United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Caliente Field Office
P.O. Box 237 (1400 South Front St.)
Caliente, Nevada 89008-0237
http://www.blm.gov/nv/st/en/fo/ely_field_office.html

In Reply Refer To:
3809 (NVL0300)
NVN-091083

Dear Interested Public,

The Bureau of Land Management Ely District, Caliente Field Office is asking the public to review and provide comments on the Robin Claims I & II Preliminary Environmental Assessment (EA), for a proposed mine near Panaca, Lincoln County, Nevada. The 30-day public comment period concludes Thursday, January 5, 2017.

The proposed five-acre mine would allow the claimant to remove diatomaceous earth and clay from the surface. Additional information can be found in the preliminary EA, available online at http://bit.ly/2gOT0Xl

Please address all written comments to the BLM Caliente Field Office, PO Box 237, Caliente, NV 89008, Attn: Robin Claims I & II or fax them to the office at (775)726-8111. Comments may also be submitted electronically at http://bit.ly/2gOT0Xl

Before including your address, phone number, e-mail, or other personal identifying information in your comment, you should be aware that your entire comment – including your personal identifying information – may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

If you have any questions, or want additional information, please contact Project Manager Jeremiah Wagener either by phone at 775-726-8175, email at jwagener@blm.gov, or at the address above.

Sincerely,

Christopher Carlton
Field Manager
Caliente Field Office

Enclosure
Robin Claims I & II EA

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

Preliminary Environmental Assessment

DOI-BLM-NV-L030–2015–0022–EA
December, 2016

[Robin I and II Mining Plan of Operations]

Applicant: Kristin Dovalina (as Point of Contact for all claimants)

PREPARING OFFICE

U.S. Department of the Interior
Bureau of Land Management
Caliente Field Office, Ely District
1400 S. Front St.
PO BOX 237
Caliente, Nevada 89008
Phone: (775) 726–8100
Fax: (775) 726–8111

BLM

Preliminary Environmental Assessment

DOI-BLM-NV-L030–2015–0022–EA

December, 2016

Prepared by
U.S. Department of the Interior
Bureau of Land Management
Location
Caliente Field Office, Ely District

[Robin I and II Mining Plan of Operations]
Type of Project (ex.: 43 CFR 3809 PLAN OF OPERATIONS)

This page intentionally
left blank

Table of Contents

1. Introduction **1**

1.1. Background: 1
1.2. Purpose of the Proposed Action : 1
1.3. Decision to be Made: 1
1.4. Preliminary Issues: 1

2. Description of Alternatives, Including Proposed Action **3**

2.1. Introduction: 5
2.2. Alternative A – Proposed Action: 5
2.3. Alternative B – No Action: 5
2.4. Alternative C 5
2.5. Alternatives Considered, but Eliminated from Further Analysis 6
2.6. Relationship to Planning 6
2.6.1. Conformance with BLM Land Use Plan(s): 6
2.6.2. Relationship to Statutes, Regulations, or other Plans: 6

3. Affected Environment/Environmental Impacts **7**

3.1. Introduction: 9
3.2. General Setting: 11
3.3. Resources/Concerns Analyzed 12
3.3.1. Soils/Watersheds 12
3.3.1.1. Affected Environment 12
3.3.1.2. Environmental Effects 13
3.3.2. Migratory Birds 13
3.3.2.1. Affected Environment 13
3.3.2.2. Environmental Effects 14
3.3.3. USFWS Listed (or proposed for listing) Threatened or Endangered Species or critical habitat 15
3.3.3.1. Affected Environment 15
3.3.3.2. Environmental Effects 15
3.3.4. Special Status Animal Species, other than those listed or proposed by the USFWS as Threatened or Endangered 15
3.3.4.1. Affected Environment 15
3.3.4.2. Environmental Effects 16
3.3.5. Special Status Plant Species, other than those listed or proposed by the USFWS as Threatened or Endangered 16
3.3.5.1. Affected Environment 16
3.3.5.2. Environmental Effects 17
3.3.6. Paleontological Resources 17
3.3.6.1. Affected Environment 17
3.3.6.2. Environmental Effects 18

4. Cumulative Impacts **21**

4.1. Introduction: 23
4.2. Past, Present, and Reasonably Foreseeable Future Actions (RFFA) 23
4.3. Cumulative Impact Analysis 23

5. Consultation and Coordination: 25

5.1. Introduction 27
5.2. Persons, Groups, and Agencies Consulted 27
5.3. Summary of Public Participation 27
5.4. List of Preparers 27

Bibliography 29

Glossary 31

Acronyms 33

Appendix A. Complete Plan of Operations 35

Appendix B. Weed Risk Assessment 37

List of Tables

Table 3.1. Issues Dismissed from Analysis 9
Table 5.1. Persons, Groups, and Agencies Consulted 27
Table 5.2. List of BLM Preparers 27

This page intentionally
left blank

Chapter 1. Introduction

This page intentionally
left blank

This Environmental Assessment (EA) has been prepared to analyze Kristin Dovalina's proposal in response to her submission of a 43 CFR 3809 Plan of Operations. The EA is a site-specific analysis of potential impacts that could result with the implementation of a proposed action or alternatives to the proposed action. The EA assists the Bureau of Land Management (BLM) in project planning and ensuring compliance with the National Environmental Policy Act (NEPA), and in making a determination as to whether any "significant" impacts could result from the analyzed actions. "Significance" is determined by the consideration of context and intensity of the impacts. If there is a Finding of No Significant Impact (FONSI), the context and intensity criteria are listed with rationale for the determination in the FONSI document.

This document is tiered to, and incorporates by reference, the *Ely Proposed Resource Management Plan/Final Environmental Impact Statement* (RMP/EIS) released in November 2007 and the *Ely Proposed Resource Management Plan/Record of Decision and Approved Resource Management Plan* (Ely RMP) released in August 2008. Should a determination be made that implementation of the proposed or alternative actions would not result in "significant environmental impacts" or "significant environmental impacts beyond those already disclosed in the existing NEPA documents", a FONSI will be prepared to document that determination, and a Decision Record issued providing the rationale for approving the chosen alternative.

1.1. Background:

1.2. Purpose of the Proposed Action :

The BLM's purpose in considering approval of the application to approve the proposed Plan of Operations is to provide legitimate use of the public lands to the proponent. Legitimate uses are those that are authorized under the Federal Lands Management Policy (FLPMA) of 1976 and meet the proponent's objective while preventing undue and unnecessary degradation.

The proponent's objective is to continue mining operations on their claims. The justification for the project is to fulfill a right provided to the claimants to access, explore, and develop their mining claims under the General Mining Law of 1872, as amended.

1.3. Decision to be Made:

Whether BLM approves the Plan of Operations for mining on the Robin I and Robin II Placer Claims near Panaca. The Need for the Proposed Action, is to allow the claimants of the Robin I and Robin II claims to exercise their rights to explore and develop their claims pursuant to 43 CFR 3809. The BLM needs to consider approval of the Plan of Operations for mining to respond to its mandate under the FLPMA to manage the public lands for multiple use as well as the mandates under the General Mining Laws of 1872, as amended, in a manner that does not create undue or unnecessary degradation.

1.4. Preliminary Issues:

Internal scoping was conducted by an interdisciplinary team that analyzed the potential consequences of the proposed action. An internal scoping meeting was held on June 16, 2015.

Preliminary Issues identified during scoping:

1. Paleontology
2. Wildlife
3. Botany
4. Air Quality

Chapter 2. Description of Alternatives, Including Proposed Action

This page intentionally
left blank

2.1. Introduction:

The previous chapter presented the purpose and need for the proposed project, as well as the relevant issues, i.e., those elements that could be affected by the implementation of the proposed project. In order to meet the purpose and need of the proposed project in a way that resolves the issues, the BLM has developed a range of action alternatives. These alternatives, are presented below. The potential environmental impacts or consequences resulting from the implementation of each alternative are then analyzed in Chapter 3 for each of the identified issues.

2.2. Alternative A – Proposed Action:

The Proposed Action is to continue mining the existing disturbance on the Robin I and Robin II placer claims near Panaca, NV. The existing disturbed area is approximately 4.5 acres, however, a buffer zone of potential new disturbance totaling 0.3 acres is included in the Plan of Operations. The total project area would be approximately 5 acres. The operation would consist of scraping material loose, screening the material until it is broken into the right size, and then packaging or stockpiling (bulk shipments) for shipment. The operation is planned in three phases. Mining will begin on Parcel A immediately. Activity on Parcel B will begin a few months later, and Parcel C activities will begin some time in the future. Recontouring for reclamation will occur concurrently with the mining operation.

The complete Plan of Operations is included as Appendix A.

2.3. Alternative B – No Action:

Under this Alternative, the Plan would not be approved and mining would not be authorized.

2.4. Alternative C

Alternative C would be the same as the Proposed Action in Alternative A with the addition of mitigation measures for the protection of migratory birds and special status plant species.

For migratory birds these mitigation measures would include: New ground disturbance would occur outside of the bird breeding season (March 1 through August 31) or would require a pre-disturbance clearance survey by a BLM-approved biologist. If nests or evidence of breeding is found during the survey, a buffer would be applied until young are fledged, capable of sustained flight, or the nest is abandoned.

For special status plant species the mitigation measures would include: Prior to new ground disturbance, a clearance survey would be conducted by a qualified botanist. A BLM biologist would be contacted if a special status plant species were found. If removal or destruction of one or more individual plants would be necessary, measures including seed collection and plant salvage would be required.

Because these mitigation measures only apply to migratory birds and special status plant species analysis for Alternative C will only be found in Section 3.3.2 and Section 3.3.5.

2.5. Alternatives Considered, but Eliminated from Further Analysis

No issues were identified during scoping that would require additional alternatives.

2.6. Relationship to Planning

The following section describes the relationship of the proposed action with existing land use plans, statutes, regulations, and other management decisions.

2.6.1. Conformance with BLM Land Use Plan(s):

The proposed action is in conformance with the Goals and Objectives of the Ely District Record of Decision and Approved Resource Management Plan (Ely RMP, BLM 2008), which are to: provide for the responsible development of mineral resources to meet local, regional, and national needs, while providing for the protection of other resources and uses.

The proposed action is also in conformance with the following program-specific management decisions: "MIN-14 Open to locatable — Allow locatable mineral development on approximately 9.9 million acres of federal mineral estate, subject to the prevention of unnecessary or undue degradation of public lands (see Table 22)" — from page 100.

2.6.2. Relationship to Statutes, Regulations, or other Plans:

This action is consistent with federal, state and local regulations, policies, and programs to the maximum extent possible. This includes federal policies for the Mining Laws of 1872, Federal Land Policy and Management Act, National Historic Preservation Act, Endangered Species Act, and Clean Water Act, and state plans and policies for the management of mineral and water resources, conservation of sensitive wildlife species and management of game.

Chapter 3. Affected Environment/Environmental Impacts

This page intentionally
left blank

3.1. Introduction:

This chapter presents the existing environment (i.e., the physical, biological, social, and economic values and resources) of the impact area, the issues analyzed, the impacts to the analyzed resources, and mitigation that could be applied that would reduce those impacts. Mitigation proposed in this section could be included in the FONSI to prevent potentially significant impacts. Application of the mitigation measures to the proposed action would then be carried forward into the Decision Record as a condition of approval of the proposal.

While many potential issues may arise during scoping, not all of them warrant analysis. Issues raised through scoping are analyzed if:

- Analysis of the issue is necessary to make a reasoned choice between alternatives.
- The issue is significant (an issue associated with a significant impact, such as a potential violation of a law imposed to protect the environment).
- Analysis of the issue is necessary to determine if the direct or indirect impacts are themselves significant, or if it would add a measurable incremental impact to past, present and reasonably foreseeable actions that could have a cumulatively significant impact.

Potential impacts to the following resources/concerns were evaluated by BLM resource specialists in accordance with criteria listed above to determine if detailed analysis was required. Consideration of some of these items is to ensure compliance with laws, statutes or Executive Orders that impose certain requirements upon all Federal actions. Other items are relevant to the management of public lands in general, and to the Ely District BLM in particular.

Many times a project will have some degree of effect upon a resource or concern, but that effect doesn't approach any threshold of significance, nor does it increase cumulative impacts by a measurable increment. Such effects are described as "negligible" in the rationale for dismissal from analysis.

