



Working with Communities to Protect Their Land Air and Water

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January 12, 2015

Battle Mountain District Office
Mount Lewis Field Office
attn: Christopher worthington, Project Manager
50 Bastian Road
Battle Mountain, NV 89820

Re: Comment on the Draft *Environmental Assessment, Horse Canyon/ Cortez Unified Exploration Project Plan of Operations (NVN- 066621 [13-1A]) and Reclamation Permit No. 0159 Plan Modification, Addendum, and Amendment, File Number: NVN-066621 (13-1A, 14-1A, 14-2A)*

Dear Mr Worthington,

Great Basin Resource Watch (GBRW) thanks BLM for the week extension in reviewing the EA.

Our comments primarily revolve around the continued assaults upon Western Shoshone cultural aspects of the Mount Tenabo/Horse Canyon area.

The Horse Canyon area is and has been a special place for the Shoshone people dating back thousands of years. The laws on mining seem to forget the land and the people who live on it, that also predate Nevada statehood and intruders looking for gold who have been taking all the resources of the Shoshone people. The expanding of Barrick's exploration activities into the Horse Canyon area tells the Shoshone people that the laws that protect tribes has no merit in legal terms. Barrick has known about this area before they purchased it from Placer Dome. I believe they were also doing exploration in Horse Canyon during court case for Cortez. Barrick also is aware that the Horse Canyon area is under the protection of "TCP" (Traditional Cultural Protection). There are things that cannot be bought that are priceless. These things are only to be recognized and talked about on both sides to come to a resolution. The 1872 Mining Law is a violation under International Human Rights Forum on Indigenous Peoples and their lands.

- Larson Bill, Western Shoshone, South fork Reservation

GBRW has worked with Shoshone people to protect the Mount Tenabo cultural region from destructive affects of gold mining. Every expansion of exploration and mining in the area further erodes the cultural value of the land. There is a phrase, "Death by a Thousand Cuts," which we view as appropriate in this case. Over the years with the permission of the US government through BLM private mining and exploration companies have been allowed to destroy the cultural potency of this region, which BLM is aware of as noted on page 3-81 of the EA, "In summary, the Western

Shoshone believe that areas once unaffected by development and encompassing the Puha and spirit of their ancestors have been diminished.”

BLM admits that exploration and mining have impacted the cultural area, “Exploration activities associated with the existing 409 acres of surface disturbance have impacted the Mount Tenabo/White Cliffs PCRI.” (EA, pg 3-81) However, only a brief mention of how cultural area has been affected is contained in the analysis. BLM needs to assess the extent of the damage done to the cultural area by loss of sites analysis and by interviews with Shoshone people. The analysis of impacts is incomplete without a complete understanding of affect on the cultural area. Furthermore, BLM needs to convey in the analysis how the activities past and present and reasonably foreseeable will affect the value of the Mount Tenabo/Horse Canyon cultural area.

The EA goes on to state:

“The Proposed Action for an additional 140 acres of surface disturbance may result in future exploration activities within the Mount Tenabo/White Cliffs PCRI and the Horse Canyon PCRI. The applicant-committed EPMs (Section 2.2.3.8) would remain in effect under the Proposed Action. Access to these areas would not be restricted. By incorporating these measures, potential effects to the elements that contribute to the cultural characteristics of the Mount Tenabo/White Cliffs PCRI and the Horse Canyon PCRI would be minimized and no significant impacts relative to Native American cultural concerns are anticipated.” (pg. 3-81)

BLM is required under FLMPA to prevent unnecessary and undue degradation including cultural degradation. BLM is already expecting further damage to the cultural area and believes that various measures discussed in the EA will avoid significant impacts. BLM provides no evidence that the mitigation measures will be effective and even admits that they are arguably not effective as stated, “some Western Shoshone believe that these impacts cannot be satisfactorily mitigated.” (EA pg. 3-82). BLM needs to demonstrate effectiveness in the mitigation measures as required by NEPA.

BLM should never waive the tribal or traditional native observer as indicated here, “If a tribal observer is not available upon five day’s notice, BLM may select another qualified Native American observer or waive the requirement if none is available within a reasonable period.” (EA pg. 2-13). In our view the observer serves a similar role as an inspector does and their presence is essential. It may be necessary for there to be a cultural activity performed by the “observer” in order for a cultural site to be handled in any way. GBRW hopes that this kind of procedure is not an indication of a prevailing perspective by BLM that Native American cultural areas of lesser importance in managing the land. BLM needs to be more sensitive to the specific Shoshone cultural ways in addressing these specific sites.

BLM also assumes that the agency is best to select the Native American cultural observer, whereas the BLM should accept those people forwarded by the Western Shoshone people.

Overall, GBRW does not see that the BLM is properly protecting the Western Shoshone cultural area of Horse Canyon, Mt. Tenabo and the associated White Cliffs. GBRW views BLM as in violation of FLPMA and NEPA in this proposed action.

Thank you for the opportunity to submit these comments. Please contact John Hadder if you have any questions, and we look forward to your response.

Sincerely,

A handwritten signature in black ink that reads "John Hadder". The signature is written in a cursive style with a large, looping initial "J" and a stylized "H".

John Hadder
Director