

## **FINDING OF NO SIGNIFICANT IMPACT**

Spor Mountain project  
eAMLIS Key: UT-208

### **Introduction**

The Office of Surface Mining Reclamation and Enforcement (OSMRE) has reviewed the Environmental Assessment (EA) submitted by the Utah Division of Oil, Gas and Mining, Abandoned Mine Reclamation Program (AMRP) in support of the Spor Mountain project. Under the Preferred Alternative, OSMRE would provide Authorization to Proceed (ATP) to AMRP to expend federal Abandoned Mine Land (AML) grant funds safeguarding approximately 75 hazardous abandoned mine openings associated with the Spor Mountain Mining District. AMRP would draw from its suite of standard closure methods including hand and machine backfill, concrete block walls, steel gates, polyurethane foam plugs, and steel barriers. Equipment would travel and stage along existing roads in the project area. The work is expected to disturb about eight acres of surface area in Juab County, Utah which would be revegetated upon conclusion of construction activities.

### **Reason**

The open pits, adits, and shafts within the project area have been ranked by AMRP as Priority 1 public safety hazards. This classification and the need for the Preferred Alternative are based on specific threats these abandoned mine lands pose to the public including lack of ventilation, lack of maintenance, cave-ins and rockfall, hazardous gases and oxygen deficiency, and the potential for disorientation.

Under the Preferred Alternative, OSMRE would authorize construction in the Spor Mountain Mining District overseen by AMRP that would include hand and machine backfill, concrete block walls, steel gates, polyurethane foam plugs, and steel barriers. The project is expected to disturb approximately eight acres of surface area which would be revegetated once construction is finished. Under the No Action Alternative, AML hazards within the project area would continue to pose a health and safety threat to the public.

### **Context 40 CFR 1508.27(a)**

To determine whether the Preferred Alternative would have a significant effect on the human environment, impacts related to the Preferred Alternative were analyzed in terms of context and intensity based on the criteria at 40 CFR 1508.27(b). The Preferred Alternative project area would be approximately 40 miles northwest of Delta, Utah. Seventy-two of the 75 features are located on public property overseen by the Bureau of Land Management (BLM); the remaining three are located on private property. The Preferred Alternative project area is situated at about 6,000 feet above sea level and has previously been impacted by mining, grazing, and recreational vehicles. The Preferred Alternative is project-specific and any impacts would be likely realized at the local level as opposed to regionally, nationally, or globally.

Affected interests include all-terrain vehicle riders, campers, and mineral collectors.

### **Intensity 40 CFR 1508.27(b)**

*(1) The following resources were analyzed for beneficial and adverse impacts. A significant effect may exist even if OSMRE believes that on balance the effect will be beneficial.*

#### Historic and Cultural

In consultation with the Utah State Historic Preservation Officer and BLM Fillmore Field Office, AMRP determined the Spor Mountain project area contains 19 sites eligible for the National Register of Historic Places (NRHP) under Criteria A and C. It was further determined mine closure activities at these sites would result in adverse effects to historic properties under the National Historic Preservation Act. In response, AMRP, OSMRE, BLM, and SHPO developed a Memorandum of Agreement (MOA) which includes: language and layout details for interpretive signage, a Historic Properties Treatment Plan with mitigation measures, and an Unanticipated Discovery Plan. The MOA also contemplates future maintenance actions. The MOA was executed on October 2, 2019. There would be no significant impacts to historic and cultural resources under the Preferred Alternative or the No Action Alternative.

#### Hydrology

There would be no impacts to the hydrologic resource under the Preferred Alternative or the No Action Alternative.

#### Vegetation

The Preferred Alternative would disturb approximately eight total acres of surface area. The Spor Mountain Mining District has previously been impacted by mining, grazing, and recreational vehicles. Upon completion of construction, disturbed areas would be revegetated with an appropriate seed mix. There would be no significant impacts to vegetation under the Preferred Alternative or the No Action Alternative.

#### Fish and Wildlife

By letter dated September 10, 2019 the US Fish and Wildlife Service, Utah Ecological Services Field Office provided AMRP an Official Species List pursuant to Section 7 of the Endangered Species Act. The List indicates there are no Critical Habitats, National Wildlife Refuge Lands or Fish Hatcheries within the project area. The List indicates the threatened Ute Ladies'-tresses flower has the potential to exist within the project area, as well as the protected (Bird of Conservation Concern) Golden Eagle. The Ute Ladies'-tresses was eliminated from further analysis because it requires wet growing conditions which are absent from the project area.