The following table documents the issues evaluated or rationale for dismissal from analysis:

Table 3.1. Issues Dismissed from Analysis

Resource/ Concern	Issue(s) Analyzed? (Y/N)	Rationale for Dismissal from Detailed Analysis or Issue(s) Requiring Detailed Analysis (Grouped in accordance with the format of the Ely RMP)
Air Quality*	N	The project is below the EPA thresholds for analysis and the project must comply with State of Nevada Air Quality Standards. Dust control is addressed in the Plan of Operations.
Water Quality, Drinking/Ground*	N	This is an upland surface operation with no effects to ground or drinking water.
Water Resources (Water Rights)	N	This will not affect any water rights.
Farmlands, Prime and Unique*	N	Not Present
Soils/Watershed	Y	Analyzed in detail — proposed action is to remove soil
Forest Health*	N	Project does not meet Healthy Forests Restoration Act of 2003 (HFRA) criteria.

Vegetation, Forest/ Woodland and other vegetative products (Native seeds, yucca and cactus plants)	N	This is a pre-disturbed site therefore effects to vegetation are negligible and post disturbance revegetation of the area is addressed in the reclamation plan.
Wetlands/Riparian Zones*	N	Not Present within in the project area. The nearest riparian area is located 1/4 mile north of the project area.
Fish and Wildlife	N	No population level effects are anticipated.
Migratory Birds*	Y	Analyzed in detail — Operation and reclamation activities could impact migratory birds
USFWS Listed (or proposed for listing) Threatened or Endangered Species or critical habitat.	Y	Analyzed in detail — Dust Abatement Measures for operations and reclamation to protect Ute Ladies'-tresses
Special Status Animal Species, other than those listed or proposed by the USFWS as Threatened or Endangered.	Y	Analyzed in detail — Bat species, mapped Greater Sage Grouse habitat
Special Status Plant Species, other than those listed or proposed by the USFWS as Threatened or Endangered.	Y	Analyzed in detail — Schlesser's pincushion, Pioche blazingstar, Needle Mountains milkvetch
Wild Horses	N	The project area is not located in an HMA or HA.
Cultural Resources *	N	The project area has been completely disturbed by past actions and there is no potential for Historic Properties.
ACECs designated for Cultural Resources*	N	The project area is not located in an ACEC.
Heritage Special Designations (Historic Trails, Archaeological Districts and Areas)	N	There are no Heritage Special Designations present in the project area.
Paleontological Resources	Y	Analyzed in detail — Panaca Formation
Visual Resources	N	The proposed action is located within the area that has been assigned a Visual Resource Management (VRM) classification of a II, (the objective of this class is to partially retain the existing character of the landscape). The proposed action would stay within the visual resource management criteria for the area based upon mitigation measures to previously disturbed areas.
Land Uses	N	This action would have no affect on existing land uses as there are no existing land uses within the project boundary.
Transportation/ Access	N	The proposed action would involve access using existing county maintained roads. These roads would remain open throughout the operation and after the project is complete and therefore, have no effect on transportation or access. The amount of truck traffic that the project would add to the existing roads would be negligible.
Recreation Uses including Back country Byways, Caves, Rockhounding Areas	N	Recreation within the area is dispersed and low. There are no developed recreation facilities or sites in the area. The proposed action would have no effect on recreation in the area.
Grazing Uses/Forage	N	The proposed action will not change current grazing practices. The project area is partially fenced to exclude livestock.

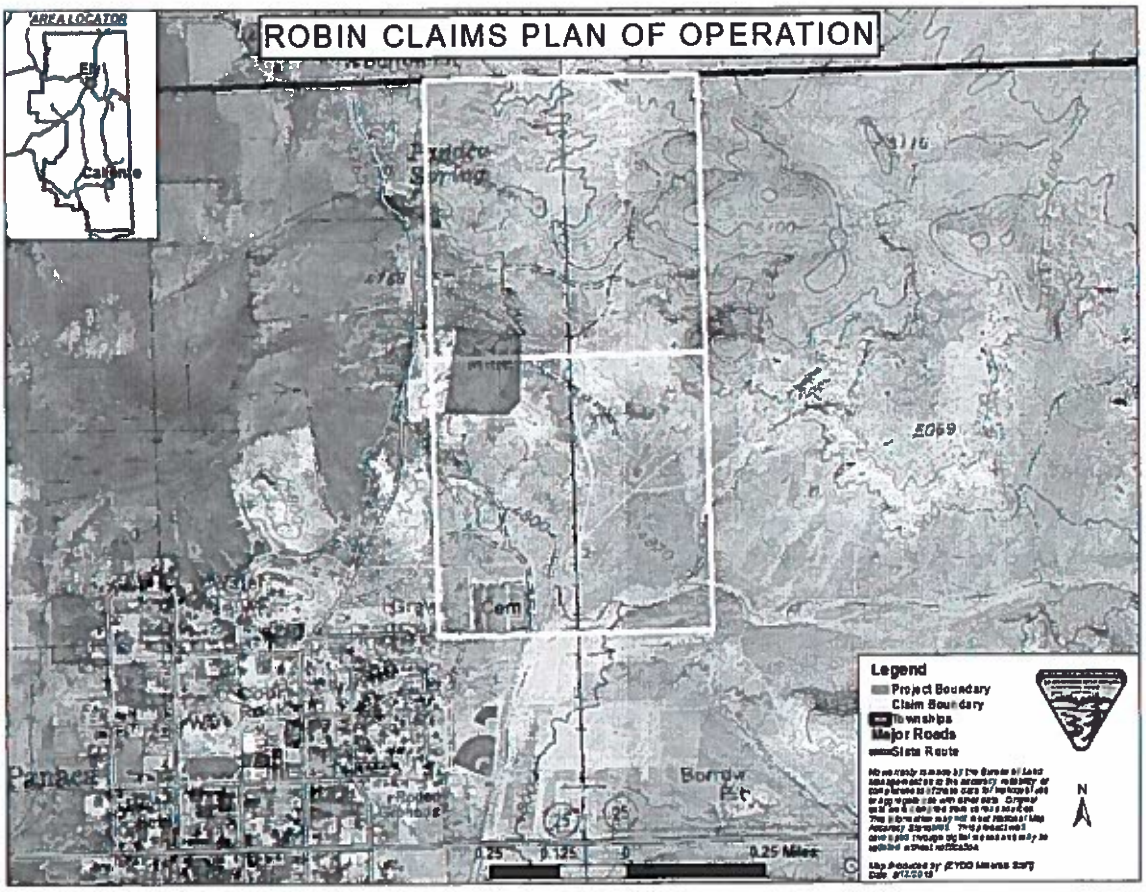
Mineral Resources	N	Minerals are present but not affected by the Proposed Action. Two additional claims (NMC 1036093 and NMC 1036094) overlap the Robin I and Robin II claims including the project area. The claimants of these claims have been notified that a complete Plan has been submitted, which overlaps their interests. No other mineral leases or contracts occur in the project area.
Floodplains*	N	The project area is an upland area FEMA flood zone D, unmapped for floodplains.
Fuels	N	Project area is a previously disturbed site and no fuels are present.
Emergency Stabilization & Rehabilitation (ES&R)	N	Not Present
Non-Native Invasive and Noxious Species *	N	For more specific information see the Weed Risk Assessment located in Appendix B. The Weed Risk Assessment also contains a list of best management practices and measures for reducing the risk of impacts from weeds.
Wilderness/ Wilderness Study Areas (WSA)*	N	Not Present. There are no Wilderness or WSAs within or immediately adjacent to the project area.
Wild and Scenic Rivers	N	Not Present
Human Health and Safety*	N	Operations are required to comply with Federal and State regulations and oversight. These are addressed in the Plan of Operations.
Native American Religious and other Concerns*	N	Tribal consultation is not required.
Wastes, Hazardous or Solid*	N	Operations are required to comply with Federal and State regulations and oversight. These are addressed in the Plan of Operations.
Environmental Justice*	N	No minority or low-income groups are present that would be disproportionately affected by health or environmental effects.
Socioeconomics	N	The scale of mining operations is relatively small for the region and would be expected to have a minor impact.

*Supplemental Authority

3.2. General Setting:

The project occurs on Public Lands less than one mile northeast of Panaca, Lincoln County, Nevada. The site can be accessed along a BLM, county-maintained dirt road from Panaca Spring Road or Highway 319. The operation is located on the Panaca USGS topographic map 7.5 minute quadrangle. Map 1.1 depicts the general location of the proposed activities.

The proposed operation is at an elevation of approximately 4100 feet above mean sea level. The area receives approximately nine inches of precipitation a year, mostly in the form of snow. There are two wet seasons: the winter season from December to March and the monsoon season from July through August. Temperatures for this area range from highs around 95 degrees Fahrenheit and lows around 55 degrees Fahrenheit in the summer and highs around 42 degrees Fahrenheit and lows around 17 degrees Fahrenheit in the winter. The vegetative community in the area is predominantly four-wing saltbrush, rabbit brush, and sage brush.



Map 1.1 General Location of Robin Claims

3.3. Resources/Concerns Analyzed

Resources are carried forward for analysis in this section.

3.3.1. Soils/Watersheds

3.3.1.1. Affected Environment

The project is located in the Cathedral Gorge-Meadow Valley Wash Watershed within the larger Lower Colorado Regional Flow System. Affected soils in the project area include Heist gravelly ashy sandy loam and Xeric Torriorthents-Linco association soils (NRCS, 2016). No perennial surface water resources exist near the project area. Local ephemeral channels delineate the pattern of surface water movement that occurs during precipitation events. Ground water in the project area is shallow, with water table depths ranging from 6 feet to over 20 feet. Most of the ground water in Panaca Valley is discharged from Panaca Spring, a warm water spring located about .25 miles northwest of the project area and sourced from the Great Basin regional carbonate aquifer system (Rush, 1964).

3.3.1.2. Environmental Effects

3.3.1.2.1. Proposed Action

The project will mostly impact soils in terms of watershed resources because the proposed action is to use tractors to plow previously disturbed ground surfaces, and up to 0.3 acres of new disturbance, in order to access the desired material. Impacts to soil from the proposed action include mixing of soil horizons from plowing or "ripping" the ground surface and pushing soil into stockpiles, compaction of soil structure under the weight of heavy equipment, and loss of disturbed soil from exposure to weathering and erosion. Since the project mining method is a dry process that involves no use of water, there will be no impact to any ground or surface water resources in terms of water withdrawals. The mining process does not generate any tailings, so no ground water impacts from mine drainage are expected.

3.3.1.2.2. No Action

No effects would occur under the No Action alternative.

3.3.2. Migratory Birds

3.3.2.1. Affected Environment

Migratory birds that may occur within the proposed project area or within similar habitats within a radius of approximately 2 miles are listed in the table below. Special Status Species are listed in a later section.

Common Name	Scientific Name
American avocet	*Recurvirostra americana*
Barn swallow	*Hirundo rustica*
Brown-headed cowbird	*Molothrus ater*
Blue grosbeak	*Passerina caerulea*
Brewer's blackbird	*Euphagus cyanocephalus*
Black-throated sparrow	*Amphispiza bilineata*
Chipping sparrow	*Spizella passerine*
Cinnamon teal	*Anas cyanopter*
Common raven	*Corvus corax*
Wilson's snipe	*Gallinago delicata*
Common yellowthroat	*Geothlypis trichas*
Gambel's quail	*Callipepla gambelii*
Grasshopper sparrow	*Ammodramus savannarum*
Greater roadrunner	*Geococcyx californianus*
Long-billed curlew	*Numenius americanus*
Mallard	*Anas platyrhynchos*
Mourning dove	*Zenaida macroura*
Northern harrier	*Circus cyaneus*
Northern mockingbird	*Mimus polyglottos*
Northern pintail	*Anas acuta*
Northern rough-winged swallow	*Stelgidopteryx serripennis*
Red-tailed hawk	*Buteo jamaicensis*
Red-winged blackbird	*Agelaius phoeniceus*
Rough-legged hawk	*Buteo lagopus*

Common Name	Scientific Name
Turkey vulture	*Cathartes aura*
Western meadowlark	*Sturnella neglecta*
Wilson's warbler	*Wilsonia pusilla*
Yellow-headed blackbird	*Xanthocephalus xanthocephalus*
Yellow warbler	*Dendroica petechia*

3.3.2.2. Environmental Effects

3.3.2.2.1. Proposed Action

There would be no impacts to breeding migratory birds in the previously disturbed area, due to prior removal of vegetation sufficient for nesting. The Proposed Action would include up to 0.3 acres of new ground disturbance that could potentially have an impact on breeding migratory birds due to the removal of vegetation sufficient for nesting. The breeding season for migratory birds is defined as March 1 through August 31 annually. Direct effects could include destruction of nests, potential killing of fledgelings, or forced nest abandonment. These direct effects would be a violation of the Migratory Bird Treaty Act of 1918, as amended. Indirect effects to migratory birds may occur through disturbance and alteration of behavior and movement patterns due to noise from operating heavy machinery.

