

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

Categorical Exclusion

PREPARING OFFICE

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



Categorical Exclusion

Prepared by
U.S. Department of the Interior
Bureau of Land Management

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A. Background

BLM Office:

LLNVL03000

Lease/Serial/Case File No.: NVN 045117

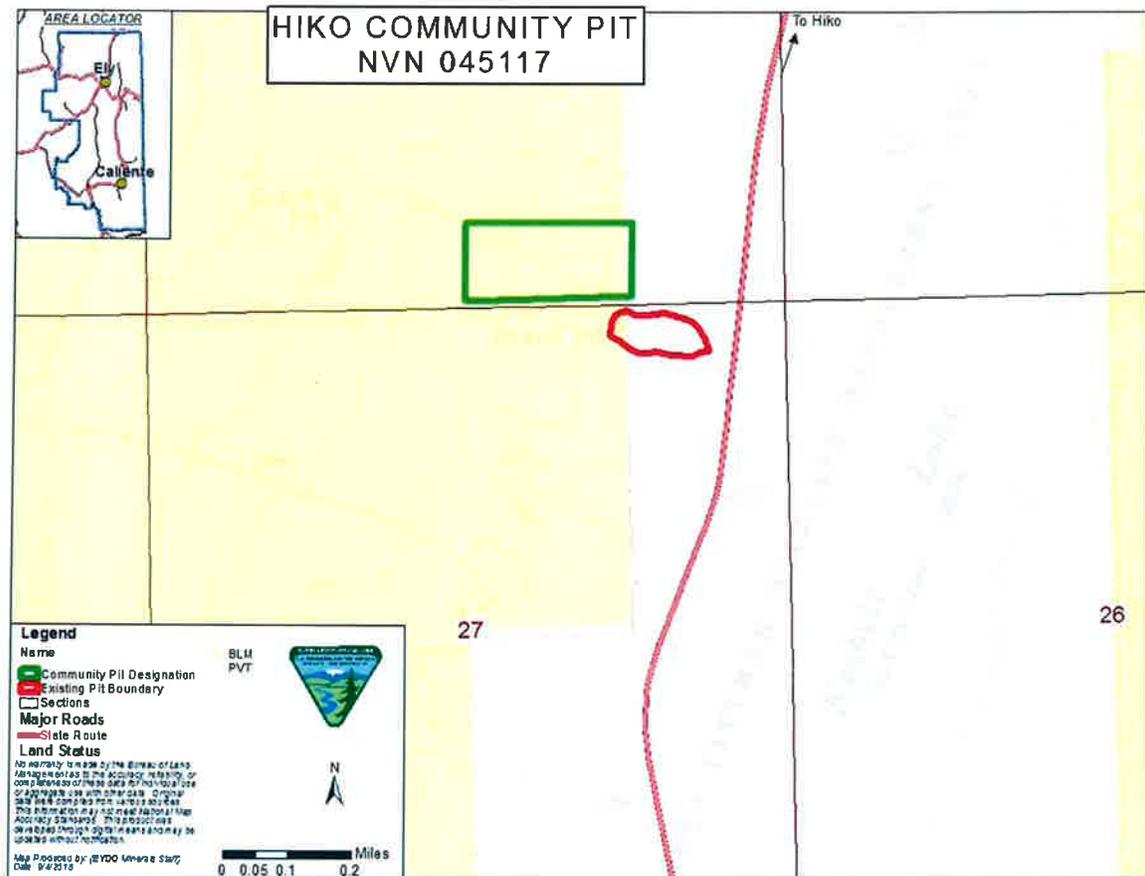
Proposed Action Title/Type: Hiko Community Pit — Mineral Materials

Location of Proposed Action: Hiko, Lincoln County, Nevada

Section 22 of Township 4 South, Range 60 East, of the Mount Diablo Baseline Meridian

Description of Proposed Action:

The Hiko Community Pit was designated in 1983 as the South half of the southwest quarter of the southeast quarter of Section 22 in Township 4 South, Range 60 East of the Mount Diablo Baseline Meridian (20 acres). The pit was mistakenly located on private property in the southeast quarter of the southeast quarter of Section 22 instead (see Map 1.1). This CX looks to open a pit in the designated area with a disturbance (including access from the county road) of less than five acres. At a later date, the pit may be expanded to cover more acres which would require an environmental assessment. No other public sources for this type of material occur within 10+ miles. The community uses this material for fill, foundations, road surface, pivot tracks, etc.



