

**U.S. Department of the Interior
Bureau of Land Management**

**Environmental Assessment
DOI-BLM-AZ-P010-2013-0013-EA
JULY 2014**

Harquahala Mountain Sampling Project

Case Number AZA-36148

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Project Name: Harquahala Mountain Sampling Project

NEPA Number: DOI-BLM-AZ-P010-2013-013-EA

Proponent: Ned W. Hyduke II

BLM Contact Person: Judd Sampson, Geologist

Legal Description and Map Name: The site of the Proposed Action is northeast of Hidden Treasure Mine Road approximately 12.5 miles east of Salome, Arizona within the Harquahala Mountains (see Figures 1 and 2). The elevation ranges from about 1920 to 2060 feet above mean sea level (AMSL).

The Proposed Action would occur in washes and lands in W½, section 27, T.5 N., R.11 W., Gila & Salt River Meridian, La Paz County, Arizona, about 12.5 miles east of Salome, La Paz County, Arizona as shown in the 43 CFR 3809 Hyduke Harquahala Sampling Project Plan of Operations (AZA-36148), received November 19, 2012. The project location is within the BLM Harquahala Mountains Area of Critical Environmental Concern (ACEC).

Background: The proponent, Ned W. Hyduke II, owns eight lode claims and two placer claims covering the Plan area. The Bureau of Land Management (BLM) Serial Numbers for the claims where disturbance will occur are:

Serial No	Claim Name/Number	Within Sec. 27, T.5 N., R.11 W., G&SRM
AMC78148	JAVALINA NO1#	SW¼
AMC78149	JAVALINA NO2#	SW¼
AMC223699	SUN FLOWER LODGE #1	SW¼
AMC223700	SUN FLOWER LODGE #2	SW¼
AMC223701	SUN FLOWER LODGE #3	SW¼,
AMC223702	SUN FLOWER LODGE #4	SW¼,
AMC223710	SUN FLOWER LODGE #12	N½,
AMC223711	SUN FLOWER LODGE #13	N½,
AMC139190	LOST SQUAW PLACER #1	NW¼,
AMC139191	LOST SQUAW PLACER #2	SW¼,

The claims are accessed via Salome Road, a public paved roadway, thence to a dirt road (Hidden Treasure Mine Road) that is sporadically maintained, thence to an unmaintained dirt track.

I. PURPOSE AND NEED

The purpose of the action is to authorize the proponent to: 1) conduct mineral exploration and sampling at up to 20 locations in areas shown in the Plan of Operations; and 2) reclaim the site after sampling.

The need for the action is established by BLM's responsibility under Section 302 of the Federal Land Policy Management Act (FLPMA), and the BLM Surface Management regulations at Title

43, subpart 3809 of the Code of Federal Regulations (43 CFR 3809), to respond to a plan of operations to allow an operator to prospect, explore, and assess locatable mineral resources on public lands, and take any action to prevent unnecessary or undue degradation of the public lands.

This Environmental Assessment (EA) has been prepared pursuant to section 102(2) (C) of the National Environmental Policy Act (NEPA), and in accordance with 40 CFR 1508.9, to assess the potential environmental impacts of the proposed sampling. Based on this evaluation of alternatives and potential impacts, the BLM will make a decision determining whether or not to approve a plan of operations for the proposed exploration sampling.

Land Use Plan Conformance: The Proposed Action conforms to the Bradshaw-Harquahala Resource Management Plan (BH RMP) and Record of Decision issued in April 2010. The specific Land Use Allocation relevant to this Proposed Action is:

- MI-3 – All public lands within the planning area are open to locatable mineral activities except for the Tule Creek ACEC, legislatively withdrawn areas and other withdrawn and segregated areas.

The Proposed Action is within the Harquahala Mountains ACEC. The ACEC designation protects unique biological resources and significant cultural resources, including intact prehistoric and historic sites. This area also is of cultural importance to the Yavapai Tribe, as it was a major area of settlement for the Western Yavapai groups.

The biological richness of the Harquahala Mountains is unique within southwest Arizona. The Harquahala Mountains and surrounding bajadas provide important wildlife habitat to a diverse array of species. The area is an ecoregional conservation site with important biodiversity values.»

Relationship to Statutes, Regulations or Other Plans or Policies: The BLM decision only authorizes use of BLM land. Use of non-BLM land (e.g., private land, National Forest, State Trust land) is subject to the agency or private landowners' permission. Public lands in the area are subject to the current Threatened & Endangered Species protocol and the Arizona Standards for Rangeland Health and Guidelines for Grazing Administration, approved June 1999. The regulations at 43 CFR 3715.5 require that the proponent's use and occupancy of the site conform to all applicable federal and state environmental standards. The regulations at 43 CFR 3809.420(a) (6) require that the proponent must conduct all operations in a manner that complies with all pertinent Federal and state laws. BLM's authorization of the Proposed Action would include the requirement that the proponent comply with the 43 CFR 3715 and 43 CFR 3809 regulations.

II. THE PROPOSED ACTION AND ALTERNATIVES

Description of the Proposed Action: The Proposed Action consists of the excavation of up to twenty (20) pits, each four (4) feet in length, width, and depth, and an associated work area of approximately twenty (20) feet by forty (40) feet adjacent to each pit. Only one pit at a time will be excavated and worked, and each pit will be reclaimed prior to moving to the next location. The total disturbance at the twenty (20) sites will be less than 0.37 acres of public land in the Harquahala ACEC (see detail view in Figure 3). No new roads or road improvements would be constructed, with the project proponent using existing roads for access to the project area. There will be short off-road travel from the nearest road to the working pits. Project activities will be confined to existing washes and arroyos. Total project duration would be up to two years including reclamation, and would occur no more often than two days every alternating weekend.

Mining activity at each pit will consist of digging the sample hole with a backhoe and screening the material over a stationary screen. The screened material will then be processed through a double riffle dry washer. The processed material from the dry washer will then be stored in a five (5) gallon plastic bucket for removal and further processing off site.

The excess material from the stationary screen and the dry washer will then be placed back in each pit for reclamation. The ground disturbance around the sample pit will then be graded down. Natural runoff and erosion from weather events will contribute to reclamation of each pit site. The pit areas are sparsely vegetated, and after physical recontouring, natural processes will ensure appropriate vegetation regrowth without manual reseeding. Reclamation would return the site to its approximate pre-disturbance contours and use.