3.3.2.2.2. No Action

No impacts to migratory birds would occur under the No Action alternative.

3.3.2.2.3. Alternative C

There would be no impacts to breeding migratory birds in the previously disturbed area, due to prior removal of vegetation sufficient for nesting. The Proposed Action would include up to 0.3 acres of new ground disturbance that could potentially have an impact on breeding migratory birds due to the removal of vegetation sufficient for nesting. To mitigate the impacts to breeding migratory birds, BLM would require that new ground disturbance would either occur outside the breeding season for migratory birds or require nest clearance surveys by a BLM-approved biologist prior to any ground-disturbing activities during the breeding season. The breeding season is defined as March 1 through August 31 annually. Clearance surveys conducted during the breeding season would be valid for seven days. If active nests are located, or if other evidence of nesting (i.e., carrying nesting material, carrying fecal sac, carrying food, distraction displays, occupied nest indicated by adult entering or leaving nest site in circumstances where the nest cannot be directly observed, nest with young seen or heard, or recently fledged dependent young or downy young) is observed, a protective buffer would be delineated as identified in the *BLM Ely District Recommended Bird Nest Buffer Sizes* protocol, incorporated by reference for most avian species, and 0.5 mile for raptors (Bureau of Land management 2012).

3.3.3. USFWS Listed (or proposed for listing) Threatened or Endangered Species or critical habitat

3.3.3.1. Affected Environment

The project area is 0.25 mile from Panaca Spring. Panaca Spring contains two populations of Ute Ladies'-Tresses (*Spiranthes diluvialis*), a federally threatened plant. One population of this species is on public land, and the other is located on private land.

Panaca Spring once contained the federally threatened fish Big Spring spinedace (*Lepidomeda mollispinis pratensis*) however, this species was extirpated from the spring in approximately 1959 or sometime between this date and 1938 (Jezorek et al. 2011). Condor Canyon, which is located approximately 1.6 miles north of the project area, now contains the remaining population of Big Spring spinedace and its designated critical habitat.

3.3.3.2. Environmental Effects

3.3.3.2.1. Proposed Action

According to the Plan of Operations for this project, "Between the yard and the Panaca Spring is an expansive buffer zone consisting of a dense community of *Atriplex canescens* (Four-wing saltbush) in which Operator has no intentions of conducting activity at present."

Due to the potential for dust to be generated during reclamation activities, the month of July should be avoided for reclamation to avoid impacts to Ute Ladies'-Tresses. BLM staff would continue to monitor Ute Ladies'-Tresses during the appropriate time of year for potential dust impacts. Based on the presence of the buffer zone, minimal ground disturbance, and lack of impacts to water or riparian resources, no effect to Ute Ladies'-Tresses is anticipated from the proposed action.

Given the distance of the proposed action from Condor Canyon, the project would have no effect on Big Spring spinedace.

3.3.3.2.2. No Action

There would be no effects to Threatened & Endangered species from the No Action alternative.

3.3.4. Special Status Animal Species, other than those listed or proposed by the USFWS as Threatened or Endangered

3.3.4.1. Affected Environment

BLM Special Status Animal Species that may occur within the project area or within an approximate radius of 2 miles are listed in the table below.

Common Name	Scientific Name
Long-legged myotis	*Myotis volans*
Spotted bat	*Euderma maculatum*
Pallid bat	Antrozous pallidus

Common Name	Scientific Name
Big brown bat	*Eptesicus fuscus*
California myotis	*Myotis californicus*
Small-footed myotis	*Myotis ciliolabrum*
Fringed myotis	*Myotis thysanodes*
Western red bat	*Lasiurus blossevillii*
Western pipistrelle	*Pipistrellus hesperus*
Long-eared myotis	*Myotis evotis*
Brewer's sparrow	*Spizella breweri*
Burrowing owl	*Athene cunicularia*
Sage thrasher	*Oreoscoptes montanus*
Greater sage-grouse	*Centrocercus urophasianus*

The proposed project area included in the Plan of Operations is within general mapped habitat for Greater Sage-Grouse. The area does not contain Preliminary Priority or General Habitat for Greater Sage-Grouse. The closest known lek to the project area is approximately 18 miles away.

3.3.4.2. Environmental Effects

3.3.4.2.1. Proposed Action

Surveys by Tomlinson in 2005 found 90% of all bat activity in the Mojave and Great Basin Deserts was concentrated at water sources. Given the project area is 0.25 mile from Panaca Spring, bats could occur within the project area. The Plan of Operations includes operations only during daylight.

The proposed project area is within an Other Habitat Management Area (OHMA) for greater sage-grouse and does not require consultation with NDOW. The closest known lek is 18 miles from the project area and no effects to breeding sage-grouse are anticipated.

Direct effects such as alteration of behavior and movement patterns to wildlife due to noise disturbance from operating heavy machinery may occur. Mitigation measures may decrease but not eliminate these effects.

3.3.4.2.2. No Action

No effects would occur under the No Action alternative.

3.3.5. Special Status Plant Species, other than those listed or proposed by the USFWS as Threatened or Endangered

3.3.5.1. Affected Environment

BLM Special Status Plant Species that may occur in or within a 2–mile radius of the project area are: Schlesser pincushion (Sclerocactus schlesseri), Pioche blazingstar (Mentzelia argillicola), and Needle Mountains milkvetch (Astragalus eurylobus). Schlesser pincushion is a spiny succulent that grows in sandy silt or silty clay soils derived from ashy or gypsiferous sediments. Pioche blazingstar is a multistemmed perennial herb and grows in dry soft, silty clay soils on knolls and

slopes with sparse vegetation. Needle Mountains milkvetch is a perennial herb that grows in barren sandy, gravelly, or clay soils derived from sandstone or siliceous volcanics. (NNHP 2016).

3.3.5.2. Environmental Effects

3.3.5.2.1. Proposed Action

The proposed action would potentially disturb up to 0.3 acres of new ground. Special status plant species are known to occur at least 0.5 miles from, but not known to occur within, the proposed action area. However, the project area shares the same soil types with areas known to include special status plant species. Direct impacts to special status plant species would be destruction of individual plants within the population. In the case of the Pioche blazingstar, which is known to only occur in Lincoln County, the loss of a few individuals could have a noticeable effect to the population.

3.3.5.2.2. No Action

No effects would occur under the No Action alternative.

3.3.5.2.3. Alternative C

The proposed action would potentially disturb up to 0.3 acres of new ground. Special status plant species are known to occur at least 0.5 miles from, but not known to occur within, the proposed action area. However, the project area shares the same soil types with areas known to include special status plant species. In order to minimize impacts to the special status plant species, BLM would require a pre-disturbance survey to be conducted by a qualified botanist. A BLM biologist would be immediately contacted if a special status plant is located during the survey. If removal or destruction of one or more individual plants would be necessary, measures including seed collection and plant salvage would be required. Specific methods of seed collection and plant salvage would be discussed with a BLM biologist prior to any surface disturbing activities

3.3.6. Paleontological Resources

3.3.6.1. Affected Environment

The Plan of Operation (PoO) states: "The mineral conglomerate being removed is sedimentary in nature and accumulated in a fresh water lake, therefore after millions of years…" (9). The Panaca Formation is a depositional product of the Pliocene Epoch belonging to the Blancan North American Land Mammal Age (NALMA). The Blancan NALMA is dated from 4.9 Ma to 1.9 Ma during which the global climate cooled off significantly. The attendant drop in sea level opened the Bering land bridge to immigrating Asian mammal taxa. During the same interval, the Panama Seaway between North and South America closed, opening the Panamanian land bridge to immigrants from South America. Thus, the Blancan NALMA was a very dynamic interval. The exposed Panaca Formation is slightly younger in Meadow Valley than in other nearby valleys.

In total there have been 27 known studies of the Panaca Formation in Lincoln County. These studies have more precisely defined the age and character of the Formation's sedimentary stratum, and have described many of the earliest known occurrences of a variety of different mammalian

species in North America. The majority of fossils in the Panaca Formation are microfossils reached through screen-washing sedimentary samples. Microfossils are not observable through standard monitoring practices. However, there have been exceptions of large bones discovered in the Panaca Formation. The mammoth leg bone currently held at the Lincoln County Museum in Pioche, Nevada originated in the Panaca Formation. Other large species that have been identified include *Pliohippus* sp. (horse), as well as fragmentary remains of rhinocerotid and camelid species. A new North American species of sheep-like caprine bovid, *Sinocapra willdownsi,* has been described. This specimen represents the earliest known occurrence of bovids in North America. Because of its relative abundance of fossils and importance to paleontological research, the Panaca Formation is considered among the most significant in the Potential Fossil Yield Classification (PFYC) classification system.

The Panaca Formation is exposed throughout the wider-area. The total breadth and depth of the Formation cannot be ascertained without additional study. Studies thus far have shown that the northeastern portion of Meadow Valley is the most fossiliferous area. Located north of Highway 319, east of Highway 93, and to the southwest of Black Hill, the entirety of the 5.05 acre project area is known to overlie one of the most abundant exposures of the Panaca Formation. The Paleontological Resources Preservation Act (PRPA) of 2009 requires agencies to manage and protect paleontological resources on Federal land using scientific principles and expertise.

3.3.6.2. Environmental Effects

3.3.6.2.1. Proposed Action

Parcel A will overlies approximately .62 acres of previously disturbed area. The POO states that: "... **Parcel A** shows considerable historical disturbance spanning three decades, and previously rotovated material already available for market need merely be pushed down the slope, over the embankment into the yard below creating a stockpile" (4). In fact, a pedestrian and aerial reconnaissance of the area shows the previous disturbance to extend in the other Parcels (Map Appendix: Mine Plan Map. All previous disturbances appear to have taken place prior to 2009. After removal of disturbed material from Parcel A, the operational plan continues, "**Parcel A, Parcels B and C** will be re-ripped and rotovated successively to provide more material' and to bring their respective contours into harmony" (4). Additionally, the Plan of Operations states: "Operator expects to remove sediment to a depth of between three and twenty feet until the base of the knoll upon which operations have been taking place assumes a gradual slope from the current yard or slightly higher. "(10).

Surface [and subsurface]disturbing activities may cause direct adverse impacts to paleontological resources through the damage or destruction of fossils; or loss of valuable scientific information by the disturbance of the stratigraphic context in which fossils are found. Indirect adverse impacts may be created by increased accessibility to important paleontological resources leading to looting or vandalism (IM 2009-011, Assessment and Mitigation of Potential Impacts to Paleontological Resources).

It is the policy of the BLM that potential impacts from federal actions on public lands be identified and assessed, and that proper mitigation actions are implemented when necessary to protect scientifically significant paleontological resources. Though the POO describes reclamation plans in great detail, there is no mention of paleontological mitigation.

3.3.6.2.2. No Action

No effects would occur under the No Action Alternative.

This page intentionally
left blank

Chapter 4. Cumulative Impacts

This page intentionally
left blank

4.1. Introduction:

As required under NEPA and the regulations implementing NEPA, this section analyzes potential cumulative impacts from past, present, and reasonably foreseeable future actions combined with the Proposed Action within the area analyzed for impacts in Chapter 3 specific to the resources for which cumulative impacts may be anticipated. A cumulative impact is defined as "the impact which results from the incremental impact of the action, decision, or project 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" (40 Code of Federal Regulations 1508.7).

4.2. Past, Present, and Reasonably Foreseeable Future Actions (RFFA)

4.3. Cumulative Impact Analysis

Past, present, and reasonably foreseeable future action may contribute to cumulative impacts in the project area. Past actions include grazing and range improvements; mining (clays, uranium, and sand and gravel); off road and all terrain vehicles use; other forms of recreation; rights-of-way grants, leases and land use permits; municipal water well development; and oil and gas leasing. Present actions include all of the past actions except for new water well development and oil and gas leasing. All past actions are also reasonably foreseeable future actions. The disturbances related to these individual activities are minor, mostly temporary, and tend to occur randomly in time.