The 5 acre disturbance will be located within the community pit designation.

Map 1.1. Hiko Community Pit

Mineral materials can be obtained from BLM community pits by contract according to the regulations at 43 CFR 3600. The manner of extraction must be consistent with the BLM approved mining and reclamation plans. These plans are outlined in the following paragraphs and further describe the Proposed Action. In addition, all contracts include the Ely District Standard Stipulations for Operations in a Community Pit (Appendix A) as Conditions of Approval. The community pit will be composed of an access road and open pit. The disturbance will not exceed five acres. The exact location of this disturbance will be determined later, but it will fall within the boundary of the polygon shown in Map 1.1.

Mining Plan

Access: From Hiko, head south on Hwy 318 for about 1.5 miles. Turn west onto the dirt/gravel county road headed towards the transfer station. The community pit will be located approximately a quarter mile from the highway.

Operations: Mineral materials may be extracted using hand tools, non-motorized mechanized equipment, or heavy equipment. Minerals will be excavated through surface mining techniques. Material would be scooped off the surface and placed directly into haul trucks/ trailers or processed, stockpiled and removed later. Processing may include crushing, screening and/or

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washing. Material extraction would be conducted so that walls are sloped at no greater than 2(horizontal):1(vertical) during operations and no greater than 3:1 when operations for an individual contract are completed.

Equipment: The kinds of equipment that may be used are listed below:

- pick and shovel
- wheel barrow or wagon
- tractor
- ● bobcat
- ● dozer
- ● loader
- ● crushers
- ● conveyors
- ● screens
- ● hoppers
- ● wash plant
- ● portable scales

Removal or Stabilization of Buildings, Structures, and Facilities: No buildings or permanent facilities are planned for this site. Fencing, signs and corner posts/monument would be installed where appropriate to identify and maintain the site.

Topsoil: Topsoil is not available at this site and will not be salvaged. The geologic material at the surface acts as a growth medium. Similar geologic materials are expected at depth, so the final pit's natural surface should act as growth medium for reclamation.

Stability: The work area consists of small hills and drainages with relief of less than 100 feet. The terrain is gently sloping in most areas but may be steeper on the hill slopes and banks of the drainages. The soil/surface materials may be loose and unstable. Banks along the drainage may also be unstable. Steep slopes (40% or greater grade) with loose material or large boulders create loose footings for walking and also may be prone to sliding or avalanches (even small slopes). Slopes with greater height usually have greater instability. Safety stipulations that must be followed in these areas include the following:

- Slopes no greater than 2:1 will occur during mining.
- When contracts are complete, the pit will be left with slopes no greater than 3:1
- Unstable slopes or dangerous site conditions should be reported to BLM by the operator.

Water Management: Water may be used for dust abatement or processing. The Caliente Field Office would be notified before any dust abatement begins. Water for dust control and processing

would be obtained from a municipal source by the operator. In areas where roads or large disturbances are developed, Best Management Practices would be implemented, as needed to control stormwater and other environmental issues. The bottom elevation of the main drainages would not be altered during mining. Groundwater interaction is not anticipated during mining.

Rock Characterization and Handling: The mining would extract sand and gravel deposits from the surface. Processing of material may occur on site including the use of crushers, screens, conveyors, wash plants and similar equipment for sizing, sorting, and cleaning materials. Mining and processing are not expected to cause any toxic, deleterious, or other adverse effects from exposure of geologic material.

Spill Contingency: Fuel and petroleum products would not be stored on site. Vehicles and/or equipment that utilize these materials will be done in a way to prevent spills from occurring (i.e. secondary containment, drip pans, etc.). In the event of a leak or spill, the contaminated soil would be removed to a depth of 6 inches below the contaminated zone and disposed of properly (receipts from the disposal facility may be requested). Any spill in excess of 1 gallon would be reported to the BLM within 24hrs.

