

Elena Daley
Bureau of Land Management
Needles Resource Area
101 West Spikes Road
P. O. Box 888
Needles, CA 92363

RECEIVED
MAR 5 1990

Re: Castle Mountain Project -- Access Road

Dear Ms. Daley: *Elena*

I want to make certain that my clients' positions regarding the access route to be used in connection with the Castle Mountain Project and the proposed desert tortoise mitigation are clear.

Access Route

The Wilderness Society, Sierra Club, Desert Survivors and NRDC (but not any longer citizens for an East Mojave National Park) all oppose the use of the "Mitigated Searchlight Access Route" as proposed in the Supplemental Draft EIS. A new road will only further promote ORV activity in this area, already a problem with significant impact on the desert tortoise, and will most likely result in destruction downslope to tortoise habitat through erosion caused by the construction and use of the new road.

Instead, my clients propose a variation on this route whereby the new road delineated on DEIS Figure 3.3 as Segment A would be rerouted along the existing roadway running from the corral past the water tank to State Route 164 (see enclosed map).

Drs. Wilshire and Stebbins both favor this proposal, and it was my impression that Drs. Berry and Brattstrom also spoke in favor of it at our December 8 meeting in

Spring, W. McKelvey

SAN FRANCISCO OFFICE
Frederic P. Sautterland
Executive Director

William S. Curtis
Julie L. McDonald
Deborah S. Reames
Laura H. Silver
Richard R. Steward
Stephen G. Volter
Staff Attorney

Walter Parker
Coordinating Attorney

Earl M. Blument
Of Counsel

Sarah F. Bares
Michael K. Lozano
Law Associates

Joanne C. May Klempnas
Director of Development

Linda J. Graham
Elizabeth J. Yates
Assoc. Dir. of Development

Sally A. Herbey
Controller

Joanna C. Chetmitt
Administrator

Tom Turner
Staff Writer

RECEIVED SAN FRANCISCO OFFICE
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(303) 861-9838

WASHINGTON, DC OFFICE
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ALASKA OFFICE
135 Fourth Street
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NORTHWEST OFFICE
2106 First Avenue South
Suite 110
Seattle, WA 98104
(206) 441-7140

PACIFIC OFFICE
212 Merchant Street
Seattle, WA 98104
(206) 441-7140

212 Merchant Street
Seattle, WA 98104

Elena Daley
March 2, 1990
Page 2

Sacramento. I have spoken with Chris Mitchell and Bob Thompson, who inform me that Viceroy has no objection to this route; indeed, they favor the improvement of an existing road over new road construction.

On-Site Tortoise Mitigation

My clients would like an explanation as to why the heap leach pads are sited in the very area where tortoise activity is evident, together with a rational rationale as to why they should be not resited.

With regard to the tortoises found on site, Dr. Stebbins has recommended to us that they be moved to some location outside the tortoise-impermeable fencing, but radio-tagged and monitored to determine their response to the move. We would like to see a plan for this move and the monitoring, which we assume will be conducted by Lynn Pirozzoli. We would also like to know when in this process the fence will be constructed: prior to other surface-disturbing activity in the area?

Kristin Berry raised a concern at our December meeting as to how the fence design will be modified to prevent access by tortoises along washes or roadways. How have you responded to this concern?

Off-Site Tortoise Mitigation

My clients appreciate Viceroy's commitment to closure and reclamation of Clark County Road A68P. However, they remain in adamant opposition to the current tortoise habitat compensation proposals.

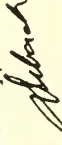
First and foremost, all habitat enhancement or acquisition should take place within the East Mojave National Scenic Area, and certainly not in Nevada. A far more appropriate proposal would be the acquisition of lands in prime tortoise habitat in Fenner or Ivanpah Valleys, already slated for eventual purchase by BLM.

Additionally, my clients object to habitat compensation mitigation monies going to ill-defined, substantially unfunded "studies" which have not been the subject of peer review. Even if a study is needed to determine the negative impacts of grazing on tortoises, and my clients question this need, both the most desirable location and structure of such a study should be subject to considerable scrutiny -- as has not occurred in this case.

Elena Daley
March 2, 1990
Page 3

Accordingly, my clients request that BLM authorize the Mitigated Searchlight Access Route with the realignment of Segment A suggested in the attached map; relocate or explain a decision not to relocate the heap leach pads away from desert tortoise activity; determine to radio-tag all tortoises found on-site and remove off-site all tortoises and require a monitoring plan for such tortoises; provide information regarding measures to be taken to prevent tortoises from entering the site through washes and roadways; and require as habitat compensation the acquisition of tortoise habitat within the East Mojave National Scenic Area.

Thank you.

Sincerely,

Deborah S. Reames

Encl.
cc: Bob Thompson
Chris Mitchell

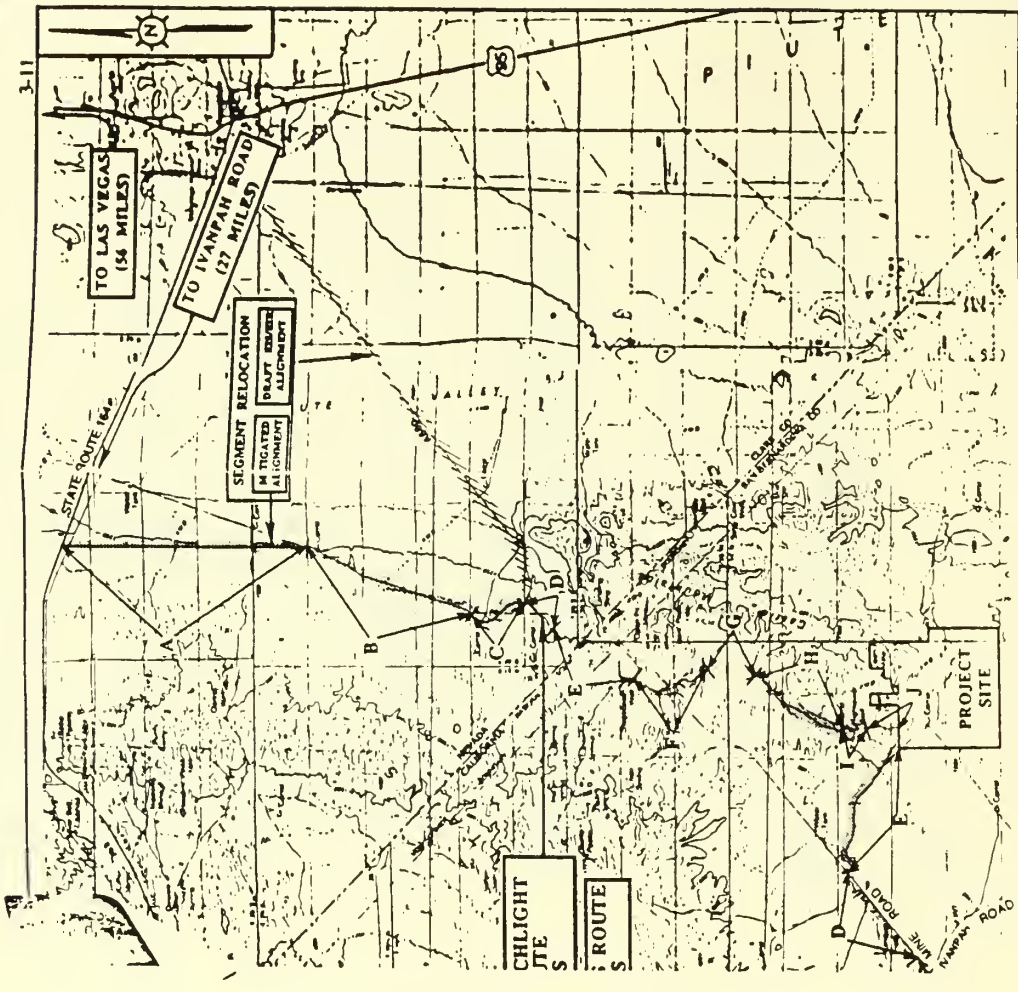
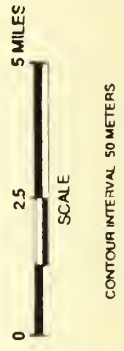


FIGURE 3.3
PROPOSED ACCESS ROUTES
AND IMPROVEMENTS
CASTLE MOUNTAIN PROJECT
ENVIRONMENTAL SOLUTIONS, INC.



1:1 FOR
M)



Sierra Club San Geronio Chapter

Serving Riverside and San Bernardino Counties
Tehachaz Group • Los Serranos Group
San Bernardino Mtns. Group • Mojave Group
568 N. Mountain View Ave., Suite 130
San Bernardino, CA 92401
(714) 381-5015

RECEIVED
Feb 28 1990

Bureau of Land Management
Needles Resource Area
Post Office Box 888
Needles, California 92363-0888
Attention: Elena Daly

February 28, 1990

Dear Ms. Daly:

Please accept the following comments to EIS No. 890053, Supplement to Draft EIS/EIR for the Castle Mountain Project.

In obvious response to the public comments on their original proposal, Viceroy Gold Corporation has put forward several additional environmental mitigations. Unfortunately, these new measures are still inadequate to effectively solve the pressing environmental impacts of the project. Note that,

1) desert tortoises are still affected by the project. The Ivanpah access route still passes through high-density tortoise habitat, no matter how you look at it. Increased vehicular traffic here means increased fatalities of tortoises and other wildlife. Also, there is a growing body of research indicating that the long-term preservation of the species is dependent on the protection of large blocks of prime habitat with restricted human access (and thus, diminished human impacts). Roads cause habitat fragmentation (a problem that is made worse by fences designed to reduce roadkills) and act as foci for non-native weed invasion. The East Mojave presents us with some of the last remaining blocks of desert tortoise habitat.

2) Despite the applicant's claims to the contrary, there is real reason to believe that the project's water needs will adversely affect the surface flow from Piute Springs. As this creek is the most important water source for wildlife in the East Mojave, any reductions would be devastating.

3) The project will give us a huge scar in the East Mojave landscape. The proposed restoration measures are superficial at best. In fact, it is questionable that there really are effective restoration methods in existence. The delicate soil structure of the desert is easily disturbed, and cannot be reinstated by simply pushing the rubble back into the hole. However, the applicant does not even intend to do this much. The pit will remain our gift forever.

In view of these problems, I consider the Castle Mountain Project to remain an inappropriate development in the East Mojave Scenic Area, and support the No Action Alternative only.

Sincerely,



Holme Peters
Conservation Committee Chair

Management, will be able to make an informed decision about the project. In addition, because essential information is missing, the environmental documentation as a whole continues to violate both the National Environmental Policy Act (NEPA), 42 U.S.C. Sec 4321 et seq., and the California Environmental Quality Act (CEQA), Cal. Pub. Res. Code Secs. 21000 et seq.

Continued failure to comply with NEPA/CEQA and other laws

The documentation continues to fail to comply with NEPA and CEQA for several reasons. First, it fails to consider several reasonable alternatives. Also, it still ignores or defers consideration of significant environmental impacts. It also fails to provide essential information about the project including a quantitative presentation of the likely economic costs and benefits of the project and a specific reclamation plan. A specific reclamation plan that is technologically and economically feasible must be completed before any decision maker can assess the environmental impacts of the project. Until such a plan and the opportunity for public comment are provided, the project would not comply with environmental full disclosure laws and the Surface Mining And Reclamation Act of 1975 (SMARA), Cal. Pub. Res. Code Sec. 2710 et seq.

1. The DSEIS/EIR continues to fail to discuss a meaningful range of alternatives.

Viceroy (the project proponent) has indicated privately that it is considering some additional modifications to the project. However, these proposals are conspicuously absent in the discussion and evaluation of alternatives in the DSEIS/EIR. The DSEIS/EIR fails to evaluate any alternatives which use enclosed tanks, or which include specific hydrological monitoring or contingency plans; all necessary to ensure adequate protection of the area's water resources. Furthermore, none of the NEPA/CEQA documents to date have included a public disclosure and discussion of specific mitigations and legal considerations necessary to comply with the Endangered Species Act regarding the desert tortoise. Merely discussing these in the Biological Assessment is insufficient. For an adequate assessment of the project these mitigations and alternatives must be clearly displayed along with the associated costs. The DSEIS/EIR is the appropriate vehicle for discussion and proper public disclosure of these critical issues.

In particular, one important alternative that is not specifically evaluated is the use of enclosed tanks. This technology is discussed but not included in the alternatives analysis. The use of tanks is essential to provide a minimally adequate level of protection to wildlife and water quality, and

would be advisable to ensure compliance with the Migratory Bird Treaty Act.

Another alternative that should be examined in the FSEIS/EIR is the use of the existing pipeline service road on the YKL Ranch beginning at State Highway 164. The DSEIS/EIR presents the construction of a 4.3 mile segment of new road, as a mitigation measure. Construction of a new road through desert tortoise habitat is not a mitigation measure. Instead this road should be evaluated as a separate alternative with full disclosure of its environmental impacts.

We are opposed to the proposed Searchlight Access Route as described on p. 3-9. Most of the damage to tortoise habitat has already been done in constructing the existing pipeline service road. Building a new road will only serve to further fragment wildlife habitat and invite additional off road vehicle impacts. The use of fences needs to be fully explored along with the use of the existing road as an alternative to avoid additional impacts to tortoise habitat, soils, and vegetation. The FSEIS/EIR needs to evaluate this alternative and also provide the information necessary to compare it with the proposed alternative.

The DSEIS/EIR considers four alternatives in some detail, though no economic figures are cited, making comparison between them on this key parameter impossible. Moreover, the DSEIS/EIR fails to consider any combinations of these four. One combination that appears to offer less environmental impacts is the Reduced Project - Faster Processing Alternative. In dismissing the Faster Processing Alternative, the DSEIS/EIR relies on several unsupported assumptions. The FSEIS/EIR must provide information to support the conclusion that a seven year project is less attractive to potential employees than a ten year project (4-22). Additionally, though the DSEIS/EIR refers to the "higher capital investment" with the Faster Processing Alternative, no quantitative data are provided (4-2).

Other parameters that should be evaluated in combination include the use of enclosed tanks; additional, available air mitigations; the costs and benefits of backfilling; and the use of throurea. For example, additional, unspecified, mitigations for fugitive dust emissions are referenced in note 3 to Table 4-2 but not described (4-19). If these measures are available as part of the Faster Processing Alternative, why would they not be available to other alternatives? These measures need to be identified and a dollar amount for their cost needs to be provided.

The DSEIS/EIR continues to fail to evaluate a delay alternative. The potential environmental benefits of this reasonable alternative were well described in our prior comments

and need to be addressed in the FSEIS/EIR.

Also, the alternative of moving the processing plant out of the East Mojave National Scenic Area (EMNSA) has not been addressed. The DSEIS/EIR considers the project as a whole with the excavation inseparable from the processing plant. Clearly, moving the processing plant outside the EMNSA would reduce environmental impacts. Likewise, the DSEIS/EIR fails to consider an alternative where tailing piles would be located outside of prime desert tortoise habitat.

The FSEIS/EIR must consider a full range of alternatives, including reasonable combinations of alternatives, and must provide a full cost accounting of all the various alternatives in order for the public and the agencies to make an informed comparison.

2. The Draft Supplemental EIS/EIR continues to fail to discuss adequately the environmental impacts of the proposed project.

There are many environmental impacts the DSEIS/EIR still fails to adequately discuss. Among them are the impacts of constructing 4.3 miles of new road. What effect will this have on the vegetation, the soils, surface runoff, and the desert tortoise? Are there any endangered, threatened, or sensitive plant species that will be impacted? How many creosote bushes and Joshua trees will be impacted? All the impacts of this new alternative (which is erroneously promoted as a mitigation measure) must be evaluated.

The DSEIS/EIR still fails to adequately address the impact of the project on the desert tortoise. Information provided shows that on-site, the heap leach pads and at least one solution pond will surround documented tortoise burrows (3-4, C-9). Such clear threats to the tortoise would appear to be inconsistent with the recent emergency listing of the species and the requirements of the Endangered Species Act.

The mitigation plan for the tortoise is also incomplete. As mentioned, the impacts of the proposed mitigations need to be evaluated and a specific plan developed. Provision of new habitat in Nevada is not adequate for destruction of habitat in California. No assurances are provided that lands used for tortoise relocation will not be impacted in the future. It is insufficient to assume that purchase of private lands necessarily will eliminate existing grazing uses on public lands. Further, the success of relocation efforts for the desert tortoise has never been documented. Expecting these relocations to succeed in surrounding areas that are subject to mining, off-road vehicle impacts, and grazing ensures the failure of such an experiment.

These types of proposals will do little to mitigate the project impacts.

Also, the DSEIS/EIR is inconsistent in its treatment of the closure of Clark County road A68P as compensation for tortoise habitat. In some places the closure of this road is one of several options (3-7), while in others the DSEIS/EIR suggests that it is part of the project. The closure of this road should be a specific part of the project. Actual habitat protection should have priority over research studies.

The DSEIS/EIR fails to provide any more details about the reclamation plan. The documentation continues to fail to demonstrate that the proposed reclamation will assure successful reclamation as required by SMARA, and improperly ignores the impacts that will arise from unsuccessful reclamation. The DSEIS/EIR fails to substantiate the unsupported assumption that the revegetation program will be 100% successful. The FSEIS should consider a scenario that assumes revegetation will be less than completely successful, given the difficulties of reclamation in fragile desert ecosystems.

The DSEIS/EIR assumes that the baghouse will operate at peak efficiency 100% of the time. However, experience indicates that baghouses suffer complete or partial failure on a routine basis. Again, a scenario that incorporates modeling for upset conditions for all mitigation measures, including the baghouse system, should be evaluated (see 40 CFR §1502.22). Moreover, the project must have a back-up baghouse system if it assumes operation at peak efficiency 100% of the time.

Also, the DSEIS/EIR assumes that the pond liners will not leak. However, this assumption is also challenged by experience. In fact, US Environmental Protection Agency data reports that all liners will eventually leak (see Geoservices, Inc., "Background Document on Bottom Liner Performance in Double-Lined Landfills and Surface Impoundments," Springfield, VA; National Technical Information Service; April, 1987). Damaging effects may become manifest long after the ten year life of the project; the public would then pay the full cost of clean-up. Again, the impacts for this scenario must be evaluated.

The impacts from the construction and installation of the natural gas pipeline are still not addressed. The long term effects of cyanide are not discussed. The DSEIS/EIR does not evaluate potential conflicts of the project on potential park or wilderness designation.

Conclusion

We are also concerned about the content of the Final EIS/EIR

for the project. As described on p. 2-2, the Final EIS/EIR for the project will consist of a list of certain items. No reference is made to a re-evaluation. All of these various components are important, not as individual pieces, but as parts of a whole. Collectively, they should provide a new, objective evaluation of the project based on all the information gathered throughout the complete EIS/EIR process. We hope that the Final Supplemental EIS/EIR will fully address the issues raised above and earlier in the process, and produce the necessary information.

A document that satisfies the requirements of NEPA and CEQA is essential in understanding the impacts of the proposed project and what alternatives might be taken to reduce those impacts. This information can then be used to determine if the project will cause undue and unnecessary environmental degradation. The information provided to date, including that in the DSEIS/EIR, indicates that the project, even with proposed mitigations, could cause serious environmental impacts to many resources including: desert tortoise, air, water, wildlife, soil, and visual objectives.

In addition, additional mitigations are available for air quality impacts (unspecified at 4-19) and water quality and wildlife (enclosed tanks) but have not been considered in the proposed project alternative. Without these measures the project impacts would be both undue and unnecessary.

AS currently proposed, the plan of operations indicates that several laws could be violated and that serious environmental damage might occur if the project went forward. Based on the existing information, the BLM should deny approval of the project or impose mitigations necessary to adequately protect the environment.

Thank you in advance for your consideration of our comments. Please send us copies of the Final Supplemental EIS/EIR when it is available and all other documents prepared relevant to the project including all maps and specialists' reports.

Respectfully submitted,

Patricia Schiffert
 Patricia Schiffert
 Regional Director
 The Wilderness Society

Johanna H. Wald
 Johanna H. Wald
 Senior Staff Attorney
 NRDC

Professional Societies



CALIFORNIA MINING ASSOCIATION

1010 Eleventh Street, Suite 213/Sacramento Ca. 95814
FAX (916) 447-0348

March 13, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
1010 Spike's Road/P.O. Box 888
Needles, CA 92363

Dear Ms. Daly:

I am writing to express my support of Viceroy Gold Corporation's Castle Mountain Project.

Viceroy has shown a strong commitment to the community and the environment. They have made conscientious efforts to avoid and mitigate undesirable environmental impacts. The Castle Mountain Project's comprehensive Environmental Impact Statement (EIS)/Environmental Impact Review (EIR) and Supplement demonstrates Viceroy's commitment.

Also, the Project will have a very positive economic impact in the East Mojave, with a work force averaging 125 employees. The Project is expected to generate local, state and federal tax revenues of approximately 60 million dollars over its ten year life.

Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the project as soon as possible.

Sincerely,
Glenn F. Rouse

Glenn F. Rouse
Executive Director

(916) 447-1977

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EXECUTIVE DIRECTOR

Glenn F. Rouse

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- ASMA Silver Mining Resources Co.
- Aspen Mining Co.
- American Pacific Co.
- AVAC Gold Inc.
- Billion Minerals U.S.A. Inc.
- California Mining Co.
- Castle Mountain Mining Corp.
- Central Gold Inc.
- Chico Mines Inc.
- Chico Bay Management
- East Mineral Company Inc.
- Empire Minerals Company
- Gold King Minerals Corp.
- Goldstream Mining Corp.
- Goldstream Mining Corp.
- Hecla Mining Co.
- KAC Inc.
- King of the Hill Corp.
- Mountain Gold Co.
- Natural Refractories
- NI Chemicals, Inc.
- Northstar Minerals
- Parity Clay Products Inc.
- Pacific Energy Corp.
- Pacific Peak Mining Co.
- P.W. Gilchrist Inc.
- Reverend Company Co.
- Santa Fe Pacific Minerals Inc.
- Standard Industrial Minerals
- State of U.S. Transport
- U.S. Borax & Chemical Corp.
- Western Gold Corporation
- Western World Mining



DESERT
CONSERVATION
INSTITUTE

AN EDUCATIONAL PROJECT OF THE CALIFORNIA MINING INDUSTRY
1010 Eleventh Street, Suite 213, Sacramento, California 95814 (916) 447-1977

March 12, 1990

Bureau of Land Management
Needles Resource Area
Post Office Box 888
Needles CA 92363-0888

Attention: Ms. Elena Daly

Members of the Desert Conservation Institute, a mining industry educational project, have reviewed the supplement to the draft environmental impact statement/report on the proposed Castle Mountain Mine and find it both comprehensive and responsive. We urge its acceptance.

The supplement underlines the extraordinary and additional measures planned by Viceroy Gold in response to issues raised in the review of the draft EIS/EIR, and in response to changing conditions. These accommodations, both mandated and voluntary, are further evidence of the company's commitment to the singular measures shouldered by the desert's major mineral producers to safeguard the environment while providing important commodity production. As in this case, many of these measures have positive consequences for the environment far beyond mitigation of impacts of the actual mine site.

One of the more outstanding examples of the type of commitment made by the company is the realignment of the access road from Searchlight, NV to the mine site. This action is proposed in response to the recognition last summer of the desert tortoise as an endangered species. In addition to realignment and upgrading of that existing road high on the side of Piute Valley, the company also will reclaim the Clark County road that presently crosses the bottom of Piute Valley. Traffic impacts, including those caused by the general public, will be further reduced on the crucial tortoise habitat in the bottom of Piute Valley.

The supplement outlines an ambitious compensation for tortoise habitat disturbance, not the least of which is acquisition of the YKL Ranch and donation of funds to The Nature Conservancy for studies or habitat enhancement, which far exceed the amount of acreage to be disturbed by mining.

Viceroy Gold has expended significant resources to incorporate the most advanced technology in its plan for operation. Use of steel tanks in

place of lined ponds will make it more difficult for wildlife, especially birds, to come in contact with leach solutions at the site. Similarly, proposed design changes will maximize dust suppression by use of propane instead of diesel fuel to reduce impacts on air quality.

This supplement maintains the tenor of the original draft EIS/EIR in proposing an outstanding mitigation program for this project. As the area proposed for the Castle Mountain Mine has been extensively mined in the past, the entire region will benefit from the company's upgrading of the immediate and surrounding site with reclamation and recovery techniques. That historic use and continuing evidence in the area of mining makes it an ideal location for this project.

As do other contemporary mining operations in the desert area, the Castle Mountain Mine will make a significant contribution to the economy of the region while sustaining an active program designed to protect the environment. We support certification of the EIS/EIR and permitting of the project.

Sincerely,

Margaret Allender
Coordinator
209/223-3951 FAX 209/223-3954



MOUNTAIN STATES LEGAL FOUNDATION

1000 Lincoln Street Suite 2300
Denver, Colorado 80264
303-861-0244

RECEIVED

MAR 23 1990

March 14, 1990

Ms. Elena Daly
U.S. Bureau of Land Management
Department of the Interior
Needles Resource Area
101 Spike's Road
P.O. Box 888
Needles, California 92363

Dear Ms. Daly:

I am writing to express my personal support of Viceroy Gold Corporation's Castle Mountain Project.

That project will be very beneficial to the economy of the East Mojave. More than 125 men and women will find jobs in that project which will also generate local, state and federal tax revenues in excess of \$60 million over a ten year period.

Mountain States Legal Foundation has taken the position that the desert tortoise is not endangered and is being listed as endangered improperly by the U.S. Fish and Wildlife Service. Mountain States Legal Foundation further believes that if the desert tortoise is endangered it is the result of predation by the common raven, a predation which the Bureau of Land Management should seek to address.

However, notwithstanding that position, I recognize that Viceroy Gold Corporation has taken steps to mitigate any potential impacts on the desert tortoise. The efforts of Viceroy Gold Corporation should be rewarded with expedited approval of its project to permit men and women to have the jobs which Viceroy Gold Corporation will make available.

Sincerely yours,

William Perry Pendley
President and
Chief Legal Officer



NEVADA MINING ASSOCIATION

ONE EAST FIRST STREET, SUITE 900 - RENO, NEVADA 89501
RENO: (702) 323-8575 - FAX: (702) 323-0258
LAS VEGAS: (702) 388-2066

March 8, 1990

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CONSULTANT
W. HOWARD WINN

Ms. Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road
P. O. Box 888
Needles, CA 92363

Dear Ms. Daly:

On behalf of the Nevada Mining Association, I am writing to convey my unqualified support of Viceroy Gold Corporation's Castle Mountain Project.

As a member of the Mining Association, Viceroy has exhibited both a willingness to work with the community and area in which they operate. Having close ties with the management of Viceroy, I can assure you of their exacting environmental concerns. The lengths to which the company has already gone in the relief and mitigation of environmental impacts certainly demonstrates that commitment.

Economically, the sizeable benefits of a payroll covering 125 employees, plus the added local, state and federal tax revenues, over the expected mine life, will supply a source of economic vitality.

Today's mining industry strives to be good corporate citizens. Viceroy has demonstrated its willingness to go the extra mile, in an overall effort to minimize any effect on the environment, while providing a beneficial economic force. I urge you to be expeditious in a positive consideration of the project application.