Cumulative effects of the Proposed Action in combination with the past, present, and RFFAs may involve direct short-term effects to wildlife through habitat loss and reduction of vegetation cover. Successful mitigation measures as proposed should offset the direct effect of short-term displacement to migratory birds and special status plant species in the long term.

This page intentionally
left blank

Chapter 5. Consultation and Coordination:

This page intentionally
left blank

5.1. Introduction

The issue identification section of Chapter 3 provides the rationale for issues that were considered but not analyzed further and identifies those issues analyzed in detail in Chapter 3. The issues were identified through the public and agency involvement process described in sections 5.2 and 5.3 below.

5.2. Persons, Groups, and Agencies Consulted

Table 5.1. Persons, Groups, and Agencies Consulted

Name	Purpose & Authority for Consultation or Coordination	Findings andConclusions
Nevada State Historic Preservation Office (SHPO)	Consultation for undertakings as required by the National Historic Preservation Act (16 USC 1531)	The cultural survey report was sent to SHPO with a determination of no adverse effect. No response was received within 30 days from the submission of any of the reports. Consultation is therefore considered to be closed.

5.3. Summary of Public Participation

During preparation of the EA, the public was notified of the proposed action by posting the project on the Ely District Office Website on date here and sending letters to members of the public who had expressed interest in being informed of this and/or similar actions. A public comment period was offered between *December/2/2016* and *January/5/2017*.

5.4. List of Preparers

Table 5.2. List of BLM Preparers

Name	Title	Responsible for the Following Section(s) of this Document
Carissa Shilling	Geologist	Minerals
Jeremiah Wagener	Geologist	Minerals
Nick Pay	Planning and Environmental Coordinator, Archaeologist	NEPA, Planning Conformance, Environmental Justice, Socioeconomics, Public Safety, Human Health and Safety
Jon Prescott	Planning and Environmental Coordinator	NEPA and Planning Conformance
Harry Konwin	Archaeologist	Cultural Resources (Heritage, ACEC, etc.), Paleontology
Lisa Domina	Outdoor Recreation Planner	Recreation, Transportation, Visual Resources
Cameron Boyce	Natural Resource Specialist	Grazing/Forage Uses, Vegetation, Floodplains, Farmlands, Soils, Non-Native and Noxious Species, Riparian/Wetlands, Air Quality
Alicia Styles	Wildlife Biologist	Fish and Wildlife, T&E and sensitive species, USFWS Special Status Species, Migratory Birds
Jessicca Patterson	Wildlife Biologist	Fish and Wildlife, T&E and sensitive species, USFWS Special Status Species, Migratory Birds
Erica Husse	Emergency Stabilization & Rehabilitation (ES&R) Specialist	ES&R
Kyle Teel	Fuels Specialist	Fuels
Elvis Wall	Native American Coordinator	Native American Concerns, Tribal Consultation

Ben Noyes	Wild Horse and Burro Specialist	Wild Horses
Emily Simpson	Wilderness Planner	Wilderness/Wilderness Study Area (WSA), Wild and Scenic Rivers, Lands with Wilderness Characteristics
Randy Johnson	Ely District HAZMAT Lead	Wastes
Andy Gault	Hydrologist	Water Resources

Bibliography

43 CFR, 2009. Title 43 Code of Federal Regulations, Part 1000 to End..

BLM 2007. Ely Proposed Resource Management Plan/Final Environmental Impact Statement. November, 2007. USDI-BLM. Ely District Office..

BLM 2008a. Bureau of Land Management National Environmental Policy Act Handbook (BM NEPA Handbook H-1790–1)..

BLM 2008b. Ely Proposed Resource Management Plan/Record of Decision and Approved Resource Management Plan. August, 2008. USDI-BLM. Ely District Office..

Bureau of Land Management. 2012. BLM Ely District Recommended Bird Nest Buffer Sizes. Ely District Office, Ely, Nevada, USA..

Federal Land Policy and Management Act of 1976 (FLPMA) (1976)..

General Mining Law of 1872 (1872)..

Nevada Natural Heritage Program [NNHP]. 2016. NNHP homepage. <http://heritage.nv.gov>. Accessed 20 Oct 2016..

National Resource Conservation Service. 2016. Web Soil Survey Web Page. United States Department of Agriculture. Accessed 3 November 016. http://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx. .

Tomlinson C.R., and K. Kenney. 2005. Survey of Bats at Spring and Water Development Sites in Lincoln County, Nevada. Program Activities Report for 2003 field season. Nevada Department of Wildlife. 17 pp. plus Appendices..

Jezorek, I.G., Connolly, P.J., Munz, C.S., and Dixon, C., 2011, Big Spring spinedace and associated fish populations and habitat conditions in Condor Canyon, Meadow Valley Wash, Nevada: U.S. Geological Survey Open-File Report 2011–1072, 116 p..

Rush, E.F. 1964. Ground-Water Appraisal of the Meadow Valley Area, Lincoln and Clark Counties, Nevada. State of Nevada Department of Natural Resources Conservation - United States Geological Survey Ground-Water Resources-Reconnaissance Series. Report 27. 67 p..

Stewart, J.H., 1980. Geology of Nevada: Nevada Bureau of Mines and Geology, Special Publication 4..

Tschanz, C.M. and Pampeyan, E.H., 1970. geology and Mineral Deposits of Lincoln County, Nevada, Nevada Bureau of Mines and Geology, Bulletin 73..

Westgate, L.G. and Knopf, A., 1932, Geology and ore Deposits of the Pioche District, Nevada, United States Geological Survey, Professional Paper 171..

This page intentionally
left blank

Glossary

Glossary:

A glossary is an alphabetical list of terms in a particular domain of knowledge with the definitions for those terms. Traditionally, a glossary appears at the end of a book and includes terms within that book which are either newly introduced or at least uncommon.

This page intentionally
left blank

Acronyms

ACEC:
Area of Critical Environmental Concern

BLM:
Bureau of Land Management

CFR:
Code of Federal Regulations

DR:
Decision Record

EA:
Environmental Assessment

EIS:
Environmental Impact Statement

ES&R:
Emergency Stabilization and Rehabilitation

FLPMA:
Federal Land Policy and Management Act

FONSI:
Finding of No Significant Impact

IM:
Instructional Memorandum

LWC:
Lands with Wilderness Characteristics

NEPA:
National Environmental Policy Act

RFFA:
Reasonably Foreseeable Future Action

RMP:
Resource Management Plan

USFWS:
United States Fish and Wildlife Service

WSA:
Wilderness Study Area

This page intentionally
left blank

Appendix A. Complete Plan of Operations

See attached pdf.

This page intentionally
left blank

February 18, 2015

Bureau of Land Management
RECEIVED
FEB 23 2015
Caliente Field Office

Dear Bureau of Land Management,

Enclosed is a Plan of Operation for your approval along with a copy of a current Application for a Class III Air Quality Operating Permit, on file with NDEP for Township 2 South, Ranges 68 East, Section4 NE ¼ and SE ¼, known as Robin 1 and Robin 2 mining claims.

Sincerely,

Kristin Dovalina

Bureau of Land Management
RECEIVED
FEB 23 2015
Caliente Field Office

ROBIN 1 AND 2'S

WINDOW PEAK TRACE MINERALS

April 3, 2009
Updated May 24, 2014
Further updates July 11, 2014
and January 4, 2015

3809 Plan of Operations

Reclamation Plan

Notice of Occupancy

TO:

§3809.401(a)
Caliente Field Office
P.O. Box 237
Caliente, NV 89008

§3802.14(a)
Bureau of Land Management
Ely District Office
HC B3 Box 33500
Ely, NV 89301

RE:

3809 Plan of Operations
Robin 1 and 2's Window Peak Trace Minerals
Robin I and Robin II, Lincoln County
Pursuant to 43 CFR Chapter II Part 3800 et seq. Regulations
Initially For 5.05 Acres

DATE: April 3, 2009
Updated May 24, 2014 and further updates
July 11, 2014 and January 4, 2015

Note: This Plan of Operations follows the outline format and numeration corresponding to the model provided by Lynn Bjorklund to R. Joseph Collet (Operator Contact) by e-mail on March 24, 2009 and 2014 updates suggested by Miles Kreidler. July 11, 2014 continued updates requested by Victora Barr and January 4, 2015 updates requested by Carissa Shilling.

1.A.

CLAIM INFORMATION:

§3801.1-4(c&5)

BLM

Serial #	Name	Section	Township	Range	Meridian
NMC-82428	Robin I Placer Claim	NE ¼ of Section 4	Twp 2 S	Range 68 E	M.D.S.
NMC-82429	Robin II Placer Claim	SE ¼ of Section 4	Twp 2 S	Range 68 E	M.D.S.

PRIMARY COMMODITY: A mineral commodity of diatomaceous earth/clay material with trace minerals used for agriculture applications and animal nutrition.
CLAIM NAMES: Robin #1 and Robin #2
CLAIM TYPE: Placer

CLAIMANT INFORMATION

Name(s):	Mailing Address(es)	Telephone(s)
Marsha S. Jones or Marsha S. Jones Trust	785 Appleberry Drive San Rafael, CA 94903	(415) 479-7728
Robins 1 and 2, LLC Kristin Dovalina, Managing Member	1995 Palm Canyon Drive Las Cruces, NM 88011	(530) 417-5555

PROJECT NAME

Window Peak Trace Minerals
MINE PLAN
3809 PLAN OF OPERATION FOR BLM AND RECLAMATION
PERMIT APPLICATION FOR A
MINING OPERATION FOR THE NDEP

1.B. Operator

Name:
Robins 1 and 2, LLC
1995 Palm Canyon Drive
Las Cruces, NM 88011

Cell # 530 417 5555
EIN # 80-0637773

Point of Contact: Kristin Dovalina
1995 Palm Canyon Drive
Las Cruces, NM 88011
Cell # 530 417 5555

2.A. **OPERATING PLAN:**

Aerial Map(s) depicting;

a. Boundaries of the Area of Operation
b. Mine Plan Map

Description: Aerial images of 2013 depict the General Location of the mining operation and the Mining Plan. Also included is a Master Title plat according to a USGS survey forming an outline around the claims. Together they indicate the total claims acreage to a different scale with reference points for better orientation. APPENDIX I is a written description of USGS markers.

c. A Narrative Description of Areas to be Disturbed Includes:

The basic methodology to be employed in the extraction of minerals pursuant to the proposed *Plan of Operation* is similar to Open Pit Mining, but without a pit resulting. No drilling, dredging, tunneling or blasting is required. "Strip mining" would also be an inappropriate appellation for the proposed excavation activity in that the area is already surface exposed and concentrated into a contiguous mass. Very little overburden, if any, is necessary to remove or to "peel back" the lower quality strata to access the viable minerals, which are the subject of this plan.

Techniques: Inasmuch as the planned activity is no more than a resumption of prior operators' activity at the same location the ground is simply to be plowed or "ripped" using a farm tractor and implement in an area approximately .62 acres (**Parcel A**) initially, expanding to a further 2.47 peripheral acres (**Parcel B**). In fact, **Parcel A** shows considerable historical disturbance spanning three decades, and previously rotovated material already available for market need merely be pushed down the slope, over the embankment into the yard below creating a stockpile. Following the removal of the standing material on **Parcel A, Parcels B and C** will be re-ripped and rotovated successively to provide more material, and to bring their respective contours into harmony. [Refer to APPENDIX III and Mine Plan Map in MAP APPENDICES for dimensions.]

After reaching the stockpile the material is either (1) to be loaded onto trucks in bulk via an existing loading dock just outside the west fence surrounding the aforesaid yard, or (2) further processed within the confines of the yard using traditional screening plants with various mesh sized screens, and bagged or bucketed for transport and sale. **There are no tailings produced pursuant to this activity. Oversized material temporarily screened off is either sold in bulk "as is" or re-rotovated, re-screened and recycled.** There is no waste material accumulated except weeds and invasive shrubs, which are sorted out and removed to the landfill. No actual milling takes place, just screening. Although, a non-operational hammer mill was left on the property, it will probably be removed from the claims' area before long. The blue, diesel powered screening plant on site is capable of producing a maximum of one ton of screened material in five minutes when conditions are optimal, and the small portable electrically driven screening equipment frequently on site is capable of recycling about one ton every two hours. Jumbo tote bags shall be used to confine all screened material not immediately transported at the conclusion of screening

by large trailers to customer destinations. These one-ton bags are stored inside a shed within the confines of the yard until customers' orders come in. [Refer to APPENDIX VI for further equipment details.]