The Proposed Action is described in detail in the Harquahala Sampling Project Plan of Operations, a copy of which is located in the AZA-36148 case file. Please refer to that document for a full project description.

No Action Alternative: The No Action alternative would be to not approve proposed mineral exploration described in the Plan of Operations.

III. AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

A. CRITICAL ELEMENTS NOT AFFECTED

The following critical elements would not be affected by the Proposed Action or alternatives because they do not occur at the site of the Proposed Action or because of the nature of the Proposed Action:

1. Water Quality, Drinking or Ground: No water for operations at the sampling sites will be required. Personnel will bring their own water for personal consumption. All mining operations will be confined to pit excavation and dry washer operation. There will be no drilling operations, surface water diversion, or discharge of water.

2. Cultural Resources: The Proposed Action occurs entirely within the Harquahala Mountains Area of Critical Environmental Concern (ACEC), and partially within the Harquahala Mountains Special Cultural Resource Management Area (SCRMA), both of which were designated in the BH RMP approved in April, 2010, and outlined in Map 24 of that document. Cultural Resources Management Action CL-50 from the BH RMP states that the BLM will “[m]anage cultural resources in the Harquahala Mountains SCRMA to conform to prescriptions for the Harquahala Mountains ACEC.” Management Action AC-26 for the Harquahala Mountains ACEC prescribes that the BLM shall “[i]dentify, monitor, and protect cultural resources that contribute to the importance of the ACEC. To support the BH RMP Management Action AC-26, a cultural resources inventory, consisting of a Class I (records search and literature review) and a Class III Intensive survey was completed by BLM Archaeologist Bryan M. Lausten in January, 2014. No cultural resources were identified during the Class III Intensive archaeological survey of the proposed project. Based upon the findings of the Class I literature review and the intensive survey of the proposed project area, the Proposed Action will have no effect on cultural resources.

3. Native American Religious Concerns: The results of the archaeological survey completed by the BLM, as well as existing archaeological and ethnographic information on this area, suggest that the Proposed Action would have no effect on Native American religious concerns. The Harquahala Mountains are within the known range of the Western Yavapai. The Proposed Action would not permanently add any prominent visual intrusions to the viewsheds of known cultural sites in this mountain range nor will it affect other Native American religious concerns. This will achieve BH RMP Desired Future Condition AC-14, which states in part to “[m]inimize the visual intrusion of any management activity” and to “[a]chieve long-term conservation of scenic, natural resource, and cultural values.”

4. Wild and Scenic Rivers: No part of the Proposed Action impacts a Wild and Scenic River, a congressionally authorized study river, or water resources below, above or on a stream tributary to a designated river or congressionally authorized study river. The Proposed Action would have no effect on wild and scenic rivers.

5. National Energy Policy: The National Energy Policy requires an evaluation of access limitations to Federal lands in order to increase energy production. The Proposed Action is a not an energy exploration or development project and has no impact on potential oil and gas

exploration and development, as the area is generally unsuitable for those actions. The Proposed Action would have no effect on National Energy Policy.

6. Wetlands/Riparian Zones: Wetlands are protected under the Clean Water Act and different criteria are used by agencies to classify wetlands to reflect variation in statutory protection and management objectives. No identified wetlands or riparian zones are within or near the proposed project area. The Proposed Action would have no effect on wetlands or riparian zones.

7. Prime/Unique Farmland: The proposed project is not located on land that is currently farmed or on land that could be farmed. The Proposed Action would have no effect on Prime or Unique Farmland.

8. Environmental Justice: EPA defines Environmental Justice as the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that no group of people, including a racial, ethnic, or a socioeconomic group, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies. The site of the Proposed Action has no residential population in the immediate area. The Proposed Action would have no effect on Environmental Justice.

9. Wilderness Areas and Wilderness Characteristics: There is no designated wilderness area or allocation to maintain wilderness characteristics on the site of the Proposed Action or on the access road. The nearest Congressionally designated wilderness area is the Harquahala Mountains Wilderness, within five (5) miles of the project site. The Proposed Action would have no effect on wilderness areas or wilderness characteristics.

10. Floodplain: The La Paz County Flood Control District regulates unincorporated areas lying within the 100-year floodplain, to evaluate and control the risk of possible flood damage. The 100-year floodplain is defined as the area adjoining a watercourse that would be covered by water during a flood event having a 1 out of 100 chance of occurring in any given year. The 100 year floodplain has not been designated in this area. The Proposed Action would occur at an elevation of 1920 feet above mean sea level (AMSL) and above. There are no named watercourses within six (6) miles of the project in any direction. The Proposed Action would have no effect on floodplain.

B. ELEMENTS POTENTIALLY AFFECTED

The following elements are or could be affected by the Proposed Action. The potential impacts, and the mitigation measures to be used to reduce these impacts, are discussed below.

1. Wildlife: On January 25, 2013, Wildlife Biologist Codey Carter surveyed the area for threatened, endangered, proposed or special-status species of wildlife. Wildlife species present in the vicinity of the project area include, but are not limited to, mule deer, coyote, javelina, mountain lion, bobcat, gray fox, desert cottontail, black-tailed jackrabbits, Gambel's quail, red-tailed hawk and various reptiles, small mammals and migratory birds.

(A) Non - Threatened, Endangered, or Special Status Species Wildlife:

Impacts of the Proposed Action: Direct impacts to wildlife habitat from the Proposed Action would include the disturbance of approximately 0.4 acres of habitat at the test pit sites. Since these test pits are located in sand/gravel wash substrate, little long-term habitat disturbance would occur from digging the test pits. Habitat disturbance would also occur due to off-road travel to and from the test pit locations. Existing roads occur near the test pits, paralleling the washes that will be sampled. Due to the sparse vegetative cover and short off-road travel distances little long-term habitat disturbance is expected.

Impacts of the No Action Alternative: The no action alternative would have no impact to wildlife or wildlife habitat.

(B) Sonoran Desert Tortoise: No threatened or endangered species occur in the project area. Sonoran desert tortoise (*Gopherus agassizii*), a candidate for listing under the Endangered Species Act, occupies the area. Tortoises tend to occupy hillsides and ridges with outcrops of large boulders as well as areas with incised washes and caliche caves but may be found in lower densities throughout the area. Tortoises generally use natural and excavated cover sites between or under boulders and in caliche caves along washes wherever they occur. The majority of Sonoran desert tortoise diet consists of annual forbs, perennial forbs, grasses, and woody plants.