Your very truly,

Rod Higgins
Executive Director

RH/bd



PACIFIC MINING ASSOCIATION
WESTERN MINING COUNCIL, INC.
(NON-PROFIT ORGANIZATION)
2051 Pacific Avenue, Norco Ca. 91760

(NON-PROFIT ORGANIZATION)

WESTERN MINING COUNCIL, Inc.

OFFICE OF THE PRESIDENT
2051 Pacific Avenue, Norco, CA 91760 (714)371-6493

March 11, 1990

Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363

ATTN: Elena Daly

RE: CASTLE MOUNTAIN PROJECT

The Pacific Mining Association continues to support the Castle Mountain project.

We have the following comments on the DEIS/EIR suppliment dated January 1990.

- 1) The Castle Mountain project is located in the Hart Mining District, mined since 1905. What better use of a mining district than mining?
- 2) Access to the project site: We approve of the proposed Searchlight access route.
- 3) We applaud Viceroy's decision to use steel tanks to hold the cyanide solutions. This is another example of Viceroy's, and the mining industry in general, continually seeking better ways to be good neighbors and citizens.
- 4) Reclamation: We continue to strongly oppose any efforts to require that the pits be filled in after the current mining operation is completed. What better place to look for future reserves than the rocks surrounding the current ore-body. The boundary of the known ore-body is an economic one. With increased gold prices and increased mining and processing efficiencies, sub-ore becomes ore.
- 5) We support the proposed switch to propane for power generation.

In summation, the Pacific Mining Association supports the Castle Mountain Project, including the Searchlight Access Route.

Thank you for allowing the Pacific Mining Association to present its views on the Castle Mountain Project.

Sincerely,
Gregory P. Ouellette
Gregory P. Ouellette
President

March 11, 1990

Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363

ATTN: Elena Daly

RE: CASTLE MOUNTAIN PROJECT

The Western Mining Council, Inc. supports the Castle Mountain project. We have the following comments on the DEIS/EIR suppliment dated January 1990.

- 1) Access to the project site: We approve of the proposed Searchlight access route.
- 2) We applaud Viceroy's decision to use steel tanks to hold the cyanide solutions. This is another example of Viceroy's, and the mining industry in general, continually seeking better ways to be good neighbors and citizens.
- 3) Reclamation: We strongly oppose any efforts to require that the pits be filled in after the current mining operation is completed. What better place to look for future reserves than the rocks surrounding the current ore-body. The boundary of the known ore-body is an economic one. With increased gold prices and increased mining and processing efficiencies, sub-ore becomes ore.
- 4) We support the proposed switch to propane for power generation.
- 5) As the proposed mining site is an historic mining district, and as there is at best a low density tortoise population the mitigation measures proposed by Viceroy are sufficient for this project.

In summation, the Western Mining Council, Inc. supports the Castle Mountain Project, including the Searchlight Access Route.

Thank you for allowing the Western Mining Council, Inc. to present its views on the Castle Mountain Project.

Sincerely,
Gregory P. Ouellette
Gregory P. Ouellette
National President

Recreation Organizations





PATRICE DAVISON
FIELD REPRESENTATIVE
P.O. Box 2151, Riverside, CA 92516
714-369-8960
3-14-90

BLM - Needles
Attn: Area Manager/Clema Nady
PO Box 008
Needles, Ca. 92363-0088

Re: CASTLE MTN.

Dear Mrs. Nady:

The California Association of 4WD Clubs supports the multiple use philosophy and as such, concurs with the Castle Mountain project as described. The Association commends Viceroy's flexibility and willingness to modify the proposed project to satisfy the perceived environmental concerns.

Two points of particular concern to the Association:

Route for Project Access

Prior to the conclusion of the project, we respectfully request that all



PATRICE DAVISON
FIELD REPRESENTATIVE
P.O. Box 2151, Riverside, CA 92516
714-369-8960

Page 2

access routes relating to the Castle Mtn. project be proposed for permanent designation as authorized routes. No reclamation efforts to "erase" the route should occur, or be stipulated in the Plan of Operations.

In the event the designation process does not authorize those routes, or portions thereof, for permanent use, then reclamation of those routes is an appropriate action.

Recreation Use (Supp. 5-8)

The Association questions the figures reported for annual visitor use in the EMNSA. Please provide the actual references for the data used to formulate the total.

Also, members of the Association do not frequent established compounds and visitor areas. We question the statement, "The majority of visitors..."



PATRICE DAVISON
FIELD REPRESENTATIVE
P.O. Box 2151, Riverside, CA 92516
714-369-8960

Page 3

More discussion of this issue is needed to clarify: day use w. overnight use, developed w. dispersed, etc.

Please contact me at the above address if you have any questions. Thank you for this opportunity to comment on the Castle Mtn. project.

Sincerely,
Patrice Davison

E.3 Individuals



E.3 Individuals



DEAR MS DALY, THE BELOW
I AM SENDING TO LOT YOU
I AM LETTER TO LOT SUPPORT
COPIED THAT I MOUNTAIN PROJECT 3/5/90
KNOW CASTLE MOUNTAIN PROJECT
THE

24800 Chrisanta Drive
Mission Viejo, CA 92691
April 4, 1989

Bureau of Land Management
Needles Resource Area
Post Office Box 888
Needles, CA 92363-0888

Attention: Mr. John Bailey

Dear Mr. Bailey,

As a citizen of the State of California, a long time 'friend of the desert' and a Registered Geologist, I would like to bring my support of the Castle Mountain Project to your attention.

My interest in the science of Geology was born on weekend trips into the California Deserts. The most interesting of these included visits to the old mining districts. My lifetime career has been based on this interest.

The mining history of California is long and colorful. I consider it a shame that mining in our State has been a dead industry. With the utilization of State-of-the-Art mining practices, it is a thrill to see the revitalization of this historic industry.

I am an advocate of the theory that there is desert enough for all interests from wilderness to residential development and, with the environmental safe guards now in place, there will be enough for the generations to come.

Thank you for this opportunity to express my opinion in favor of the project.

Respectfully,

David A. Adams
David A. Adams

Copy to: County of San Bernardino
Environmental Public Works
Attn: Mr. Joe Bellandi

RECEIVED
MAY 7 1989

MARJORIE BARRICK MUSEUM OF NATURAL HISTORY
UNIVERSITY OF NEVADA, LAS VEGAS
4505 MARYLAND PARKWAY • LAS VEGAS, NEVADA 89154-4012 • (702) 799-3381

March 7, 1990

Ms. Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/P.O. Box 888
Needles, CA 92363

Dear Ms. Daly:

I am pleased to write a letter in support of Viceroy Gold Corporation's Castle Mountain Project.

I am aware that Viceroy has a strong commitment to the environment. As a biologist who has worked in the Mojave Desert for over 20 years, I appreciate it when a corporation shows a keen awareness of environmental issues. Most recently I have been working on a variety of projects involving the desert tortoise, and I am aware of the commitment that Viceroy has made in an effort to save this species.

It would appear that the Castle Mountain Project is compatible with the environment and that Viceroy might have a beneficial effect in preserving a portion of the Mojave. I urge you to approve the project as soon as possible.

Sincerely,

Samuel S. Baepfer

D. H. Baepfer
Director

DHB/dia

RECEIVED
MAY 11 1990

Dear Elena Daly

I've lived in this Mojave desert most of my life, in the Tripton area. It's a tough beautiful country, and it knows how to survive, no matter what its put through. It will be here while we're all alive, and it will be here when we're all dead and gone.

What it has to offer to mankind is our survival while on this earth. We all know how important it is to be careful with the wildlife & vegetation. We, who all live out here, want to live among it all, cause we love and appreciate it so much. It's our salvation to peace of mind.

But Spilt Viceroy Gold is a great important to our survival in the desert Mojave desert too. It's just a short term operation, and there's

no threat of population explosion because of that. But it's needed because of just the many that do choose to live in this desert part of this country, we would need a better paying job for a change, without having to drive to that far away rat race we choose to stay away from in the first place.

Viceroy Gold & Castle Peak Mt will be put down in the history books as the two put together to help contribute the need of survival to mankind, and preservation was taken to preserve the environment with the help of BLM. I speak for thousands that feel the same as I, and I hope you look deep into your heart to see what I feel.

The Benson Family

BUREAU OF LAND MANAGEMENT
NEEDLES RESOURCE AREA
NEEDLES, CA.

03-012-90

Ms. DALY,

I AM WRITING TO YOU TO EXPRESS MY
SUPPORT FOR THE VICEROY MINING CORP.
CASTLE MOUNTAIN PROJECT. I FEEL THE
VICEROY CORP. HAS MORE THAN EXCEEDED
MEASURES NECESSARY TO PROVIDE
ENVIRONMENTAL PROTECTION FOR THE
FLORA AND FAUNA OF THE CASTLE MOUNTAIN
AREA.

IT CERTAINLY WOULD BE YOUR OFFICE OF THE
BLM TO EXPEDITE ALL PERMITS FOR
APPROVAL OF THIS PROJECT.



RECEIVED DONALD BELL

MARCH 11, 1990 P.O. B. 103

UK. HAVASU CITY, AZ.
EADS

2950 E. Flamingo Road, Suite F
Las Vegas, NV 89121

March 7, 1990

Bureau of Land Management
Needles Resource Area
ATTN: Ms. Elena Daly
PO Box 888
Needles, CA 92363-0888

Dear Ms. Daly:

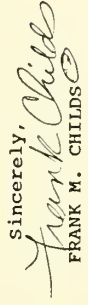
Since last writing the Bureau in May, 1989, concerning Viceroy Gold's Castle Mountain Project, I've become increasingly convinced that they desire and have the ability to reduce the environmental impact associated with their mining operations.

Since the abovementioned date, I have learned that Viceroy has taken steps to realign its access road to the project site, and will bolster containment facilities for leach solutions by using steel tanks rather than lined ponds which will assure increased protection for wildlife from the leach solutions.

There are other measures and actions Viceroy is taking to protect the wildlife. I'm sure you are aware of their agreement to purchase the old and fascinating YKL Ranch. The results of this one action alone will create enormous benefits for the tortoise preserve in Southern Nevada.

These are just a few of the evidences that Viceroy Gold continues to work toward a free and stable environmental/economic atmosphere where all parties concerned will be mutually benefited. Viceroy continues to increase its capital out lay in order to provide adequate environmental measures to preserve wildlife and protect the environment.

I again go on record to state that the successful completion of the permitting process for this mine would be in the best interests of all concerned, and encourage your support of the approval of the Castle Mountain Project.

Sincerely,

FRANK M. CHILDS

RECEIVED
MARCH 11, 1990

ATT: Eliza Daly

I am a resident of Searchlight, Nev, and have been following the Castle Mountain Project for the past couple of years. In my opinion the Gregory Corp. has made and is willing to make every effort to live with the desert, that has been asked of it, and should be congratulated for doing so. The addition of the Y.R.K. is approp. as a Center would be a benefit to the entire area, and a

possible benefit to the desert tortoise. I of my full support, as to many tributes of this area most effected, and believe that they are Gregory Corp. I should be encouraged and aided, in bringing this project to a quick and successful conclusion.

Thank You
Russell Bon
Box 907
Searchlight NV
89046

3-6-90

DARLEEN DILS
6592 TRINETTE AVE.
GARDEN GROVE, CA 92645

Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, Ca 92363-0888
attn: Elena Dally

RECEIVED
MAR 8 1990

Dear Mr. Dally,

I strongly suggest the Castle Mountain Project and their supplement to Draft Environmental Impact Statement/Report. Viceroy is trying to build and operate a project that will be a model for the mining industry in terms of environmental protection.

The Mitigation Monitoring Program that will keep the public informed about the status of measures Viceroy will install to mitigate the impacts of the project on the environment is but one impressive way Viceroy is trying to work with the environmental issues.

E.3-7

I urge the BLM to expedite permit approvals for the project.

Thank You,
Darleen Dils

Dear BLM,

I suggest the Castle Mountain Project. It urge you to expedite the permit process.

Thank you for the opportunity to comment.
Yours,

DON CRITES

1140 E. VINE

16651 CALIFORNIA, CA 91791

1140 E. VINE
16651 CALIFORNIA, CA 91791

HAROLD DILS
6592 TRINETTE AVE
GARDEN GROVE, CA
92645

RECEIVED
MARCH 10 1990

3-7-90

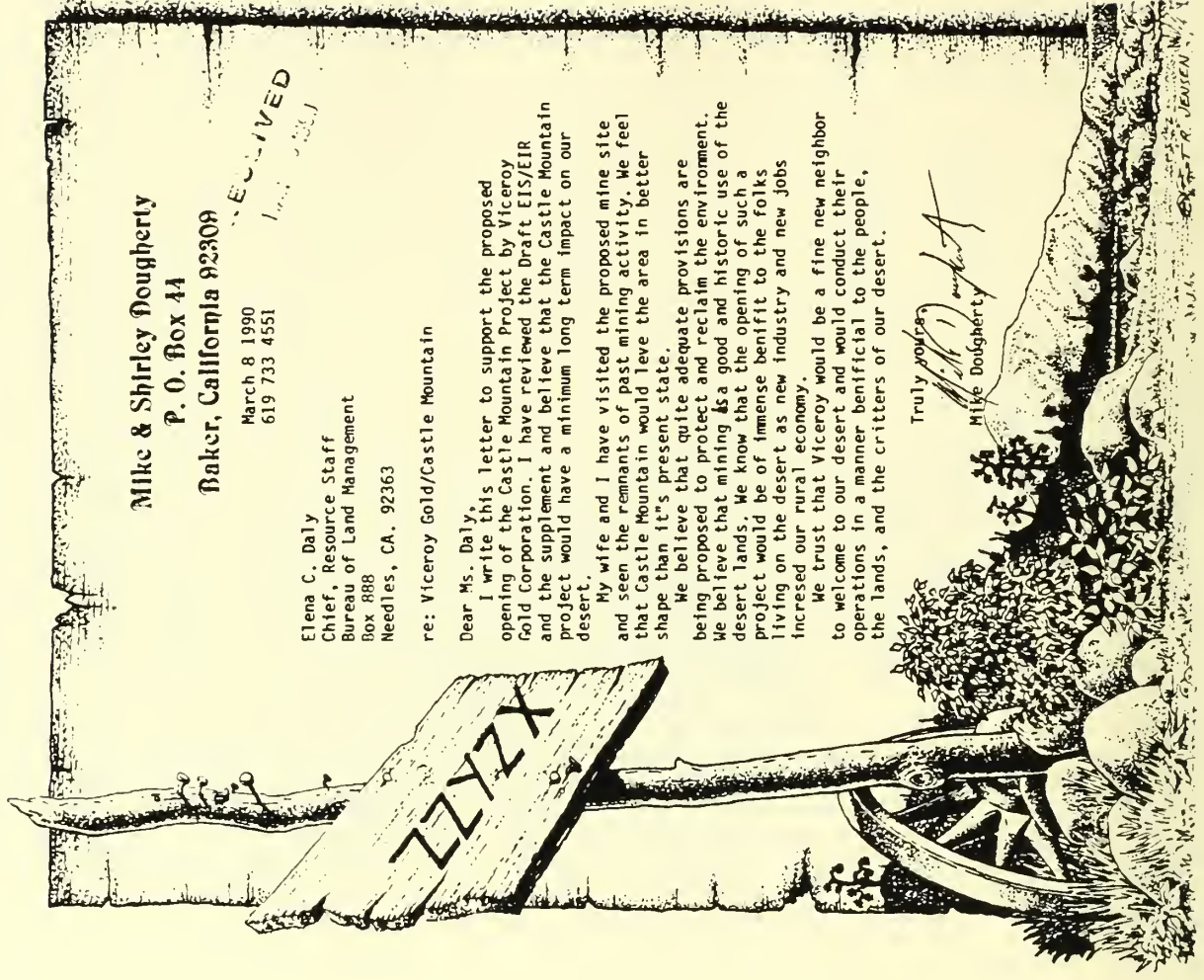
Bureau of Land Management
Needles Resource Area
ATTN: Elena Daly

Ms. Daly,

I STRONGLY SUPPORT THE CASTLE MOUNTAIN
PROJECT AND THEIR SUPPLEMENT TO DRAFT
ENVIRONMENTAL IMPACT STATEMENT/REPORT.
THE CHANGES IN CERTAIN FEDERAL AND
COUNTY REGULATIONS THAT AFFECT THE PROJECT
AND THE MODIFICATIONS VICEROY IS PROPOSING
SHOW THE EFFECT THEY ARE MAKING TRYING
TO WORK WITH ENVIRONMENTAL ISSUES.

I URGE THE BLM TO EXPEDITE PERMIT
APPROVALS FOR THE PROJECT.

SINCERELY,
Harold Dils



Mike & Shirley Dougherty
P. O. Box 44
Baker, California 92309

March 8 1990
619 733 4551

Elena C. Daly
Chief, Resource Staff
Bureau of Land Management
Box 888
Needles, CA. 92363

re: Viceroy Gold/Castle Mountain

Dear Ms. Daly,

I write this letter to support the proposed opening of the Castle Mountain Project by Viceroy Gold Corporation. I have reviewed the Draft EIS/EIR and the supplement and believe that the Castle Mountain project would have a minimum long term impact on our desert.

My wife and I have visited the proposed mine site and seen the remnants of past mining activity. We feel that Castle Mountain would leave the area in better shape than it's present state.

We believe that quite adequate provisions are being proposed to protect and reclaim the environment. We believe that mining is a good and historic use of the desert lands. We know that the opening of such a project would be of immense benefit to the folks living on the desert as new industry and new jobs increased our rural economy.

We trust that Viceroy would be a fine new neighbor to welcome to our desert and would conduct their operations in a manner beneficial to the people, the lands, and the critters of our desert.

Truly yours,

Mike Dougherty

EX-113
R. JENSEN

WILLIAM J. ELLIOTT
ENGINEERING GEOLOGIST

March 13, 1990
March 13, 1990

March 13, 1990

Bureau of Land Management
Needles Resource Area
P. O. Box 888
Needles, California 92363-0888

Attention: Elena Daly

Dear Ms. Daly:

I am writing to you regarding the Supplement to the Draft Environmental Impact Statement/Report for the Castle Mountain Project.

I have reviewed both the original EIS/R and the Supplement and find that the various issues have been adequately addressed. Therefore, I am IN FAVOR of allowing Viceroy to PROCEED with the proposed project.

Thank you for taking the time to review this letter.

Sincerely yours,

W. J. Elliott

William J. Elliott
Engineering Geologist, CEG 934



Re: Castle Mountain Project

WILLIAM J. ELLIOTT
ENGINEERING GEOLOGIST

MARCH 12, 1990

RE: CASTLE MOUNTAIN PROJECT

BUREAU OF LAND MANAGEMENT
NEEDLES RESOURCE AREA
P. O. BOX 888
NEEDLES, CA 92363-0888

RECEIVED
March 13, 1990

ATTN: ELENA DALY

DEAR MS. DALY:

I AM WRITING TO YOU REGARDING THE SUPPLEMENT TO THE DRAFT ENVIRONMENTAL IMPACT STATEMENT/REPORT FOR THE CASTLE MOUNTAIN PROJECT.

I HAVE REVIEWED BOTH THE ORIGINAL EIS/R AND THE SUPPLEMENT AND FIND THAT THE VARIOUS ISSUES HAVE BEEN ADEQUATELY ADDRESSED. THEREFORE I AM IN FAVOR OF ALLOWING VICEROY TO PROCEED WITH THE PROPOSED PROJECT.

THANK YOU FOR TAKING THE TIME TO REVIEW THIS LETTER.

Sincerely yours,

W. J. Elliott

William J. Elliott
ENGINEERING GEOLOGIST

EAST MOJAVE

March 10, 1990

Bureau of Land Management
Needles Resource Area
Post Office Box 888
Needles, CA 92363-0888
Attn: Ms Elena Daly

Re: Castle Mt. Project
Supplement to Draft EIS/EIR

Its a grand job! There is no doubt about it! The heroic efforts by the Viceroy Corporation and the BLM over the last three years have produced a project and a plan which reflects, if anything, a more than sufficient concern and dedication to the conservation of the environment. Mercy - thank heavens that the ore reserve defined by the Company was sufficient to bear the amazing costs of this environmental overview and plan. Any lessor prospective mine would have been relegated into a limbo.

The whole exercise begins to remind me of the fable of the suitor of the king's daughter who is told he must conquer the dragon, climb the mountain, swim the ocean, move the river etc. etc. Well - we've run out of tests of true love.

Its time to stop the palaver! Its time to make a decision - time to do what is right - time to serve a society based upon law and justice!

The project is going to do good for the desert, do good for the people who live and work in the desert, do good for the schools in the community. It is good business for the Company, the County and the State. Any harm to be done is essentially fantasmagorical.

Do your duty. Make the decision and get the permitting completed so that this project can proceed.

Respectfully submitted,

Gerald W. Freeman
Gerald W. Freeman

RECEIVED
March 10 1990

March 8, 1990

Bureau of Land Management
Needles Resource Area
Post Office Box 888
Needles, CA 92363-0888

RECEIVED
March 10 1990

Dear Sirs:

I wish to inform you of my continued support for the Castle Mountain Project.

I feel there is a need for developing the natural resources of the US A. Especially on foreign resources.

The mining company is prepared to provide to protect the environment by making changes in mining procedures.

We have enough land. Let's keep in National parks, study areas etc. Mining is another way to provide jobs for people that are facing unemployment in the rural + remote areas.

Yours truly,
Herbert E. Bickman
14442 HARVEST AVE
NORTON, CAL

RECEIVED
10/21/75

March 11, 1975

Bureau of Land Management
Needles, CA
Attention: Ms Elena Daly

Subject: Castle Mountain Project
Supplement to draft EIS/EIP

Dear Ms. Daly:

I have reviewed the draft and the supplement to the draft EIS/EIP for the Castle Mountain Project and I believe it to be well adequate in analyzing the impact from the proposed mining activities. In fact, I think it is a model document, particularly in the development of the mitigation monitoring and compliance program and one which can be used to guide other mining project planning and permitting in other areas of California and other mining states.

I commend the project proponent, Viceroy Mining, for the willingness and corporate good citizenship demonstrated in modifying the project to address the environmental concerns and the "going of the extra mile" in mitigating the possible effects on the endangered species of the area. The restoration of a historic western ranch is an excellent contribution to the preservation of the desert history for all of us who live in and love the desert of California.

Your staff deserves praise, as does as the document consultant, Environmental Solutions, in recognizing the new situations which arose as the initial draft EIS was nearing completion and in developing new responses to those new concerns.

California is a major mining state and the enlightened cooperation between the mining industry, government, the scientific community, and a knowledgeable public will allow this state to enjoy the quality of life given from minerals while not damaging our living space.

Yours truly,
Alex E. Gonzalez
Alex E. Gonzalez
1441 Francis Avenue
Inland, CA 91795

cc: Supervisor Tom Hittels

GARLAND R. GROH
5960 Ridgeview Ave,
Alta Loma, Calif. 91752

Dear B.L.M.
I would like to state that, you should allow all types of mining in the desert and mountain areas. The "Conservation Project" should be allowed with all the conservation and save goods that are proposed and put in place, I feel that if you allow for that, you will understand the importance of the desert and will realize the importance of the desert.

Thank you
Alex E. Gonzalez
11 conservation project

RECEIVED
10/21/75

March 11, 1990

Heather Hahn
P.O. Box 966
Yermo, CA 92398

RECEIVED
MAR 14 1990

BLM
Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888
Attn: Ms. Elena Daly

BLM:

I am writing this letter to state my opposition to the proposed Castle Mountain mining venture. I've read the supplemental to the draft EIS. A few minor changes such as modifying an access road and creating a tortoise sanctuary elsewhere do not change the fact that this project is an environmental disaster.

I'm cynical. I can't believe there's a clever mitigation measure to counteract almost every conceivable threat to the environment. A project of this magnitude that will last ten years and move ten million tons of soil a year will inevitably have an immense impact on the environment. How can you use 450 gallons of water a minute and not affect the water supply in one of the most arid regions on earth? Consuming this much water will threaten Piute Creek and the surrounding riparian habitat. And what about air quality? Four hundred twenty-seven pounds of particulates generated daily plus combustion emissions would result in considerable degradation to the already deteriorated desert air. How can you restore 930 acres of destroyed vegetation and wildlife habitats?

Other mines using the heap leach cyanide technology have left behind considerable damage - waste piles, unclaimed pits, and dead wildlife. I can't believe Viceroy would be an exception. Late last year on the NBC evening news I saw a segment on the new gold rush that is going on now in places like Bodie, CA and Elko NV where the heap leach cyanide mining process was used. It was depressing to see such large-scale devastation of the earth, something you can't grasp by reading through the draft EIS. The mining companies were going to make a profit, leave a mess, and move on. When interviewed one mining company spokesman said they couldn't put back all they had removed; it would cost as much to put it back as it did to take it out in the first place. Local residents who were interviewed were furious about the damage they would be left with forever. This is the reality of this new mining process, not what is neatly presented in the charts of the supplement to the draft EIS.

Mining companies don't have a very good record for reclaiming the land they scar, and according to GAO Report GAO-RCED-88-21, you haven't had very good luck getting even small operations to comply with clean-up regulation. But even if Viceroy did try to carry out all their proposed reclamation measures, how possible is it to restore

the desert after so much of it has been disemboweled and crushed up? There's no way to replace the water consumed, which is really more valuable than the gold. Anyone who lives out here knows that once the desert's crust is broken, you are left with a dustbowl. It takes desert plants decades to restore the thin layer of desert topsoil. The desert's food chain draws its nourishment from this essential topsoil. Lanfair Valley contains unique grasslands, and once native grassland is destroyed, it's often difficult or impossible to re-establish it. If the tortoise population in this area is considered "low density" now, this project will certainly cause it to be a lot lower. Other species will be at risk also, especially in the Piute Creek Area of Environmental Concern. In short, Viceroy does not have the power to magically re-create what took billions of years to evolve to its present state.

I can't see how whatever gold is found can justify the destruction its extraction will cause, especially when so much of the gold produced winds up made into useless trinkets. Obtaining gold this way makes about as much sense as killing an elephant for its tusks or a rhino for its horn. The unspoiled desert is a far greater resource than whatever gold can be extracted through heap leach cyanide mining.

If this project is permitted in the EMNSA, what about the next one, and the next one? We don't want to see more and more of these strip mines move into the East Mojave, and especially not into proposed parklands.

People are becoming environmentally more aware. Many people are concerned about the continued destruction of the California desert and are closely watching what happens out here. You have been accused of caving in to mining company interests in the past; now it's time to rectify some of these past imbalances. According to the supplement to the draft EIS, you can deny a project if it will result in "unnecessary and undue degradation to the environment." I think the Castle Mountain mining project meets this criteria. I urge you to put the welfare of the desert ahead of Viceroy's wants and adopt the no action alternative.