The ***Panaca Spring*** is situated several hundred yards distant to the Northwest. It is largely subterranean until it accumulates in a reservoir or swimming hole only touching tangentially the western extremity of the area under claim known as Robin I. Its source emerges periodically at the extreme Eastern boundary of the Robin I claim, but the bed outflowing from that point is generally dry as the water disappears below ground level to follow the contour of the basaltic formations bordering it and running between the source and the aforesaid pond.

Between the yard and the **Panaca Spring** is an expansive buffer zone consisting of a dense community of *Atriplex canescens* (Four-wing Saltbrush) in which Operator has no intentions of conducting activity at present.

On the hilltop where the rotovation occurs, overlooking the yard, only occasional depressions are to exist where incomplete removal of the rotovated material has occurred over the course of the removal process. It will be observed that one such depression along the western boundary of **Parcel A**, adjoining the eastern boundary of **Parcel B**, periodically has been implemented to prevent water accumulation pursuant to anticipated thunderstorms. As the eventual confluence of **Parcel A**'s and **B**'s contours melds together, this precaution will no longer be necessary, as runoff will no longer be concentrated at this point, and rainwater will be more likely to run off the gentler slopes created by the operation over a broader areas. [Refer to APPENDIX IV in compliance with [illegible] for timing and execution details.]

There are no trenches, pits, settling ponds, waste dumps, drill pads, leach pads, fuel storage tanks, or hazardous chemicals/waste employed in the proposed operation. **A singular temporary structure consisting of a typical 45' shipping container for storage roofed over by and integrated into a 76 foot long shed, are evident in the yard (45'x18'x76').** These are necessary for safe storage of small equipment, tools and supplies as protection against theft or vandalism, and for warehousing of inventory (mineral filled tote bags) for subsequent resale. The yard itself and the aforesaid machinery, shed, loading dock and fencing are reasonably incident to mining and continued occupancy is critical to Operator.

THE OCCUPANCY MAP or MAP APPENDICES DEPICTS THE PLACEMENT OF THE AFOREDESCRIBED FEATURES, AS WELL AS, ADDITIONAL WRITTEN DETAILS APPEAR IN THE **RECLAMATION SECTION HEREOF.**

2. A. c. Existing disturbance and proposed disturbance:

Parcel/Phase	Existing (acres)	Proposed (acres)	Total (acres)
Parcel A	0.10	0.52	0.62
Parcel B	0.20	2.27	2.47
Parcel C	0.00	.60	0.60
Yard, Access Roads & Parking Area	1.36	0	1.36
Total	1.66	3.39	5.05

2. A. d. Areas Disturbed by Previous Operator and Inactive.

None known. Operator declares that it is neither expanding disturbed area utilized by its immediate two predecessors, nor to its knowledge abandoning such area. Its plan contemplates merely 1) redisturbing approximately the same hilltop acres previously, bladed off and used for quarrying, and 2) continuing to occupy the same approximate 1.36 acre yard area – all acreage reasonably incident to mining.

Again, maps showing the claims and project boundaries and all access needs, on and off the claims or project, and specifying what existing roads will be used, where maintenance or reconstruction is proposed, appear herein, and in the corresponding MAP APPENDICES. No new construction is necessary at this juncture. Maintenance plans including type and size of vehicles and equipment that will be traveling the access routes may best be described as follows:

Maintenance Plans.

i. Only periodic attention shall be required to sufficiently maintain the Yard and excavation area. Primarily, weed control for both aesthetic and practical concerns, represents an on-going activity. Operator shall not employ herbicides, but controls invasive flora by pulling up weeds by hands and removal to rubbish bins destined for approved landfill. Larger infestations are disenfranchised employing a *John Deere* lawn tractor with a bucket and a rear scraper box. Dislodged weeds are raked into a pile and disposed of as aforesaid.
A small trash trailer and/or pick-up truck is used for disposing of weeds, broken pallets, rubbish, damaged bags, spent fluid containers and the like.

ii. A barbed wire fence borders the yard on three sides and has two chain link gates for entrances on the West and East sides of the enclosure. Occasionally the gates will need to be reseated upon their hinges and the wire tightened up or restrung.

iii. Maintenance on vehicles includes air filter, oil filter and oil changes. Sometimes hydraulic fluid or fuel is added inside the confines of the yard as it is of necessity for the fixed

equipment. Care is taken not to spill any fluids on the ground by using a funnel for the addition of fluids. The concrete pad is also used as a clean surface to refill fluids in the small portable equipment sometimes used in the mining operations. The appropriate receptacle for catching drained oil is kept inside the container when not in use, and spent fluids are disposed of at the local fire station in their original container and/or clearly labeled in an appropriate size and kind of container approved by MSHA and/or EPA. A *John Deere* farm tractor and a large CAT loader are usually maintained off the property, but are driven along the county road from town. Both can work the stockpile inside the yard for removal to the loading dock outside the fence line, and push rotovated material downhill a few times per year. Mainly a farm tractor is employed for loading the hopper on the blue screening plant.

iv. Vehicles and Access Roads

Typically, besides the aforesaid *John Deere* **lawn tractor** or the **CAT loader**, only two small **forklifts** and a *John Deere* **farm tractor** are to be present in the yard during screening activity. The forklifts are to remain in the yard permanently and the lawn tractor from the yard down the country road. The lawn tractor besides for de-weeding activity, shall be used for dust control, hauling pails of material from the small screening plant to pallets for stacking, boosting personnel to inspect equipment, hauling supplies from one end of the yard to the other, and loading **small screening equipment hoppers**. Recently it was used to haul stakes and a five pound hammer to the hilltop for surveying activity to devise transects to more accurately measure the footprint of the proposed operations. Shippers will be driving large semi (tractor trailer) trucks along the county road to the loading dock and flatbeds inside the yard when picking up bags. [See APPENDIX V for vehicle specifications.]

Additional equipment may be:

trucks
conveyors
diesel and electrically powered screening plants
one ton tote bags
pallets
rotovator
small trash trailer

ACCESS AND DURATION

[Refer also to page, "RECLAMATION PLAN". Section 3]

Access Roads are those depicted in the aerial photo provided in the MAP APPENDICES. They may be described as follows:

Access to the yard from Highway 319 (running East-West) through the center of town), is by virtue of a county-maintained road forming a loop that connects with the highway on the east side of town at two points. One of these points is 5th Street which continues north on Panaca Spring Road to the pond, or *Panaca Swimming Hole* just beyond the fork that conducts one to the recreational area, and then fairgrounds. The other point is adjacent to the fairgrounds on the outskirts of town. The county road essentially circumnavigates the Robin II claim, but also crossed through the Robin I claim on the latter's southern extremity. An east gate and a west gate on either end of the yard and almost tangent to the road afford Operator access to the yard from this county road requiring no further surface disturbance. On the north eastern edge of the county road a well-traveled access road splits off from the county road and conducts occasional traffic to the west side of the Window Peak Monument where admission to the disturbed area being quarried is gained. This access road appears to have been in use for decades and is used by recreational vehicles to engage trails on and off the claims, long established by such activity. [See General Location Map in MAP APPENDICES]

NOTE: The Plan Boundary encompasses 12.11 acres, 5.05 acres of disturbance is in the Plan of Operation at this time. The Plan Boundary can be seen on the General Location Map found in MAP APPENDICES.

2. A. e. - h. N/A

2. A. i. Areas Which Are Active on or After October 1, 1990, include those areas described herein as the yard, Parcel A, Parcel B, and Parcel C.

2. A. j. Location of Access Roads Existing Prior to January 1,1981, are presumed to be the same as those depicted and described herein. The county road circling the yard and bisecting the claims appears to have been in use for several decades, though widened and altered a bit over time. This is the main road of access that Operator would use. Access to the yard is gained from short access roads connecting the county-maintained road to both the west and east gates consisting of perhaps 40-50 feet and 15-20 feet respectively. A third access road also displayed on the map indicates a pathway used by farm tractors and off road recreational vehicles alike connecting the county road of the east side of the yard with the area on top of the hill to be rotovated comprising **Parcels A, B** and **C.** [See General Location Map, Mine Plan Map, and Reclamation Plan Map in MAP APPENDICES]

2. A. k. Location of any surface water bodies within one-half mile down gradient of the Disturbance is yet indeterminate. The only standing body of water evident is the aforesaid *Panaca Spring* which appears to be located more than ½ mile away.

2. B. PROPOSED DISTURBANCES = 5.05 ACRES

An estimate of the acreage of the Proposed Disturbance(s) on public land has been calculated by staking transects with corners every 100 feet covering the entire footprint of the yard, **Parcels A, B and C**; the loading dock and all access roads. With an increased "buffer zone" created with the BLM mapping program, the Plan of Operation reflects 5.05 acres of disturbance--all on public land. [Refer to Mine Plan Map in MAP APPENDICES]

3. RECLAMATION PLAN:

The preceding information would seem to obviate many of the concerns normally associated with larger scale mining activity and other disturbances. For convenience the outline, which follows, together with brief answers where appropriate, is being used as recommended by the Ely BLM office for expediency.

A. Provide a Written Description of the Measures to be taken to Prevent Unnecessary or Undue Degradation and the Proposed Activities for Reclamation to be Undertaken During and After Completion of the Mining Operation. The Items in the Attached Mine Plan of Operations – Reclamation Bond Checklist must be completed. as Applicable.

RESPONSE: The area of disturbance is very small in relation to the total claims territory, i.e. = 5.05 acres / 320 acres = slightly over 1%. A number of farms dot the greater Meadow Valley Area each creating many multiples of surface disturbance, erosion and fugitive dust compared with the Operator's proposed activities, which are observed to much less. **No topsoil exists within the confines of the proposed disturbance**. We will not be adding any topsoil during reclamation. The mineral conglomerate being removed is sedimentary in nature and accumulated in a fresh water lake, therefore after millions of years, it is relatively unaffected by water. Its basic clay substance is imbued with swelling properties that retard run-off, and yet it desiccates fairly rapidly under exposure to sun and a light breeze. Therefore, few if any precautions need to be taken over the life of the excavation activities. Ground left fallow seasonably poses no particular concern for the surrounding terrain, groundwater, or otherwise, as the clay itself acts as a retardant to penetration in the soil of moisture below a few inches even after the abundant precipitation.

Noxious weeds are to be routinely pulled when first observed sprouting so that they will not spread their seed, and during final reclamation a seed mix suggested by the BLM Caliente Field Office and/or Natural Resource Conservation Service would be used to reseed all disturbed areas.

Operator will be excavating regularly all material upon which equipment is present. In the event of an errant hydraulic fuel, or oil leak, the stained ground shall be removed by hand shovel before resumption of activity, and stored in a safe environment until proper disposal or incineration can take place. Proactive and protective measures are taken to ensure no significant leakage occurs. Fixed machinery has a precautionary catch basin under the motor to catch any tell tale dripping. Visual monitoring is done daily during operations and interim monitoring is done bi-monthly.

Activity is not likely to be of a substantial nature for considerable time to come. Thus, the potential of compounding will be kept in abeyance accordingly.

Water drainage doesn't seem to be a problem, however, if signs of erosion become apparent, measures would be taken to correct the problem and perhaps water drainages would be constructed to avoid excessive erosion and ponding of water.

Dust management, when necessary to prevent unnecessary or undue degradation, would include watering of roads, process areas and yards. Water would be hauled in and stored temporarily in tanks for pumping/spraying and/or outside vendors hired to water the roads.

B. Provide a Description of Other Reclamation Activities to be performed, such as Reclamation of Historic Disturbances (Not part of Cost Estimate Calculation) if Applicable. **N/A – EVERYTHING IS ASSUMED TO BE PART OF THE COST ESTIMATE.**

C. Provide a Proposed Schedule of the Time for Initiation and Completion of Activities for Reclamation and Initiation of Surface Disturbance Activities.

Surface Area Disturbance				Reclamation Activities	
Phase	Parcel	Commencement Date	Termination Date	Commencement Date	Termination Date
I	A	ASAP	2027	2027	2028
II	B	2015	2027	2027	2028
III	C	2018	2027	2027	2028
I	Yard	ASAP	2027	2027	2028

RESPONSE: A portion of the reclamation work will be preformed as a natural result of developing the extraction during Phases I and II on **Parcels A** and **B**. Refer to Mine Plan Map, Reclamation Map and APPENDICES III & IV for more detail. Regarding fresh surface disturbance we wish to begin Phase I within 30 days of plan approval and/or bond placement with Phase II to follow within 45-60 days after approval. Commencement of Phase III will be within 2 years of start, but is not likely to commence until towards the end of year three.