Impacts of the Proposed Action: Direct impacts to desert tortoise habitat from the Proposed Action would be the disturbance of approximately 0.4 acres of habitat at the sampling pit sites. Tortoises commonly occupy caliche cave shelter sites that occur in the banks of washes. Caliche caves that appear to be suitable shelter sites for tortoises exist within the project area; however, there are no caliche caves within the expected disturbance area around the test pits (20 x 40 foot area). Since the excavation is taking place in sand/gravel bottomed washes, little disturbance to vegetation will take place during excavation. Tortoises often use washes for movement and foraging, making them vulnerable to direct mortality due to driving and operating equipment in wash habitat. Desert tortoise habitat disturbance would also occur due to off-road travel to and from the test pit locations. Existing roads occur near the test pits, paralleling the washes that will be sampled. Due to the sparse vegetative cover and short off-road travel distances little long-term habitat disturbance is expected. Direct mortality to

tortoises could occur due to driving off-road to and from the test pit sites.

Impacts of the No Action Alternative: The no action alternative would have no impact to desert tortoise or desert tortoise habitat.

2. Air Quality: The regulations at 43 CFR 3809.420(b) (4) require that “All operators shall comply with applicable Federal and state air quality standards, including the Clean Air Act (42 U.S.C. 1857 *et seq.*)”. The Proposed Action is within La Paz county, designated a PM₁₀ attainment area. BLM’s authorization of the Proposed Action would include the requirement that the proponent comply with the 43 CFR 3809 regulations. The existing air quality is typical of the largely undeveloped regions of the western United States.

Impacts of the Proposed Action: Direct, temporary impacts to air quality would result from sampling activities. However, the impacts would be transitory and temporary, limited in duration, and would end at the completion of this sampling program. Impacts would result from fugitive dust as well as gaseous pollutants such as nitrous oxides, carbon monoxide, and sulfur dioxide. Sources of fugitive dust would include transporting people and equipment to and from the project area and dry washer operation. Sources of gaseous pollutants would include equipment exhaust emissions from light vehicles and mechanized equipment. As stated in the Plan of Operations, if fugitive dust becomes a visible problem, the operator will utilize controls such as watering main roads and/or the use of surfactants to control fugitive dust, and preventive equipment maintenance to control vehicle emissions.

All equipment would have current pollution controls as required by the EPA during manufacture. If necessary, water would be used to control dust from vehicles. Loads of core sample material leaving the site are solid and do not emit dust. With the required dust control measures, these emissions would be well below the *de minimis* threshold. No long-term impacts to air quality are expected under the Proposed Action.

Impacts of the No Action Alternative:

There would be no transitory or temporary impact to air quality from the proposed sampling program under the No Action Alternative. Dust from the occasional recreational vehicles and livestock management vehicles would continue to be periodic low level contributors to the region’s air quality.

3. Wastes, Hazardous or Solid: Solid wastes, including hazardous wastes, are regulated by the Resource Conservation and Recovery Act (RCRA). No pre-existing hazardous waste, garbage or industrial waste problems were noted in the project area.

Impacts of the Proposed Action: The regulations at 43 CFR 3809.420(b) (2) require that “All tailings, dumps, deleterious materials or substances, and other waste produced by the operations shall be disposed of so as to prevent unnecessary or undue degradation and in accordance with applicable Federal and state Laws.” BLM’s authorization of the Proposed Action would include the requirement that the proponent comply with the 43 CFR 3809 regulations. On-site activities would generate less than one cubic foot of municipal waste per week, consisting of lunch waste, empty cans and cardboard boxes. This waste would be removed to an off-site waste transfer station as it is generated. The pit samples taken onsite would not be considered a waste product by

definition because the operator considers them to have value. Hazardous substances including flammable liquids (gasoline and diesel fuel) would be used in the exploration sampling for vehicle and equipment fueling. The proponent will enact precautionary measures for refueling as outlined in the plan of operations (i.e. plastic underlayment and absorbent mats deployed during fueling and maintenance to prevent soil contamination). If a discharge of hazardous material were to occur, it would be immediately removed with shovels and an inert absorbent material would be placed on the spill area. Additional excavation would occur to lift any contaminated absorbent until the spill area is clean. Equipment maintenance except for emergency repairs such as tire changes would be done at off-site repair and maintenance facilities. No known industrial or other wastes would be generated or accumulated. No hazardous waste would be generated on-site. The impacts from waste, hazardous or solid would be minimal and within all legal limits.

Impacts of the No Action Alternative: The No Action alternative would have no effect on solid and hazardous waste generation.

4. Noxious Weeds: On February 3, 1999, Executive Order 13112 was signed, requiring Federal agencies whose actions may affect the status of invasive species to use relevant programs and authorities to:

- (i) Prevent the introduction of invasive species
- (ii) Detect and respond rapidly to and control populations of such species in a cost-effective and environmentally sound manner
- (iii) Monitor invasive species populations accurately and reliably
- (iv) Provide for restoration of native species and habitat conditions in ecosystems that have been invaded
- (v) Conduct research on invasive species and develop technologies to prevent introduction and provide for environmentally sound control of invasive species
- (vi) Promote public education on invasive species and the means to address them; and not authorize, fund, or carry out actions that it believes are likely to cause or promote the introduction or spread of invasive species.

No noticeable areas of noxious weeds were detected on site during field observations.

Impacts of the Proposed Action: Although unlikely, the Proposed Action could have a minor impact if seeds from noxious weeds are transported by vehicle chassis or clothing. Any weeds that can germinate in the area would be removed as part of a weed and fire fuel control strategy. Implementing appropriate mitigation measures, as included in Appendix I, such as pressure washing mechanized equipment before transport to the sampling site would greatly reduce the risk of invasive weed importation.

Impacts of the No Action Alternative: Since the project area does not currently have noxious weeds, the No Action alternative has not had an impact to date. This may be due to the high rock content of the roadbed, area proposed for sampling and adjacent staging areas. This alternative would not have any impact on noxious weeds.

