

**Environmental Assessment to Approve Plan of Operations Amendment at La Sal Mines  
Complex, San Juan County, Utah  
DOI-BLM-UT-Y010-2011-0048-EA**

**APPENDIX G  
CONDITIONS OF APPROVAL**

## **CONDITIONS OF APPROVAL**

The following conditions of approval are design features of Alternative C.

### **1.0 Terms and Conditions Applicable to All Activities**

#### **1.1. General**

1. The Authorized Officers for decisions and guidance related to the plan of operations and conditions of approval are:
  - BLM lands - Moab Field Manager or designee;
  - US Forest Service lands - Manti-La Sal N.F. Forest Supervisor or designee
2. Approval of this Plan of Operations Amendment (Plan) does not constitute recognition or certification of the validity of ownership by any person named as owner herein.
3. Approval of the Plan does not constitute now or in the future, recognition or certification of the validity of any of the mining claims to which it may relate nor the mineral character of the land on which it lies.
4. Changes and additions to the Plan must be submitted to the Authorized Officer as appropriate based on land status. The Authorized Officer shall determine if the proposed change or addition requires approval as a revised or supplemental plan. If a revised or supplemental plan is deemed necessary, it must be approved by the applicable Authorized Officer before the changes or additions are implemented.
5. All surface disturbing activities and operations must be supervised by a company representative knowledgeable of the terms of and conditions of approval and design features of the Plan of Operations.
6. The Authorized Officer or designated representative must be notified when operations are completed and informed as to when reclamation work will begin.
7. The operator shall obtain all other necessary federal, state, or local permits/authorizations before operations begin, and comply with all local, state and federal laws. Documentation of compliance with other laws shall be provided by the operator to BLM or USFS upon request.
8. Upon request by the applicable Authorized Officer, the operator shall provide BLM or USFS a copy of permits, plans, inspection reports, and monitoring reports issued or required by other local, state, and federal agencies.
9. All required surveys (wildlife, vegetation, or cultural resources) will be performed by qualified specialists (agency or contract) as approved by the applicable Authorized Officer. Buildings and Facilities
  1. New buildings and other facilities shall be painted with a BLM- or USFS-approved paint from either the chart of Standard Environmental Colors, the chart of Supplemental Environmental Colors or other color chart designated by BLM or FS as appropriate based in land status.

#### **1.3 Roads**

1. The operator is responsible for immediate repairs of any and all damages to BLM or USFS roads, structures, and improvements, which result from his operations, at his own expense.
2. Vehicle operators must maintain safe speeds commensurate with existing road traffic and weather conditions.
3. The operator shall consult with the San Juan County Road Department for the placement and

installation of all safety and directional signs and cattle guards on county roads.

4. Roads constructed to facilitate access to the vent shafts shall be gated and locked when not in use unless otherwise specified by BLM or FS as appropriate based on land status.

#### **1.4 Fire**

1. All motorized equipment shall have working mufflers and spark arresters. Electrical equipment must be properly insulated. Vehicles equipped with catalytic converters will be parked in clear areas to avoid igniting potential fuels such as grass and brush.
2. All operator vehicles used for surface operations shall be equipped with fire extinguishers and shovels.
3. Smoking will only be allowed in vehicles and/or designated smoking areas; all cigarette butts will be placed in appropriate containers and not thrown on the ground or out windows of vehicles.
4. Cooking, campfires, or fires of any kind will not be allowed.

#### **1.5 Cultural and Paleontological Resources**

1. Collection of paleontological or cultural resources is prohibited.
2. If fossils, human remains, funerary items, sacred objects or other cultural resources are uncovered during surface-disturbing activities, the operator and/or its contractors will immediately suspend operations at the site and the discovery will be immediately reported to BLM or USFS as appropriate. BLM or USFS will arrange for a determination of significance, and if necessary, recommend a recovery or avoidance plan.
3. All vehicular traffic, personnel and equipment movement, and construction activities will be confined to the locations surveyed for cultural and paleontological resources, or to the existing roadways and/or inventoried access routes.