Riparian Areas: No riparian areas are present within the area proposed for the community pit.

Schedule of Operations: Operations would occur as individual contracts are issued. The frequency of contracts will vary and likely occur intermittently as the demand for material changes. However, most mining operations would take place during seasonably favorable conditions.

Quality Assurance: In addition to the standard terms and conditions and the Ely District Standard Stipulations (Appendix A), the following actions would be taken to prevent undue and unnecessary degradation to the public lands. Additional stipulations that must be followed include:

1. Compliance with 43 CFR 3600 regulations is required during operations.
2. The operator is responsible for compliance with all other applicable state and federal laws and regulations.
3. The operator is responsible for keeping an accurate account of material removed and this record shall be available for inspection. A summary of rock removal by date is required.
4. All trash, flagging, etc. shall be removed and disposed of in a legal manner.
5. Range improvements (fences, reservoirs, etc.) or land treatment projects (reclamation, or range monitoring sites) shall not be disturbed or altered without prior written approval of the AO.
6. Due care must be taken to safeguard all domestic animals and wildlife, in the vicinity of the operations. Measures to mitigate adverse effects on protected and/or threatened & endangered species will be determined by the AO after consultation with the proper authorities.
7. The operator will maintain slopes at no greater than 2:1 during mining.
8. Unstable slopes or dangerous site conditions will be reported to BLM by the operator.
9. Mining will not occur during wet conditions that cause rutting greater than 2 inches.

Monitoring Plan and Interim Management: The site would be inspected upon termination of each contract to assess site conditions as a result of activities under the contract. Additionally, the site would be inspected at least once a year per regulations. During any inspection, the AO would check for stability, public safety and health issues, erosional problems, noxious weeds, stormwater controls, and any other concerns. Should an issue arise, it would be handled according to BLM policy.

Post Closure management: When mining operations are ultimately complete, final reclamation would be conducted by the BLM. For a period of 5 years following final reclamation, the BLM would monitor the site to ensure stability and erosion are not a concern, the area has been satisfactorily vegetated, noxious weeds are not present, and no other issues exist. If problems are noted, they would be fixed and monitoring will continue until a time when it is deemed that the problem is solved and not likely to arise again. Monitoring would stop after 5 years if reclamation is complete and no problems or issues exist at that time.

Reclamation Plan

Regrading and Reshaping: Mining techniques should provide for slopes to be recontoured to final reclamation standards (3 horizontal: 1 vertical) at the completion of each contract. Additional contouring may be needed occasionally and when the pit is to be closed which would blend the slopes to a more natural topography or to create slopes that are better designed for seeding, hydrology, or other factors. Recontouring would likely be completed with the use of heavy equipment such as a dozer, tractor, etc.

Pit Backfill: The pit would not be backfilled. Sides of the pit would be sloped during operations and reclamation.

Removal or Stabilization of Buildings, Structures, and Facilities: Fencing may remain until reclamation is deemed complete. However, all fencing would be removed before releasing reclamation on the site.

Toxic or Deleterious Material Handling: Toxic or deleterious materials would not be stored on site. Any spills would be cleaned up immediately by the operator during operations. Therefore, non should remain at the time of final reclamation.

Riparian mitigation: Riparian areas are not to be disturbed during mining and therefore should not need to be mitigated or reclaimed.

Wildlife habitat rehabilitation: Temporary loss of up to five acres of vegetation may occur as a result of this Proposed Action. Seeding of disturbed areas during final reclamation will return cover and habitat to the area.

Revegetation: The area will be seeded (broadcast) by a native seed mix approved by the BLM prior to seeding, as applicable.

B. Land Use Plan Conformance

Land Use Plan Name: Ely District Record of Decision and Approved Resource Management Plan

Date Approved/Amended: August 2008

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):

MIN 17: Open to mineral materials — Allow disposal of mineral materials on approximately 9.9 million acres of federal mineral estate, subject to best management practices (See Table 23 and Map 21).