Sincerely,

Walter Nader

Calculation Record



| | | | | |
|-------------|------------|------|-------|----|
| PREPARED BY | CHECKED BY | DATE | SHEET | OF |
| | | | | |

BLM
 P.O. Box 888
 Needles, CA
 92365

March 13, 1990

To whom it may concern,
 I support the Castle Mountains Gold Mining project since 1965 this area (Hortman district) has been mined for its mineral wealth. The resources proposed by the company are adequate to meet the desert tortoise. In fact the access route proposed to Searchlight will completely avoid its habitat. Also the cyanide solutions used will remain in closed tanks. I would appreciate being informed of all future developments regarding Castle Mountains.

Thank You

Michael J. Hartley
 2553a Christman Dr
 Mission Viejo, Cal
 92691

Handwritten initials/signature

RECEIVED
APR 05 1990

March 13 1990

BLM
P.O. Box 888
Needles, CA 92363

I support the Castle Mtns Gold mining project. I have seen similar operations in the Mojave, and all over Nevada. I don't find this objectionable. I have always been environmentally concerned. I have driven many desert roads & trails, and hiked in some of the desert ranges. The impact of modern gold mining is very minimal. The Castle Mtns Gold mining project should not be in jeopardy simply because it is in California rather than Nevada.

Please keep me informed of the progress of this proposal.

Thank you
Michael Jacob

Michael Jacob
10356 Shoshone Ave.
Riverside, CA, 92503
714-689-5707

Dear Sirs,
I am writing to tell that I am in favor of the Castle Mountain Project. I feel ~~strongly~~ strongly that recovery has taken all the necessary precautions to protect the environment.

I also feel that they have showed their willingness to keep the environment clean and protected.

I believe that it is in the best interest of the community to approve the permits for the Castle Mountain Project.

Handwritten signature
Lester Peterson
Stone Creek PO Box 1003
Calif.

Mrs. Penny Johnson
5201 Walnut Ave. #69
Las Vegas, NV 89110

March 12, 1990

Bureau of Land Management
Needles Resource Area
Box 888
Needles, CA 92363-0888

Dear Elena Daly:

It is very difficult for me to understand why the Castle Mountain Project has not been allowed to open. The project seems very sound they have done all sorts of things to make sure it will be a success. Obviously spent a great deal of money to get this mine opened. So why does a small group have the authority to stall this project. What is in it for them.

I know that Viceroy is doing all they can for the tortoise, have made modifications and have been keeping the public informed. It really would be terrible if this project is prevented from opening.

Yours truly,

Penny Johnson
Penny Johnson

March 5, 1990

Bureau of Land Management
Needles CA

Re: Castle Mountain Project mine

The "mitigation measure" of acquiring lands for a tortoise preserve does not alleviate the problem of the destruction of tortoise habitat which will accompany the mining.

Moreover the cyanide ponds are a real danger to the National Scenic Area and are not appropriate inside a scenic area. At least the cyanide ponds should be outside the ~~border~~^{boundaries} of the scenic area.

Yours truly,

Elena and Doug Kent
7721 KENNEDY BLVD
LAS VEGAS, NV 89118

3-4-90

Dear Mrs.

There has been following the steps of the Castle Mountain Project. I remember of the delay that this project should be allowed to go forward and that necessary permits be secured. I believe for your concerns.

Sincerely,
John Lett



RECEIVED
MAR 7 1990

March 10, 1990
Bureau of Land Management
Needles Resource Area
Post Office Box 888
Needles, Ca. 92363-0888

RECEIVED
March 10 1990

Dear Ms. Daly:

I am writing to comment on the Castle Mountain Mine Project located in my area.

I urge you to let this project receive the necessary permitting needed to begin operation. As a business owner in Nipton, Ca. I meet and greet the public each day.

This project is wanted and needed by the local residents. The employment created by such a project is truly welcomed indeed. At least once a day, persons come into the Nipton Trading Post asking for directions to Hart because they are seeking employment.

Let honest industry into the East Mojave and provide jobs to those who need it.

Sincerely,
Roxanne LaRg
Roxanne LaRg
HCl Box 357
Nipton, CA. 92364

JOHN C. MANNING
GEOLOGIST - ENGINEER

P.O. BOX 13470
LAS VEGAS, NEVADA 89112

March 8, 1990

Bureau of Land Management
Needles Resource Area
Post Office Box 888
Needles, CA 92363-0888

Attention: Ms Elena Daly

Subject: Comments on Draft EIS/EIR
Castle Mountain Project.

RECEIVED
March 10, 1990

RECEIVED
March 10, 1990

March 10, 1990

Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888
Att. Ms. Elena Daly

Ms. Elena Daly

I support the Castle Mountain Project which Viceroy Gold Corporation is pursuing. The modifications they are willing to make, such as the use of steel tanks for the leaching process and reclaiming the Clark County road which presently crosses the identified tortoise habitat in the bottom of Piute Valley, demonstrate a very responsible attitude toward public concerns for the environment.

I hope the Bureau of Land Management will expedite the permits necessary for Viceroy Gold Corporation to proceed with the project.

Sincerely yours



Chris Major
13361 Navajo
Apt B
Apple Valley, CA 92308

Dear Ms Daley:

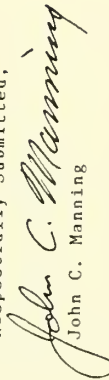
This is a follow-up to my letter of 9 May 1989.

I continue to support the Castle Mountain Project for the reasons stated in my letter.

The supplement to the Draft EIS/EIR, which recognizes the recent listing of the desert tortoise as an endangered species puts a further burden on the applicant, the Viceroy Gold Corporation. Viceroy's response to this matter, namely purchasing a large ranch for the express purpose of donating it as a tortoise preserve, it seems to me goes far beyond what one would normally expect of a mining company in such a situation. This is not simply mitigating an environmental constraint for the life of the mining operation. With The Nature Conservancy as permanent owner and operator of the ranch, the tortoise (and other wildlife) will be protected in perpetuity. Such a generous act by the mining company would seem to me to testify to their total commitment to preserving the desert environment.

I hope you will soon be able to allow mining to commence at Castle Mountain.

Respectfully Submitted,



John C. Manning
John C. Manning



PO Box 21 (9330 Avalon Road)
Thousand Oaks, California 92071
(819) 886-6666

R.N. (Bob) Martin

March 6, 1990

Bureau of Land Management
Needles Resource Area
PO Box 888
Needles
California 92363-0888

Subject: Castle Mountain Project

I continue to fully support the Viceroy Gold Corporation's Castle Mountain Project. They have already agreed to extensive mitigation measures that in my opinion are not only onerous but significant overkill. I urge you to expedite the permit approvals for the Project so that Viceroy can get on with the project. When working the land is economically viable, be it mining, farming, livestock or other we cannot afford to outlaw it or throw obstacles in the way until it is no longer economically viable. This area has already had intensive mining operations and because of that has become a land mark in the Lanfair Valley. With all of the reclamation demanded of Viceroy (and accepted by them) the resultant impact on Lanfair Valley should not offend anyone unless he is a rabid environmentalist.

Sincerely,

cc. J.C. Mitchell

RECEIVED
March 3 1990

March 9, 1990

Elena Daly
U. S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/P. O. Box 888
Needles, CA 92363

Dear Ms. Daly:

I am writing to express my support of Viceroy Gold Corporation's Castle Mountain Project.

Viceroy has shown a strong commitment to the environment. They have made numerous efforts to mitigate all environmental impacts. The Castle Mountain Project's extensive EIR/EIS demonstrates Viceroy's commitment.

The Project will also have a favorable economic impact in the East Mojave. The tax revenues alone will approximate 60 million dollars over its ten year life.

Because of Viceroy's demonstrated commitment to preserve wildlife habitat, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project.

Sincerely yours,

Patrick G. Mitchell
P. O. Box 1570
Running Springs, CA 92382

RECEIVED
March 9 1990

March 14, 1990

Ms. Elena Daly
Bureau of Land Management
P.O. Box 888
Needles, CA 92363-0888

Dear Ms. Daly:

On May 10, 1989, I wrote a letter addressed to Mr. John Bailey of your Needles Resources Area office regarding my approval of the draft EIS/EIR for the Castle Mountain Project proposed by Viceroy Gold Corporation.

I have recently reviewed the "Supplement" to the Draft EIS/EIR for the Castle Mountain Project. I approve of the Draft and the Supplement to the Draft and feel that Viceroy Gold Corp. should be granted a permit to begin mining.

Sincerely,

Stephen P. Mulqueen
Stephen P. Mulqueen
1226 LLAMA Ct.
Ventura, CA 93003
Wk.Ph. (805) 654-4761

cc: J.C. Mitchell
Viceroy Gold Corp.

RECEIVED
MAR 21 1990

*BLM Needles Calif.
Elena Daly*

*I am among many
many people who are getting
very tired of special interest
groups telling us what is in
your best interest - Its for them
not ours - Money has bent over
backwards to comply with interests
of the desert & will supply many jobs -
Why not ask the people what they
want, not special groups -
I love the desert & spend many hours
in my 4x4 looking for roads to
desert & prospect - Since the people
a break - I don't let them close all
the desert off to us who love
& respect it*

*13
(I am retired)
Jack K. Howell
Box 151
Shorelight New
Sand*

January 17, 1990

Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, CA 92363-0888
Attn: Elena Daly

We are writing to comment on the draft SEIS on the Castle Mountain Project. In summary, the SEIS does not mitigate environmental impacts enough to warrant project approval.

In several places (pg. 1-3, for example), the SEIS states compensation would be paid if the site is withdrawn from consideration for mineral production. The inference is that if this project is not approved, compensation would have to be paid to the claimant. Notwithstanding the Mining Law of 1872, the claimant still has to show that its project meets applicable environmental laws and regulations. The Castle Mountain project can be denied without withdrawing the land from mineral consideration. The project creates significant ecological damage that the mitigation measures, in our opinion, do not satisfactorily address. National policy does encourage domestic mining activity but not at the expense of the environment.

I disagree with placing the burden of monitoring and reporting compliance with environmental standards on the applicant. They should have the financial burden but not control. Why would they be expected to be truthful (or at least not misleading)? It is not in their best interest. Monitoring results can be changed by which labs do the analysis, when samples are taken, etc.... This should not be under the control of the applicant.

On more specific issues in the SEIS, Page 1-2 states the storage of process solutions is being "reevaluated" to consider the option of steel storage tanks instead of storage ponds. The project should not be approved until the applicant has said it will use the storage tank option. Ponds have caused wildlife damage elsewhere and should not be considered here based on potential wildlife damage. If ponds are used and wildlife is killed, the ponds should be drained and the project shut down until tanks are installed. The permit should specifically address this issue.

Habitat compensation should be based on potential tortoise populations in the affected area, not current ones. Current levels have been reduced due to a number of problems

and compensation should be based assuming the tortoises could rehabilitate the affected area in their former numbers.

Reclamation is also questionable. Technology doesn't exist to restore a desert habitat to its former self in any time frame that is acceptable. The funds, other than basic clean up the toxics work, should go to habitat acquisition.

Page 4-1 discusses states that other options were considered not "technically or environmentally" feasible. Economically should be added because other alternatives to protect the environment are available but would cost more.

We strongly disagree with the acreage amount (page 4--3) that will be affected by the project. Much more than the actual site is affected by a project of this magnitude. The surrounding natural ecosystem also is affected--by noise, air quality, human activity, additional access, potential water pollution, etc. Saying that only 930 acres of habitat is affected is clearly in error.

Page C-17 discusses re-evaluating modeling prediction on the flow of Plute spring if certain conditions are met. The project permit should stipulate that in drought years the spring has priority to the water. Also if the flow is ever affected, the project will be shut down.

Sincerely,

George Ostertag
M. Ostertag

George Ostertag
Rhonda Ostertag
4303 25th Ave. NE, #13
Salem, OR 97303

3585 Balboa Drive
Reno, Nevada 89503

7 March 1990

RECEIVED
MAY 2 1990

Mr. John Bailey
Bureau of Land Management
Needle Resource Area
P.O. Box 888
Needle, California 92363

RE: Castle Mountain Project

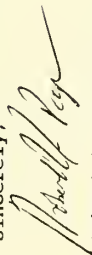
Dear Mr. Bailey:

I am following up a letter I wrote you last April in support of Viceroy Resources Castle Mountain Project.

I have now had the opportunity to review the supplement to Castle Mountain Project Draft EIS/EIR. It is an excellent document which in conjunction with the original Draft EIS/EIR certainly provides the basis to allow the project to proceed. Any further analysis of this project can only be viewed as an attempt to stop the project. Already project design to mitigate various environmental impacts have gone beyond what should reasonably be called for in this heavily mined area.

I strongly urge that the BLM issue a final EIS/EIR and approve this important Project.

Sincerely,



Robert H. Page

mcp

Ms. Jane H. Overy
P. O. Box 296
Searchlight, NV 89046

March 6, 1990

RECEIVED
MAY 2 1990

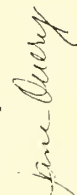
Bureau of Land Management
Needles Resource Area
P. O. Box 888
Needles, CA 92363-0888
Attn: Ms. Elena Daly

Dear Ms. Daly:

I am writing in favor of the Castle Mountain Project. After seeing how this company has reacted to the environment in the surrounding area, I'm very encouraged that this project will be approved.

Having lived in Searchlight for ten years and having researched the history of the area going back to the year 1897, this is the first mining project that I can recall, has truly tried to go by all of the rules of government, environment and most of all the people who live in the area. If their project is anything like the way they have conducted the preliminary work, the Castle Mountain Project will be one that other mining projects will be measured by.

Sincerely:



Jane Overy
Office Manager, Searchlight Nugget Casino
President Searchlight Museum Guild
Citizen of Searchlight

March 12, 1990

Bureau of Land Management
Nudex Resource Area.

Elena Doly

I am writing you in support of Viceroy Gold Corporation's, Castle Mtn project. In my opinion the mitigation measures of Viceroy to protect the environment seem more than fair. I feel this project will be a positive factor in the area and benefit the local economy and the desert tortois.

Sincerely
John Romine
16653 Highland Hwy Rt 1
Ramona, Ca. 92065

RECEIVED

the Bureau of Land Management -

I would like to let you know my continued support of the Castle Mtn project - I urge you expedite the very needed permit approvals for the project.

- As a taxpayer I urge you to change the Federal & County Regulations respecting the project -
- It is my hope the modifications Viceroy is proposing to make to several of the facilities

We need Viceroy in our community

RECEIVED
June Parker
Box 215
Searchlight, NV 89096

SNOW RECEIVED
MAR 21 1990

COLLEGE

Bureau of Land Management
Federal Resource Area
Forest Culture Dept. 111
Pueblo, CO 7365-0077
Attention: Mr. Elmer D. Doby

Dear Mr. Doby:

Last spring our student
a letter regarding the opinions
of over 40 politically-minded
students attending Snow College.
After further evaluation, we are
able to report in favor of the
University Corporation.

The fact remains that the
Cattle Mountain Gold Project

SNOW

COLLEGE

has established programs that
will meet or exceed all require-
ments to protect the environment

Class, while many of us
within our senses and we stress,
we feel the benefits of this project
should be considered over a
small group of snow area
individuals.

Respectfully Yours,

Rachelle Tracy-Senate

Rachelle Tracy
Senate

Rachelle Tracy
Senate

RECEIVED
MAR 9 1990

3-111
I'll tell you Castle Mountain Project
I think that it is a Royal undertaking to
support their family over a lot more
level to the country than search of
resources they can be made. Also
like have enough national park in
U.S. it is a park people wanted
early. tearing the land they do
not appreciate. Park improve they
little than our time, like land
all over the world. A man would
put people to work & keep the area
clean. The trouble with American
today they would rather put people
in wilderness than put them to
work. The country made more jobs
than there is the castle mountain
Project should be allowed to save it.
It deal with the park. more better
like to other people only now. It is
big. or Mexico. But put people to
work not they

Billy N. Smith
P.O. Box 554
Sierra Light Hill,
CA 92371

March 5, 1990

Dear BLM

I support the Castle
Mountain Project. Please
Expedite the permit approvals
for the project.

Sincerely

Courna A. Ross
16425 Sequoia
Fontana, Ca 92335

714-829-7614

RECEIVED
MAR 7 1990

407 16th St
Santa Monica, CA 90402-2233
12 March 1990

Bureau of Land Management
Needles Resource Area
Post Office Box 888
Needles, CA 92363-0888

RECEIVED
March 15, 1990

Attention Elena Daly

Dear Ms. Daly:

I am writing you to urge that Viceroy Gold's Castle Mountain project be approved. I have had considerable interest in this project for some time for two reasons:

1. I think that the environmental impact of Viceroy's project has been grossly overstated by its opponents. In particular, they have claimed that a significant kill of birds and other animals would be expected to occur. The fact is that there are a substantial number of such projects throughout California and Nevada, with near-zero kills occurring at present.

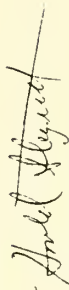
There were bird and animal kills in the early days (10 years ago), before it was realized that there was a potential problem. Since then, the mitigation measures used by the mining industry have rendered this problem negligible.

2. In addition to minimizing the environmental impact of the project, Viceroy is undertaking positive steps to assist The Nature Conservancy in developing protected habitat for the desert tortoise. In effect, Viceroy will be making a substantial contribution (up to \$200,000) to The Nature Conservancy, for purposes of tortoise protection.

I understand that Viceroy has modified its project plan so as to address all the issues which were raised during project review. I believe the company has dealt with the BLM fairly and honestly throughout these proceedings.

I would urge you to facilitate project approval as rapidly as possible.

Sincerely,



Harold Steingold, Ph.D.
Professional Engineer

JOHN R. SWANSON
1400 Edmund Blvd.
Minneapolis, MN 55404

March 15, 1990

Bureau of Land Management

POB 888

Needles Resource Area

Dear Ms. Daly:

Please accept my following comments concerning the Castle Mountain Gold Mine Supplemental Draft Environmental Impact Statement. I think that the project is a good one and that it is important to continue to explore such plans. I think that the project is a good one and that it is important to continue to explore such plans. I think that the project is a good one and that it is important to continue to explore such plans.

Best regards,

John R. Swanson

March 13, 1990

B.L.M.
P.O. Box 888
Needles, CA 92363

B.L.M.
P.O. BOX 888
NEEDLES, CA 92363

I support the Castle Mountains Gold mining project. I believe the company has proposed adequate measures to help preserve desert tortoise habitat, both by their land purchase and by the proposed access road to Searchlight. Further, their decision to store the cyanide solution in closed tanks rather than in open lined pits shows a willingness to change with the times and protect the desert wildlife.

Thank you
Carolyn Tucker
13361 Hale Ave
Garden Grove
CA 92644

RE: Support for the Castle Mountains gold mining project
The Castle Mountains Hart mining district has been active since 1905 and is making best use of the land in the area. The company has proposed adequate measures to minimize environmental impact on the desert tortoise. The proposed access route to Searchlight avoids the the indigenous tortoise habitat in the area. The 'cyanide' solution used for the extraction of gold will be stored in closed tanks and will not contaminate the area. Please keep me informed of the progress of this proposal.

Thank You,
Robert E. Sweeney
DR. ROBERT E. SWEENEY
616 EL REDONDO AVENUE
REDONDO BEACH, CA 90277

March 4, 1990

Dear Mr. Dohy,

The subject of this letter is the Supplement to the Draft EIS/EIR for the Castle Mountain Project.

I was delighted to learn apparently from the Desert Tortoise survey. As an expert in the desert tortoise surveying, we were able to identify several areas where the tortoise were found.

How well do we understand the tortoise? Do we know how denning will affect their tunnels? Do we know how well they can survive being spread out on the project site to a new location?

These questions need to be answered in the Final EIS/EIR, especially now that the tortoise is listed as endangered.

Sincerely,
Joanne Vinton
737 ELM ST #4
SAN CARLOS, CA 94070

RECEIVED
MAR 10 1990

March 12, 1990

Division of Land Management
Wildlife Resource Section
P.O. Box 909
Fresno, CA 93263-0099

Dear Sir,

Due to the Bureau's decision and opinion of the Valley Child Care in protecting the environment and the well life of kids, we feel they have earned our respect to support them in the public interest. Thank you.

Yours truly,

Joseph R. Williams
Kimmel E. Williams
JRW

Mrs. Pat Williams
613 Sam Jones Dr.
Las Vegas, NV 89128

March 11, 1990

Bureau of Land Management
Needles Resource Area
Attention: Elena Daly
P. O. Box 888
Needles, CA 92363-0888

Dear Ms. Daly:

This letter is in reference to the Castle Mountain Project that Viceroy Gold Corporation is in the process of starting. It is beyond my comprehension why this mine has not been allowed to open. They have gone above and beyond what any other mine has in order to get this project going. They have spent more money, proposed modifications to several of the facilities, have done what they could about the tortoise habitat and that is just to name a few.

It is past time for this project to start, give Viceroy the chance they deserve. The economy needs this, just think how many people could have been employed all this time.

What this company wants to do is called progress and what would this country be if it weren't for progress. I realize that the groups that do not want Viceroy to open a mine are against progress. They are a very small group when there are so many more that want it to open and can benefit from the opening of this project.

Sincerely,

Pat Williams
Mrs. Pat Williams

March 9, 1990

Ms. Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
Post Office Box 888
Needles, CA 92363-0888

RE: Castle Mountain Project
San Bernardino County, CA

Dear Ms. Daly,

In reference to the Supplement to the Draft EIS/EIR for the Castle Mountain Project, I would like to go on record as supporting the project. It is clear to me that more than adequate safeguards are being provided by Viceroy in regards to the protection of wildlife and the environment. Furthermore, Viceroy's generous provision of the YKL Ranch and the historic Bell Hacienda in concert with The Nature Conservancy demonstrates the responsible development of a new mine. I strongly support the "multiple use" concept on our public lands and I hope that our Federal lands can be used for the benefit of all and not by just a select few. Again, I strongly endorse the Castle Mountain Project and hope to see it advance as soon as possible. This project will be an economic asset to San Bernardino County and an excellent example of putting "multiple use" to work.

Sincerely,

Jeffrey W. Wilson
Jeffrey W. Wilson
325 Tahoe Drive
Carson City, NV 89703

JLW:gr

Petitions/Form Letters



March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

Dear Ms. Daly:

I am writing to express my support of Viceroy Gold Corporation's Castle Mountain Project.

Viceroy has shown a strong commitment to the community and the environment. They have made conscientious efforts to avoid and mitigate undesirable environmental impacts. The Castle Mountain Project's comprehensive Environmental Impact Statement (EIS)/Environmental Impact Review (EIR) and Supplement demonstrates Viceroy's commitment.

Also, the Project will have a very positive economic impact in the East Mojave, with a work force averaging 125 employees. The Project is expected to generate local, state and federal tax revenues of approximately 60 million dollars over its ten year life.

Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,

William T. Ackerman
(Signature)

William T. Ackerman
Name (print)

2208 HASKETH RD
Address

EL PASO MICH. 78923
City State zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

Dear Ms. Daly:

I am writing to express my support of Viceroy Gold Corporation's Castle Mountain Project.

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Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,

David J. Anderson
(Signature)

DR. P. V. MRS. C. G. Anderson
Name (print)

NELSON STAR ROUTE, Box 14
Address

SEARCHLIGHT NEVADA 89046
City State zip

RECEIVED
MAR 3 1990

E.3-31

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

Dear Ms. Daly:

I am writing to express my support of Viceroy Gold Corporation's Castle Mountain Project.

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Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,

Paul E. Hebert
(Signature)
Paul E. Hebert
Name (print)
P.O. Box 744
Address
Seaside, CA 94134
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

Dear Ms. Daly:

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Sincerely,

Virginia M. Baker
(Signature)
DAVINN M. BAKER
Name (print)
26 COMANCHE WAY Box 409
Address
Cal. Nev. Ariz NV 89039
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

Dear Ms. Daly:

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Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,

Sheri R. Bacon
(Signature)
BERT R. BACON
Name (print)
5700 Midway Rd Box 635
Address
Castroville, Cal. 95601
City State Zip

RECEIVED
MAR 1 1990

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

Dear Ms. Daly:

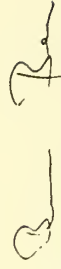
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Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,


(Signature)
Name (print) BEN REESE
Address P O BOX 741

SEACREIGHT, NEV. 89046
City State zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

Dear Ms. Daly:


I am writing to express my support of Viceroy Gold Corporation's Castle Mountain Project.

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Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,


(Signature)
Name (print) T.P. Barnes
Address 230 Village Ct

Hansonville NV 89015
City State zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

Dear Ms. Daly:

I am writing to express my support of Viceroy Gold Corporation's Castle Mountain Project.

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Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,

Dennis Benson
(Signature)
Dennis Benson
Name (print)
HCR #1 Box 364
Address
Nipton Ca 92364
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

Dear Ms. Daly:

I am writing to express my support of Viceroy Gold Corporation's Castle Mountain Project.

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Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,

Mike Bolton
(Signature)
Mike Bolton
Name (print)
P.O. Box 232
Address
Southglide NV, 89046
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

Dear Ms. Daly:

I am writing to express my support of Viceroy Gold Corporation's Castles Mountain Project.

Viceroy has shown a strong commitment to the community and the environment. They have made conscientious efforts to avoid and mitigate undesirable environmental impacts. The Castle Mountain Project's comprehensive Environmental Impact Statement (EIS)/Environmental Impact Review (EIR) and Supplement demonstrates Viceroy's commitment.

Also, the Project will have a very positive economic impact in the East Mojave, with a work force averaging 125 employees. The Project is expected to generate local, state and federal tax revenues of approximately 60 million dollars over its ten year life.

Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,

Howard Bradley
(Signature)
HOWARD BRADLEY
Name (print)
389 LEGACY DRIVE
Address
Healderson Nevada 89014
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

Dear Ms. Daly:

I am writing to express my support of Viceroy Gold Corporation's Castles Mountain Project.

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Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,

Rebecca Bradley
(Signature)
Rebecca J. Bradley
Name (print)
389 Legacy Dr.
Address
Healderson, NV 89014
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

RECEIVED
MARCH 1 1990

Dear Ms. Daly:

I am writing to express my support of Viceroy Gold Corporation's Castle Mountain Project.

Viceroy has shown a strong commitment to the community and the environment. They have made conscientious efforts to avoid and mitigate undesirable environmental impacts. The Castle Mountain Project's comprehensive Environmental Impact Statement (EIS)/Environmental Impact Review (EIR) and Supplement demonstrates Viceroy's commitment.

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Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,

Michael Briner
(Signature)

Michael Briner

Name (print)

166 Victory

Address

Henderson, Nevada 89015

City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,

Michael Briner
(Signature)

M. Briner

Name (print)

44 Baswell

Address

Henderson, Nevada 89015

City State Zip

RECEIVED

MAR 25 1990

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

Dear Ms. Daly:

I am writing to express my support of Viceroy Gold Corporation's Castle Mountain Project.

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Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,

Ann M. Burford
(Signature)
Ann M Burford
Name (print)
3853 South Hudson
Address
Denver CO 80237
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

Dear Ms. Daly:

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Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,

Betty Brown
(Signature)
Betty Brown
Name (print)
550 E. Hansen
Address
Steamlight Ave 89046
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

Dear Ms. Daly:

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Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the project as soon as possible.