#### **1.6 Wildlife Resources**

1. Project activities will be conducted in compliance with applicable requirements of the Endangered Species Act of 1973, as amended.
2. Harassment of wildlife or livestock is prohibited.
3. Raptor management will be guided by Best Management Practices for Raptors and Their Associated Habitats in Utah (BLM 2008b: Appendix M) and Utah Field Office Guidelines for Raptor Protection from Human and Land Use Disturbances (Romin and Muck 2002). If construction is scheduled between the dates of January 1 and September 31, breeding season raptor surveys will be required prior to construction. Field surveys will be conducted as determined by the authorized officer of BLM or the USFS as applicable. Based on the result of the field survey, the authorized officer will determine if appropriate buffers and timing limitations are necessary.
4. In order to avoid impacts to potential nesting birds within the project area, vegetation removal shall not occur during the breeding season (most migratory birds nest between May 15 and July 15) unless nest surveys are conducted within a five-day window of vegetation removal to aid in nest avoidance.
5. During times of temporary cessation, entrances to the mine will be closed to exclude bats from entering the mine. The preferred method for exclusion of bats from an adit or shaft is to block the portal or collar with 1-inch– diameter chicken wire.
6. No surface disturbing activities will occur from November 15 to April 15 within crucial deer and/or elk winter range to minimize stress and disturbance to deer and elk during winter months. This stipulation does not apply to maintenance and operation of existing facilities. An exception may be granted by the Authorized Officer.

### **1.7 Vegetation**

1. All equipment, including on-road and off-road equipment, shall be cleaned to remove weed seed and soil (may contain weed seed) prior to commencing operations on public lands within the project area. The operator shall monitor disturbed areas in the project area for project-related establishment and spread of noxious and exotic weeds. The operator shall treat weed infestations as necessary and as approved by the BLM or USFS to prevent additional spread.
2. Vegetation removal on Forest System lands shall be authorized by USFS prior to removal.
3. When pruning branches to clear vegetation, branches will be pruned to within one inch of the trunk.

### **1.8 Reclamation**

1. The BLM or USFS representative as applicable based on land status shall be contacted at least 2 working days prior to the start of reclamation.
2. Disturbed areas at the La Sal Mines Complex shall be reclaimed such that the potential dose to a member of the public, assumed to be a person camping on or near reclaimed areas for 14 days, is less than 15 mrem/yr above background.

### **1.9 Bonding**

1. The reclamation bond for the project may be reviewed by BLM or USFS on a periodic basis for activities and/or surface disturbance authorized by this Plan. If the authorized officer determines that the existing reclamation bond is not adequate to cover the costs of reclamation because of changing or unanticipated conditions or does not meet the regulations or policy of the agency, an updated reclamation bond shall be recalculated by BLM or USFS as appropriate based on land status. If additional bond is necessary, the operator shall submit the additional bond within 90 days of notification by the authorized officer of BLM or USFS as appropriate based on land status.
2. Prior to bond release, a final inspection of the project area must be made by the operator with the applicable Authorized Officer or designated representative as appropriate based on land status.

### **1.10 Monitoring**

1. Within 6 months of approval of the Plan, the operator shall provide a groundwater monitoring plan for BLM and FS approval that will provide for monitoring of groundwater quality and quantity at the La Sal Mines Complex.
2. Within 6 months of approval of this groundwater monitoring plan by BLM and FS, the operator shall install monitoring wells and/or other monitoring equipment and commence monitoring of groundwater quality and quantity.
3. Groundwater monitoring shall continue until cessation of the groundwater monitoring program is approved by BLM and FS or all reclamation liability for the mine site is released in accordance with BLM and FS regulations.
4. Within 6 months of approval of the Plan, the operator shall provide a soils monitoring plan to BLM and FS for approval that will provide for monitoring of effects to soils from mine vent shafts.
5. Soils monitoring shall continue until reclamation liability for the mine site is released in accordance with BLM and FS regulations or as otherwise approved by BLM and/or FS as appropriate based on land status.