5. Recreation and Travel Management: The general area is used by the public for dispersed recreational activities, including horseback riding, off-highway vehicle (OHV) recreation, hunting

and camping. There are no known horse trails within the project area although there is a non-maintained dirt road leading into the project site.

Impacts of the Proposed Action: The exploration disturbance areas associated with the project could result in a short-term, temporary reduction of recreation opportunities for hunters, OHV users, hikers and rock collectors. In the long term, pre-exploration recreation activities would be expected to return to the area at the conclusion of exploration. Exploration work would not interfere with the public's use of the area during exploration due to its occurrence adjacent to the existing primitive road.

The sight and sound of exploration activities would temporarily diminish the solitude, naturalness, primitive and unconfined recreation opportunities desired by many outdoor enthusiasts. However, the existing disturbance characteristics of the area are likely not to attract those who are looking for a natural and primitive recreational experience. There are abundant and better opportunities for this type of experience throughout the region. Those who choose recreational experiences within the project area are likely choosing it to view the mining disturbances. The proposed exploration program would not change the long term existing access to public lands within the project area for recreational uses. Some recreationists would temporarily cease using certain areas due to sampling activities.

No known annual commercial or competitive Special Recreation Permit events occur within this area, so there would be no conflicts between organized recreation events and sampling activities.

Indirect impacts may occur due to an increased noise level during sampling activity that may decrease the quality of the recreational activity.

Impacts of the No Action Alternative: Under the no action alternative there would be no change to existing recreational opportunities.

6. Visual Resources Management (VRM): Under the existing land use plan, the project area is classified as Class II for visual resources. The objective is to maintain or improve the existing landscape character. Management activities may be seen but should not attract attention to casual visitor.

Impacts of the Proposed Action: The proposed action would not impact visual resources except during the days of actual exploration where the backhoe, dry washer, and personal vehicles would be visible. During this time, up to four (4) days per month would impact visual resources. It is not a permanent impact. The area would look virtually the same after the sampling as it does now, not attracting attention to the casual visitor. The Proposed Action meets the VRM objectives of the plan.

Impacts of the No Action Alternative: The existing disturbed ground including adits would continue to be a prominent visual intrusion and disturbance of visual qualities of the natural landscape.

7. Special Designations -- Area of Environmental Concern (ACEC): The Proposed Action is within the Harquahala Mountains ACEC. The ACEC designation protects unique biological resources and significant cultural resources, including intact prehistoric and historic sites. This area also is of cultural importance to the Yavapai Tribe, as it was a major area of settlement for the Western Yavapai groups.

The biological richness of the Harquahala Mountains is unique within southwest Arizona. The Harquahala Mountains and surrounding bajadas provide important wildlife habitat to a diverse array of species. The area is an ecoregional conservation site with important biodiversity values.

The Desired Future Conditions for the Harquahala Mountains ACEC listed in the BH RMP are:

- AC-14. Protect the sensitive resources discussed in the statements of relevance and importance. Minimize the visual intrusion of any management activity so as to retain the outstanding scenic quality and natural landscape appearance. Achieve long-term conservation of scenic, natural resource, and cultural values.
- AC-15. Preserve outstanding opportunities for high-quality hiking, backpacking, hunting, wildlife observation, and study and observation of cultural resource sites.
- AC-16. Maintain the plant diversity and richness of the chaparral, riparian/wetland, and Sonoran Desert scrub vegetation communities.
- AC-17. Achieve and maintain unfragmented wildlife habitat, which provides adequate forage, cover, and access to water for healthy wildlife populations.
- AC-18. Maintain all existing interpretive facilities in good condition to promote public education and appreciation of natural and cultural resources. Interpret selected historic and prehistoric sites to support public education in conjunction with heritage tourism along the existing Harquahala Mountain Back Country Byway and hiking trails.

Impacts of the Proposed Action: The Proposed Action would temporarily impact the scenic quality and natural landscape appearance only during active exploration. The Proposed Action will only visually intrude for no more than four (4) days per month. This minimal and infrequent activity level combined with the concurrent reclamation practices specified in 43 CFR 3809.420(a)(5), will minimize visual intrusion and achieve long-term conservation of the scenic value of the area (AC-14).

The Proposed Action would not impact any known or discovered cultural resource sites, existing hiking or recreation trails or OHV routes. No hunting game was noted in the project area. The Proposed Action would not impact hiking, backpacking, hunting, or cultural resource study. The proposed action will cause temporary visual and noise intrusions which could impact the opportunity to observe wildlife, however the minimal and infrequent activity level combined with the concurrent reclamation practices specified in 43 CFR 3809.420(a)(5), will minimize these impacts and conserve the long-term opportunities for wildlife observation (AC-15).

The Proposed Action when implemented with the mitigation measures established in Appendix I, Performance Measure 15, Noxious Weeds, will prevent invasive plant species and preserve the existing vegetation profiles of the ACEC (AC-16).

The proposed Action does not fragment existing wildlife habitat and the infrequent activity level combined with the concurrent reclamation practices specified in 43 CFR 3809.420(a)(5), will minimize impact on wildlife forage, cover or water access (AC-17).

There are no interpretive facilities within the project area (AC-18).

Impacts of the No Action Alternative: The No Action alternative would not achieve the RMP Land Use Allocation MI-3 of opening all public lands (not withdrawn or segregated) to locatable mineral activities. It is compatible with the other listed goals for the ACEC.

8. Cumulative Impacts: Cumulative impacts are the impacts on the environment which result from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions, regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time (40CFR1508.7).

Cumulative Impacts of the Proposed Action: The Proposed Action would not change the existing impact of inactive mining in the general area. The long-term visual quality of the area would remain the same. Recreational opportunities, such as OHV and camping, would remain the same except during the actual exploration (two consecutive days, twice per month). The Proposed Action would add approximately one (1) or two (2) personal vehicles per work day onto nearby Salome Road for one (1) to two (2) days, twice per month. According to the Maricopa County website, the Average Daily Traffic Count on Salome Road in both directions west of Eagle Eye was 267 vehicles in August 2012. Therefore, the effect of the Proposed Action on local traffic counts would be an increase of less than 1% for four or less days per month.

Cumulative Impacts of the No Action Alternative: Under the No Action alternative the site would continue to have no impacts.