Sincerely,

Henry A. Pausch
(Signature)
Name (print) HENRY A. PAUSCH
Address 365 WATERSIDE
City SEARCLIGHT, CA State N.C. Zip 95046

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Philip Bortone
(Signature)
Name (print) PHILIP BORTONE
Address P.O. 92
City SEARCLIGHT, CA State NEV Zip 89046

E.3-39

RECEIVED
MAY 23 1990

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

Dear Ms. Daly:

I am writing to express my support of Viceroy Gold Corporation's Castle Mountain Project.

Viceroy has shown a strong commitment to the community and the environment. They have made conscientious efforts to avoid and mitigate undesirable environmental impacts. The Castle Mountain Project's comprehensive Environmental Impact Statement (EIS)/Environmental Impact Review (EIR) and Supplement demonstrates Viceroy's commitment.

Also, the Project will have a very positive economic impact in the East Mojave, with a work force averaging 125 employees. The Project is expected to generate local, state and federal tax revenues of approximately 60 million dollars over its ten year life.

Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,

Richard C. Capra
(signature)
Richard C. Capra
Name (print)
182 New Haven Dr.
Address
Athens, GA 30606
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Chuck Clark
(Signature)
Chuck Clark
Name (print)
P.O. Box 7516
Address
SEASIDE, CA 92086
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Gene P. Polton
(Signature)
Name (print) Gene Polton 842
Address PO Box 842
City Needles, Calif State CA Zip 92363

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Elena Polton
(Signature)
Name (print) Gene Polton
Address P.O. Box 1599
City Needles, Ca. State CA Zip 92363

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Russell H. Crouse
(Signature)

Russell H. Crouse
Name (print)

5232 Arminia Dr.
Address

Salt Lake City UTAH 84117
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Richard Chapman
(Signature)

Richard Chapman
Name (print)

4170 Redwood
Address

Las Vegas NV 89119
City State Zip

RECEIVED
MAR 1 1990

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Elena Daly
(Signature)
DAY, L. CRAW
Name (print)
101 SPIKE'S RD
Address
NEEDLES, CA 92363
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

George S. Czajkowski
(Signature)
GEORGE S. CZAJKOWSKI
Name (print)
P.O. Box 221
Address
SEARCHLIGHT, NEVADA 89046
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

William Thomas Stedje
(Signature)
William Thomas Stedje
Name (print)
4000 Al Vista
Address
Ardenway Az 86401
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Jerry Dondero
(Signature)
Jerry Dondero
Name (print)
6767 W. Charleston, Suite D
Address
Las Vegas, NV 89102 State Zip
City

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

Dear Ms. Daly:

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Sincerely,

Elena Daly
(Signature)
Elena Daly
Name (print)
P.O. Box 1912 Sparks '62
Address
Wahwash Co. NV 89406
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,
Elena Daly

Elena Daly
(Signature)
Elena Daly
Name (print)
P.O. Box 1912
Address
Wahwash Co. NV 89406
City State Zip

March 1, 1990

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U.S. Bureau of Land Management
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Needles, CA 92363

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Sincerely,

Cash Erwin
(Signature)
CASH ERWIN
Name (print)
Box 96 J
Address
Sagebrush Nevada
City State zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Virgil J. Fischer
(Signature)
Virgil J. Fischer
Name (print)
2528 Victory Ave.
Address
Las Vegas, Nev. 89121
City State zip

RECEIVED
FEBRUARY 1990

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

(Signature)
Elena T. Groode
Name (print)
501 ENCHANTED
Address
SEARCHLIGHT, NV 89406
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

(Signature)
MARKHAM D. FARR
Name (print)
P.O. Box 281
Address
SEARCHLIGHT NV 89406
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Amant Chray
(Signature)
Amant Chray
Name (print)
4600 Nevada Ln. 34 C
Address
Las Vegas, NV. 89102
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Addie Griffith
(Signature)
Addie Griffith
Name (print)
Pa. Bay 292
Address
SEARC Light Av. 89006
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Stephen A. Galt
(Signature)
STEPHEN A GALT
Name (print)
Box 892
Address
SEWARD NV 89046
City State Zip

RECEIVED
MAR 1 1990

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Garry R. Hall
(Signature)
Garry R. Hall
Name (print)
PO Box 3319
Address
North Las Vegas, NV 89036
City State Zip

RECEIVED
MAR 1 1990

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Karen Hargis
(Signature)
KAREN HARGIS
Name (print)
5050 S. Duranville #226
Address
Las Vegas NV 89118
City State zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Mark Harris
(Signature)
MARK HARRIS
Name (print)
1900 JEEILA
Address
L.V. NV. 89108
City State zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

William D. Hart
(Signature)

Lucille D. Hart
Name (print)

P.O. Box 415
Address

Cal. Nev. Ariz. N.V. 89039
City State zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

William D. Hart
(Signature)

Lucille D. Hart
Name (print)

P.O. Box 415
Address

Cal. Nev. Ariz. N.V. 89039
City State zip

March 1, 1990

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U.S. Bureau of Land Management
Needles Resource Area
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Sincerely,

Pete Evelyn Hartman
(Signature)

PETE - EVELYN HARTMAN
Name (print)

P.O. Box 435 260 N Main St
Address

Searchlight NV 89046
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Ed Huskinson, Jr
(Signature)

Ed Huskinson, Jr
Name (print)

845 Ridgcrest
Address

Kingman, AZ - 86401
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Frederick A. Lanz
(Signature)
Name (print) Frederick A. Lanz
Address P.O. Box 726
Searchlight, Nevada 89046
City State zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Yvelin M. Jang
(Signature)
Name (print) HELEN M. JANG
Address Box 726
SEARCHLIGHT, NV
City State zip 89046

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Also, the Project will have a very positive economic impact in the East Mojave, with a work force averaging 125 employees. The Project is expected to generate local, state and federal tax revenues of approximately 60 million dollars over its ten year life.

Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,

Ellen F. Johnson
(Signature)
ELLEN F. JOHNSON
Name (print)
P.O. Box 101
Address
Stanford, Nevada 89406
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

Dear Ms. Daly:

I am writing to express my support of Viceroy Gold Corporation's Castle Mountain Project.

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Sincerely,

Mr. & Mrs. Richard H. Johnson
(Signature)
Richard & Deborah M. Johnson
Name (print)
1548 Sandersonista Dr.
Address
Los Vegas NV 89123
City State Zip

March 1, 1990

RECEIVED
MAR 1 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Kath Jones
(Signature)
Name (print) KATH JONES
6250 W. FLAMINGO # 93
Address
LAS VEGAS NV 89103
City State zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Ella C. Kay
(Signature)
Name (print) ELLA C. KAY
Box 127
Address
Southgate Nev 89046
City State zip

E.3-55

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Jeanne Kuchling
(Signature)
Jeanne Kuchling
Name (print)
Castle Circle
Address
Needles CA
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Nancy Kidwell
(Signature)
Nancy Kidwell
Name (print)
P. O. Box 430
Address
Cal-Nev-Ari Nv. 89039
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

William Thompson
(Signature)

W.S. Thompson
Name (print)

P.O. Box 284
Address

Marchington, Nev. 89046
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

William Thompson
William Thompson
(Signature)

William Thompson
Name (print)

101 Spike's Road
Address

Needles *Nev* *92363*
City State Zip

RECEIVED

MAR 20 1990

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Richard J. Kramer
(Signature)
Name (print)
P.O. Box 85
Address
Springlight Ave 89046
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

John A. Kraft
(Signature)
Name (print)
9960500 Post Office
Address
Springlight Ave, 89046
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Carol Jamkins
(Signature)
Carol Jamkins
Name (print)
1950 N. Walnut #121
Address
Las Vegas NV 89115
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

George C. Lepech
(Signature)
George C. Lepech
Name (print)
P.O. Box #120
Address
Searchlight, Nev. 89046
City State Zip

March 1, 1990

SECRETARY

Ms. Daly

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Mark S. Howard
(Signature)
Mark S. Howard
Name (print)
8003 S. Howard
Address
TEHACHE 112 92385
City State zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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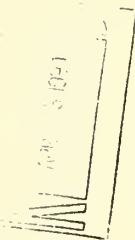
Sincerely,

Mark S. Howard
(Signature)
Mark S. Howard
Name (print)
8003 S. Howard
Address
TEHACHE 112 92385
City State zip

RECEIVED
MAR 26 1990

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363



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Sincerely,

Raye Logreare
(Signature)
Raye Logreare
Name (print)
565 Knechtas P.O. 85
Address
Searchlight NV 89046
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 883
Needles, CA 92363

Dear Ms. Daly:

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Sincerely,

B. Dale Meyer
(Signature)
B. Dale Meyer
Name (print)
P.O. Box 1600
Address
Searchlight, NV 89046
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Louis Meyer Sr.
(Signature)
Name (print) LOUIS MEYER
Address Box 922
SEARIGHT M 89046
City State zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Batista Murphy
(Signature)
Name (print) KATHERA MURPHY
Address 3410 LA CASA DR
HENDERSON NV 89014
City State zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Dani B. Maggi
(signature)
DAVIS A. NIZZI
Name (print)
P.O. Box 131
Address
Searchlight No. 88046
City State zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

[Signature]
(signature)
Charles Roy Priest
Name (print)
1304 A.A
Address
Idaho Nevada 89315
City State zip

RECEIVED
March 1, 1990

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Raymond D. Dawson
(Signature)
Raymond D. Dawson, Senator
Name (print)
6433 Mechem
Address
Los Vegas, NV 89107
City State zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Max G. Ray
(Signature)
MAX E RAY
Name (print)
2200 G X 971
Address
Las Vegas, NV 89107
City State zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Elena Lynn Rhodes
(Signature)
VERNA LYNN RHODES
Name (print)
P.O. Box 1570
Address
SEARCHLIGHT, CA 92363
City State zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Barney Regan
(Signature)
BARNEY REGAN
Name (print)
Box 103
Address
SEARCHLIGHT, CALIF. 92363
City State zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

James A. Richmond
(Signature)
Name (print) JAMES A. RICHMOND
Address P.O. Box 951
City Middlebourn CA State CA Zip 95461

Dear Ms. Daly:

I am writing to express my support of Viceroy Gold Corporation's Castle Mountain Project.

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Sincerely,

James L. Padgugler
(Signature)
Name (print) James L. Padgugler
Address P.O. Box 281
City SEARCHLIGHT State AK Zip 99806

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Dale Romero
(Signature)
Lee Romero
Name (print)
340 W. Sparks St
Address
San Bernardino NH 91140
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Dale Romero
(Signature)
Dale Romero
Name (print)
340 W. Sparks St
Address
San Bernardino NH 91140
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Sincerely,

William Dwyer
(Signature)

[Signature]
(Signature)

William Dwyer
Name (print)

Georges H. Sack
Name (print)

101 Spike's Road
Address

P.O. Box 174
Address

Needles, CA 92363
City State Zip

SEARCHLIGHT NV 89046
City State Zip

RECEIVED

March 1, 1990 MAR 26 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

Dear Ms. Daly:

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Sincerely,

[Signature]
(Signature)

FRANK STANLEY
Name (print)

Box 7
Address

SEAROCKVILLE, INDIAN
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

[Signature]
(Signature)

ANN SALTER
Name (print)

PO BOX 1006
Address

CITENWOOD CREEK, INDIAN
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

G. J. Savage
(Signature)
G. J. SAVAGE
Name (print)
P.O. BOX 707
Address
SEARCHLIGHT NEVADA 89046
City State Zip

RECEIVED
MAR 7 1990

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Mary E. Savage
(Signature)
MARY E. SAVAGE
Name (print)
Box 707
Address
SEARCHLIGHT NV 89046
City State Zip

RECEIVED
MAR 3 1990

March 1, 1990 RECEIVED

MAR 20 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
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Sincerely,

Sincerely,

Kathleen Schaeffer
(signature)
Kathleen Schaeffer
Name (print)
570 River Glen #313
Address
Las Vegas NV 89103
City State Zip

Kathleen Schaeffer
(signature)
KATHLEEN SCHAEFFER
Name (print)

Address
Las Vegas, Nevada 89103
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Jack Sedel
(Signature)
Name (print) JACK SEDAL, JR.
Address 570 Succorato
City Searchlight NV State NV Zip 89016

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Walter W. Sethman
(Signature)
Name (print) Walter W. Sethman
Address 4051 W. V.K.R.C.
City Las Vegas NV State NV Zip 89103

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

RECEIVED
MAR 1 1990

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Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,

Mike L. Smith
(Signature)
Mike L. Smith
Name (print)
P.O. 63
Address
SEARCHLIGHT Nev. 89046
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

ADA SLAVENS
(Signature)
ADA SLAVENS
Name (print)
PO Box 219
Address
SEARCHLIGHT, Nev. 89046
City State Zip

March 1, 1990

RECEIVED
March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Blair J. Smith
(Signature)
Blair J. Smith
Name (print)
1700 Sawney Road
Address
Needles NV 89117
City State Zip

March 1, 1990

RECEIVED
March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Ellis H. Squier
(Signature)
ELLIS H. SQUIER
Name (print)
PO Box 275
Address
Searchlight, NV 89046
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

Dear Ms. Daly:

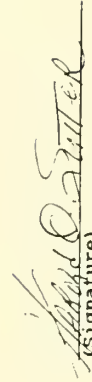
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Sincerely,


(Signature)
Name (print) Harold O. Sutter
Address P.O. Box 1112
City Coltonwood, California State 89046 Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,


(Signature)
Name (print) John Stebbins
Address 808 Del Monte Lane
City Rounder City, N.M. State 80005 Zip

RECEIVED
MAR 3 1990

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Ann C. Templeton
(Signature)
ANNE C. TEMPLETON
Name (print)
P.O. Box 146
Address
SEARUNLIGHT NEV 89046
City State zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Ann C. Templeton
(Signature)
ANNE C. TEMPLETON
Name (print)
P.O. Box 146
Address
SEARUNLIGHT NEV 89046
City State zip

RECEIVED
MAR 22 1990

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,


(Signature)
Name (print) DANNY L. THOMPSON
Address 1405 TAUBERKE CT
City HEALD State NU. Zip 95104

E.3-77

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

Dear Ms. Daly:

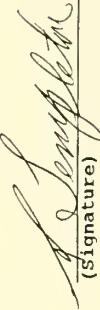
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Sincerely,


(Signature)
Name (print) L. TEMPLETON
Address 1505 COTTONWOOD RD.
City SEARCHLIGHT State NY Zip 80424

RECEIVED
MARCH 1 1990

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

T.N.T. Dev. Inc

Robert L. Topfiss
(Signature)

Robert L. Topfiss
Name (print)

Box 1539
Address

Searchlight NV 89446
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Mary Margaret T. Wilson
(Signature)

Mary Margaret T. Wilson
Name (print)

P.O. Box 923
Address

Searchlight, NV 89446
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Thomas J. McManis
(Signature)
LEONARD J. CRIBANAVAGE
Name (print)
P.O. Box 1052
Address
Castroville, CA 95006
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Joe H. Trujillo
(Signature)
JOE H. TRUJILLO
Name (print)
Crescent Valley Ct
Address
Seaside, CA
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Ruth B. Urbanavage
(Signature)
Ruth B. Urbanavage
Name (print)
P.O. Box 1052
Address
Cottonwood Cove Nev
City State zip 89046

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

[Signature]
(Signature)
Charles F. Vincent
Name (print)
6454 Saddle Pine Circle
Address
Las Vegas NV 89102
City State zip

RECEIVED
MAR 3 1990

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Arthur Washington
(Signature)

WALTER J WASHINGTON
Name (print)

PO Box 268
Address

Searchlight Nev 89016
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Walter Washington
(Signature)

WALTER WASHINGTON
Name (print)

PO Box 268
Address

Searchlight Nev. 89016
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

Dear Ms. Daly:

I am writing to express my support of Viceroy Gold Corporation's Castle Mountain Project.

Viceroy has shown a strong commitment to the community and the environment. They have made conscientious efforts to avoid and mitigate undesirable environmental impacts. The Castle Mountain Project's comprehensive Environmental Impact Statement (EIS)/Environmental Impact Review (EIR) and Supplement demonstrates Viceroy's commitment.

Also, the Project will have a very positive economic impact in the East Mojave, with a work force averaging 125 employees. The Project is expected to generate local, state and federal tax revenues of approximately 60 million dollars over its ten year life.

Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,

John Stachurs
(Signature)
ZITA WALKER
Name (print)
455 E. Camino
Address
SEARCHLIGHT, NEV 89046
City State zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

Dear Ms. Daly:

I am writing to express my support of Viceroy Gold Corporation's Castle Mountain Project.

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Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,

John S. Walsh
(Signature)
RON J. WALSH
Name (print)
Box 110
Address
SEARCHLIGHT NV 89046
City State zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,

Karl E. Weikel
(Signature)
Name (print) Karl E. Weikel
Address P.O. Box 8
Sparchlight, NY 5846
City State zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

Dear Ms. Daly:

I am writing to express my support of Viceroy Gold Corporation's Castle Mountain Project.

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Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,

C. J. T. Johnson
(Signature)
Name (print) H. D. Westerman
Address P.O. 911
Sparchlight, Nev
City State zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,

Paw Morgan Whitaker
(Signature)
PAW MORGAN WHITAKER
Name (print)
P.O. Box 174
Address
SEARCLIGHT NV 89046
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,

Ethel White
(Signature)
Ethel White
Name (print)
P.O. Box 734
Address
HARBURG, W.V. 26046
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

RECEIVED
MAR 1 1990

Dear Ms. Daly:

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Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,

James C. Williams
(Signature)
JERRY C WILLIAMS
Name (print)
613 SAN JUAN DR
Address
LAS VEGAS NV 89126
City State zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

RECEIVED
MAR 1 1990

Dear Ms. Daly:

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Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,

Vernon B. Williams
(Signature)
Vernon B. Williams
Name (print)
1060 VEGAS VALLEY DRIVE
Address
LAS VEGAS, NV 89109
City State zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

Dear Ms. Daly:


I am writing to express my support of Viceroy Gold Corporation's Castle Mountain Project.

Viceroy has shown a strong commitment to the community and the environment. They have made conscientious efforts to avoid and mitigate undesirable environmental impacts. The Castle Mountain Project's comprehensive Environmental Impact Statement (EIS)/Environmental Impact Review (EIR) and Supplement demonstrates Viceroy's commitment.

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Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,


(Signature)
Harold E. Wilson
Name (print)
P.O. Box 760
Address
Searchlight NV 89046
City State Zip

March 1, 1990

RECEIVED

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

Dear Ms. Daly:

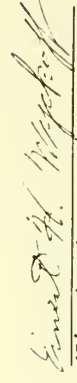
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Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,


(Signature)
Ernest H. Wyckoff
Name (print)
P.O. Box 831
Address
SEARCHLIGHT NV 89046
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,

Debra J. ...
(Signature)
Debra J. ...
Name (print)
1302 845
Address
SEARCHLIGHT - 1100 89046
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Sincerely,

Debra K. Yeager
(Signature)
DEBRA K. YEAGER
Name (print)
P.O. BOX 915
Address
SEARCHLIGHT, NEVADA 89046
City State Zip

RECEIVED
MAR 1 1990

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

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Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,

Robert Zafest
(Signature)
ROBERT J. ZAFEST
Name (print)
193 MARINA DR
Address
BOWEN CITY, NV. 89005
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

Dear Ms. Daly:

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Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,

William A. Yeager
(Signature)
WILLIAM A. YEAGER
Name (print)
P.O. BOX 61
Address
SEARCHLIGHT, NEVADA 89046
City State Zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

Dear Ms. Daly:

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Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,

Donald M. Zirkle
(Signature)
Name (print) Donald M. Zirkle
Address P.O. Box 1131
Cottonwood Cove Nev. 89046
City State zip

March 1, 1990

Elena Daly
U.S. Bureau of Land Management
Needles Resource Area
101 Spike's Road/PO Box 888
Needles, CA 92363

Dear Ms. Daly:

I am writing to express my support of Viceroy Gold Corporation's Castle Mountain Project.

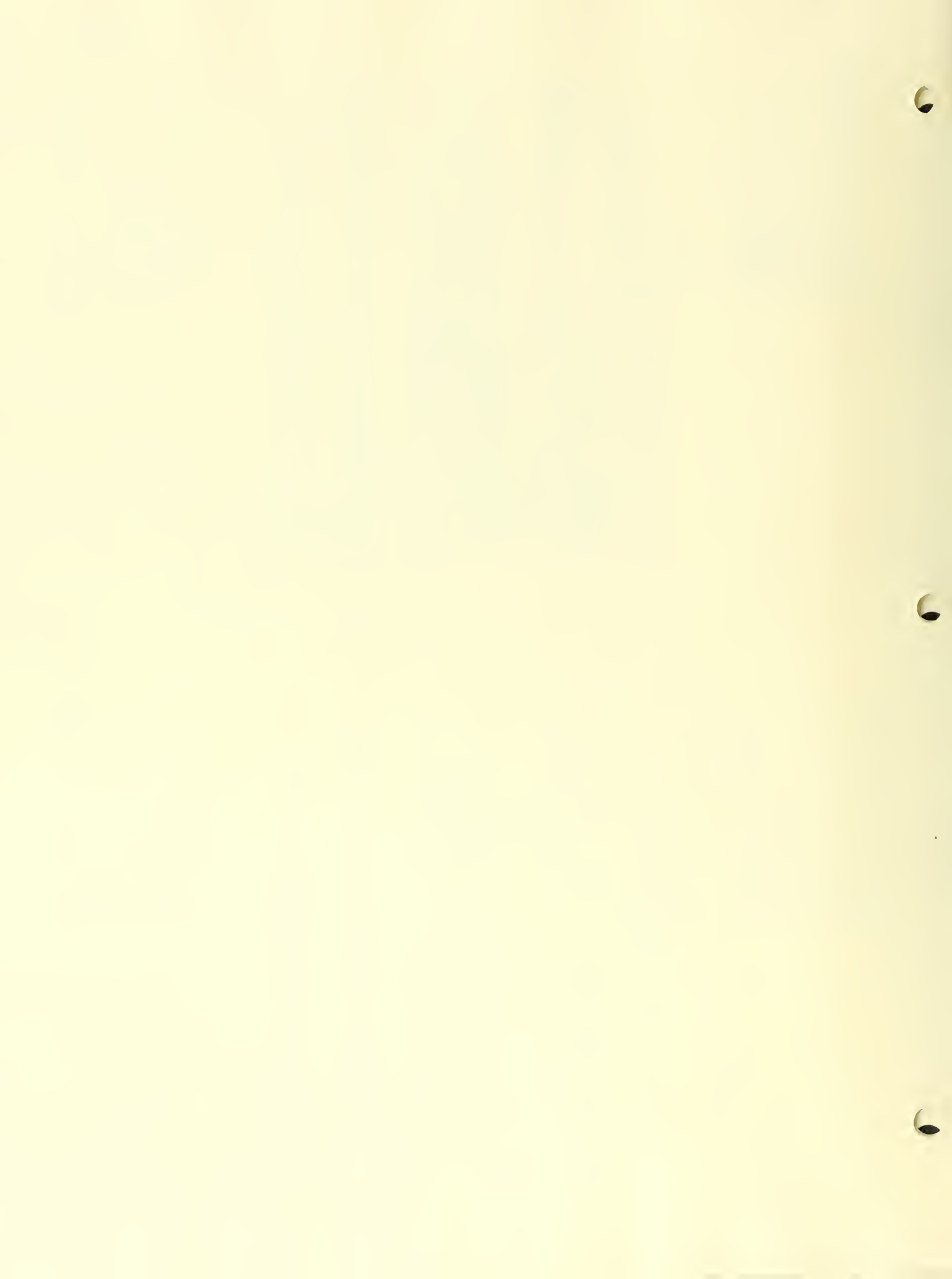
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Because of Viceroy's demonstrated commitment to preserve wildlife habitats, visual and cultural resources and its significant contribution to the local economy, I urge you to approve the Project as soon as possible.

Sincerely,

Kathryn M. Zirkle
(Signature)
Name (print) KATHRYN M. ZIRKLE
Address P.O. Box 1131
Cottonwood Cove Nevada-89046
City State zip



**APPENDIX F
DRAFT EIS/EIR EVALUATION OF SUSPECTED
OCCURRENCE OF SPECIAL INTEREST
PLANT SPECIES**



APPENDIX F

EVALUATION OF SUSPECTED OCCURRENCE OF SPECIAL INTEREST PLANT SPECIES

F.1 INTRODUCTION

1. A list of sensitive plant species known from the eastern Mojave Desert and potentially occurring in the vicinity of the site was compiled from literature sources by Gould (1987a), and is shown in Table F.1, Sensitive Plant Species Suspected to Occur in the Vicinity of the Castle Mountain Project Site. It was noted that the remaining species may be uncommon or may not occur in this area, or only germinate following summer rain, and would not normally be observed. Three species were found during the onsite inventory (*F. acanthodes*, *C. tumulosa* and *E. heermannii* var. *floccosum*). In addition, *Penstemon stephensii* was tentatively identified.
2. This list of species was subsequently reviewed by Romspert based on supplementary field surveys, knowledge of the specific habitat requirements of each species as compared to the habitats represented at the project site, and known East Mojave Desert locations. As a result, the list was reduced to the known expected occurrence of three species:
 - *Cryptantha tumulosa*
 - *Eriogonum heermannii* var. *floccosum*
 - *Penstemon stephensii*

The following section provides the considerations for each of the species originally suspected to occur, as shown in Table F.1.

F.2 SENSITIVE SPECIES DISCUSSIONS

Astragalus cimae var. *cimae*

This plant is a perennial occurring on decomposed granitic gravel on flats and gentle slopes in the Mid Hills, New York, Ivanpah, and Clark Mountains (Thorne *et al.* 1981). It was not observed in the survey conducted by Gould in March and April, 1987, or that of Romspert in June, 1988. If a population occurs in the area of the Castle Mountain Project, it would likely have been observed during these surveys, as the reproductive period for this species is March-May (Munz 1974, Thorne *et al.* 1981).