The estimated production average is 800 tons a year. Operations do not happen seven days a week, 52 weeks a year. Due to the clay like consistency of the mineral material very little mining goes once the rain and snow start falling from the end of November thru April. Work days vary dependent upon the orders, some days could be as little as an hour and other days could be as long as 12 hours depending on the daylight. Operator expects to remove sediment to a depth of between three and twenty feet until the base of the knoll upon which operations have been taking place assumes a gradual slope from the current yard or slightly higher. It may take over a dozen years to accomplish this depending upon demand for the material.

All reclamation activities will be completed in a timely manner of cessation of quarrying activity, due to seasonality of operations driven by weather and climatic conditions reclamation will also be driven by weather and climatic conditions.

D. Proposed Productive Post-mining Land Use: The area proposed post mining land use may include continued grazing, or just be left as a natural area for the enjoyment of hikers and tourists.

E. Provide a Contour Map of the Post-mining Topography (at a scale which provides sufficient detail)
Refer to Reclamation Plan Map and Mine Plan Map - Topo in MAP APPENDICES

The base level of the mine is proposed to be approximately the same as the yard at 4800 feet.

The photo below shows the mineral deposit (above the dotted line) that will be mined to the yard level that is below the dotted line. The picture is taken from the yard facing a southwardly direction.

— — • APPROXIMATE YARD LEVEL TO BE ATTAINED AFTER MINERAL MATERIAL MINED AND RECLAMATION COMPLETED

F. Provide the Technical Criteria Used to Determine the Final Gradient and Stability of Slopes Created or Affected by the Mining Operation.

RESPONSE: Since there is no tunneling or trenching, the stability of the slopes is not compromised during the excavation process. Resulting sloping will be even more gradual than at present, which has a terraced effect. At the completion of reclamation the south cliff face and stockpile will be reduced to current yard level with a gradual slope uphill. The 3:1 (Horizontal: Vertical) ratio is considered a stable slope. Operations may create temporary high walls. The monitoring of slopes will occur weekly during operations and bi – monthly during interim times to insure safe and proper slopes exist.

G. Reclaiming any impoundments used during the operations **will not be necessary since non will be used.**
   a. Regrading to Promote Runoff and Reduce Infiltration;
   b. Covering with Waste Rock, Topsoil or Growth Medium;
   c. Revegetation;
   d. Diverting Run-on; **either do not apply or are covered elsewhere herein.**

H. Provide the Proposed Methods to be Used in Reclaiming Any Waste and Development Rock Piles;
   a. Regrading to Round Off Sharp Edges, Enhance the Stability, Reduce Susceptibility to Erosion and Facilitate Efforts for Revegetation;
   b. Revegetation;
   c. Diverting Run-on;

RESPONSE: There are no rocks occurring in the homogeneous sediment or otherwise accumulated. Contours followed during ripping and rotovating leave no sharp edges or escarpments. Naturally occurring cliff edges around the perimeter will eventually be worn down to yard level and tapered into the aforesaid gentler slopes created by material removal as described herein. Other issues raised in this section have adequately been addressed already in other portions of this text.

I. Provide the Proposed Methods to be Used in Reclaiming any Dams for Tailings Ponds by;
   a. Covering with Waster Rock, Topsoil or Growth Medium;
   b. Revegetation
   c. Rendering the Dam Incapable of Storing any Movile Fluid in a Quantity Which Could Pose a Threat to the Stability of the Dam or to Public Safety;
   d. If Applicable, Water Treatment Plants and Overflow Basins (Applicable Water Quality Permit May be Referenced);
   N/A

J. Provide the Proposed Methods to be Used in Reclaiming any Heaps From Leaching by;
   a. Regrading to Enhance Structural Stability, Promote Run-off, Reduce Infiltration and Control Erosion;
   b. Covering with Waste Rock, Topsoil, or Growth Medium;
   c. Revegetation;
   d. Soil Stabilization;
   e. Diverting Run-on;
   f. Cyanide Stabilization/Neutralization (Applicable Water Quality Permit May be Referenced);
   g. Treatments of Outflows, Residual Chemicals or Fluids in the Heaps (Applicable Water Quality Permit May be Referenced);
   N/A

K. Provide the Proposed Methods to Be Used in Reclaiming any Solution Ponds, Settling Pongs, and Other Non-tailing impoundments by: **N/A**
   a. Backfilling and Regrading in Accordance with the Designated Post-Mining Land Use; **N/A**
   b. Restoring the Pre-disturbance Surface Water in Accordance with the Designated Post-Mining Land Use; **N/A**
   c. Cyanide Stabilization/Neutralization; **N/A**

L. Provide a Written Statement of any Constraints on the Estimated Time to Complete Reclamation Caused by the Residual Moisture Content or Physical or Chemical Qualities of Impoundments;

RESPONSE: Winter weather at intervals often provides too much moisture to the ground for milling operations (e.g. between December 21- March 20), however excavation activities would only be impacted for a week or two at a time, even during the most severe precipitation accumulation. Anything above 1" of rapid precipitation muddies the material to a depth possibly causing vehicles to mire, or deep ruts to occur impairing the aesthetics of the desired grading. Usually within two weeks of a snowstorm, or period of repeated rainfall, the material dries sufficiently to operate grading equipment without suffering these consequences. To be on the safe side Operator has suggested up to one year after cessation of excavating to complete grading, contouring, and removal of structures, equipment, inventory and supplies. The whole process may be completed within two weeks of good weather at any point, or started then interrupted and restarted when weather is favorable. Seeding or Revegetation of disturbed area naturally would be most effective in spring or autumn.

M. Provide a Written Description of the Proposed Reclamation Techniques and Locations of the Following Road Features, if Applicable;
   a. Recontouring or Regrading to Round Off, Cut and Fill Slopes to the Original Contour or to Approximate the Form of the Land before Disturbance;
   b. Removing Culverts;
   c. Ripping/Scarifying;
   d. Waterbars;
   e. Revegetation;
   f. Restoring or Stabilizing Drainage Areas or Streambeds;
   g. Other Road Reclamation Activities.

N/A IT IS THE COUNTY'S RESPONSIBILITY TO MAINTAIN THE COUNTRY ROAD. OPERATOR WILL BE GRADING DOWN TO ROAD LEVEL OF ANY ACCESS ROADS SO THEIR EXISTENCE WILL BECOME TRANSPARENT. NO CULVERTS PRESENTLY EXIST.

N. Provide a Description of the Measures Used to Minimize Loading of Sediment to Surface Waters During Operation and, During and After Reclamation, if Applicable;

N/A Non foreseen at this time.

O. Provide a Description of the Proposed Disposition of Buildings, Equipment, Piping, Scrap, Reagents, Equipment, and Other Hazardous or Toxic Materials, if Applicable; [Refer to APPENDIX VII and Occupancy Map in MAP APPENDICES for a list and location of these items.]
Temporary structures will be dismantled and removed. Concrete footings, and other materials will be dug up and removed to a suitable landfill, holes to be filled in with native material. Equipment will be sold and towed off property. There are no toxic materials to dispose of. FOR CALCULATIONS REFER TO APPENDIX VII

a. Demolishing to the Level of the Foundation and Burying the Demolished Items on the Site in Conformance with Applicable Solid Waste Disposal Requirements; **NO LENGTHY FOUNDATIONS**
b. Salvaging and Sale; **ALL EQUIPMENT AND SPARE PARTS ARE SALEABLE AND WILL BE HAULED OFF AND SOLD. AT WORST, A LOCAL MARKET EXISTS FOR SCRAP.**
c. Disposal Off of the Site in Conformance with Applicable Solid Waste Disposal Requirements; **N/A**
d. Continuing Use in a Manner Consistent With the Post-mining Use of the Land; **(SEE RECREATION, CATTLE GRAZING, SECTION D)**

P. Provide a Description of Any Surface Facilities Such as Buildings or Roads Which will Not Be Subject to Reclamation to Achieve the Proposed Post mining Use, if Applicable;
WE ANTICPATE EVERYTHING IN THE YARD IS SUBJECT TO RECLAMATION. UNLESS THE BLM TELLS US IT WANTS SOMETHING LEFT BEHIND.

Q. Provide a Description of the Methods to be Used in Reclaiming Any Open Pit Mines, if Appropriate, by;

e. Performing Activities that Will Provide for Public Safety;
f. Stabilizing Pit Walls or Rock Faces Where Required for Public Safety;
g. Constructing and Maintaining Berms, Fences or Other Means of Restricting Access;
h. Creating a Lake for Recreational, Wildlife or Other Use;
i. Revegetation;

N/A -- NO PITS WILL BE CREATED.

R. Provide a Description of the Methods to be Used in Reclaiming Underground Mines, if Appropriate by;
a. Sealing Shafts, Adits, Portals and Tunnels to Prevent Access;
b. Constructing and Maintaining Berms, Fences or Other Means of Restricting Access;

N/A -- NO TUNNELING TO BE UNDERTAKEN

S. Provide a Description of Any Necessary Monitoring and Maintenance of Fences, Signs, and Other Structures to be Performed by the Operator on the Reclaimed Land, if Applicable; **N/A**

T. Provide a Description of any Reclamation which is Necessary Because Instream Mining; **N/A**
U. Provide a Written Statement of the Effect that the Proposed Reclamation May Have on Future Mining in the Area; **NONE. THE NEXT OPERATOR SHOULD BE ABLE TO RESUME WHEREVER WE LEAVE OFF AS THERE IS LIKELY TO BE A GREAT DEAL OF UNSPOILED MATERIAL STILL ABOVE GROUND LEVEL AND**

SEVERAL ACRES RADIATING OUT FROM THE "SWEET SPOT" THAT OPERATOR DOES NOT INTEND TO DISTURB.

V. Provide a Description of Drill Hole Plugging Procedures in accordance with NRS 534.425 through ... **(PLORATION COMPI**

W. Provide ... Disturba ... t applicable.

RESPONSE: A ... former operators who never succe ... gral part of this plan. While as th ... ion concerning contouring and g ...

SEE SUBSTITUTED PAGE 15

X. Provide a ... on-operation to Maintain ... oid Erosion and Other Ad ... nation Shall be Filled wh ... able;

RESPONSE: Op ... to date at this site. Usually, betw ... The mine has been known to op ... ts of 8 hours, but occasionally it ... is around 800 tons, and therefore ... ction the site is routinely policed a ... l out of the way of activity inc ... s made to put things away in an ...

RECEIVED MAY 28, 2015

The following is a ... periods of non-operation:

Conveyors
Hoppers
Pallets
Jumbo tote bags
Blue Hammer Mill
Assorted equipmen
Screeners

Y. Post - Closu ...
a. Site will ... photographs, in the late spring or early summer, for at least three years to identify any noxious or invasive weeds and determine what type of vegetation is growing on site. With the guidance of the BLM, certain seed mixes will be used to assure the growth of vegetation within the three years of monitoring. The BLM will also assist us in determining if erosion, dust and/or water management may be needed during the monitoring.

U. Provide a Written Statement of the Effect that the Proposed Reclamation May Have on Future Mining in the Area; **NONE. THE NEXT OPERATOR SHOULD BE ABLE TO RESUME WHEREVER WE LEAVE OFF AS THERE IS LIKELY TO BE A GREAT DEAL OF UNSPOILED MATERIAL STILL ABOVE GROUND LEVEL AND SEVERAL ACRES RADIATING OUT FROM THE "SWEET SPOT" THAT OPERATOR DOES NOT INTEND TO DISTURB.**

V. Provide a Description of Drill Hole Plugging Procedures in accordance with NRS 534.425 through 534.428, if Applicable; **N/A -- NO HOLES TO BE DRILLED. EXPLORATION COMPLETED OVER 35 YEARS AGO.**

W. Provide a Description of Concurrent Reclamation, if Applicable;
Disturbance to be continued throughout operation, concurrent reclamation not applicable.

RESPONSE: As aforesaid, a substantial percentage of the reclamation promised by former operators who never succeeded in extracting very much mineral will be accomplished as an integral part of this plan. While as the subject mineral reserves are depleted, the aforementioned reclamation concerning contouring and grading is a by-product of the commercial activity projected herein.