IV. INDIVIDUALS, ORGANIZATIONS AND AGENCIES CONSULTED

BLM Specialists and the Project Proponent were consulted during preparation of this EA.

V. LIST OF PREPARERS/REVIEWERS

Jim Andersen, BLM Lands and Realty Specialist
Tom Bickauskas, BLM Travel Management Coordinator
Codey Carter, BLM Wildlife Biologist
James Holden, BLM Rangeland Management Specialist
Bryan Lausten, BLM Archaeologist
Mary Skordinsky, BLM Outdoor Recreation Planner
Judd Sampson, BLM Geologist
Gloria Tibbetts, BLM Planning and Environmental Coordinator

APPENDIX I

Performance Measures for AZA-36148:

1. Facilities and Equipment: All facilities and equipment on a mining claim or mill site must be appropriate and reasonably incident to prospecting, mining, or processing operations. All equipment and facilities must be presently operable, subject to the need for reasonable assembly, maintenance, repair, or fabrication of replacement parts. Facilities, methods and equipment must be appropriate to the terrain, mineral deposit, and stage of mineral development. BLM will utilize the Compliance Assessment - Safety, Health, and the Environment Protocol Manual for the Bureau of Land Management and/or the Safety and Health Management BLM Manual Handbook (H1112-1) for guidelines for the inspection of facilities (excluding residential facilities) on a mining claim. All operations must be kept neat, clean and free of debris. The facilities must present a safe work environment for the employees and facilities must be constructed to meet all applicable electrical, mechanical, safety and public health codes and/or regulations. All operations must be conducted in strict accordance with Occupational Safety and Health Administration (OSHA) and Mine Safety and Health Administration (MSHA) regulations and the Arizona Mining Code administered by the Arizona State Mine Inspector (SMI).

2. Vehicles: All automobiles and motor homes on mining claims or mill sites must have current registration. All off-highway motor vehicles (any motorized vehicle when operated off of highways on land, water, snow, or ice) must have current registration if used on roads outside of the mining claim. BLM off-highway vehicle designations must be followed outside of the mining claim. In addition, the claimant or operator will allow no vehicle or piece of equipment to be parked or positioned in a way that impedes the normal flow of traffic.

3. Chemical Storage: All chemicals must be stored, according to Department of Transportation standards, in approved containers with proper labeling. Rusted, dented, leaking or otherwise damaged containers must be removed from the public lands. All buildings used for the storage of chemicals must be placarded and storage of reagents in quantities exceeding a 14 day supply will not be allowed. Chemical and fuel storage facilities on public lands must be used to store only those chemicals and fuels essential for mining, milling, and processing operations occurring on the public lands. Incompatible chemicals must be protected from each other and stored in a manner that does not present a hazard. All operations must be conducted in strict accordance with Occupational Safety and Health Administration (OSHA) and Mine Safety and Health Administration (MSHA) regulations and the Arizona Mining Code administered by the Arizona State Mine Inspector (SMI). Operators must submit a complete list of all the chemicals they plan to store on their claims or mill sites with Material Safety Data Sheets. BLM through its inspection program will monitor operations to see that only essential chemicals, in appropriate quantities, are stored on site.

4. Beginning operations: As required by Titles 18 and 27 of the Arizona Administrative Code, the claimant or operator must submit a "Notice of Start-up, Move, or Stop for Portable Equipment and Mine Operations" whenever operations begin, move or are suspended. It is the operator's responsibility to send BLM a copy of the written notification from the Arizona State Mine Inspector that this form was received.

5. Fire Prevention: Consistent with all applicable laws and subject to reclamation, vegetation must be cleared for a minimum distance of:

- 30 feet from all structures.
- 15 feet from any site on which a fire will be built and flammable ground litter must be cleared for at least a 5 foot radius around the fire.
- 15 feet from any site where welding, grinding, or any other spark producing operation will be performed.

Spark arrestors must be used on chainsaws, quad-runners and motorcycles.

6. Grounds: Grounds will be well maintained, safe, uncluttered, and free of litter and debris. All operations will provide a clean and maintained view for the public from any roadways or thoroughfares by which the public may approach or pass mining operations on BLM lands.

7. Pets: Nonessential animals and/or free-roaming pets or animals are not allowed.

8. Waste and Sewage Handling and Removal: The term "waste" as used herein means all discarded matter including, but not limited to human waste, trash, garbage, refuse, petroleum products, ashes and equipment. Refuse will be stored in receptacles that have covers and lids, are painted, undented, waterproof, and both vermin and raven proof. Wastes will be disposed of in accordance with local laws. This should be an ongoing effort and unused equipment, trash, refuse, and litter should be removed periodically to maintain the highest aesthetic standards achievable during mining operations. The mine operator will provide an effective system for the collection and disposal of garbage and trash. This will be done by contracting with a trash removal firm, or with appropriate public entities, or through self efforts of the operator or any combination of these methods as directed by the Field Manager. Wastes shall be disposed of in a sanitary landfill unless otherwise approved by the Field Manager.

All sewage treatment facilities will be constructed and operated in accordance with all necessary permits utilizing accepted engineering practice and procedures. The operator/claimant must have a septic permit from the county in which the septic system is located before the system can be operated.

9. Public Signs: Public signs for which the operator is responsible must be appropriately located, accurate, attractive and well maintained. Permanent signs will be prepared in a professional manner, consistent with BLM standards and must be approved by BLM before installation.

10. Mine Wastes: If mined materials are removed from the public lands for processing, it will be the responsibility of the claimant or operator to insure that wastes generated in processing these materials are not hazardous materials or toxic wastes, if such wastes are to be returned to the public lands for disposal. BLM, at the discretion of the Field Manager, may require sampling of the wastes and subsequent analytic procedures to verify that such wastes are not hazardous materials or toxic wastes. The claimant or operator will pay the costs of sampling and analytic procedures.

11. Fences: BLM will attempt to keep the public lands open to public entry at all times. But, where public health and safety are a primary concern or it is essential that access be limited to protect valuable mining equipment or supplies from theft or loss, BLM will authorize the placing on public lands of fences, gates, and signs to limit public access. Where public safety is a paramount concern, BLM may, at the discretion of the Field Manager, use administrative procedures to formally close the lands to public entry using the procedures specified by 43 CFR 8364.