TABLE F.1

**SENSITIVE PLANT SPECIES
SUSPECTED TO OCCUR IN THE VICINITY OF THE
CASTLE MOUNTAIN PROJECT SITE
GOULD 1987**

| SPECIFIC NAME | CNPS | FWS | BLM |
|---|------|-----|-----|
| <i>Astragalus cimae</i> var. <i>cimae</i> | I | 3C | X |
| <i>Astragalus nutans</i> | IV | | |
| <i>Bouteloua simplex</i> | II | | X |
| <i>Bouteloua trifida</i> | II | | X |
| <i>Cassia covesii</i> | II | | |
| <i>Cordylanthus eremicus</i> ssp. <i>eremicus</i> | IV | 2 | X |
| <i>Cordylanthus parviflorus</i> | II | | X |
| <i>Coryphantha vivipara</i> var. <i>rosea</i> | I | 3C | X |
| <i>Cryptantha tumulosa</i> | IV | 3C | |
| <i>Cynachum utahense</i> | II | | X |
| <i>Enneapogon desvauxii</i> | II | | |
| <i>Eriogonum bifurcatum</i> | I | 2 | X |
| <i>Eriogonum heermannii</i> var. <i>floccosum</i> | IV | 3C | X |
| <i>Erioneuron pilosum</i> | II | | X |
| <i>Euphorbia exstipulata</i> | | | |
| <i>Ferocactus acanthodes</i> var. <i>acanthodes</i> | III | 2 | X |
| <i>Festuca arizonica</i> | II | | X |
| <i>Galium munzii</i> | II | | |
| <i>Lycurus phleoides</i> | II | | |
| <i>Penstemon stephensii</i> | I | 2 | X |
| <i>Phacelia anelsonii</i> | II | 3C | X |
| <i>Phacelia mustelina</i> | II | 3C | X |
| <i>Phacelia parishii</i> | | 2 | X |
| <i>Sanvitalia abertii</i> | | | |
| <i>Scleropogon brevifolius</i> | II | | |
| <i>Sphaeralcea rusbyi</i> ssp. <i>eremicola</i> | I | 2 | X |
| <i>Stipa arida</i> | II | | X |

EXPLANATION

6/1/90 (88-148)

This table of sensitive plant species was completed by Patrice Gould from literature sources during initial studies of the Castle Mountain Project Site. Three of these species were noted as occurring on the site: *Cryptantha tumulosa*, *Eriogonum heermannii* var. *floccosum* and *Ferocactus acanthodes* var. *acanthodes*

LEGEND

CNPS - California Native Plant Society

I = Plants rare, threatened, or endangered in California and elsewhere.

II = Plants rare, threatened, or endangered in California but more common elsewhere.

III = Plants about which we need more information - a review list.

IV = Plants of limited distribution - a watch list.

FWS - U.S. Fish and Wildlife Service

2 = Category 2 candidate species, threat and/or distribution data are insufficient to support Federal listing.

3C = Too widespread and/or not threatened. No longer considered as a Federal candidate for listing.

BLM - U.S. Bureau of Land Management

X = Plants considered "sensitive", based on compilation of Federal, State, and other lists.

Astragalus nutans

This species is a frequent annual or perennial occurring in sandy washes, gravelly to rocky canyon bottoms, bouldery slopes and occasionally at springs in the Granite, Providence, New York, and Clark Mountains of the East Mojave Desert (Thorne *et al.* 1981). It was not observed in the survey conducted by Gould in March and April, 1987, or that of Romsperit in June, 1988. Its reproductive period of March-June would indicate that if a permanent population was in existence in the Castle Mountains, it would have been observed during one of these surveys.

Bouteloua simplex

This annual species is not listed as occurring in the higher ranges of the East Mojave Desert (Thorne *et al.* 1981) or in southern California (Munz 1974), although it has been collected in the Cima Dome area (Smith & Berg 1988). This collection is west of Lanfair Valley; it is not expected that this species would be found in the vicinity of the Castle Mountain Project. It was not observed in the survey conducted by Gould in March and April, 1987, or by Romsperit in June, 1988.

Bouteloua trifida

This perennial species seems to occur on limestone substrate in the Providence, New York, and Clark Mountains and as a rarity on rocky slopes of the Kingston Range (Thorne *et al.* 1981). Its occurrence as a permanent population in the Castle Mountain Project area is doubtful, as it was not observed in the surveys by Gould in March and April, 1987, or by Romsperit in June, 1988, which were conducted during its reproductive period of May, June, and September .

Cassia covessii

This plant is listed as a Colorado Desert species (Munz 1974 and Abrams 1923). It is not listed as occurring in the higher ranges of the East Mojave Desert (Thorne *et al.* 1981). The collection locations listed are both at the southeastern fringes of the Mojave Desert (in habitat typical of the Colorado Desert), many miles from the Castle Mountains. It would seem that this species would be extremely unlikely to occur in the Castle Mountains (Smith & Berg 1988). It was not observed in the survey conducted by Gould in March and April, 1987, or by Romsperit in June, 1988.

Cordylanthus eremicus ssp. *eremicus*

This species occurs in the Panamint Mountains in Inyo County and the extension of its range to the Castle Mountains would be quite unlikely. It was not observed in the survey conducted by Gould in March and April, 1987, or by Romsperit in June, 1988.

Cordylanthus parviflorus

This species has been recorded in the area of Castle Peaks (Smith & Berg 1988), and in the Providence and New York Mountains in sandy to rocky soils of bajadas and arroyos and is infrequent, although locally abundant (Thorne *et al.* 1981). This annual species could very likely occur in the area of the Castle Mountain Project and should be looked for during its reproductive period of August and September. It was not observed in the survey conducted by Gould in March and April, 1987, or by Romsper in June, 1988.

Coryphantha vivipara* var. *rosea

This plant has only been collected in the area of the New York Mountains and Mid Hills of the east Mojave Desert (Thorne *et al.* 1981). It generally occurs at elevations below those of the Castle Mountain Project, and its occurrence at the site is therefore unlikely. The more common variety *C. vivipara desertii* is likely to occur in that area, but was not observed in the survey conducted by Gould in March and April, 1987, or by Romsper in June, 1988.

Cryptantha tumulosa

This plant has been collected in the Castle Mountains and is included on the list although it was not observed in the survey conducted by Romsper in June, 1988, or May, 1989, when the former observation location was inventoried. This species is widespread and locally abundant in the east Mojave Desert, occurring in the Providence, New York, Ivanpah, and Clark Mountains, as well as the Mid Hills (Thorne *et al.* 1981).

Cynachum utahense

This species has only been recorded from one collection in the East Mojave Desert (1959), at the southeast base of the Ivanpah Mountains in Ivanpah Valley. It is unlikely that this perennial is currently occurring at the higher elevation Lanfair Valley in the area of the Castle Mountain Project. It was not observed in the survey conducted by Gould in March and April, 1987, or by Romsper in June, 1988.

Enneapogon desvauxii

This plant was not observed in the survey conducted by Gould in March and April, 1987, or by Romsper in June, 1988, although these surveys were not conducted during the reproductive period of this species (August-October). The dried plants of this species are quite distinctive,

persist for an extended period of time, and can be observed in the following season (personal communication, Dr. Barry Prigge). No material from the preceding season was observed by either survey. During a season of good summer rainfall, this species is quite abundant throughout the East Mojave Desert, and could be expected to occur in the Castle Mountain Project area.

Eriogonum bifurcatum

This plant species has not been collected in the higher ranges of the East Mojave Desert (Thorne *et al.* 1981). It is listed as occurring in Inyo County, California and in Nye County, Nevada (Munz 1974). A substantial expansion of the known range would have to occur for this species to be found in the Castle Mountains, and it is not expected to occur in the project area. It was not observed in the survey conducted by Gould in March and April, 1987, or by Romspert in June, 1988.

Eriogonum heermannii floccosum

This species occurs in the Castle Mountains and is listed as a species expected to occur in the Castle Mountain site (11/21/88) and was found onsite by Gould. This species is widespread in the East Mojave Desert, occurring in the Granite, Providence, New York, and Clark Mountains, as well as the Mid Hills and Kingston Range. It is much more frequent than the other subspecies of *E. heermannii* that occur in the mountains of the East Mojave Desert, and should probably be removed from consideration as a sensitive species.

Erioneuron pilosum

This species has only been collected at higher elevations in the east Mojave Desert, in the Clark Mountains and Kingston Range (Thorne *et al.* 1981), and in the Mescal Mountains (Smith & Berg 1988). Its distribution north of the Castle Mountains and in upper elevation pinyon-juniper woodland habitat, make it highly unlikely to occur in the Castle Mountain Project area. This plant was not observed in the survey conducted by Gould in March and April, 1987, or by Romspert in June, 1988.

Chamaesyce (Euphorbia) exstipulata* var. *exstipulata

This summer annual is known only from the Clark Mountains (J.C. Roos 1950 [Thorne *et al.* 1981]) and is not expected to occur in the Castle Mountains. It was not observed in the survey conducted by Gould in March and April, 1987, or Romspert in June, 1988.

Ferocactus acanthodes* var. *acanthodes

This species was listed by Gould in 1987 as occurring in the Castle Mountain Project area. Subsequent observations by Romspert in June 1988 indicated that the variety of barrel cactus that occurs in this area is the non-listed variety *F. acanthodes lecontei*. A secondary collection in May, 1989, substantiated this identification. Voucher specimens are deposited in the herbarium at the California Desert Studies Consortium Desert Studies Center at Soda Springs, California.

Festuca arizonica

This species has only been collected in the Clark Mountains (Wolf 1935). No subsequent collection has been made, and this plant is not listed as occurring in the other ranges of the eastern Mojave Desert (Thorne *et al.* 1981). It is highly unlikely that this species would occur in the Castle Mountain Project area. It was not observed in the survey conducted by Gould in March and April, 1987, or by Romspert in June, 1988.

Galium munzii

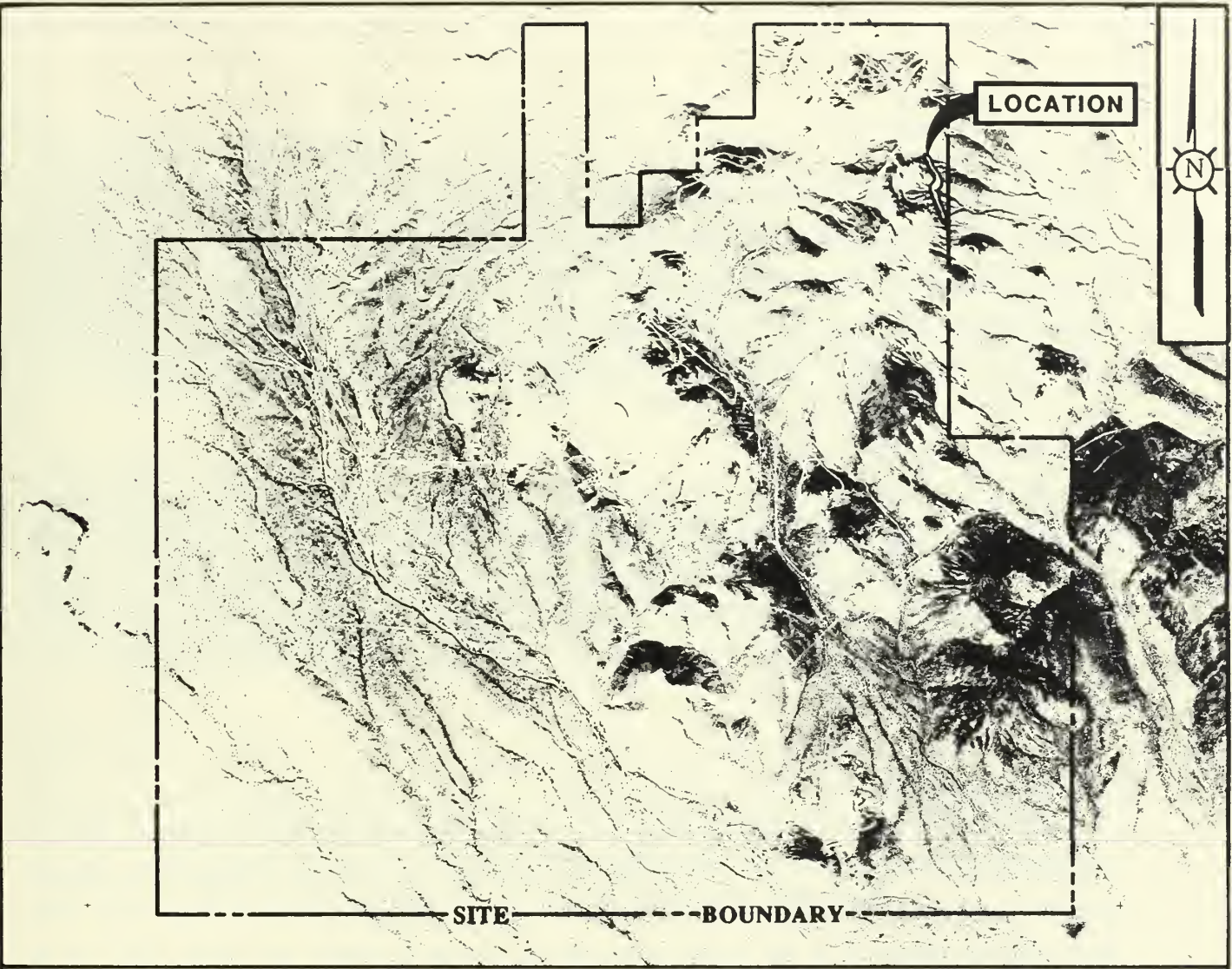
This species is common in the East Mojave Desert, occurring in the Granite, Providence, New York, and Clark Mountains, and in the Mid Hills (Thorne *et al.* 1981). This species may occur in the Castle Mountains, although being a perennial it should have been recorded by one of the surveys, since they were conducted during the reproductive period (May-June). It was not observed in the survey conducted by Gould in March and April, 1987, or Romspert in June, 1988.

Lycurus phleoides

This species is not listed as occurring in California (Munz 1974; Thorne *et al.* 1981; or Hitchcock 1971), although it is listed as having been collected within the Pinto Valley, U.S. Quadrangle, many miles to the southeast of the Castle Mountains (Smith & Berg 1988). This was a one time collection and it is highly unlikely that it would occur in the Castle Mountain Project area. This plant was not observed in the survey conducted by Gould in March and April, 1987, or by Romspert in June, 1988.

Penstemon stephensii

Gould in 1987 listed this species as a possible occurrence from vegetative materials. In May, 1989, Romspert observed 17 plants in and along a mine road along the upper east slopes of the Castle Mountain Project area. This species should now be changed from a possible to a known occurrence. The location of this species in and along the mine road as shown in Figure F.1, Stephens' Beardtongue Location, would indicate that some mitigation may be required.



LEGEND



LOCATION OF STEPHENS' BEARDTONGUE (*Penstemon stephensii*) POPULATION

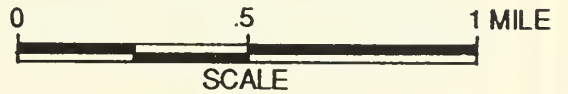


FIGURE F.1

**STEPHENS' BEARDTONGUE
LOCATION**

CASTLE MOUNTAIN PROJECT
ENVIRONMENTAL SOLUTIONS, INC.

Phacelia anelsonii

This species has been collected along the Ivanpah Road to the north of Ivanpah Valley in the New York Mountains (Hendricks 1973; Thorne *et al.* 1981). This species has also been listed from the Mescal Mountains and the Panamint Range (Smith & Berg 1988). It is an annual and seems to occur sporadically in the eastern portions of Inyo and San Bernardino counties. A permanent population in the Castle Mountain Project area seems highly unlikely. This plant was not observed in the survey conducted by Gould in March and April, 1987, or by Romspert in June, 1988.

Phacelia mustelina

This species is not listed as occurring in the higher ranges of the East Mojave Desert (Thorne *et al.* 1981), and collection locations listed are all in the Death Valley region and Pilot Knob to the west (Smith & Berg 1988). All of these locations are very distant from the Castle Mountains. It would be highly unlikely that this species would occur in the Castle Mountain Project area; this plant was not observed in the survey conducted by Gould in March and April, 1987, or Romspert in June, 1988.

Phacelia parishii

This species is not listed as occurring in the higher ranges of the eastern Mojave Desert (Thorne *et al.* 1981) and is indicated to occur in rather alkaline areas east of Victorville (Munz 1974). Recent attempts to rediscover this plant in California have been unsuccessful (Smith & Berg 1988). This plant was not observed in the survey conducted by Gould in March and April, 1987, or by Romspert in June, 1988, and it would be highly unlikely that this species would occur in the Castle Mountain Project area.

Sanvitalis abertii

This annual plant has its reproductive period from August-October; it was not observed in the surveys conducted by Gould in March and April, 1987, or by Romspert in June, 1988. It has been recorded in the Clark and New York Mountains in the East Mojave Desert (Thorne *et al.* 1981) occurring on rocky and gravelly limestone slopes and washes. The elevational range of this species in the East Mojave Desert is generally above the elevation of the Castle Mountain Project and would probably not occur in that area. It has been collected to the north in the Castle Peaks (Smith & Berg 1988).

Scleropogon brevifolius

This species has been collected only in the New York Mountains (1 km east of Caruthers Canyon [Thorne *et al.* 1981], in the same USGS Quadrangle as *Lycurus phleoides* [Smith & Berg 1988]). This species has been collected in the East Mojave Desert, at the upper elevational limits that occur in the Castle Mountain project area. It is not probable that this species would occur as a permanent population in the Castle Mountain Project area. This plant was not observed in the survey conducted by Gould in March and April, 1987, or by Romspert in June, 1988.

Sphaeralcea rusbyi ssp. *eremicola*

This plant is known only from the Clark Mountains in the East Mojave Desert (Thorne *et al.* 1981). This is an obvious species and its occurrence in the Castle Mountains (without observation in the past) is highly unlikely. It was not observed in the survey conducted by Gould in March and April, 1987, or by Romspert in June, 1988.

Stipa arida

This plant is known only in the Clark Mountains (Thorne *et al.* 1981) and the Funeral Mountains (Hitchcock 1971) in the East Mojave Desert. This species has a more northern distribution and would not appear to occur in the Castle Mountain Project area. It was not observed in the survey conducted by Gould in March and April, 1987, or by Romspert in June, 1988.

In addition to the species listed by Gould, the presence of four other species was suspected by commenters during the environmental review process. These species are discussed in the following:

*Agave utahensis nevadensis**Coryphantha vivipara rosea*

These Federal Category 3C species are normally restricted to limestone substrate. They have not been observed in the vicinity of the Castle Mountain Project site and are not expected to occur there because of the absence of limestone soils.

Eriogonum ericifolium thornei

This Category 2 candidate occurs in the New York Mountains only and is not expected in the Castle Mountains.

Penstemon bicolor roseus

The bicolored penstemon is a threatened species known to occur only in Nevada. Like other *Penstemon* spp., they appear to thrive in disturbed areas. This species is not known to be distributed in California and is not expected to occur on the Castle Mountain Project site.

F.3 REFERENCES

- Gould, P. 1987a. *Biological Resources Survey, Castle Mountain Project*. Castle Mountains, California. Bureau of Land Management Report.⁽¹⁾
- Gould, P. 1987b. *Addendum, Biological Resources Survey, Castle Mountain Project*. Castle Mountains, California. Bureau of Land Management Report. p 15.⁽¹⁾
- Hitchcock, A.S. 1971. *Manual of the Grasses of the United States*. Two Volumes, Dover Publications, Inc. New York. p. 1051. Second Edition revised by Agnes Chase.
- Munz, P.A. 1974. *A Flora of Southern California*. Berkeley, California. University of California Press.
- Romspert, A. P., 1988. *Floral List, Lanfair Valley Area of Castle Mountains*. Prepared for Environmental Solutions, Inc., 15520 Rockfield Blvd., Suite D, Irvine, California. 92718. p 5.
- Smith J. P., Jr. and K. Berg. 1988. *Inventory of Rare and Endangered Vascular Plants of California*. California Native Plant Society. Special Publication No. 1, Fourth Edition. p. 168.
- Thorne, R. F., B.A. Prigge, and J. Henrickson. 1981. *A Flora of the Higher Ranges and the Kelso Dunes of the Eastern Mojave Desert in California*. Aliso No. 10, No. 1, p. 186.

⁽¹⁾ Documentation on file and available for public review at: BLM, Needles Resource Area; BLM, California Desert District.

**APPENDIX G
CORRESPONDENCE FROM CONSULTATION
WITH U.S. DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE**





United States Department of the Interior

BUREAU OF LAND MANAGEMENT
CALIFORNIA STATE OFFICE
2800 COTTAGE WAY, ROOM E-2845
SACRAMENTO, CALIFORNIA 95825-1889



IN REPLY REFER TO

JAN 17 1990

6840
CA-932.1

Memorandum

To: Regional Director, U.S. Fish and Wildlife Service, 1002 NE Holladay Street, Portland, Oregon 97232-4181

From: State Director, California

Subject: Request for Initiation of Formal Section 7 Consultation Concerning the Castle Mountain Project, San Bernardino County, California

The Bureau of Land Management's California State Office wishes to initiate Formal Consultation pursuant to 50 CFR 402 concerning a proposed mining operation in the California Desert. The proposed project, known as the Castle Mountain Project and sponsored by the Viceroy Gold Corporation, will be located in the Castle Mountains in eastern San Bernardino County, California. The proposed mining operation will be an open pit, heap leach, gold mine. Based on evaluation in the Draft EIS, the Bureau has determined that the proposed project may affect the desert tortoise (*Xerobates agassizii*), which is federally listed as endangered.

The Draft EIS was circulated for public and agency review in 1989. The Fish and Wildlife Service participated in the scoping for the Draft EIS and commented on the analysis of impacts, although the tortoise was not listed as an endangered species at that time. Some additional mitigation and compensation measures have been developed since your review. A Supplement to the Draft EIS has been prepared and recently issued for public review. Bay Bransfield of your Laguna Niguel Field Office has also participated in informal consultation meetings.

Attached is a Biological Assessment which describes the proposed action, field studies completed, listed and candidate species affected, impacts to these species, mitigation and compensation measures, and cumulative impacts. The Biological Assessment was prepared by Environmental Solutions, Inc., for the Bureau.



Please direct questions to Dr. Larry Foreman, California Desert District Biologist (FTS 799-6402 or 714-276-6402), or Elena Daly, Chief of Resources, Needles Resource Area (619-326-3892).

Attachment
As stated

E.H.

cc: Field Supervisor, U.S. Fish and Wildlife Service, Laguna Niguel Field
Office
DM, California Desert District (w/o attachment)
Viceroy Gold Corporation (w/o attachment)

ENVIRONMENTAL SOLUTIONS, INC.

April 18, 1990

Project No. 88-148

Mr. Ray Bransfield
U.S. Fish and Wildlife Service
Ventura Field Office
2140 Eastman Avenue, Suite 100
Ventura, California 93003

Castle Mountain Project Mitigated Searchlight Access Route Alignment

Dear Mr. Bransfield:

This letter is intended to formalize our previous discussions regarding final alignment of the Mitigated Searchlight Access Route, as presented in both the Draft EIS/EIR Supplement and Biological Assessment.

As you are aware, the planned eastern segment of the Searchlight Access Route was to have used Clark County road A68p. However, in response to public comment on the Draft EIS/EIR, an alternate alignment was selected to divert traffic from Piute Valley Category 1 desert tortoise habitat. This alternate alignment is at the western limits of the valley, along an existing YKL Ranch road, where it is above the 1,250 meter (4,100 feet) surface contour/Category 1 habitat boundary. As shown in the attached figure (Figure 2.4 from the Biological Assessment), the northern segment (Segment A) of this alignment would detour from the existing road at the point where the road drops below the 1,250 meter surface contour. The alignment would continue north, with 4.3 miles of new construction. This alignment was informally recommended by FWS to avoid tortoise habitat, and by BLM to avoid potential problems of public access through private YKL Ranch land, at a meeting in Las Vegas in early August, 1989.

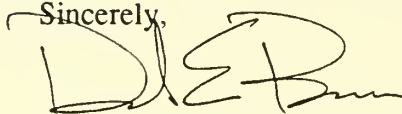
The results of a desert tortoise survey completed by BLM later that month indicated that tortoise densities along these alignments are very low. Densities are no greater in the vicinity of the existing YKL Ranch road (below 1,250 meters), than they are in the area of the planned new road construction (see attached memorandum from BLM Las Vegas District). Based upon this evidence, there would be no apparent advantage (for the tortoise) in requiring that Segment A be located above 1,250 meters. However, a final determination could not be made until provisions for public access through the YKL Ranch could be addressed.

Subsequent to release of the Draft EIS/EIR Supplement and Biological Assessment Viceroy Gold Corporation was advised that it would be possible to provide public access through the YKL Ranch. Viceroy's only concern is that the access not jeopardize the potential for listing of the ranch house in the National Register of Historic Places. Use of the pipeline service road, which bypasses the ranch house, would accommodate this request.

The Biological Assessment was transmitted to the Sierra Club Legal Defense Fund (SCDLF) in January, 1990. The SCDLF recognized that tortoise densities were no different for either alignment of road Segment A, and has recommended that the alignment be along the existing ranch road, to reduce project surface disturbance which would occur with new road construction (see attached letter from Deborah S. Reames). Since there appears to be no significant advantage for the desert tortoise in locating Segment A above the 1,250 meter surface contour, and the technicalities of public access through the YKL Ranch can be resolved, we concur with the SCLDF recommendation.

Please call us if you have any questions regarding these considerations for the Mitigated Searchlight Access Route alignment.

Sincerely,

A handwritten signature in black ink, appearing to read "DEB", with a stylized flourish at the end.

David E. Brown
Project Manager

DEB:jr
Enclosures

cc: Elena Daly
Randy Scott
Runore Wycoff
Frank Hoover
Deborah Reames
Chris Mitchell
Lynn Pirozzoli
Bob Thompson
Miro Knezevic

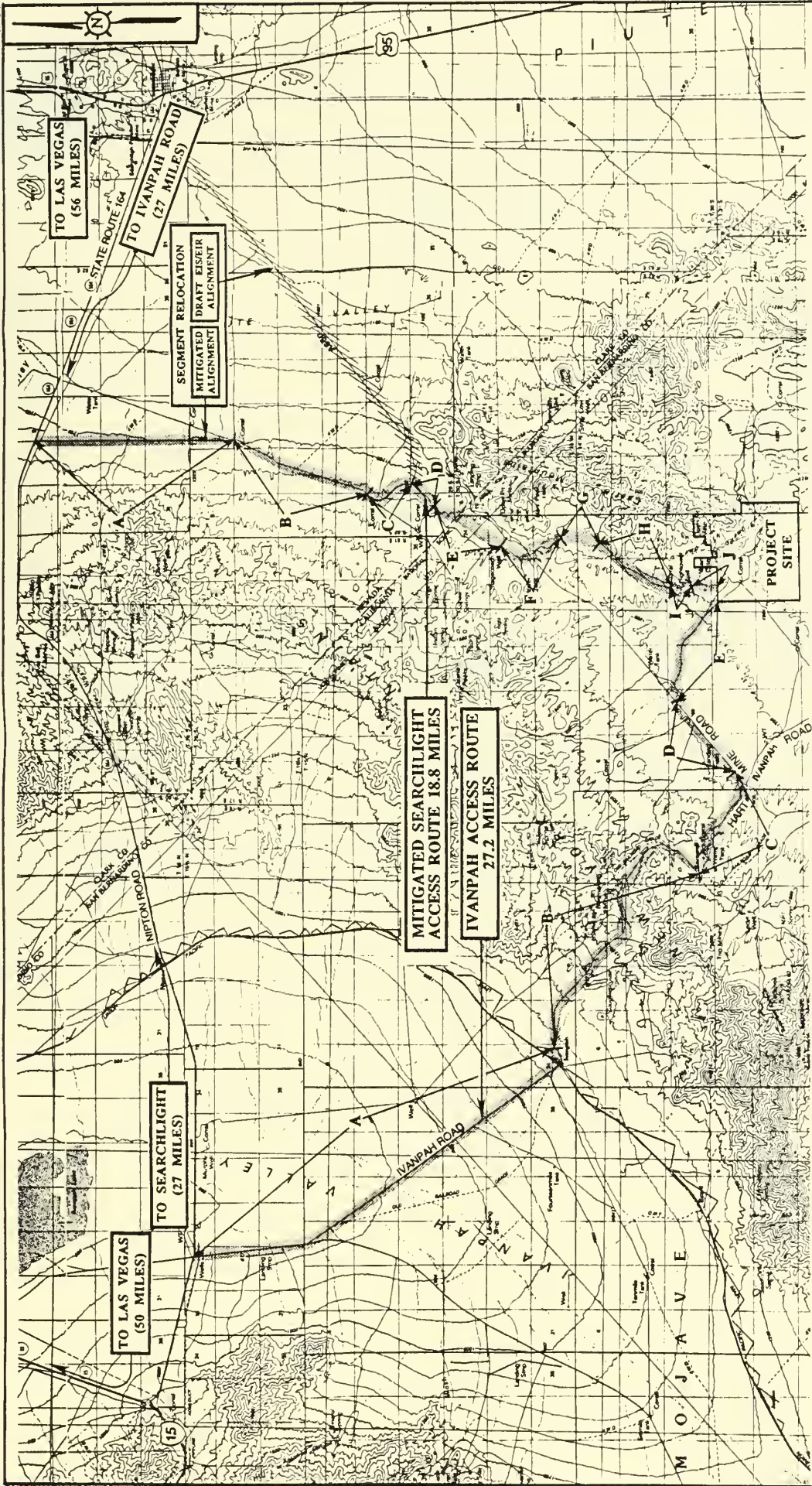


FIGURE 2.4
**PROPOSED ACCESS ROUTES
 AND IMPROVEMENTS**
 CASTLE MOUNTAIN PROJECT
 ENVIRONMENTAL SOLUTIONS, INC.