## **2.0 Terms and Conditions Applicable to Mine Surface Facility Operations**

1. All chemicals and hydrocarbon products (including used oil) shall be contained and controlled in accordance with the Spill Prevention Control and Countermeasure Plan.
2. (SPCCP) pursuant to 40 CFR Section (§) 112. An up-to-date copy of the SPCCP shall be present at mine surface facilities and provided to BLM or USFS upon request. All operator personnel and contractors shall be trained in applicable procedures specified in the SPCCP.
3. The BLM Hazardous Material Coordinator and/or Forest Service as appropriate based on land status shall be notified as soon as possible if a spill occurs during ore transport or if an incident occurs resulting in the spill of petroleum products on BLM or Forest System lands that exceed reportable quantities set forth in the SPCCP. The operator shall manage the spill as set forth by the SPPPC or the Ore Transportation Emergency Response Plan as appropriate.
4. In accordance with 30 CFR Section §47.51 the operator shall maintain a file containing Material Safety Data Sheets (MSDS) for all chemicals, compounds, and/or substances which are utilized during the course of construction, mining, and reclamation operations. This file shall be available for reference and inspection at all times at the site.
5. A roll-off container or other approved container for disposal of trash shall be located on site. All trash shall be placed in the container and transported to an approved land fill.
6. Appropriate disposal or recycling of applicable materials such as batteries, scrap metal, used oils, tires, and antifreeze shall take place during mine operations temporary cessation and reclamation.
7. Sanitation facilities shall be provided on site during mining operations.
8. The operator shall manage air quality in accordance with their Utah Air Approval Order (state air quality permit) and the National Emissions Standards for Hazardous Air Pollutants.
9. The operator shall implement dust suppression measures including tarping of truck beds on ore haul trucks prior to leaving the mine, and application of water and/or other approved dust suppressants on the mine haulage road and other areas of the mine.
10. Development rock samples will be collected from active DRAs and analyzed once per year to ensure that environmental characteristics have not changed. This data and an annual summary report shall be provided to the BLM. If DRA sampling indicates environmental characteristics of development rock have changed, the operator shall prepare and submit a mitigation plan to BLM for approval.

## **3.0 Conditions Applicable to Access Road Construction, Exploration**

### **Drilling and Vent Hole Construction**

#### **3.1 Review Process for Proposed Access Road, Exploration Drilling and Vent Hole Locations**

1. Prior to construction of access roads, exploration drill holes or vent holes within the phase boundaries established by the Plan, the operator shall submit detailed location information for placement of these facilities. This information shall be supplemented by wildlife surveys, vegetation surveys, and cultural resource surveys of all proposed affected areas. The boundaries, timing and content of these surveys shall be determined by the authorized officer of BLM or USFS, as appropriate based on land status, prior to completion of the surveys. The operator shall avoid all sensitive areas designated by BLM or FS (as appropriate based on land status) based on the results of these surveys.
2. The information described above will be evaluated by the authorized officer to assess compliance

of the proposed activities with the Plan. Ground-disturbing activities associated with access road, exploration drill hole or vent hole construction shall not begin until a notice to proceed is issued by the authorized officer. If proposed access roads, exploration drill holes or vent holes do not comply with the Plan, the authorized officer may require submittal of a modification to the Plan of Operations prior to approval of the activities.

### **3.2 General Terms and Conditions Applicable to Exploration Drilling and Vent Hole Installation, Operation and Reclamation**