X. Provide a Description of Measures to be Taken During Extended Periods of Non-operation to Maintain the Area in a Safe and Clean Manner and to Reclaim the Land to Avoid Erosion and Other Adverse Impacts. If not Filed at the Time of Plan Submittal, this Information Shall be Filled whenever the Operator Anticipates a Period of Non-operation, if Applicable;

RESPONSE: Operation has always been observed to be seasonal for some fifty years to date at this site. Usually, between Thanksgiving and Easter very little activity takes place, if any. The mine has been known to operate 7 days a week, but usually it doesn't. A workday usually consists of 8 hours, but occasionally it has operated until dark. The estimated average production per year is around 800 tons, and therefore the mine has many decades left in its anticipated life. During production the site is routinely policed and spare parts, extra materials are kept stacked, tarpped or organized out of the way of activity incident to mining. Just preceding the winter months additional effort is made to put things away in an orderly fashion that won't likely be used until spring.

The following is a possible list of equipment that would be left on-site during extended periods of non-operation:

Conveyors
Hoppers
Pallets
Jumbo tote bags
Blue Hammer Mill
Assorted equipment parts
Screeners

Bureau of Land Management
RECEIVED
MAY 28 2015
Caliente Field Office

See APPENDIX X for further information

4. **Provide A Statement** that the Applicant Agrees to Assume Responsibility for the Reclamation of any Surface Area Affected by the Mining Operation:

"THE UNDERSIGNED HEREBY AGREES TO ASSUME RESPONSIBILITY FOR THE RECLAMATION OF ANY SURFACE AREA AFFECTED BY ITS MINING OPERATIONS."

ATTEST

_____

"OPERATOR"

5. **PROVIDE AN ESTIMATE** of the Reclamation Cost, based on:

A. The Cost of Equipment Rental, Operation and Labor Appropriate for the Geographic Area, or;
B. The Estimate of Cost from and Outside Contractor, or:
C. Any Other Method which is Acceptable to the Administrator, the Bureau of Land Management, the United States Forest Service or Another Federal Land Management Agency, if Appropriate: **[SEE APPENDIX VII FOR CALCULATIONS**
D. Provide a Narrative Description of the Following Proposed Reclamation Activities, if Applicable;

a. **Earthwork:**
Yard: A forklift and/or man lift will be used to dismantle the shed, and the dismantled shed will be hauled out along with the mining equipment on a flat bed truck. A backhoe and/or excavator will be used to remove concrete slabs and footings. A loader will be used to remove the fence posts after the barbed wire is unstapled or snipped and rolled up at intervals. The loader will also tear down the loading dock, and once everything is torn down, the loader will then load fence debris, concrete, spare parts, and miscellaneous trash into a dump truck to be hauled to the landfill.
Parcels: The parcels will be contoured through the course of mining and the drop-off will be blended into the lower area of the yard on a gentle gradient (3:1) Any disturbed area not contoured through the course of mining will be done with a grader and dozer at 3:1 slope. **See also Section 3 E and F and Reclamation Plan Map in Map Appendices CONCERNING COST CALCULATIONS REFER TO APPENDIX VII.**
b. Revegetation: **(REFER TO APPENDIX VIII)**
c. Removal/Disposal/Salvage of Structures and equipment: **(REFER to APPENDIX VII)**
d. Post Reclamation Maintenance: **Site will be monitored once a year, in the late spring or early summer, for at least three years to identify any noxious or invasive weeds and determine what type of vegetation is growing on site. With the guidance of the BLM certain seed mixes will be used to assure the growth of vegetation within the three year monitoring.**
e. Equipment mobilization/demobilization: All necessary equipment is readily available locally. No outsourcing of manpower beyond the Caliente, Pioche, Panaca triangle should be necessary.
f. Cyanide Stabilization/Neutralization Measures, or Provide Reference to the Permit Issued Pursuant to NAC 445.242 through 445.24388: **N/A**

g. Agency Administrative/Management Costs; (it would seem reasonable that a mere inspection when Operator notifies it has completed the work would allow for final certification by the BLM. NONE OF THE RECLAMATION WORK IS COMPLICATED, NOR TIME CONSUMING. It need not require an ongoing inspector present since the work can be accomplished in one week, or less, and is very straightforward. Nevertheless, a 10% administrative fee has been factored into the estimate to defray any costs attendant to BLM inspection.)

E. Provide a Reclamation Cost Estimate Submitted on NDEP Form or Equal:
REFER TO APPENDIX VII.

6. PROVIDE AN ATTACHED PERMIT APPLICATION FEE (To be provided with NDEP Copy ONLY);

Provide the Following Application Fee Calculation for Affected and Unreclaimed Land included in the Plan for Reclamation.

5.05 Acres of Public Land X $1.50	= $7.57
- 0-Acres of State and/or Private Land X $2.50	= N/A
TOTAL FEE	**= $7.57**

Note: A check or money order representing the total amount of this calculated fee must be enclosed with the Permit Application which is submitted to NDEP. Make the Check or Money Order Payable to the State of Nevada, Division of Environmental Protection.

7. Provide A Written Statement setting forth the effect that the Proposed Reclamation will have on Public Safety. (NAC Chapter 513 may be obtained from Nevada Department of Minerals, which provides safety requirements for abandonment of mines):

THE PROPOSED RECLAMATION AS SET FORTH HEREIN WILL IMPROVE THE SAFETY OF THE AREA IN AT LEAST THREE WAYS, TO WIT:

1) THE REMOVAL OF FENCES, GATES, TEMPORARY STRUCTURES, EQUIPMENT AND SUPPLIES FROM THE YARD WILL OBVIATE ANY POTENTIAL FOR VANDALISM AND POSSIBLE HARM TO VANDALS AS A RESULT
2) THE SMOOTHING OUT OF KNOLLS (Parcel B) BORDERING Parcel A WILL SMOOTH OUT THE TERRAIN AND OBVIATE CONCERNS ABOUT HORSEMAN, FOURWHEELERS AND HIKERS STUMBLING OR TRIPPING OVER, IN A NUMBER OF AREAS THAT PRESENTLY ARE TANTAMOUNT TO AN ATTRACTIVE NUISANCE FOR THRILL SEEKERS. BY DENYING ACCESS IN THE INTERIM WHILE MINING ACTIVITIES ARE ON-GOING-WITH EACH PASSING DAY AS THE CONTOURS BECOME LESS EXAGGERATED, THE RISK OF INJURY OF THIS TYPE IS COMMENSURATELY REDUCED.
3) BY ELIMINATING THE CLIFF FACE ON THE SOUTH SIDE OF THE YARD (AFTER REMOVAL OF THE STOCKPILE) SIMILARLY THRILL SEEKERS WILL NOT HAVE A JUMP OFF AREA WHERE THEY COULD HARM THEMSELVES.

8. Acknowledgements:

A. It is Understood that should the Nature of the Operation Change a Modified or Supplemental Plan of Operations and Reclamation may be Required.
B. It is Understood that Approval of this Plan of Operation and Reclamation does not Constitute: (1) Certification of Ownership to Any Person Name Herein; and (2) Recognition of the Validity of any Mining Claim Herein.
C. It is Understood that a Bond Equivalent to the Actual Cost of Performing the Agreed upon Reclamation Measures will be required before this Plan can be approved. Bonding and Any Bond Reduction Amounts will be set on a Site-Specific Basis by the Lead Agency in Coordination with the Cooperating Agencies.
D. It is understood that approval of this plan does not relieve the operator of any responsibility to comply with any other applicable State or Federal Laws, Rules or Regulations.
E. It is Understood that any Information Provided With This plan that is Marked confidential will be Treated by the Agency in Accordance with that Agency's Laws, Rules and Regulations.

I/We have reviewed and Agree to Comply with all Conditions in the Plan of Reclamation and Operations, including the Recommended Changes and Reclamation Requirements. I/We Understand that the Bond will not be released until the Forest Officer, the BLM or the State Agency in Charge gives written Approval of the Reclamation Work.

AGREED

Operator (or Authorized Official)

Date: 2/18/15

APPENDIX XI SHALL CONSTITUTE THE NOTICE OF OCCUPANCY, WHICH SHALL RUN CONCURRENTLY WITH THE DURATION, AND BLM APPROVAL, OF THIS PLAN OF OPERATIONS.

APPENDICES

APPENDIX I

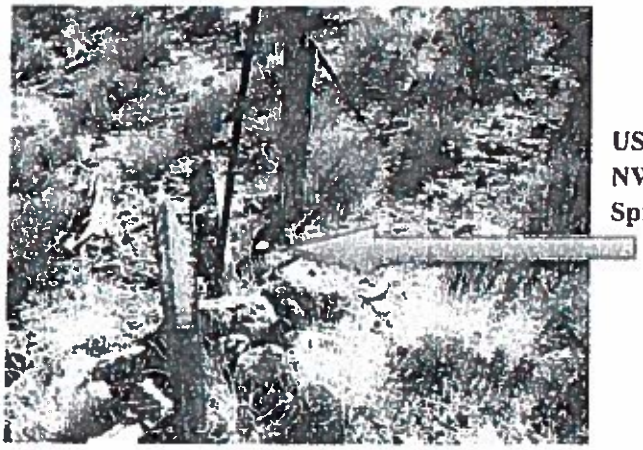
DESCRIPTION OF CLAIMS BOUNDARIES

APPENDIX II (following this narrative) depicts all 36 sections of 640 acres apiece of TOWNSHIP 2 SOUTH, RANGE 68 EAST OF THE MOUNT DIABLO MERIDIAN, LINCOLN COUNTY, NEVADA

Within Section 4, the fusion of its northeast ¼ section (Robin I) and southeast ¼ section (Robin II) is delineated by a red line.[Refer to APPENDICES II – PLAT MAP]

A USGS capped stake is locatable in the southwest corner of Robin II. Thence, a barbed wire fence line runs north, up the center of Section 4, demarcating most of the Robin II claim's westerly boundary. Both this fence and marker may be lined up with a further USGS capped stake locatable just north of the reservoir within the alignment of a separate fence.

This fence line which marks the western extremity of Robin I and II was recently improved by the BLM both adjacent the **Panaca Spring** (bordering Robin I) and to the south, bordering Robin II.



USGS capped stake marking the ROBIN I NW corner boundary north of the Panaca Spring

Looking south from improved fence line above the Panaca Spring.

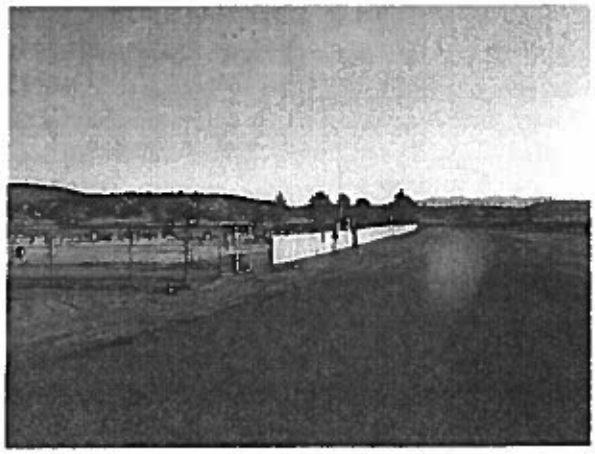
Other Notable features:

a) The **Panaca Spring** reservoir used as a swimming hole in the northwest quadrant of section 4 is shown on the GENERAL LOCATION MAP found in MAP APPENDICES. The reservoir's eastern extremity is a marshy area, which extends within the Robin I claims area.

b) The acreage delineated by a box of broken lines surrounded by a second box of solid lines best known as the acreage leased to the county for recreational purposes which overlaps the Robin I and Robin II claims from their midway point on its western edge all the way to their eastern extremity. [Refer to APPENDICES II – PLAT MAP]

c) The Panaca Cemetery, including land under actual use and addition patented land forming a rectangle with the Robin I claim's southwestern extremity. [Refer to APPENDICES II]

d) The county maintained road and access road to hilltop where Parcels A, B and C are located are visible on all topographical and aerial photos.