Where fences, gates, and signs must be built and maintained for site security or for public safety, the BLM will determine, through a site inspection that such enclosures are reasonable. Should the claimant or operator be ordered to build and maintain fenced enclosures or post signs by either MSHA, OSHA or the SMI, the claimant must provide written proof of such an order to BLM before authorization is given and actual construction can begin. All fences and gates will be constructed to protect livestock and wildlife in the area. Exact specifications for fences and gates will be developed on a site-specific basis using information obtained in the biological assessment performed by BLM. Minimum requirements for fences are in the BLM Manual Handbook H-1741-1, Fencing.

Whenever fences, gates, or signs are placed on the public lands, BLM will require the claimant or operator to post public directions on the fence or gate showing routes to public lands around or behind the fenced enclosure. The exact nature of the posting to be used will be decided on a case by case basis by the Field Manager. Whenever locked gates are used, BLM will require the claimant or operator to give BLM a key or use a system of double locks.

12. Reclamation: Regulations at 43 CFR 3809.301 require that all operations be reclaimed. Reclamation of the exploration pits as work progresses by backfilling excavated material into the pits and recontouring (as needed) excavation sites to the original contours will be required. Areas of activity will be raked upon departure to remove tracks from machinery. All reclamation operations will be conducted in accordance with the BLM Solid Mineral Reclamation Handbook (H-3042-1).

13. Mitigation Measures for Wildlife and Habitat: Look out for and avoid desert tortoises. If tortoises must be moved to avoid harming them they should be moved according to Arizona Game and Fish Department guidelines (Appendix II). Avoid destroying or damaging vegetation to the greatest extent practicable while driving off road and operating equipment.

14. Cultural and Paleontological Resources: Regulations at 43 CFR 3809(b)(8) require that the operator shall not knowingly disturb, alter, injure, destroy or take any scientifically important paleontological remains or any historical, archaeological, or cultural district, site, structure, building or object. The operator shall also immediately bring to the attention of the authorized officer any such cultural and/or paleontological resources that might be altered or destroyed by his operation, and shall leave such discovery intact until told to proceed by the authorized officer.

15. Noxious Weeds: Pressure wash mechanized equipment and vehicles prior to arrival at the sampling site. This prevents the importation of potentially invasive species or noxious weeds. Prior to transport out of the area of operations, pressure wash vehicles and equipment to prevent the transport of vegetation seed sources outside of the area.

Actions and Activities Not Allowed

- The cultivation of crops and establishment of garden plots.
- Activities including animal maintenance or pasturage. This includes the construction of corrals, chicken coops, kennels and stables.
- The development of small trade or manufacturing concerns, hobby and curio shops, cafes, tourist stands, and hunting and fishing camps.
- The storage, treatment, processing, or disposal of non-mineral, hazardous or toxic waste that are generated elsewhere and brought onto the public lands.
- Any activities involving recycling or reprocessing of manufactured material such as scrap electronic parts, appliances, photographic film, and chemicals.
- Searching for buried treasure, treasure trove or archeological specimens is strictly prohibited.
- Blocking access to the public lands through the placement of berms, wire cables, stones, vegetative debris or other materials placed on roads constructed on public lands.
- Living in abandoned buses, truck trailers, other abandoned vehicles, adits, tunnels or caves.

APPENDIX II

GUIDELINES FOR HANDLING SONORAN DESERT TORTOISES ENCOUNTERED ON DEVELOPMENT PROJECTS

Arizona Game and Fish Department

Revised October 23, 2007

The Arizona Game and Fish Department (Department) has developed the following guidelines to reduce potential impacts to desert tortoises, and to promote the continued existence of tortoises throughout the state. These guidelines apply to short-term and/or small-scale projects, depending on the number of affected tortoises and specific type of project.

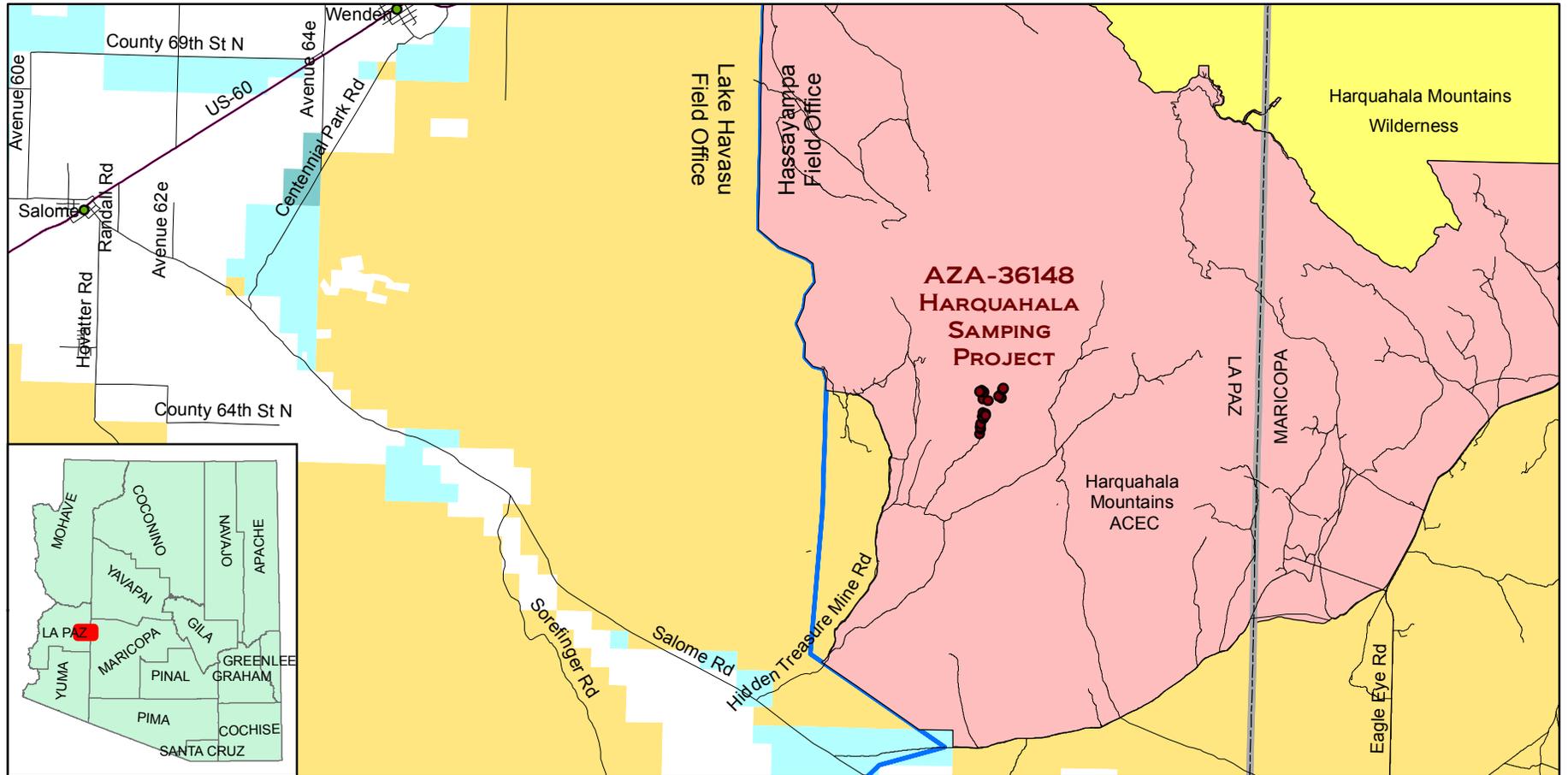
The Sonoran population of desert tortoises occurs south and east of the Colorado River. Tortoises encountered in the open should be moved out of harm's way to adjacent appropriate habitat. If an occupied burrow is determined to be in jeopardy of destruction, the tortoise should be relocated to the nearest appropriate alternate burrow or other appropriate shelter, as determined by a qualified biologist. Tortoises should be moved less than 48 hours in advance of the habitat disturbance so they do not return to the area in the interim. Tortoises should be moved quickly, kept in an upright position parallel to the ground at all times, and placed in the shade. Separate disposable gloves should be worn for each tortoise handled to avoid potential transfer of disease between tortoises. Tortoises must not be moved if the ambient air temperature exceeds 40° Celsius (105° Fahrenheit) unless an alternate burrow is available or the tortoise is in imminent danger.