According to supporting documentation submitted with the Spor Mountain EA, one Golden Eagle nest has been recorded 300 feet outside the project area boundary. To avoid potential impacts to the Golden Eagle, construction activities under the Preferred Alternative would take place outside of the avian breeding and brood rearing season. Should construction continue into the spring, a qualified biologist would conduct line-of-sight surveys to ensure no active nests would be affected by planned mine closures. The temporary nature of the work, one to four days per closure, would further reduce potential impacts to the Golden Eagle. Where evidence of bat mine-use exists, bat-compatible closures would be constructed. No significant impacts to fish and wildlife are expected under the Preferred Alternative or the No Action Alternative.

### Soils

Under the Preferred Alternative, construction activities would temporarily loosen soils in the project area. Upon completion of the work, all disturbed areas would be revegetated with an appropriate seed mix. There would be no significant impact to the soil resource under the Preferred Alternative or the No Action Alternative.

### Recreation

There would be no impacts to the recreation resource value under the Preferred Alternative or the No Action Alternative.

### Air Quality

Under the Preferred Alternative, fugitive dust emissions and heavy equipment exhaust associated with construction would create minor, temporary, localized air quality impacts. There would be no significant impacts to the air quality resource value under the Preferred Alternative or the No Action Alternative.

### Paleontology

The Utah AMRP consulted with the Utah Geological Survey (UGS) regarding paleontological resources by email dated August 8, 2012. No paleontological localities are on record with UGS for the Preferred Alternative project area, though some potential for Paleozoic invertebrates exists. If fossils should be encountered during construction, the UGS would be contacted to determine appropriate next steps. There would be no significant impact to the paleontological resource under the Preferred Alternative or the No Action Alternative.

*(2) The degree to which the Preferred Alternative affects public health or safety.*

The Preferred Alternative would improve public health and safety by safeguarding 75 hazardous Priority 1 abandoned mine openings.

*(3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.*

There are no park lands, prime farmlands, wild and scenic rivers, wilderness areas, recreation / refuge lands, or ecologically critical areas within the Preferred Alternative project area.

*(4) The degree to which the effects on the quality of the human environment are likely to be highly controversial.*

The Preferred Alternative would have no highly controversial effects on the human environment.

*(5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.*

The Preferred Alternative would have no effects on the human environment that are highly uncertain or involve unique or unknown risks.

*(6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.*

This decision is not precedent setting. The issues considered in the EA were developed by the interdisciplinary team within the context of past, present, and reasonably foreseeable actions. Significant cumulative impacts are not anticipated.

*(7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.*

The Preferred Alternative would not create significant cumulative impacts when added to other past, present, or reasonably foreseeable future actions. For each of the various closures contemplated under the Preferred Alternative, AMRP estimates 0.1 acre of surface disturbance. Measures would be taken to minimize impacts to surrounding areas and areas disturbed by construction activities would be revegetated. The Preferred Alternative would add approximately eight total acres of surface disturbance to the project area.

*(8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.*

The Preferred Alternative would result in adverse effects to 19 NRHP-eligible sites within the project area. A Memorandum of Agreement between AMRP, OSMRE, BLM, and SHPO was executed on October 2, 2019 which specifically addresses and mitigates these impacts. No sites of tribal importance are known to exist within the Preferred Alternative project area.

*(9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.*

The Preferred Alternative would not adversely affect an endangered or threatened species or critical habitat pursuant to the Endangered Species Act.

*(10) Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.*

The Preferred Alternative would not violate any known federal, state, local, or tribal law or requirement imposed for the protection of the environment. The Preferred Alternative is consistent with applicable plans, policies, and programs.

### **Mitigation Measures**

Under the Preferred Alternative, AMRP would ensure the following measures are implemented:

- Use of existing roads and staging areas to the extent practical;
- Revegetation of all disturbed areas with an appropriate seed mix;

- Limiting construction activities outside the avian breeding and brood-rearing season and/or conducting line-of-sight surveys to ensure active nests are not impacted; and
- Constructing bat-compatible mine closures as appropriate.

**Statement of Environmental Significance**

The Preferred Alternative would not have a significant impact on the human environment and an Environmental Impact Statement is not required. The Preferred Alternative is the only action alternative contemplated in the EA. Under the No Action Alternative, 75 abandoned mine hazards would continue to threaten public health and safety in Juab County, Utah. The Preferred Alternative would have a moderately beneficial impact on the local human environment. OSMRE selects the Preferred Alternative for the Spor Mountain project.

Reviewed

Approved

---

Tom Medlin  
Environmental Protection Specialist  
Denver Field Branch

---

Howard E. Strand  
Manager  
Denver Field Branch