CONTOUR INTERVAL: 50 METERS

LEGEND:
 [Symbol] ACCESS ROUTE
 [Symbol] ROAD SEGMENT (SEE TABLE 2.1 FOR CORRESPONDING DESCRIPTION)

NOTE: THE PROPOSED ACTION INCLUDES USE OF THE MITIGATED SEARCHLIGHT ACCESS ROUTE ONLY. SUPPLY TRUCKS AND EMPLOYEE VAN POOL WOULD BE RESTRICTED TO THIS ACCESS TO LIMIT POTENTIAL IMPACTS TO THE DESERT TORTOISE ALONG IVANPAH ROAD

REFERENCE: 30X60 MINUTE U.S.G.S. TOPOGRAPHIC MAPS OF IVANPAH, CALIFORNIA NEVADA, DAVIS DAM, ARIZONA NEVADA, MESQUITE LAKE, CALIFORNIA NEVADA, BOULDER CITY, ARIZONA NEVADA, CALIFORNIA DATED: 1985, 1982, 1985, AND 1983 RE-SPECTIVELY



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
LAS VEGAS DISTRICT OFFICE
4765 VEGAS DRIVE
P.O. BOX 26569
LAS VEGAS, NEVADA 89126



IN REPLY REFER TO:

6842
(NV-053)

MAR 12 1990

Lynn A. Pirozzoli
Vice President
Environmental Affairs
PO Box 93658
Las Vegas, NV 89193-3658

Re: Tortoise Burrow Inspection - Castle Mountain Project

Dear Ms Pirozzoli:

As requested by Chris Mitchell, Sid Slone and Doug Duncan of my staff inspected each of the burrows identified within or adjacent to the Castle Mountain Project on March 4, 1990 to determine if any of the burrows contained tortoises. None of the burrows inspected contained tortoises or tortoise scat.

Where the entire burrow could not be visually inspected using natural light and mirrors, they used our fiberoptic scope.

In their opinion, many of the burrows encountered appeared to be used by badgers, rodents, and kit fox. Because they found no tortoise scats are other sign indicating tortoise use of the burrows, they believe that tortoise occurrence in the area of the mine site is very low.

If I can be of further assistance, please let me know.

Sincerely

Ben F. Collins
District Manager

- 1 Enclosure
1. Summary of Findings

cc: Area Manager, Needles Resource Area

Biological Opinion



United States Department of the Interior

FISH AND WILDLIFE SERVICE FISH AND WILDLIFE ENHANCEMENT SOUTHERN CALIFORNIA FIELD STATION

Ventura Office

2140 Eastman Avenue, Suite 100
Ventura, California 93003

August 3, 1990

Memorandum

To: State Director, Bureau of Land Management, Sacramento, California

From: Office Supervisor *Peter A. Stone*

Subject: Biological Opinion for the Castle Mountain Project, San Bernardino County, California (6840 CA-932.1) (1-6-90-F-24)

This Biological Opinion responds to your request for formal consultation with the Fish and Wildlife Service (Service) pursuant to Section 7 of the Endangered Species Act of 1973, as amended (Act). Your request was dated January 17, 1990 and received by us on January 22, 1990. At issue are the impacts of permitting the operation of a proposed gold mining project on public lands in the Castle Mountains of eastern San Bernardino County, California and western Clark County, Nevada may have on the desert tortoise (Gopherus agassizii), a federally listed threatened species.

This Biological Opinion was prepared using information: contained in your January 17, 1990 request for consultation to the Service's Regional Director regarding the proposed action; obtained during informal consultation between our staffs; in a September 1, 1989 memorandum from the District Manager of the Las Vegas District to the Field Supervisor of the Service's Reno Field Station; from a letter, dated March 27, 1990, from Environmental Solutions, Inc., the biological consultants for the proposed project, to the Service; obtained from several meetings among the concerned parties; and contained in our files. Additional time was taken in preparing this final Biological Opinion to resolve questions regarding the degree of impacts and means to minimize incidental take.

Biological Opinion

It is the opinion of the Service that the proposed action is not likely to jeopardize the continued existence of the desert tortoise.

Project Description

The proposed project is a heap leach gold mining operation with a projected life of 10 years. The proponent is the Viceroy Gold Corporation, a Canadian corporation. The mine site and processing facilities are located in the Castle Mountains at elevations ranging from 4,190 to 4,550 feet. The operation would occupy approximately 890 acres and consist of: mine pits (135 acres); overburden piles (300); heap leach pads (330); soil storage (70), solution storage (10), and crushing areas (10); roads (30); and office space (5). Most of the project area is located within habitat occupied by the desert tortoise, except as noted below.

Approximately 135 acres of the project site consist of existing mine pits which do not support desert tortoises or their habitat.

Project plans would result in the restoration of approximately 60 acres of tortoise habitat that was disturbed by previous mining activities. Viceroy has proposed this effort as a means of establishing restoration methods and of initiating habitat restoration measures prior to the abandonment of the new pits. Because of the slow recovery of desert habitats, the Bureau and Viceroy agreed that 30 acres of credit would be given for this restoration.

Access to the mine would be along a 20-foot wide road which would exit the site to the northeast and then turn generally north to intersect with State Route 164 in Nevada. This route is currently in existence for most of its length as a jeep trail. The length of this access road is approximately 18.8 miles and the amount of disturbance associated with new construction would be 35.6 acres. Viceroy anticipates that project traffic will be 108 automobile/truck trips daily (page 6-7 of the Biological Assessment).

A wellfield, located to the northwest of the mine, will supply water to the mine site. This wellfield was partially constructed prior to the tortoise's listing, although three additional wells, with a temporary total area of disturbance of approximately 0.7 acre, are proposed to be installed. Additionally, an access road of approximately 1.7 miles and eight feet in width, to connect well sites 7 and 11 to the main access road, is proposed. The area of disturbance associated with this road is 1.6 acres.

Total disturbance associated with the project is approximately 938 acres. The portions of the project area that have been previously disturbed (135 acres), are otherwise very unlikely to support tortoises (10), or are being viewed as remedial actions to restore tortoise habitat (48) amount to 193 acres. Therefore, the net acreage of tortoise habitat to be disturbed by the proposed project is 745.

Description of Mitigation Options that are Part of the Proposed Action

Viceroy has proposed, as part of its project description, several measures designed to mitigate or compensate for loss of tortoises and habitat. These are the 1) the retirement and reclamation of Clark County Road A68P which traverses Category 1 tortoise habitat in Piute Valley, 2) the restoration of 60 acres of existing clay pits which are located on-site, and the acquisition of the Crescent Peak Grazing Allotment and the immediate elimination of cattle grazing from 50,000 acres of Pastures 4 and 5 of this allotment, which are located in the Piute Valley of Nevada.

In the Bureau of Land Management's (Bureau) Biological Assessment, the compensation formula developed by the Bureau was used to ascertain the compensation required of Viceroy for loss of tortoise habitat. Based on a net impact of 745 acres, the Bureau determined that a compensation ratio of 2.5:1, resulting in a total habitat compensation of 1,862 acres (2.5 x 745), would be required. The Bureau then converted this acreage figure to a monetary value, based on local land values of \$150 per acre. This figure totalled \$279,300. These estimated funds were to be distributed between a projected devaluation of the Crescent Peak Allotment, because of the immediate implementation of reduced grazing based on Technical Review Team recommendations, and tortoise studies and equipment for use by the Bureau. The Service does not believe this mitigation approach is appropriate in this case for the following reasons:

1. Implementation of the Technical Review Team recommendations immediately would provide only temporary benefits to the tortoise. It is our understanding that a Bureau Plan amendment which would implement these recommendations has already been planned for the Crescent Peak Allotment, and that this amendment would be implemented within a period of approximately two to three years. Thus, the additional benefits to the tortoise of the immediate implementation of these recommendations would only accrue for this time, while the impacts of the mine would last much longer. Additionally, the Service believes that impacts to the desert habitat of the tortoise and the tortoise itself must be considered on a longer time scale than many other species. For example, if the current drought continued through the short period over which the Technical Review Team recommendations were in place as a compensation measure for the Viceroy project, the tortoise would actually accrue little if any benefit from this measure, as forage would be unavailable for either cattle or tortoises.
2. The Service believes that the use of project compensation funds for studies and field equipment would not result in significant benefit to the species. The long-term or permanent loss of habitat cannot be adequately addressed by research and equipment alone. Our belief is that studies used as part of a mitigation measure must be associated with measures to further protect or manage habitat and should be limited to those actions which are required to monitor the effectiveness of other mitigation or compensation efforts.

Effects of the Proposed Project on the Listed Species

Species Account

On April 2, 1990, the Service determined the Mojave population of the desert tortoise to be threatened. Information referenced in this Opinion on the range, biology, and ecology of the desert tortoise is found in Burge (1978), Burge and Bradley (1976), Hovik and Hardenbrook (1989), Luckenbach (1982), and Weinstein et al. (1987).

The proposed mine site is located in the Bureau's designated Category 3 habitat, composed of a creosote bush scrub/Joshua tree woodland association, Joshua tree woodland, and blackbush scrub at lower, intermediate, and higher elevations, respectively. Plant community types are from Munz (1974). Based on transects conducted in 1989 in the project area by Peter Woodman, Viceroy's biological consultant, approximately 25 tortoises were estimated to occupy the project area. Most of the burrows observed were located at the lower elevations and associated with washes. One tortoise scat was found within a portion of the site that is proposed for development, while a single live tortoise was located at the southernmost tip of the project site in an area which will not be disturbed. Two existing mine pits are located within this project area. They comprise a total of 135 acres and are located at elevations greater than 4,400 feet. Given the previous disturbance and the elevation, these areas are not considered to be tortoise habitat.

On March 4, 1990, Bureau staff from the Stateline Resource Area used a fiberoptic scope to inspect the burrows within and near the project site that had been identified during earlier field efforts. No tortoises were located in burrows using this method.

The wellfield site is also located within a creosote bush scrub/Joshua tree woodland community within the Lanfair Valley, which is an area of low tortoise densities. The three sites which have yet to be drilled are located along an existing road. The 1.7-mile road extension to provide access to wells 7 and 11 is proposed to be an eight-foot wide ungraded route for small trucks.

The proposed access road to State Route 164 lies generally above an elevation of 4,000 feet. Field work conducted in this vicinity on August 27, 1989 by Stateline Resource Area staff found total adjusted sign counts of from zero to three per transect indicating that tortoises may occur at this site in very low densities. Except for the northernmost approximately 3.5 miles of this route, which is located within Category 1 habitat, the access route is within a Category 3 area.

Analysis of Impacts

The proposed project would result in the taking of any tortoises that may be found within any area which is to be developed as part of the mine site. Given the high

elevation of the project site, the low density of tortoises on-site, and overall scarcity of tortoises in Lanfair Valley, the impacts to the tortoise from loss of the habitat in this area are not viewed as significant. Based on the information provided to the Service, losses of individual tortoises should be minimal and should be eliminated through careful pre-development mitigation measures.

Wellfield construction was largely completed prior to listing. Any tortoise burrows and tortoises in the vicinity of the three proposed well sites, which are located along an existing road, should be able to be avoided during construction. The 0.7 acre of impact includes temporary impacts associated with construction; the permanent loss of habitat will be restricted to three 25- by 25-foot pads, or a total of 0.4 acre, where the wells will be located. The additional proposed access road and water pipeline would disturb approximately 1.7 acres. Because of the nature of this road, avoidance of tortoise burrows would be feasible and the pipeline could be elevated or buried to avoid blocking the movement of tortoises. However, impacts to tortoises from this activity are not expected because of the area's high elevation and the fact that most of the construction on this portion of the project was completed prior to the listing of the tortoise.

Approximately eight acres (3.2 linear miles) of the access road (totally 35.6 acres of disturbance) to State Route 164 pass through areas that are not considered tortoise habitat. This would result in a net disturbance of 27.6 acres of tortoise habitat through new road construction or upgrading of the existing trail. Direct impacts to tortoise burrows should be avoidable, given the sparse distribution of tortoises in this area, as shown by the Bureau's August, 1989 survey. Potential exists for tortoises to be taken through increased use of this road, both by mine employees and the general public after its upgrading. However, the location of the road at the upper edge of tortoise habitat, the low number of tortoises expected to use this area, and Viceroy's commitment to close and restore Clark County Road A68P should greatly reduce the potential for take of individual tortoises in the Piute Valley as a whole.

The Service does not believe the impacts described above are sufficient to jeopardize the continued existence of the species. We reach this conclusion based on the following facts:

1. Stipulations imposed on the proponent by the Bureau should greatly reduce the potential for take of individual tortoises.
2. The tortoise habitat that will be lost as a result of this action does not support large numbers of tortoises and is unlikely to do so in the foreseeable future, due, at least in part, to the high elevations at the project site and access road.
3. The compensation measures proposed by Viceroy would provide long-term benefits to the tortoise and would likely promote the recovery of the population in that area.

These measures would be either elimination of cattle grazing on 50,000 acres of the Crescent Peak Allotment within the Piute Valley of Nevada or acquisition, subsequent transferral to the Bureau, and management for tortoise habitat values as a primary objective of 745 acres of private lands within desert tortoise habitat in eastern California or the Piute Valley of western Nevada. Establishment and maintenance of a significant unit of land with the objective of providing for a self-sustaining biological system would be a meaningful step towards tortoise recovery in the eastern Mojave Desert.

Cumulative Effects

Cumulative effects are those impacts of future State and private actions that are reasonably certain to occur in the project area. Future Federal actions will be subject to the consultation requirements established in Section 7 of the Act and, therefore, are not considered cumulative to the proposed project.

Most of the actions that are reasonably expected to occur within the vicinity of the action will be subject to Section 7 consultations, because the Federal government owns large portions of the desert. Actions aimed at conserving tortoises and their habitat in the Piute Valley may result as part of the Clark County conservation planning efforts. However, the Service cannot, at this time, pre-judge the outcome of a Section 10(a) permit application, should one be submitted.

Incidental Take

Section 9 of the Endangered Species Act prohibits the take of listed species without special exemption. Taking is defined as harassing, harming, pursuing, hunting, shooting, wounding, killing, capturing, collecting, or attempting to engage in any such conduct. Harm is further defined to include significant habitat modification or degradation that results in death or injury to listed species by significantly impairing essential behavior patterns, including breeding, feeding, or sheltering. Under the terms of Section 7(b)(4) and 7(o)(2) of the Act, taking that is incidental to and not intended as part of the agency action is not considered to be prohibited taking under the Act provided that such taking is in compliance with this Incidental Take statement. The measures described below are nondiscretionary, and must be undertaken by the agency or made a binding condition of any grant or permit, as appropriate.

Based on the analysis of impacts provided above and those Terms and Conditions stated below, the Service anticipates that the following take could occur as a result of activities associated with the construction and operation of Castle Mountain Mine and its access road:

1. One (1) tortoise in the form of direct mortality through accidental death during the construction of the mine facilities.

2. Two (2) tortoises in the form of harassment through the excavation of active burrows in the construction area.
3. Seven (7) tortoises in the form of direct mortality through the crushing of tortoises along both the access and water line roads for the life of the project. This accounts for additional anticipated mortality resulting from use of the road by non-project related vehicles.
4. Seven hundred, ninety-three (793) acres of tortoise habitat as a result of construction activities. This acreage reflects the amount of known desert tortoise habitat disturbed by project activities. It does not include acreage that has been credited to Viceroy for restoration efforts (i.e., Clark County Road A68P and the clay pit).

The Service is assuming that the stipulations contained in this Biological Opinion, as Reasonable and Prudent Measures and Terms and Conditions to reduce take, will reduce the potential for take associated with the action. Collecting tortoises for pets or any other form of harassment is strictly prohibited. Any person found engaging in any such activities will be liable for prosecution.

Reasonable and Prudent Measures

The Service believes that the following Reasonable and Prudent Measures are necessary and appropriate to minimize the incidental taking authorized by this Biological Opinion:

1. Project activities shall be limited to designated rights-of-ways and work areas to reduce adverse impacts to desert tortoise habitat and individual tortoises.
2. Construction activities and mining operations shall be conducted in a manner that will reduce adverse impacts to desert tortoise habitat and individual tortoises.
3. To minimize take to the overall tortoise population found in this vicinity, Viceroy shall compensate for the long-term loss and fragmentation of tortoise habitat through improvement of habitat conditions of tortoise habitat. Additional measures shall include either:
 - a. Permanent elimination of cattle grazing on 50,000 acres of the Crescent Peak Allotment (Pastures 4 and 5) through the immediate removal of cattle on those lands by Viceroy and the subsequent retirement of grazing rights on Pastures 4 and 5 through the Bureau Plan amendment process;

OR

- b. Acquisition of 745 acres of private lands in the eastern Mojave region (i.e., extreme eastern California or southwestern Nevada) containing valuable tortoise habitat which would be subsequently managed for the benefit of desert tortoises.

Terms and Conditions

To comply with the Reasonable and Prudent Measures contained in this Opinion, the Bureau must ensure that Viceroy complies with the Terms and Conditions presented in this Opinion. These Terms and Conditions are as follows:

- 1a. Construction areas shall be clearly staked, flagged, or fenced prior to the onset of construction. All construction workers shall be instructed that their activities must be confined to locations within these areas.

- 1b. All construction vehicles shall stay within the designated work areas. Overnight parking and storage of equipment and materials, including stockpiling and borrow sites, shall be in previously disturbed areas (i.e. lacking vegetation), whenever possible. If previously disturbed areas are not available, these activities shall be restricted to within the work areas and shall be inspected for tortoises and their burrows by the designated biologist(s) prior to use.

- 1c. All drivers employed or contracted by Viceroy and all employees shall be required to use the access route from State Route 164 to the mine site. Viceroy shall supply buses or vans for pooling use by mine employees. Speed limits of 35 miles per hour shall be strictly enforced by Viceroy officials, through cooperation with the contact representative or environmental specialist.

- 2a. The project proponent (Viceroy Gold Corporation) shall designate an individual as a contact representative who will be responsible for overseeing compliance with protective stipulations for the desert tortoise and coordination with the Bureau. This person shall have the authority to stop any activities which are not in compliance with the Terms and Conditions of this Opinion.

- 2b. All workers shall be informed of the occurrence of the desert tortoise in the area and the status of this species. They shall be advised as to the potential impact to tortoises and the potential penalties (up to \$50,000 in fines and one year in prison) for taking a threatened species. The contents of the worker and inspector education program shall be submitted to the Service for review prior to the presentation of this program. The employee procedure card on page 6-10 of the Biological Assessment instructs workers to move tortoises that may not be in immediate danger. This would be considered take in the form of harassment as only persons specifically authorized by the Service may legally handle tortoises. This is not permitted by this Opinion.

2c. The construction area shall be inspected for desert tortoises and their burrows prior to the onset of construction in any given area. The inspection shall be conducted by a designated biologist (approved by the Service) and shall provide 100 percent coverage of the area within the construction zone either:

1. within one (1) day prior to construction activity;

OR

2. at any time prior to the onset of construction but after the perimeter of the mine site has been enclosed and maintained in a tortoise-proof fence.

2d. Burrows shall be excavated and tortoises handled only by biologists authorized by the Service. Viceroy shall submit its list of designated biologists to the Service for our review prior to the onset of any ground disturbing activities.

2e. All tortoises which are found on the mine site or in the access road right-of-way, whether above ground or in excavated burrows, shall be placed 150 feet outside of the impact area in undisturbed habitat. Tortoises shall be placed in the shade of a large shrub. Tortoises found above ground within three (3) hours of nightfall or when ambient air temperatures exceed 90°F shall be placed in a clean cardboard box and held overnight in a cool location. The box shall be covered and kept in possession of a designated biologist for release the next morning in the manner described above. Should construction occur during the tortoise's winter inactive period, Viceroy should contact the Service for further instructions.

2f. Disposable plastic gloves shall be used to handle all tortoises. All materials which come into contact with tortoises shall be used only once and then properly discarded.

2g. The water line road, water pipeline routes, and future well sites shall be inspected for tortoises and their burrows prior to the onset of construction. These facilities shall be located in a manner that would eliminate the potential of harming the tortoise or burrow. The designated biologist(s) shall flag or otherwise mark the burrow in an appropriate manner to eliminate the potential for take. Trenches shall be checked for tortoises by a project foreman (previously approved for this activity by the Service) prior to backfilling. We have agreed to allow a non-biologist to perform this task because of the low likelihood of encountering tortoises along the water line route or in the wellfield.

2h. The Bureau shall ensure that Viceroy has installed tortoise-proof fencing around the perimeter of its work area prior to the commencement of mining operations. The fence design and general location shall be as depicted in Figure 6.3 of the Biological Assessment and amended via a letter from Viceroy to the Service, dated June 29, 1990 (Attachment 1). Any alterations in fence location shall be submitted to the Service

prior to use. The tortoise-proofing materials may consist of the polyethylene cyclone fencing which was submitted to the Service for inspection via a letter from Viceroy, dated July 20, 1990. We are not specifying a mesh size at this time because of lizard mortality that has resulted from fencing installed along Route 58. The Bureau shall informally consult with the Service and the California Department of Fish and Game prior to the approval of any mesh size. The designated biologist or environmental specialist shall conduct periodic inspections of the fence to ensure its integrity and to inspect it for trapped wildlife. Particular attention should be given to wash areas after rainstorms.

2i. During construction activities, vegetation shall be crushed in the vicinity of the future water wells, except where blading is necessary for placement of the well equipment.

2j. Trash and food items shall be removed on at least a daily basis and placed in raven-proof containers at all times. This Condition applies to the period of mine operation, as well as construction.

2k. Firearms shall be prohibited on the construction site, except for those borne by authorized security personnel, California Department of Fish and Game wardens, and Bureau rangers.

2l. No later than 90 days after the commissioning of the primary crusher, the contact representative or environmental specialist shall submit a post-construction biological report to the Service. This report shall document the effectiveness of the tortoise mitigation measures, the level of take associated with the project, and an indication of the progress of the grazing elimination/tortoise habitat acquisition program.

2m. The Bureau shall ensure that Viceroy reclaims the mine site, as described in its reclamation plan. Reclamation shall include the removal from the site and proper disposal (if appropriate) of all objects and conditions, including hazardous wastes, which could be harmful to wildlife.

2n. The contact representative or environmental specialist shall submit a yearly report to the Service which details the effectiveness of on-going mitigation measures and monitoring efforts, such as enforcement of speed limits, van-pool compliance, a running total of tortoises that are incidentally taken, and the development, implementation, and success of restoration plans. Submission of this report shall be sequenced with the monitoring requirements of the County of San Bernardino specified by AB 3160. Should non-compliance with any Term or Condition contained herein occur before the regular submission of this report, the Bureau and the Service shall be notified as soon as possible.

3a. To compensate for the loss of 793 acres of tortoise habitat, the Bureau shall ensure that Viceroy:

1. Completes the decommission and scarification, where appropriate, of Clark County Road A68P within two years of the authorization of this project;
2. Prepares a reclamation plan which details the procedures which will be used to revegetate disturbed areas, including the 60 acres of the south clay pit, to natural conditions at the completion of the project. This plan shall be submitted to the Service concurrent with distribution to the general public, prior to the approval of the project by the County of San Bernardino; and
3. Eliminates all grazing on the 50,000 acres which comprise Pastures 4 and 5 of the Crescent Peak Allotment within 45 days of the receipt of the authorization of this project by the County of San Bernardino and the Bureau. At the time that grazing is eliminated, the Bureau shall pursue an Amendment to retire Pastures 4 and 5 from grazing in perpetuity. These lands shall then be managed in perpetuity as a self-sustaining biological system for the benefit of desert tortoises;

OR

4. Acquires 745 acres of desert tortoise habitat within the Category 1 habitat of the eastern Mojave (i.e., extreme eastern California or southwestern Nevada) area and convey it to the Bureau of Land Management to be managed, in perpetuity, for the benefit of desert tortoises. The size of this acquisition was determined by the Service and is based on an evaluation of the proposed project's size, potential impacts, and the tortoise resources of the project area.

The Service believes Conditions 3a3 or 3a4 are appropriate measures to minimize take because of the increased tortoise management capabilities that could be achieved through elimination of grazing in the Piute Valley or Bureau ownership of previously private lands. The Service believes the Condition 3.A.3 would provide the greatest benefits to the tortoise because it would relieve any competition for forage or deterioration of habitat value that may be occurring as a result of cattle grazing over a very large area of desert tortoise habitat.

If the Bureau chooses to require that compensation be made in the form of land acquisition, the project proponent should review lands being considered for acquisition with the Service, Bureau, California Department of Fish and Game, and the Nevada Department of Wildlife to verify their suitability prior to acquisition. Criteria to be evaluated include the location of the land, its current status and condition, and its proximity to other tortoise habitat that is currently being managed for tortoise values

or may have particular value to the long-term conservation of the tortoise in this region. Viceroy shall also coordinate its land acquisition activities through the Bureau's Desert District Realty program to ensure efficient transfer of title to public ownership. Finally, proof of acquisition shall be submitted to the Service and Bureau within six months of the commissioning of the primary crusher.

The Service is to be notified within three working days of the finding of any listed species which was killed or injured as a result of this action. Notification must include the date, time, and location of the carcass, and any other pertinent information. Dead animals may be marked in an appropriate manner and left on-site. Injured animals should be transported to a qualified veterinarian. Should any treated tortoises survive, the Service should be contacted prior to decisions on the final disposition of the animals. The Service contact person is Ray Bransfield in this office.

If take which occurs as a result of this action meets that specified and authorized in the Incidental Take Statement above, the Bureau shall require that mine operations cease immediately and shall reinitiate formal consultation with the Service to review those activities which resulted in excessive take.