A tortoise may be moved up to one-half mile, but no further than necessary from its original location. If a release site, or alternate burrow, is unavailable within this distance, and ambient air temperature exceeds 40° Celsius (105° Fahrenheit), the Department should be contacted to place the tortoise into a Department-regulated desert tortoise adoption program. Tortoises salvaged from projects which result in substantial permanent habitat loss (e.g. housing and highway projects), or those requiring removal during long-term (longer than one week) construction projects, will also be placed in desert tortoise adoption programs. Managers of projects likely to affect desert tortoises should obtain a scientific collecting permit from the Department to facilitate temporary possession of tortoises. Likewise, if large numbers of tortoises (>5) are expected to be displaced by a project, the project manager should contact the Department for guidance and/or assistance.

Please keep in mind the following points:

- These guidelines do not apply to the Mojave population of desert tortoises (north and west of the Colorado River). Mojave desert tortoises are specifically protected under the Endangered Species Act, as administered by the U.S. Fish and Wildlife Service.
- These guidelines are subject to revision at the discretion of the Department. We recommend that the Department be contacted during the planning stages of any project that may affect desert tortoises.
- Take, possession, or harassment of wild desert tortoises is prohibited by state law. Unless specifically authorized by the Department, or as noted above, project personnel should avoid disturbing any tortoise.

AZA-36148 PROJECT ACCESS



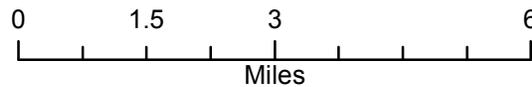
Legend

- AZA-36148 Pit Locations
- Harquahala Mtns. Wilderness
- Harquahala Mtns. ACEC

Land Status

CATEGORY

- BLM
- Local or State Parks
- Private
- State



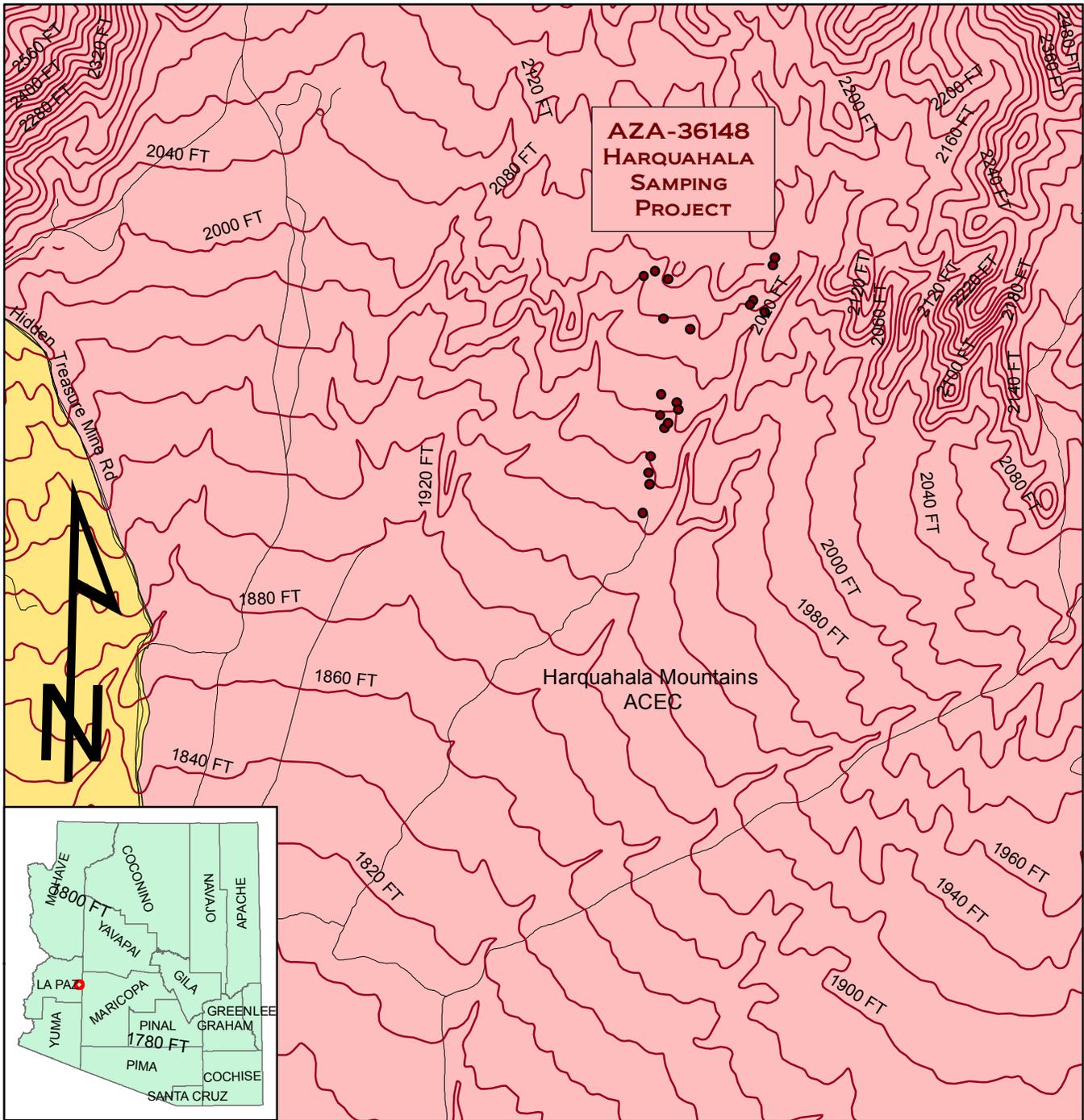
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FIGURE 1: PROJECT ACCESS