1. Before exploration drilling starts, the operator shall record background gamma radiation levels in the exploration area. The 95th percentile upper confidence limit of the mean of background measurements shall be the target level for reclamation of exploration drilling sites. If this target is not achieved, the authorized officer of BLM or USFS as appropriate based on land status may require further reclamation until it is attained.
2. All drill cuttings that show gamma exposure values in excess of background levels shall be buried and covered with no less than 3 feet of earthen material and covered with soil to attenuate gamma exposure values to background levels. In some cases where it is impractical to dig a pit for cuttings, such as when bedrock is at the surface, the cuttings shall be removed to another approved site for disposal. No cuttings, even if not radioactive, shall be left on the surface.
3. Rutting will be used as an indicator of wet conditions. To the extent practicable, vehicle traffic and equipment operation on exploration and ventilation hole access roads will be restricted to prevent rutting in excess of one inch on gravel roads, 2 inches on native surface roads and 4-6 inches in other work areas. The operator shall provide maintenance equipment to repair rutting as soon as ground conditions permit.
4. During extended periods of dry weather, the authorized officer of BLM or USFS may recommend additional protective measures for exploration or ventilation access roads, including vehicle and equipment restrictions to prevent powdering of soils, to maintain firm working surfaces, to limit fugitive dust, and to maintain appropriate moisture conditions to protect soil resources.
5. The operator shall schedule and conduct most operations within the normal operating season. The normal operating season includes the time period that typically has suitable soil moisture and runoff conditions for most activities and operations.
6. The operator shall conduct all activities to prevent erosion and sedimentation. Temporary erosion control measures may be required to prevent, control, and mitigate erosion and sedimentation. Temporary and permanent erosion control work must be kept current with ongoing operations, especially when construction occurs outside of the normal operating season.
7. On National Forest System lands, the operator shall implement best management practices designed to mitigate non-point source water pollution in accordance with the National Best Management Practices for Water Quality Management on National Forest System Lands (USDA 2012), Forest Plan Standards and Guidelines, and applicable Forest Service directives.
8. The operator shall provide a vent shaft plugging plan for BLM or FS approval (as appropriate based on land status) for all shafts that intersect the D-aquifer on BLM or FS lands. This plan shall be submitted for agency approval at least 6-months prior to vent shaft reclamation.
9. The authorized officer of BLM or USFS, as appropriate based on land status, shall be notified if a spill of a hazardous material occurs on public lands that exceeds a reportable quantity of 5 gallons. Spill containment shall be initiated immediately and contaminated material shall be moved to the nearest approved landfill or disposal facility as appropriate.
10. All equipment and debris must be removed from the Forest System or BLM lands upon

completion of operations. All trash and garbage must be properly disposed of at an approved refuse area. Disposal or burial of any such materials in mud pits or other areas, or by burning, on BLM or Forest System lands is prohibited.

11. The operator shall place signs warning the public of construction equipment in areas where construction is occurring.
12. The operator shall place temporary fencing around vent holes during construction when the crew is not on site.
13. Once constructed, ventilation shafts shall be fenced with chain link or other appropriate fencing material at a distance that would minimize or prevent vandalism of the shafts.
14. Roads constructed to facilitate access to the vent shafts shall be gated and locked when not in use unless otherwise specified by BLM or FS as appropriate based on land status. All roads used/constructed would not become designated as part of the BLM and USFS Moab Travel Plan located in Sections 5 and 35, T28S, R24E shall be gated and/or signed Administrative Use Only” or “Closed to the Public”
15. Vent shaft surface infrastructure should be designed to blend in with natural surroundings to the extent practicable, and shall be limited to the minimum height necessary to facilitate proper functioning of the vent shaft.
16. Removal of vegetation shall be limited to that necessary for operations and approved by the authorized officer of BLM or USFS, as appropriate based on land status. Removal or trimming of trees shall be avoided whenever possible.
17. No surface-disturbing activities will occur within a 0.5 mile radius of documented Golden Eagle nest sites from January 1 to August 31 or until fledgling and dispersal of young.
18. Unless approved in advance by BLM or USFS, the operator will avoid disturbance of snags during construction of exploration drilling and ventilation hole access roads and drilling sites.
19. If slash is generated from the removal of trees and brush in areas of ponderosa pine habitat, it should be scattered on the site, chipped or, if required by the size/amount of material and approved by appropriate agency, piled and burned. Burning of slash shall occur only if prior approval has been granted by the authorized officer of BLM or USFS as appropriate.
20. The operator shall leave all gates within the project area as they are found (i.e., open gates will be left open, closed gates will be left closed).
21. Removal or alteration of existing range improvements is prohibited unless prior approval from the authorized officer of BLM or USFS, as appropriate based on land status, is obtained.
22. All drill holes shall be plugged in accordance with Utah Division of Oil, Gas and Mining Rule R647-2-108.
23. Vent shafts reclamation will include installation of low-permeability seals within backfilled shafts above and below the D aquifer. A low-permeability, inert fill material will be used to fill vent shafts within the vertical interval of the D aquifer. Development rock may be used to fill the shaft area above and below the D aquifer.