MIN 18: Space mineral material sites appropriately to accommodate public and private needs while preserving environmental qualities.

C. Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 2, Appendix 1, or 516 DM 11.9(F)(10), "Disposal of mineral materials, such as sand, stone, gravel, pumice, pumicite, cinders, and clay, in amounts not exceeding 50,000 cubic yards or disturbing more than 5 acres, except in riparian areas."

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2 apply.

I considered:

The Proposed Action occurs in a location that is open to mineral entry for mineral materials consistent with 43 CFR 3600 and the approved Ely Resource Management Plan. The area was previously designated for this specific use in 1983. There is a strong demand for a community pit in this region and for this type of material to meet the needs of the local community. The Basin and Range National Monument encumbers approximately 700,000 acres to the north and west of the project, and the monument is withdrawn from mineral entry. Therefore, any property owner, permittee, or other authorized user requiring mineral materials in the monument needs a local source of construction materials. This community pit would be the closest source of public minerals to the monument from the east. The proposed activities are consistent with Federal and State laws and are not likely to cause significant impacts.

D. Approval and Contact Information



Christopher Carlton
Caliente Field Manager

9/30/15
Date

Contact Person

Shirley Johnson
Caliente Field Office
PO Box 237
Caliente, NV 89008

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C. Compliance with NEPA:*

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Appendix A. Ely District Standard Stipulations for Operating in a Community Pit

1. Regulations for mineral materials appear in 43 CFR 3600. Information is available on the Ely District BLM web site at: <http://www.nv.blm.gov>, on the left side select District/Field Office/ Ely, then On Line Services, Regulations, General Mining Law or by calling the Caliente Field Office at (775) 726-8100.
2. The purchaser will possess a copy of the Mineral Material Sales Contract from the BLM and present it for examination upon the verbal request of the authorized officer or any of his agents.
3. Removal of mineral material and associated operations will be restricted to the disturbed area within existing pit boundaries. Any proposed excavations outside existing pit or to enlarge existing pit require prior written authorization with the Caliente Field Office Manager. Permission to open new excavations may or may not be granted at the discretion of the Caliente Field Office, Ely District.
4. All overhanging or vertical banks greater than 3 feet high will be reshaped to a 3:1 ratio before leaving pit area.
5. Removal of mineral material using explosives, front loaders or other heavy equipment requires a written Plan of Operation and written approval.
6. All vegetative clearing will be held to the minimum necessary to accommodate the planned operation. To provide for effective rehabilitation of the disturbed areas, all available growth medium, as practical, will be removed and stockpiled.
7. Spill kits will be available (provided by the proponent) onsite at all times. Spills will be cleaned up immediately and disposed of at an appropriate facility. Reporting of spills to BLM and EPA will follow regulatory standards.
8. All survey monuments, witness corners, and reference monuments must be protected against destruction, obliteration, or damage. Any damaged or obliterated markers must be reestablished in accordance with accepted survey practices at the expense of the permittee.
9. When antiquities or other objects of historical or scientific interest, including historic or prehistoric ruins, vertebrate fossils, or artifacts are discovered, they will be left intact and immediately brought to the attention of the Caliente Field Manager or representative.
10. If human remains are inadvertently discovered during project operations, all operations shall cease and the Caliente Field Manager or their representative will be notified immediately.
11. Operator shall make every effort to prevent, control or suppress any fire in the operating area. Reports of uncontrolled fires will be relayed immediately to the Caliente Field Office at (775) 726-8100 or the Lincoln County Sheriff's office at (775) 962-5151.

12. All Federal, State, and local air quality standards will be adhered to while conduction operations in the pit area. In the case of large operations, operating permits may be required by the State of Nevada. Dust abatement measures may be required for large operations.
13. All trash, garbage, debris and foreign matter must be removed and properly disposed. Site must be maintained and left in a clean and safe condition.
14. Use only existing roads and trails.

I have read and agree to comply with these stipulations as part of the attached contract.

_____ Signature

_____ Date