AZA-36148 PROJECT LOCATION



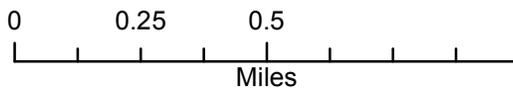
Legend

- AZA-36148 Pit Locations
- Elevation Contours
- Harquahala Mtns. ACEC

Land Status

CATEGORY

- BLM



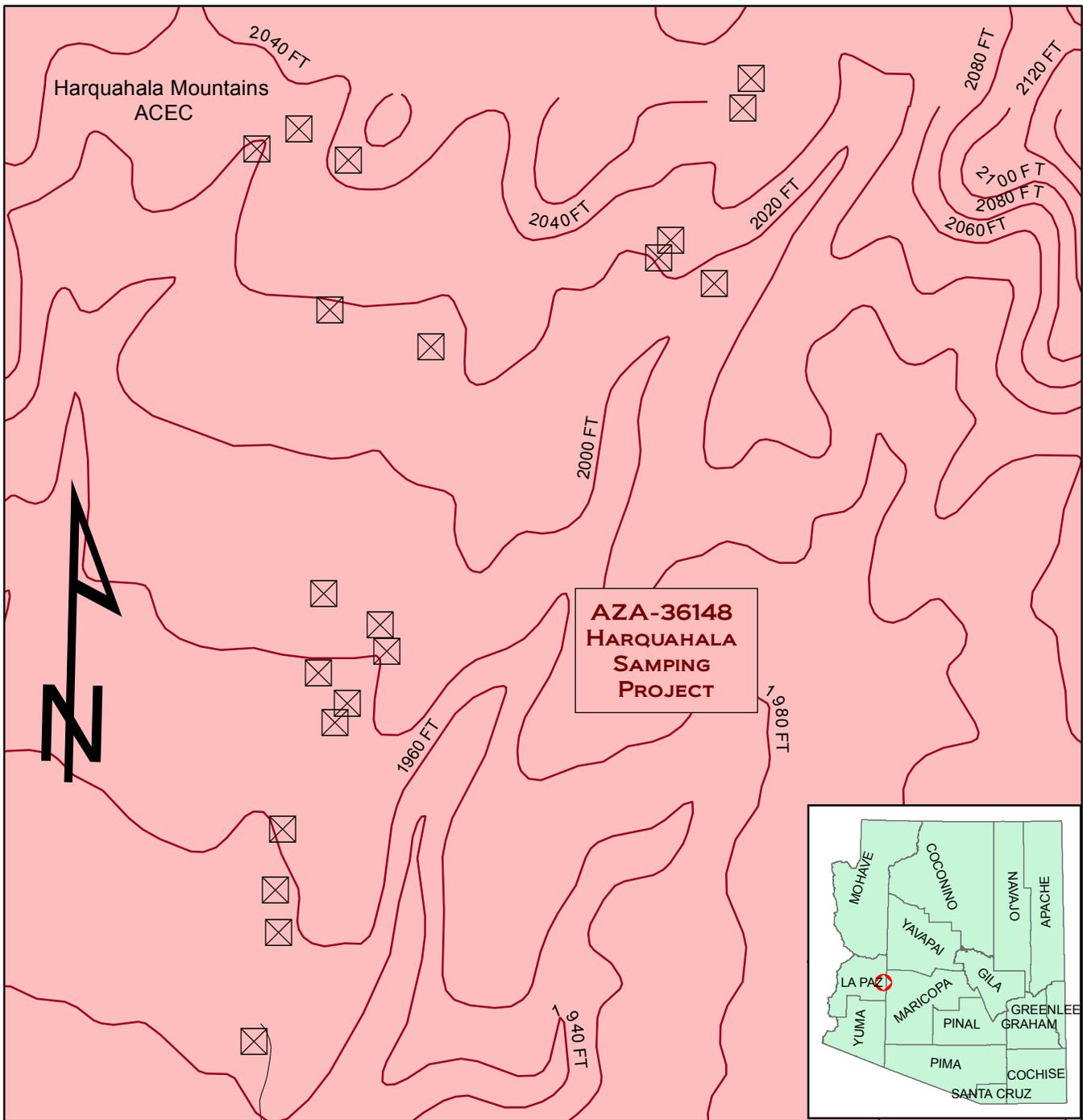
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FIGURE 2: PROJECT AREA

AZA-36148 PROJECT DETAIL



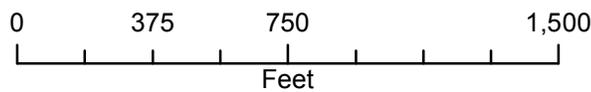
Legend

-  AZA-36148 Pit Locations
-  Elevation Contours
-  Harquahala Mtns. ACEC

Land Status

CATEGORY

-  BLM



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FIGURE 3: PROJECT DETAIL