Conservation Recommendations

In furtherance of the purposes of the Endangered Species Act (Sections 2(c) and 7(a)(1)) that mandate Federal agencies to utilize their authorities to carry out programs for the conservation of listed species, we recommend implementing the following action:

1. The Bureau should cooperate with the Service, the California Department of Fish and Game and the Nevada Department of Wildlife in the development of a standard procedure for monitoring compliance for projects of this nature. This evaluation should include a process that will enable agencies to track compliance with all project-associated mitigation and compensation measures.
2. The Bureau should initiate a GIS study of desert tortoise habitat in eastern California and western Nevada to evaluate the cumulative impacts of human activities on the tortoise. This study should include analyses of previous, on-going, and anticipated future activities.
3. The Bureau should develop a monitoring program to assess the success of restoration measures such as those proposed for the reclamation of the clay pits and the scarification of Clark County Road A68P.

This concludes formal consultation on the Castle Mountain Project. If the action is modified in a manner not discussed above, if new information becomes available on listed species or impacts to listed species, or if the incidental take limit is met, the Bureau should reinitiate formal consultation with the Service. Any questions or

comments should be directed to Ray Bransfield of my staff at FTS 983-6040 or (805) 644-1766.

Attachment 1. Tortoise-proof fence location

Literature Cited

- Burge, B.L. 1978. Physical characteristics and patterns of utilization of cover sites by Gopherus agassizii in southern Nevada. Proc. 1978 Symp., The Desert Tortoise Council. pp. 80-111.
- Burge, B.L., and W.G. Bradley. 1976. Population density, structure and feeding habits of the desert tortoise, Gopherus agassizii, in a low desert study area in southern Nevada. Proc. 1976 Symp., The Desert Tortoise Council. pp. 51-74.
- Hovik, D.C., and D.B. Hardenbrook. 1989. Summer and fall activity and movements of desert tortoises in Pahrump Valley, Nevada. Abstract of paper presented at Fourteenth Annual Meeting and Symposium of the Desert Tortoise Council.
- Luckenbach, R.A. 1982. Ecology and management of the desert tortoise (Gopherus agassizii) in California. In: R.B. Bury (ed.). North American Tortoises: Conservation and Ecology. U.S. Fish and Wildlife Service, Wildlife Research Report 12, Washington D.C.
- Munz, P.A. 1974. A flora of southern California. University of California Press, Berkeley, CA.
- Weinstein, M., K.H. Berry, and F.B. Turner. 1987. An analysis of habitat relationships of the desert tortoise in California. A report to Southern California Edison Co.



VICEROY

ATTACHMENT 1

VICEROY
GOLD
CORPORATION

9457 Las Vegas Blvd. So., Suite D
Las Vegas, Nevada 89123
Telephone (702) 361-4776
Fax (702) 361-2378

June 29, 1990

Mr. Ray Bransfield
US Department of the Interior
Fish & Wildlife Service
Southern California Field Station
Ventura Office
2140 Eastman, Suite 100
Ventura, CA 93003

Dear Ray,

Re: Castle Mountain Project - Tortoise Fencing

Further to our telephone conversation Friday afternoon, attached please find a copy of Figure 6.3 from the Biological Assessment for the Castle Mountain Project. As you know, we had originally intended to construct a tortoise-proof fence similar to that shown in the lower left-hand corner of Figure 6.3 around the southwest side of the initial heap leach pad and then across the dry wash to tie into the rocky hillside at the southeast corner of the overburden pile. In addition to the tortoise-proof fence around the perimeter, we had proposed to construct a chain link fence immediately adjacent to the heap leach pad which would enclose the pad and the process plant area.

In view of the cost of fencing we would like to change the design somewhat. The proposed revisions would be as follows: segments a-b and d-e would be constructed according to the fencing detail shown on Figure 6.3. In other words, no change from the Biological Assessment. Segments b-c and c-d would be six-foot high chain link fence with hardware cloth at the bottom of the fence extending approximately 20" up the chain link and buried 16" below the bottom of the chain link fencing. Thus a tortoise-proof fence would extend as originally proposed from point A all the way around to point E, but a portion of it would now be attached to chain link fencing rather than barbed wire. The chain link fencing would extend along the northeast side of the heap leach pad between points d-b so that the pad and process plant would then be totally enclosed by chain link fencing.

It would be appreciated if you would review this fencing concept and advise me of your reaction as soon as convenient, either by fax or by telephone.

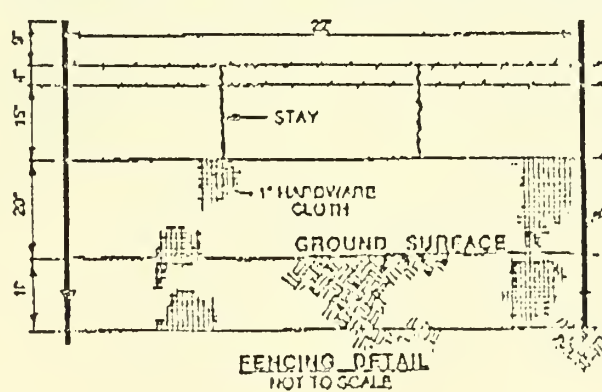
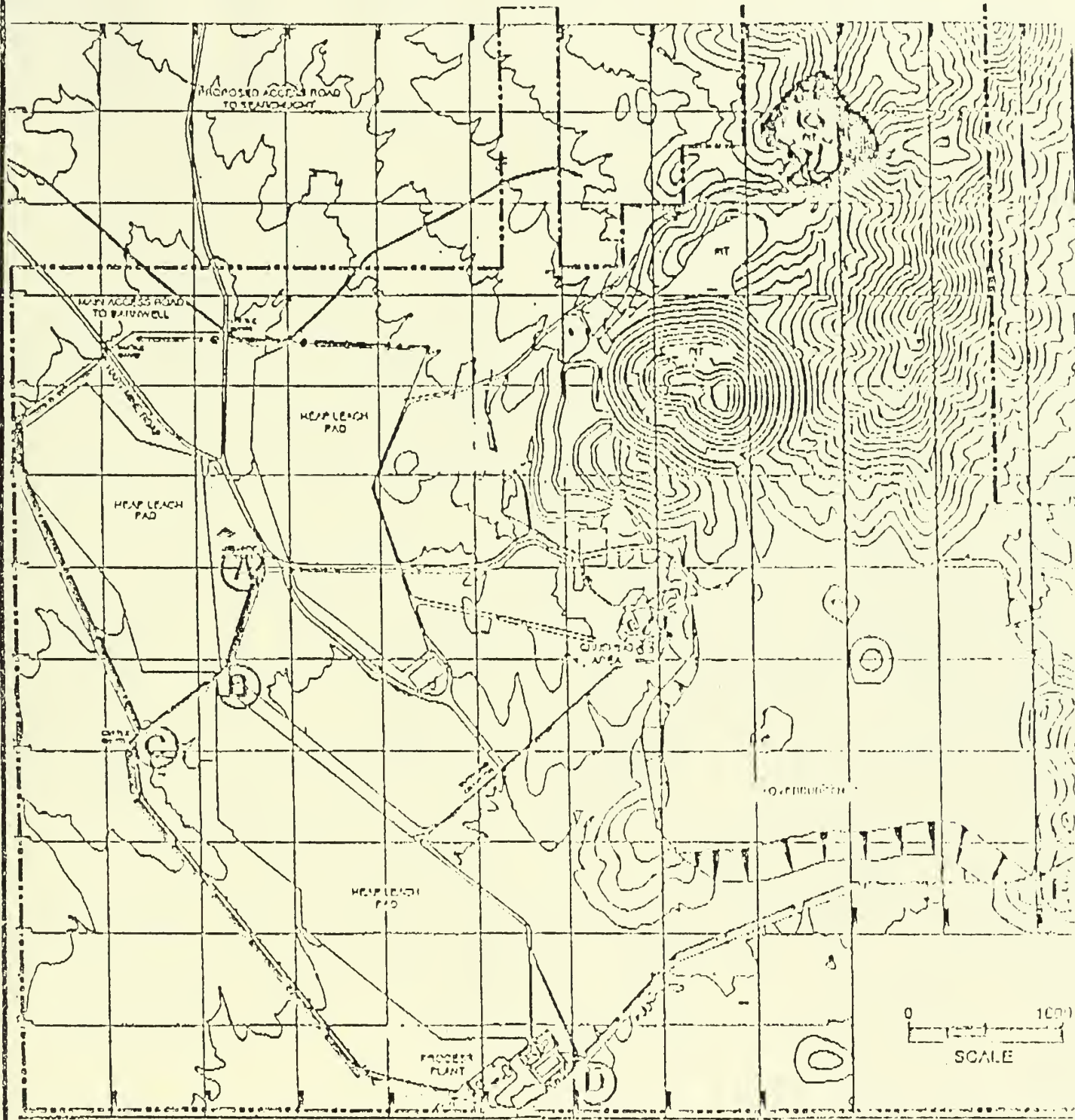
Thank you for your attention to this matter.

Yours very truly,

A handwritten signature in cursive script that reads "Chris".

J.C. Mitchell,
Senior Vice-President

06-29-06
JCM/SB



LEGEND

- PHASE 1 FENCING
- PHASE 2 FENCING
- PROJECT BOUNDARY

FIGURE 6.3

DESERT TORTOISE FENCING PLAN

CASPER MOUNTAIN PROJECT
 ENVIRONMENTAL SOLUTIONS, I

NOTE: TORTOISE FENCING WOULD BE CONSTRUCTED IN COLLABORATION WITH CASPER MOUNTAIN AS SHOWN IN THE FENCING DETAIL. TORTOISE FENCING WOULD BE CONSTRUCTED AROUND LOWE'S ELEVATION PORTIONS OF SITE WHERE TORTOISES OCCUR.

**APPENDIX H
CORRESPONDENCE FROM CONSULTATION
WITH STATE HISTORIC PRESERVATION
OFFICER**



RECEIVED
BUREAU OF LAND MANAGEMENT

8143
(0-000,27)

MAY 31 AM 11:10

NEEDLES RESOURCE AREA
NEEDLES, CA

MAY 27 1988

RESOURCE AREA COPY

CERTIFIED MAIL #P-573 425 737
RETURN RECEIPT REQUESTED

Kathryn Gualtieri
State Historic Preservation Officer
P.O. Box 2390
Sacramento, California 95811

Handwritten notes:
C. Gualtieri
5/27/88

Dear Ms. Gualtieri:

The B&E Mining Company (formerly Viceroy Gold Corporation) has submitted to the Bureau of Land Management (BLM) a plan of operations in accordance with Title 43 Code of Federal Regulations 3809. In compliance with the National Historic Preservation Act of 1966 et seq., and implementing regulations, this proposal, entitled the Castle Mountain Venture, has been subject to evaluation of its effect upon historic properties. The proposed plan of operation, cultural evaluation, and supporting documents are herein enclosed for your review.

In that the proposed plan of operations has undergone several series of amendment prior to final submittal, the contracted evaluations have been subject to subsequent revisions. As a result of this process, some inconsistencies have developed, requiring elaboration. Further, BLM has discordantly assessed some cultural properties and effects from those affirmed by the contracted archaeologists. Facilitating your review, we enclose our recommendations referenced to Archaeological Assessment of the Castle Mountain Project, San Bernardino County, California and Clark County, Nevada (Vol. 1, Text) under Attachment A.

Handwritten notes:
E. Adams
13 MAY 28
6 P. 1988
SST

In summation, our recommendations are as follows:

Handwritten signature:
Chank
5/27

Cultural sites determined extrinsic to area of potential effect consideration and thus deferred from determination of National Register eligibility:

- | | |
|------------|------------|
| 4-SBr-1395 | 4-SBr-5874 |
| 4-SBr-2722 | 4-SBr-5875 |
| 4-SBr-5856 | 4-SBr-5878 |
| 4-SBr-5857 | 4-SBr-5879 |
| 4-SBr-5858 | 4-SBr-5918 |
| 4-SBr-5859 | 4-SBr-5940 |

Handwritten signature:
5/27/88

| | |
|--------------------------------------|------------|
| 4-SBr-5860 | 4-SBr-5941 |
| 4-SBr-5861 | 4-SBr-5942 |
| 4-SBr-5862 | 4-SBr-5957 |
| 4-SBr-5870 | 4-SBr-5961 |
| 4-SBr-3060 (loci 1-17,
19, 21-23) | 4-SBr-5971 |

Cultural sites determined as subject to potential effect, although requiring further evaluation to determine National Register eligibility:

| | |
|--------------|--------------|
| 4-SBr-5837-H | 4-SBr-5877-H |
|--------------|--------------|

Cultural sites determined to be ineligible for National Register inclusion:

| | |
|-------------------------|--|
| 4-SBr-3040-H | 4-SBr-5869 |
| 4-SBr-3047-H | 4-SBr-5870 |
| 4-SBr-3060-H (locus 18) | 4-SBr-5871 |
| 4-SBr-5700 | 4-SBr-5872 (Conditional to Sparse
Lithic Scatter Program) |
| 4-SBr-5701 | |
| 4-SBr-5702 | 4-SBr-5873 |
| 4-SBr-5703 | 4-SBr-5876 |
| 4-SBr-5704 | 4-SBr-6056 |
| 4-SBr-5709 | 4-SBr-6105 |
| 4-SBr-5710-H | 4-SBr-5708 (Conditional to Sparse
Lithic Scatter Program) |

Cultural sites determined as eligible for National Register inclusion although subject to no effect.

4-SBr-6107

Cultural sites determined eligible for National Register inclusion conforming to criterion d, and subject to no adverse effect conditional to undertaking mitigative data recovery as prescribed. Data recovery shall incorporate successionaly refined and cumulatively justified evaluative stages.

| | |
|-------------------------|------------|
| 4-SBr-3060-H (locus 20) | 4-SBr-5705 |
| 4-SBr-5706 | 4-SBr-5707 |
| 4-SBr-6054/4-SBr-6055 | |

In assuring the protection of cultural sites occurring in the vicinity of the proposed plan of operations, the BIA shall require of the proponent, conditional to authorization and continued operations, the undertaking and maintenance of an employee awareness program (as prescribed in Volume 1, pages 96-97), installation of barriers precluding access to culturally sensitive areas not proposed for permitted use, a contracted annual monitoring program assessing compliance, and cessation of actions upon encountering cultural resources heretofore unknown pending subsequent cultural resource evaluation.

Conditional to undertaking actions as proposed, BLM requests your concurrence with our aforementioned recommendations of. In recognition of the magnitude and complexity of this cultural resource evaluation, reviewing staff members are encouraged to consult our Needles Resource Area archaeologist, George Meckfessel at 619/326-3896, to clarify or affirm any issues which may arise. We anticipate your timely response to our request within 30 days.

Sincerely,

Gerald E. Hillier
District Manager

Enclosures

cc: State Archaeologist (William Olson) (w/o encl.)

~~GERALD E. HILLIER~~
VICK CHAMBERS, AS 102

meckfessel/do/5/12/88-memo2

RECEIVED

APR 27 1990

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Stateline Resource Area
P.O. Box 26569
Las Vegas, Nevada 89126

In reply refer to:
8100
(NV-054)

APR 24 1990

Memorandum

To: Area Manager, Needles Resource Area (CA-069)
Attention: Elena Daly, Resource Branch Chief

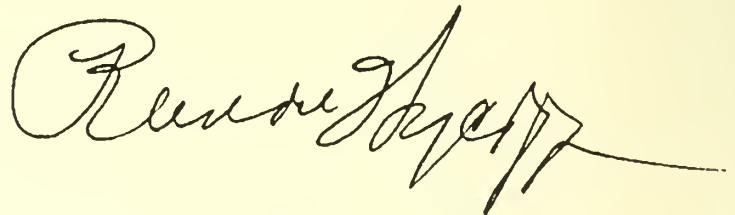
From: Area Manager, Stateline Resource Area (NV-054)

Subject: Completion of Section 106 for Viceroy Gold Castle Mining Project

This is in reference to the Viceroy Gold Castle Mountain Mining project. Section 106 consultation was completed in July 1989 for the project by California and Nevada BLM and SHPO, and the Advisory Council on Historic Preservation. The proponent subsequently changed the access road location in Nevada, prompting an additional cultural resource inventory and consultations with Nevada and California SHPOs. A letter advising the Advisory Council on Historic Preservation that the only eligible site in Nevada for the project was now out of the area of potential effect was sent from this office on Mar. 2, 1990 (see Attachment 1). That office was requested to provide comments within 15 days of receipt. The undated return receipt request was mailed from that office on March 8, 1990 and received in this office on March 12 (Attachment 2).

No comments have been received from the Advisory Council on Historic Preservation. This constitutes the completion of Section 106 consultation on the revised portion of the project under 36 CFR 800.5. No significant sites in Nevada will be affected by this project. This information can be placed into the EIS. If you have any further questions please contact Keith Myhrer at (702) 646-8879.

cc: George Mackfessel (CA-069.23)



*Attachment 1*8100
(NV-054)

MAR 2 1990

CERTIFIED MAIL NO. 13995
RETURN RECEIPT REQUESTEDAlan Stanfill
Chief, Western Office of Project Review
Advisory Council on Historic Preservation
730 Simms Street, Room 450
Golden, Colorado 80401

Dear Mr. Stanfill:

This letter is in reference to the Viceroy Gold Castle Mountain Mining project. A package for the finding of no adverse effect through data recovery for the project was reviewed by your office in July, 1989, with no objections (Letter dated July 14, 1989 to Sacramento, California BLM). The project area includes access through southwest Nevada. The original proposed access road from Searchlight, Nevada to Hart Mine in California used the Barnwell/Searchlight railroad grade, a site determined not eligible for nomination to the National Register of Historic Places. Due to conflicts over protection of the endangered desert tortoise, an alternate access route has been chosen by the proponent. This selected route intersects the Hipton road and runs south to the Barnwell/Searchlight route about one mile east of the California border. Enclosed Map 1 shows the route. Las Vegas District BLM Cultural Resource Report 5-1949(N) describes a Class III level inventory of the new access, with no cultural resources found.

A result of utilization of the selected alternate is the avoidance of Juan Obsidian Source site 26CK3849/BLM 53-4971, determined eligible for nomination. The site is one mile east of the selected alternate and is no longer considered within the area of potential effect. As stated above, a treatment plan for the mitigation of adverse effects to this site and other eligible sites was reviewed by your office in July, 1989. Because Juan Obsidian Source site is no longer within the area of effect, no further work at the site is required for this project.

This letter is to notify you of the determination by Las Vegas District BLM and Nevada SHPO that utilization of the selected alternate will not affect properties of National Register quality in Nevada. Nevada State Historic Preservation Office has reviewed Cultural Resource Report 5-1949(II) and agreed with the determination of no effect in Nevada. A notification was also sent to California SHPO, and a reply from Rob Jackson received by phone on Feb. 25, 1990. California SHPO agrees with this determination. This does not change the no adverse effects determination for the project as a whole.

I request any comments on this no effects determination in Nevada through avoidance of site 26CK3849, without changing the no adverse effects determination for the project as a whole, be submitted to this office within 15 days of receipt of this letter. If you have any questions please call Keith Myhrer, Area Archaeologist, at (702) 646-8879.

Sincerely,

BEN E. COLLINS

Ben Collins
District Manager

2 Enclosures

1. Map of the selected alternate access
2. Agreement letter (copy) from Nevada SHPO


KMyhrer/gm 2/28/90
Wang No. 1858a

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

RECEIVED
1990 MAR -8 AM 11:49
LAS VEGAS DISTRICT
BUREAU OF LAND MANAGEMENT

U.S. MAIL
PENALTY FOR PRIVATE USE, \$300

SENDER INSTRUCTIONS
Print your name, address and ZIP Code in the space below.
• Complete items 1, 2, 3, and 4 on the reverse.
• Attach to front of article if space permits, otherwise affix to back of article.
• Endorse article "Return Receipt Requested" adjacent to number.

RETURN TO 

Print Sender's name, address, and ZIP Code in the space below.

BUREAU OF LAND MANAGEMENT
P. O. BOX 26569
LAS VEGAS, NV 89126

Attachment 2

8100 (NV-054) *Keith*

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested. Show to whom delivered, date, and addressee's address.

1. Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

2. Restricted Delivery (Extra charge)

3. Article Addressed to: Alan Stanfill
 Chief, Western Office of Proj. Rev.
 Advisory Council on Historic Pres.
 730 Simms Street, Room 450
 Golden, CO 80401

4. Article Number: 13945

5. Signature - Agent: *Kathy L. Place*
 Date of Delivery: _____

6. Signature - Addressee: _____
 Date of Delivery: _____

8. Addressee's Address (ONLY if requested and fee paid): _____

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

Advisory Council On Historic Preservation

The Old Post Office Building
1100 Pennsylvania Avenue, NW, #809
Washington, DC 20004

Reply to: 730 Simms Street, Room 401
Golden, Colorado 80401

July 14, 1989

Mr. Richard F. Johnson
Deputy State Director
Lands and Renewable Resources
Bureau of Land Management
2800 Cottage Way
Sacramento, CA 95825

REF: Castle Mountain Mining Project, Viceroy Gold Corporation,
California and Nevada.

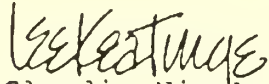
Dear Mr. Johnson:

On June 26 and 29, 1989, we received from your office and the Stateline Resource Area, Nevada, respectively, findings that the referenced undertaking would have no adverse effects on historic properties identified within the administrative areas of each office. Segmenting the effects of an undertaking on the basis of State or administrative boundaries is inappropriate under the regulations, 36 CFR Part 800. However, because the two BLM offices have reached the same finding of effect and will treat the effect of the project on historic properties in the same manner under the same treatment plan, we do not object to your finding that the undertaking will have no adverse effect.

For future undertakings that extend across State or administrative boundaries, please ensure that the BLM's compliance efforts are coordinated to enable the Agency Official to seek the Council's comments on the effects of the undertaking as a whole, and irrespective of the location of the agency's administrative units within the area of potential effects.

If you have questions, please contact Alan Stanfill at (303) 236-2682 or FTS 776-2682.

Sincerely,

for 
Claudia Nissley,
Director, Western Office
of Project Review

Pursuant to 51.7)D. of the PMOA, we request your review of the subject plan and your concurrence in our determination of No Adverse Effect. We anticipate your response within 20 days. Should you have questions of a technical nature, please contact the Needles Resource Area Archaeologist, George Heckfessel, at (619) 325-3896. Please contact Bill Olson of the California State Office, at (916) 918-4730 if you have any other questions or concerns.

Sincerely,

18/RICHARD F. JOHNSON

Richard F. Johnson
Deputy State Director
Lands & Renewable Resources

Enclosures

OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION

POST OFFICE BOX 942896
SACRAMENTO, CALIFORNIA 94296-0001
(916) 445-8006

CALIFORNIA DESERT DISTRICT
RIVERSIDE

Mr. Gerald Hillier
District Manager
Bureau of Land Management
California Desert District
1695 Spruce Street
Riverside, California 92507

| ROUTING TO: | DATE | INIT. |
|-------------|------|----------------------|
| DM | | |
| ADM | | |
| SA | | |
| PIPE | | |
| P&EC | | |
| PA | | |
| Admin | | REPLY TO: BLM880509A |
| OPS | | |
| RES | 3/5 | March 2, 1989 |
| AMs | | |
| ACTION BY: | | |
| RETURN TO: | | |



Re: Castle Mountain Venture Mining Plan of Operation.

Dear Mr. Hillier:

The Office of Historic Preservation (OHP) has reviewed and would like to comment on your submission of the cultural resources documentation for the above-referenced project.

We reviewed Dr. Wilke's report and treatment plan with great interest. The document is extremely responsive to OHP comments on the draft document. The report is more than adequate to ensure that potential historic properties within the Area of Potential Effects (APE) have been identified.

The OHP agrees that the following sites will not be affected by the proposed project, as they occur outside of the APE: CA-SBr-1395, -2722, -5837-H, -5856, -5857, -5859, -5874, -5875, -5877-H, -5878, -5879, -5918, -5940, -5860, -5861, -5862, -5870, -5941, -5942, -5957, -5961, -5971, -6054, -6107, and -3060-H (Hart Town Site).

The OHP has previously agreed with the BLM that the following prehistoric archaeological sites are National Register of Historic Places (NRHP) ineligible: CA-SBr-5700, -5701, -5702, -5703, -5704, -5709, -5869, 5870, -5871, 5873, -5876, -6055, and -6105.

We also agree that the following historic archaeological sites fail to meet the criteria for inclusion in the NRHP, lacking integrity and important research potential: CA-SBr-3040-H (Hart well and tank site); -5710-H (Valley View Mine and Mill site); and CA-SBr-3047-H (California segments of the former Barnwell and Searchlight railroad grade).

Also included in your recent submission was a report titled "CA-SBR-5872: A Prehistoric Lithic Raw Material Prospect In The Castle Mountains, San Bernardino County, California." The California Archaeological Resource Identification and Data Acquisition Program: Sparse Lithic Scatters (CARIDAP:SLS) was applied to CA-SBR-5872 and the site was found to qualify. The report authors supplemented the data recording program with attribute analyses they felt were salient. Such a supplement to accommodate regional circumstances is precisely the intent of the

program. We agree that CA-SBR-5872 is ineligible for the NRHP, based on application of the CARIDAP:SLS and qualification of the site as a SLS.

We were extremely pleased to see the critical analysis of the program. The feedback and critique provided in the report is exactly the kind we have attempted to solicit from California archaeologists for over two years with little response. Dr. Wilke's consideration of the program is the most thorough and thoughtful to date. Several of the concerns noted in the critique, particularly those of a research nature, have been noted in other applications of the program, and will be taken into serious consideration in its revision.

Due to project redesign and protective measures, occurrence outside the project area, or determination of NRHP ineligibility, the archaeological sites referenced above need not be considered further for this Section 106 undertaking.

This leaves several archaeological sites within the APE that will be subject to potential impacts. Accordingly, the OHP has reviewed the information provided by the consultant and agrees that archaeological sites CA-SBr-5705, -5706, -5707, -5708, and -6055 are NRHP eligible under 36 CFR 60.4(d).

Also enclosed was a treatment plan for the above-referenced properties. This plan proposes treatment for one site in Nevada (26-CK-3849) which we will leave to the Nevada SHPO for review.

We generally agree with the measures proposed to recover data from prehistoric quarry sites CA-SBr-5705, -5706, -5707, and -5708. However, the author raises the possibility that five excavation units per site will be insufficient to meet data requirements, and places no upper limit to the number that would be excavated. While there is a low probability that more than five units per site will be necessary, we propose that the BLM consult with the OHP prior to the excavation of additional units. In turn, this may require involvement of the Advisory Council on Historic Preservation, or their willingness to accept BLM-OHP consultation as satisfactory in modifying the amount of excavation.

The NRHP eligibility determination for CA-SBR-6055 was made on the basis of surface observations and comparison with data from similar regional sites. As the author notes, performing test excavation in such a visible location would have endangered the site by exposing it public attention. The lack of subsurface data makes the development of a specific data recovery plan exceedingly difficult, as the author also mentions. However, 12, one meter-square excavation units and clearing of the shallow deposit within the shelter seem reasonable. Therefore, we agree with the proposed scope of work.

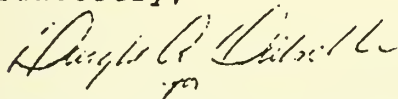
Based on the proposed treatment plan, with the condition for consultation should the need for additional excavation be

determined, the OHP agrees that the proposed project will not adversely effect historic properties. We understand that five regional tribal governments have been afforded the opportunity to comment on the proposed undertaking but no concerns were revealed. We also understand that the potential for human remains at any of the five NRHP eligible archaeological sites is low.

Please submit documentation, along with a copy of this letter, to the Advisory Council on Historic Preservation for their review and comment.

Thank you for considering cultural resources during project planning. If you have any questions please contact Mr. Robert Jackson of my staff, at (916) 322-9602.

Sincerely,



Kathryn Gualtieri
State Historic Preservation Officer

EH

George --

RESOURCE AREA COPY

RECEIVED
FEB 7 1989
HEADQUARTERS
NEEDLES, CALIFORNIA

CALIFORNIA DESERT DISTRICT
1695 SPRUCE STREET
RIVERSIDE, CALIFORNIA 92507

8143
(C-069.27)

CERTIFIED MAIL #P-573 425 878
RETURN RECEIPT REQUESTED

FEB 06 1989

Kathryn Gualtieri
State Historic Preservation Office
P. O. Box 2390
Sacramento, California 95811

Dear Ms. Gualtieri:

In continuation of the Section 106 review of the Castle Mountain Venture mining plan of operation, the Bureau of Land Management(BLM) herein affirms, with supporting documentation, proposed determinations for resources yet outstanding as of your 7-7-88 response. Cultural resources requiring formal determinations comprise 4-SBr-: 3040-H, 3047-H, 3060-II, 5705, 5706, 5707, 5708, 5710-H, 5837-II, 5872, 5877, 6054, and 6055.

Following recommendations developed during the discussions held on 9-22-88 by Robert Jackson(SIPO), Christopher Mitchell(Viceroy Gold Corporation), Phillip Wilke(University of California-Riverside) and William Olsen(BLM), 4-SBr-3060-II has been placed outside the area of potential effect(APE) by means of project design. The cultural resource has now been located outside the area required for proposed operations, and is predominately held in private ownership. To insure the integrity of the extant resource, installation of boundary fencing following an arc along the site's southern margin will be stipulated prior to initiation of project activities. Operations beyond the fence will not be authorized; impacts upon archaeological resources not approved through Section 106 review are subject to enforcement of the Archaeological Resources Protection Act or Title 43 Code of Federal Regulations(CFR) 8360. Accordingly, BLM proposes deference of this resource's further review.

In resolve of 4-SBr-3060-II effect consideration, we request your rescission of review abeyance for sites 4-SBr-: 3040-H, 3047-H, and 5710-II. Our findings for these sites are unchanged from those affirmed in our initial submission. The integrity of these sites, as it applies to eligibility criteria, is of a compromised nature(Appendix A:5-27-88). Accordingly, BLM finds these sites ineligible after Title 36 CFR 60.4.

While sites 4-SBr-5837-II and 4-SBr-5877-II were previously identified for your review, they are not situated within the subject action's APE. Upon the proponent's submission of a separate plan of operations placing these sites within an APE, BLM will initiate Section 106 review. Accordingly, we recommend the site's deference from further review.

The enclosed CA-SBr-5872: A Prehistoric Lithic Raw Material Prospect In The Castle Mountains, San Bernardino County, California attests to the subject site's applicability to the sparse lithic scatter evaluation program. In conformance with the program's criteria, BLM accordingly finds this site ineligible after Title 36 CFR 60.4.

A Treatment Plan For Significant Cultural Resource Sites To Be Affected By The Castle Mountain Project Of Viceroy Gold Corporation is also enclosed for your review. The document formulates a research design for the data recovery of sites 4-Sbr-5705, 5706, 5707, 5708, and 6055, in addition to providing a treatment proposal for Nevada BLM consideration. BLM considers this research design effective in providing guidance for the proposed data recovery objectives. As discussed during the 9-22-88 meeting, 4-SBr-6054 has been assessed as being neither a constituent of 4-SBr-6055 nor subject to the potential effects attributed to the later site, as previously considered. Accordingly, BLM finds 4-SBr-6054 to be extrinsic to the APE and proposes the site's deference from further consideration.

With respect to Native American concerns, five tribal governments are being afforded the opportunity to comment on the proposed undertaking through the public scoping and review process. Upon review of our inventory of traditional Native American values, no areas of sensitivity within or proximal to the project area were revealed.

Conditional to employing the proposed treatment for eligible properties, no adverse effect consequent approval of the subject plan of operations is affirmed. Should your staff have any questions regarding our findings, they are encouraged to contact George Meckfessel, Needles Resource Area Archaeologist, at (619) 326-3896. Respectively, BLM requests your concurrence with our findings and your timely response.

Sincerely,

H.W. RIECKEN, Acting

Gerald E. Hillier
District Manager

Enclosures

c.c. State Archaeologist(William Olsen)(w/o encl.)

**APPENDIX I
CORRESPONDENCE ON MINE PIT
BACKFILLING ECONOMICS**



July 5, 1990

Memorandum

To: Ed Hasteley, State Director, BLM California State Office
From: Chief, Western Field Operations Center
Subject: Cost Evaluation of Backfilling Open Pit Gold Mines

Enclosed is a copy of the report we prepared examining the effects on Net Present Value for an open pit gold operation when backfilling of the open pit is required. We hope this will be useful for your study.

Richard B. Grabowski

Enclosure

TCamm:az

c: ✓ Anderson (BLM)
BGosling
SO
Df

A COST EVALUATION OF BACKFILLING OPEN PIT GOLD MINES IN THE CALIFORNIA DESERT

by Thomas W. Camm, P.E.¹, and Nicholas Wetzel²

Introduction

An evaluation was performed to determine the effects of backfilling costs on the economics of an open pit mining operation. A generic cost model developed for a typical open pit mine/heap leach operation in the California Desert by the Bureau of Mines, Western Field Operations Center (WFOC), Spokane, WA, was used as the basis for the study. The following assumptions were used in the development of the cost model:

- open pit mine, heap leach/carbon column processing
- reserves of 26,000,000 st ore
- 0.055 troy oz/st
- 75% recovery of gold
- 9 yr mining life
- 2:1 stripping ratio
- 8,000 st/d ore, 16,000 st/d waste
- 3 shifts/day, 360 days/yr
- 2,500 ft average haul distance

Using the model, capital costs, exclusive of backfilling costs, were determined to be \$67,180,000. Operating costs for mining were \$4.60/st ore (includes the cost of waste removal), and \$6.57/st ore for milling. The model calls for backfilling by a contractor for three years after mining is completed. Approximately 65% of the mined material will be used. It was assumed no drilling would be required for the backfilling segment of the operation. The cost of backfilling the pit would be \$0.84/st ore and waste, plus a 25% mark-up to allow for the contractor's costs, for a total cost of \$1.05/st of material moved in 1990 dollars. The backfilling costs were inflated at 5% per year from 1990. Based on these assumptions the total cost of backfilling would be \$91 X 10⁶.

Economic Analysis

A cash flow analysis was performed for the hypothetical operation that compared net present value (NPV) to revenues for three cases: 1) a base case with no reclamation costs included, 2) the base case with \$1/st ore added to the operating cost in year nine to cover reclamation in the final year of operation, and 3) an operation where complete backfilling of the pit occurs in three years after completion of the mining operation (fig. 1). A NPV ≥ 0 indicates a profitable operation at a specified minimum ROR. The analysis was based on a 15% rate-of-return (ROR), a common minimum ROR used by the Bureau

¹Mining Engineer, ²Supervisory Physical Scientist, Branch of Engineering and Economic Analysis, Western Field Operations Center, Bureau of Mines, Spokane, WA

to determine the profitability of an operation. Industry often uses a higher ROR, commonly up to 20%. Using a gold price of \$400/tr oz as a base (100% revenues), revenues were varied for gold prices of \$200/tr oz to \$600/tr oz. In all cases, NPV was \$13-18 million less with backfilling costs included than when backfilling was not included. In the base case, with a gold price of \$400/tr oz (100% revenues), the NPV for the operation without backfilling required is \$111,000, indicating the operation would be profitable at a 15% ROR. For case 2, the operation appears to be marginally unprofitable, with an NPV of -\$528,000. However, with the costs of backfilling the pit included in the analysis, the NPV is -\$13 million, indicating the project would no longer be profitable.

A second analysis was performed comparing operating costs to NPV. In this analysis, operating costs for each of the three cases were varied from 50% to 200% of the base operating costs, with revenues held constant (fig. 2). With backfilling costs included, the operation would be unprofitable using the base case assumptions (100% of base operating costs) with an NPV of -\$13 million. Only when operating costs are reduced to below 90% of the base costs would the project have a positive NPV. Any rise in operating costs above this threshold would result in a negative NPV, indicating these costs would make the operation unprofitable if backfilling the pit was required.

In summary, two aspects of backfilling open pits were analyzed. First, NPV was calculated for three cases, and plotted against various gold prices. Second, NPV for an operation under the same three situations was determined for various operating costs. Both scenarios indicated the added costs of requiring the pit to be backfilled could have a significant adverse impact on the economics of an operation. Indeed, for the base case alone, backfilling would make an otherwise profitable operation (\$111,000 NPV at 15% ROR) unprofitable (-\$13 million NPV).

July 3, 1990

Fig 1. - NPV vs. Gold Price

(base case, reclamation, backfilling)

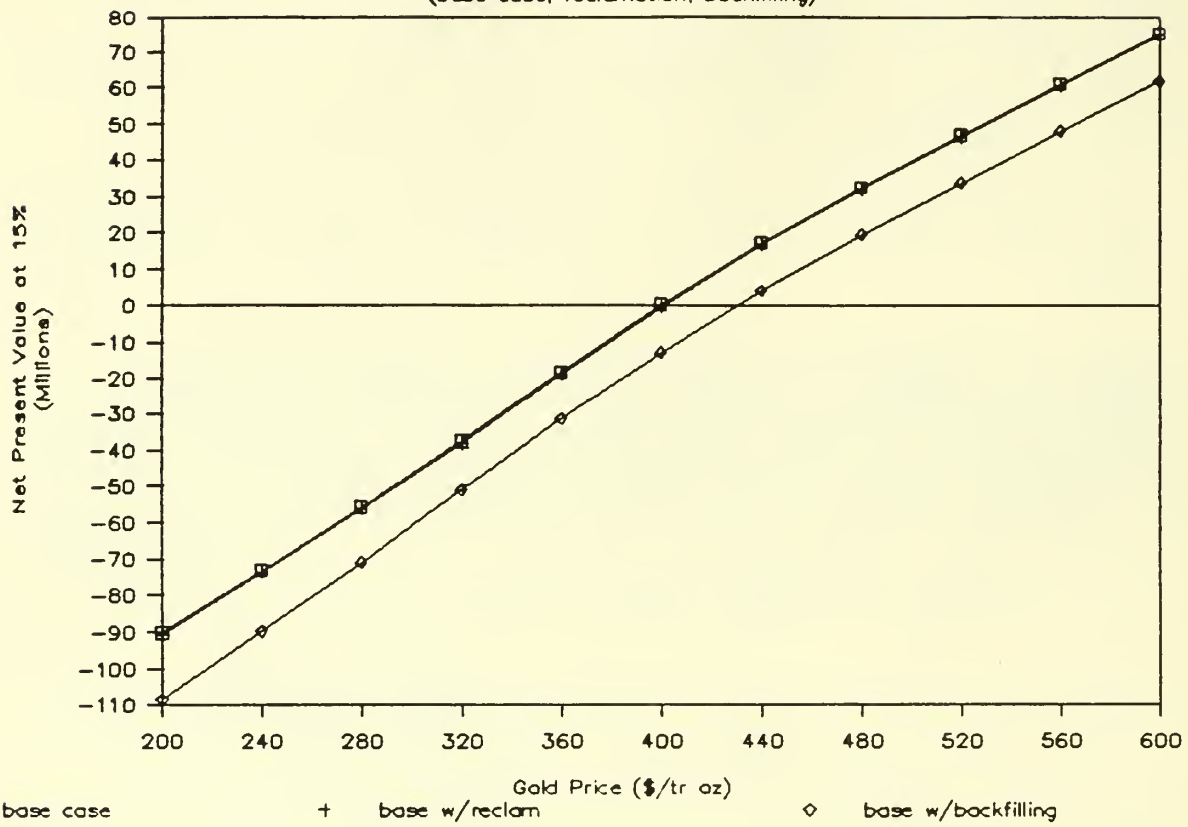
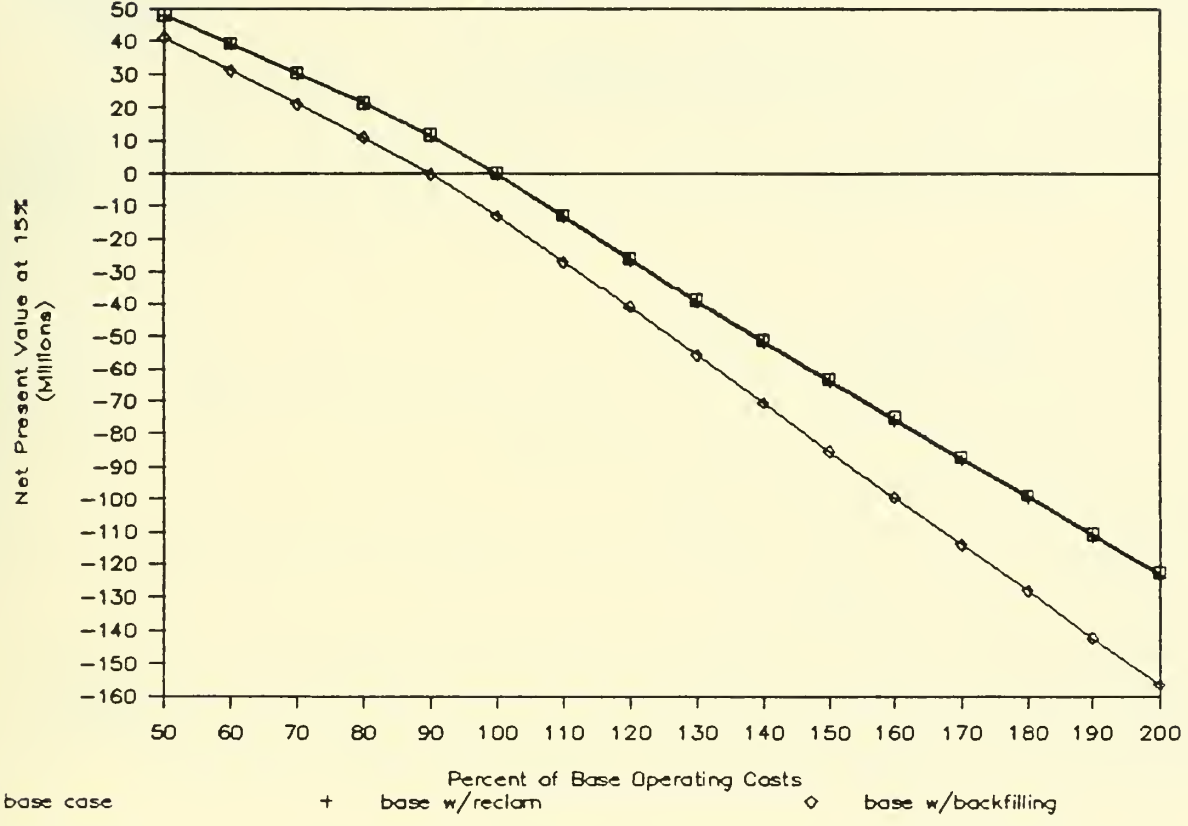


Fig 2. - NPV vs. Operating Costs

(base case, reclamation, backfilling)



5. Backfilling could also present problems with the groundwater. If more porous backfill is placed below the water table, the groundwater flow through the pit would likely acquire a metal content greater than that occurring prior to, and at the termination of, mining.

6. Many states require that fill material be identical to the material removed. The mining process could make any rock removed unsuitable for fill material. Thus the only acceptable alternative may be clean sand and gravel, which often is more expensive on a per ton basis than the original cost of mining and milling the ore. This could easily preclude the economic development of an otherwise profitable mineral deposit.


51- Richard B. Grabowski



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
CALIFORNIA STATE OFFICE
2800 COTTAGE WAY, ROOM E-2845
SACRAMENTO, CALIFORNIA 95825-1889



IN REPLY REFER TO

3000
CA-920

JUN 29 1990

Ms. Debra Reames
Sierra Club Legal Defense Fund, Inc.
2044 Fillmore St.
San Francisco, California 94115

Dear Ms. Reames:

This is a follow-up to our phone conversation of June 13, 1990, in which we discussed your letter to me dated June 7, 1990, concerning Viceroy's operations, specifically backfilling and time for review of the reclamation plan.

Like other public concerns raised during the NEPA process, I must ensure that backfilling is discussed in the context of the regulations under which the proposed mining operation is authorized. In this case, 43 CFR 3809 dictates that we weigh the anticipated impacts of all disturbances, including an open or partially open pit, against whether it would lead to "unnecessary or undue degradation". As defined in 3809.0-5(k), we would ensure that disturbances are not "greater than what would normally result when an activity is being accomplished by a prudent operator in usual, customary, and proficient operations of similar character....." Furthermore, we must ensure that state and federal laws and regulations are met.

The final EIS will have a thorough discussion on backfilling in an overall environmental context and in accordance with the unnecessary or undue degradation concept.

After much thought, I am of the opinion that the cost of backfilling or partial backfilling should not be the overriding consideration in whether it is required or not. Rather, it should be considered in conjunction with other objectives including:

1. Determining what is usual, customary and proficient in the industry.
2. Complying with Federal and State Law.

TAKE
PRIDE IN
AMERICA

3. Assuring against pollution of natural water resources.
4. Providing for measures to protect human health and safety.
5. Considering the adverse impact to backfilling, i.e. energy consumption.
6. Evaluating the potential for future mining from mineralization in the pit area that is not now economic.
7. Overall, provide for reasonable measures to protect the scenic, scientific and environmental values of the area impacted by mining.
8. Determining as an option whether the sequential filling of other open pits in the flow of on-going open pit excavations is practicable, and
9. Providing for a productive land use of the pit area upon cessation of the mining operation.

Because your clients have so much interest in the economics involved in backfilling, we have requested the Bureau of Mines to provide us with a "net present value" analysis of a typical open pit-heap leach gold mine, representative of the ones found in the Western United States.

This analysis should give us all a better understanding of the total costs involved in operating an open pit gold mine. Its influence on my decision concerning backfilling cannot be made until all of the items in 1 through 9 above and comments are received on the final EIS are evaluated.

Your comments on the reclamation plan should be submitted to the Needle Resource Area by July 6, 1990. As for the timing on the completion of the reclamation plan, and the final EIS, all staff work will be completed and I will be briefed by July 20, 1990.

Sincerely,

Ed
Ed Hastey
State Director

*DEBRA -
THE NEEDLES DISTRICT
STATE SUPERVISOR WILL BE
MEETING JULY 16 TO GO
OVER ALL THE COMMENTS
& FINIMIZE THE EIS ON
AT LEAST THE DIRECTOR TO
THE CONTRACTOR. SAYS DEMANDS
CO WILL BE INCLUDED.*

Ed



VICEROY

VICEROY
GOLD
CORPORATION

PO Box 93668 Las Vegas
Nevada 89193-3668
Telephone (702) 351-4776
Fax (702) 361-2376

June 20, 1990

Mr. Ed Mastey, State Director
Bureau of Land Management
2800 Cottage Way
Sacramento, CA 95825

Re: Castle Mountain Project - Backfilling

Dear Mr. Mastey

The enclosed materials have been assembled in response to the Bureau's request for additional information on backfilling.

The working draft of the Final EIS/EIR for the Castle Mountain Project contains an analysis of the environmental costs and benefits of backfilling. The discussion has been organized within the context of the following environmental resource issues:

- . Water resources (both surface and groundwater)
- . Vegetation and wildlife habitat
- . Visual resources
- . Land use
- . Health and safety

The environmental contractor concluded that with the various mitigation measures proposed, the site-specific nature of the ore and overburden materials, and the topographic features of the proposed development, backfilling was not warranted from an environmental standpoint.

The document also included some generic information on the economics of backfilling in hard-rock mining, including materials presented in a document prepared in the late 1970s by the National Research Council at the request of the President's Council on Environmental Quality. That information clearly shows the huge economic burden that backfilling would impose on most hard-rock mining projects, to the point that their economic viability would be destroyed. In the specific context of the Castle Mountain Project, reference was also made to the mineral resources (both in the ground and in the spent ore on the leach pads) that would be sacrificed if the pits were to be backfilled.

The document also quoted from a recent statement by a representative of Pegasus Gold before a Congressional subcommittee on bonding and reclamation that backfilling the pits his company mines would bankrupt the corporation. Financial

analysts familiar with the gold mining industry would be able to confirm to you that in North America last year, cash costs to produce an ounce of gold generally fell in the range of \$225 - 250 per ounce. I have assembled information from the 1989 annual reports of a number of companies operating mines in California and Nevada which illustrate the point, as shown in the tables attached. When off-site costs such as interest, corporate general and administrative expenses, on-going exploration costs and non-cash charges such as depreciation are included, the total cost to produce an ounce of gold can easily approach \$350 - 375 per ounce. This leaves a modest margin to cover profit and income taxes. It is not sufficiently large to cover the cost of backfilling.

Earlier this year, I had provided Ms. Reames with an estimate of about \$0.70 per ton to backfill at Castle Mountain. I understand this was viewed by Bureau personnel as quite low. I certainly agree that it was a "bare-bones" estimate, without an allowance for supervision, road construction, grading or reclamation costs. Never-the-less, even that seemingly modest amount would have a dramatic impact on the economic viability of most mines. In a very simplistic fashion, the effect can be shown by assuming a unit cost for backfilling of \$0.50 per ton of material moved, and converting that to a cost per ounce of gold produced by multiplying the \$0.50 per ton figure by the equation:

$$(1 + strip\ ratio) / (ore\ grade \times gold\ recovery)$$

Backfilling would increase production costs for heap leach operations on the order of \$65 - 130 per ounce of gold. This is not unexpected, given that these types of operation tend to be lower grade operations that rely on the efficient movement of large quantities of material for their economic viability. The impact of backfilling appears to be less severe for milling operations, as they usually have higher grades and better recoveries, both of which are in the denominator of the equation. I hasten to caution that backfilling costs, as with most mining costs, are site-dependant. The tables do, however, show in a relative sense why mining companies are so concerned about this issue, as the magnitude of the cost clearly exceeds many companies' profitability margin.

As you will know, gold is a cyclical commodity. Its price over the last 10 years has averaged about \$420 per ounce, but there have been large variances about that average. Mining companies rely on the good years to build up a reserve to see them through the lean years that always follow. As I understand it, Ms. Reames has asked for a detailed discounted cash flow analysis of the effects of backfilling on the Castle Mountain Project. I personally find the implications of that request very disturbing. I know others in the mining industry share my concern. Does Ms. Reames anticipate a new role for the Bureau, that of a public utility regulator? Taken to its logical conclusion, her request for detailed economics suggests the Bureau should stipulate, for example, that Company A, with a high grade deposit, do backfilling, while Company B, with a deposit having similar environmental impacts, but a lower grade, and therefore less profitable project, would be exempted from backfilling, or be required to do only a partial backfilling.

One of the fundamental principles of the American mining industry has been self-initiation, with the knowledge that if you are fortunate enough to discover a viable deposit, you will be able to develop it within a known framework of environmental and land use laws and regulations. Backfilling is not required by either federal or California legislation.

Nevertheless, Viceroy wishes to be responsive to the Bureau's needs, and we are prepared to provide the Bureau with certain financial information. The data is proprietary information, for which Viceroy claims an exemption from disclosure under the Freedom of Information Act, as its release could be prejudicial to Viceroy's interest. The information is shown on tables marked as "Confidential", in the Castle Mountain Project Summary report enclosed. The confidential information is not to be released to third parties without Viceroy's prior written consent.

We would be pleased to review any of this information in more detail with your staff. We would also request that your internal review of the working draft of the Final EIS/EIR for the Castle Mountain Project proceed as quickly as possible.

Yours very truly

VICEROY GOLD CORPORATION

J. C. Mitchell

JCM/mcj

| | | | | | |
|------------|---------|-------------|------------|---------|-------------|
| Mine Name | Zortman | Florida Cyn | Relief Cyn | Beal Mt | Basin Creek |
| Mine Owner | Pegasus | Pegasus | Pegasus | Pegasus | Pegasus |
| Type | Heap | Heap | Heap | Heap | Heap |
| Location | NT | NV | NV | NT | NT |
| Units | | | | | |

| | | | | | |
|-----------------|--------|-------|-------|-------|-------|
| Tons mined/yr. | | | | | |
| Ore | 10,100 | 4,600 | 1,600 | 1,300 | 900 |
| Waste | 5,555 | 4,048 | 2,448 | 1,729 | 1,440 |
| Strip ratio | 0.55 | 0.88 | 1.53 | 1.33 | 1.6 |
| Grade | 0.019 | 0.02 | 0.028 | 0.043 | 0.042 |
| Recovery | 62 | 75 | 62 | 65 | 75 |
| Gold Production | 106400 | 79300 | 29900 | 37200 | 26000 |
| Cash costs | 275 | 240 | 315 | 190 | 280 |
| | === | === | === | === | === |

Note: The foregoing does not include any provision for depreciation, depletion and amortization of sunk costs, corporate general and administrative expense, ongoing exploration costs, interest on borrowed capital, royalties (if any), and income taxes.

Backfilling costs for each mine will be site-specific, depending on such factors as unit costs, haul distances and grade, throughput and pit configuration. In order to generate an "order-of-magnitude" number for comparison between mines, it is assumed below that the cost would be \$0.80/ton of material moved, and the dollar values shown are calculated based on the stripping ratios, recoveries and ore grades shown for each mine. NOTE THAT THIS HAS BEEN DONE FOR COMPARATIVE PURPOSES ONLY. THE VALUES SHOWN HERE SHOULD NOT BE REPRESENTED AS BEING PROJECTED ACTUAL COSTS.

| | | | | | |
|-----------------------------|-----|-----|-----|-----|-----|
| Cash costs | 275 | 240 | 315 | 190 | 280 |
| Backfilling cost | 105 | 100 | 117 | 67 | 66 |
| (@ \$0.80/ton moved) | --- | --- | --- | --- | --- |
| Cash costs with backfilling | 380 | 340 | 432 | 257 | 346 |
| | === | === | === | === | === |

**APPENDIX J
COUNTY OF SAN BERNARDINO
FINAL EIR DATA (RESERVED)**



APPENDIX J
COUNTY OF SAN BERNARDINO FINAL EIR DATA
(RESERVED)

This appendix is reserved for final information to be considered by the County as a result of the public hearing to be held.



R'S CARD

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