Cemetery looking east

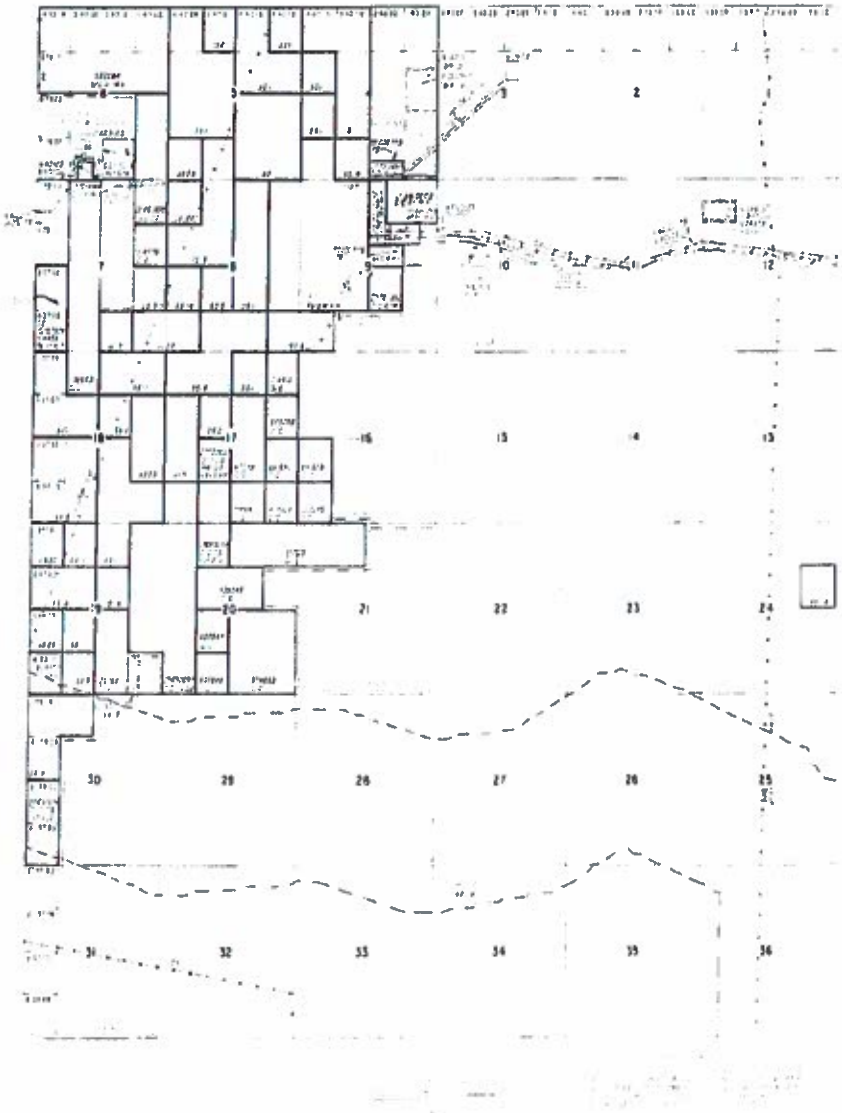
APPENDIX II

TOWNSHIP 2 SOUTH RANGE 68 EAST OF THE MOUNT DIABLO MERIDIAN, NEVADA

ELY DISTRICT

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL RIGHTS

MT PLAT



APPENDIX III

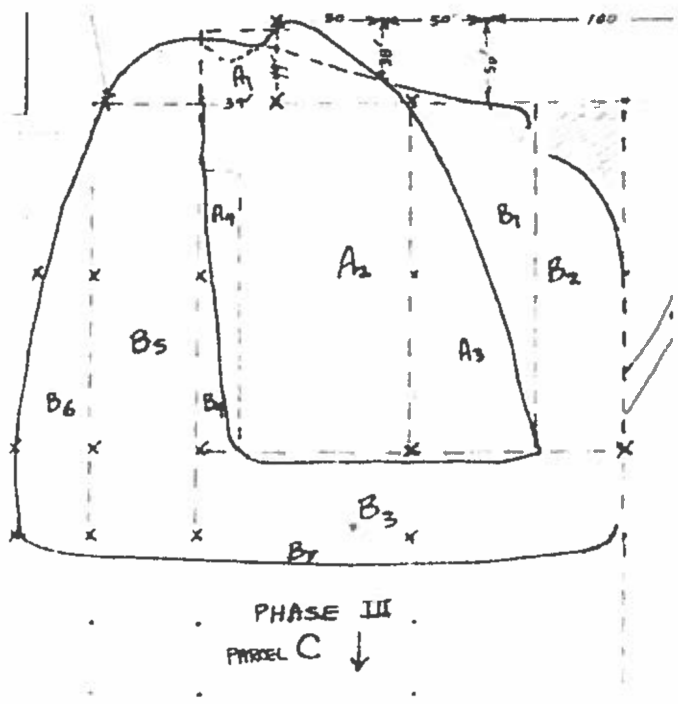
ESTIMATED CALCULATION OF CURRENT AND PROPOSED DISTURBANCE THAT FALLS WITHIN MINE PLAN

Table of Dimensions and Square Footage/Acreage of **Parcels A, B, & C**

Sub-parcel	Formula	Square Footage
A_1	39' x 49'	1,911'
A_2	[200' x 100'] – [10' x 160']	18,400'
A_3	[200' x 60']/2	6,000'
A_4	[20' x 160']/2	1,600'
B_1	[60' x 200'] / 2 – [50' x 30'] / 2	5,250'
B_2	[40' x 100'] + [40' x 100']/2	6,000'
B_3	50' x 200'	10,000'
B_4	20' x 160'/2	1,600'
B_5	50' x 250'	12,500'
B_6	40' x 250'/2	5,000'
B_7	20' x 288'	5,760'
C	70' x 350'	26,250'
Total A+B+C	Acreage A+B+C = 2.297 acres	100,271'

This leaves 1.36 acres for the yard and approximately 1.4 acres for a buffer zone = 5.05 acres

The subsections are used to determine acreage and the sub-phases of mining.



APPENDIX IV

§3802.1-4(c)(3) FURTHER DESCRIPTION OF THE OPERATION

1- Operations in Earnest. The following narration shall constitute Operator's more detailed *Plan of Operations* to be considered for approval.

a. Operator desires to divide into and present its *Plan of Operations* in a number of phases.

b. Land on the south hillside adjoining the aforesaid yard and constituting less than three acres shall be the exclusive area of proposed activity for Phases I-III (in addition to the continuing occupancy of the adjoining yard).

c. Total land projected for activity proposed herein including Phase III shall be 5.05 acres.

i. During Phase I Operator shall first remove loose stockpiled material at the base of cliff face forming the southern perimeter of the yard. When this material is nearly exhausted, the rotovated material in the wedge-shaped section depicted as **Parcel A** will be pushed downhill into the remainder of the aforesaid stockpile located in the SW corner of the yard. These procedures are accomplished by using a normal farm tractor, Operator's CAT front-end loader, or other suitable mechanized equipment such as a traditional scraper.

ii. Also in Phase I, material residing in **Parcel B** (peripheral to **Parcel A**), will be plowed or "ripped" using a farm implement, then rotovated and pushed down the hill successively to the stockpile until a similar contour and slope have been achieved, as is evident in **Parcel A**.

iii. In Phase II overburden currently resting on the western edge of **Parcel B** will be nudged five or six feet to fall off the shelf or table of activity where Phase I and II activity are to take place. As it assumes the level of the undisturbed overburden upon which it is to rest, varying from four to twelve feet below its current level and following the contour of the corresponding topography, this point of demarcation will serve to outline the final western boundary of Phase II. Further ripping, rotovating and removal, as aforesaid will continue until a gradual sloping of said table (comprised of **Parcels A** and **B** and the strip of cliff edge previously underneath the relocated overburden) from the *Window Peak* natural monument in a westerly direction, assumes a gradient and profile which blends into the adjacent undisturbed area.

d. Note that the activity proposed for Phase II is necessary to bring the project into conformity with a *notification of proposed reclamation* activity sent to the Caliente, BLM office in 1989, but which was never performed by the operator who filed it, nor completed by its successor, following in 1992. Operator is willing to complete this work in mitigation of its duties presumed inherited from its predecessors. Although the extraction of the material in **Parcel B** will benefit Operator's business objectives, and is an important part of this proposed *Plan of Operations* from a commercial point of view, undertaking Phase II kills two birds with one stone. If the work is not performed in conjunction with operations projected for **Parcel A**, an unsightly gully could result contributing to erosion and later rendering the properly less safe to grazing cattle, recreational vehicles, and so forth.

e. Phase III: Operations include a small portion of the current buffer zone immediately to the south of **Parcels A** and **B** on **Parcel C**. In *Step I* of Phase III Operator intends to remove six inches to a foot of overburden in an area not to exceed .60 acres. It shall be measured and staked beforehand so as not to exceed a combined area of activity of 5.05 acres including the loading dock just outside the fence, the yard, **Parcels A, B,** and **C** and service road running up the hill adjoining them. The small amount of removed overburden anticipated will be deposited alongside and mingled in with that presently along the periphery of **Parcel B**.
In *Step II* of Phase III, **Parcel C** shall be ripped and rotovated and its material gradually worked down hill and deposited to the southwest stockpile as with previous phases and parcels.
Finally, in *Step III* of Phase III, the final contouring [See Reclamation Work] will be accomplished to integrate and conform the disturbed area of **Parcel C** to the profile assumed with respect to **Parcels A** and **B** and their contiguous land masses of substantially undisturbed area.

2) Operations Incident to Mining. Over the course of Phases I, II and III material first removed to the stockpile shall be alternatively loaded "as is" into trucks waiting at the loading dock or used to fill the blue hopper of the corresponding plant for screening and/or bagging. It is anticipated that in the early stages of operations a substantial percentage of the stockpile material will be bagged and stored inside the shed bordering the east edge of the yard for transport at a later date. However, it is possible as orders may increase that Operator will choose to export much of the bulk stockpile material to remote locations in other parts of the state on private land for processing there, or increase the percentage merely shipped "as is" directly to customers. Sometimes material will be screened directly into semi trailers standing by. At other times screened material may be allowed to accumulate on the ground for further screening with the small equipment sometimes stationed at the northern extremity of the shed. A relatively small percentage of the stockpile material will be directly screened by small equipment and a similar amount will be processed using the prescreened material already stored in bags. {Refer to "Techniques", page, 4.]

Material stockpiled inside the fence, northeast of the main gate and loading dock and adjacent to the large, blue screening plant may be re-screened by either the large or small equipment, sold off "as is" as bulk, or spread out along the north side of the big plant and rotovated before further screening, or returned to the SW stockpile for recycling at a later date.

In the past all proposed operations have been evaluated by the EPA and permits granted for fugitive dust, including both surface disturbance and screening activities.

APPENDIX V

Typical Vehicles Used in Mining the Property

1- **CAT 966c Front End Loader**
2- **John Deere** ("lawn tractor") **Compact Utility** w/without loader and scraper box.
3- **Toyota Forklift**
4- **Yale Forklift**
5- **Other John Deer ("farm tractors") and backhoe vehicles.**

None owned by Operator but sometimes maintained or parked at site. All are property of independent contractors and only rented by Operator from time to time.

All of the vehicles listed above may be driven off the site using their own power. They will be the last items to be removed since they will be necessary for operations right up until reclamation activity beings, and in the reclamation activity itself.

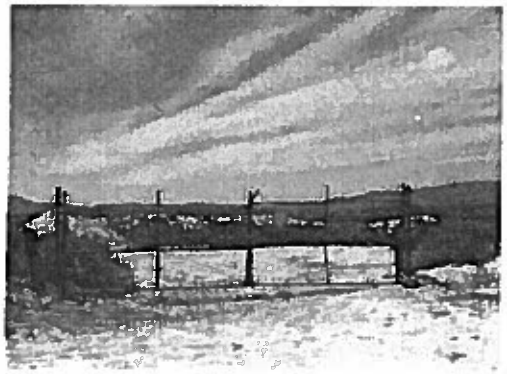
The two tractors will have utility in grading, contouring, and smoothing our ground disturbance and hauling timbers and other supplies and spare parts to an off site storage yard. In addition the Caterpillar loader is suitable for demolition work such as unearthing and picking up footings and slabs, fence posts, pushing, pulling and especially hoisting unwieldy objects. It has a bucket capable of hauling approximately 5.5 cubic yards of earth with excellent grading and excavation capabilities.

The Forklifts will be useful in loading small screening equipment, supplies and inventory onto flatbed trucks to be hauled away. They also will be useful during dismantling of the shed and for hauling and loading timbers from the dismantled loading dock and fence and container's foundation for disposal.

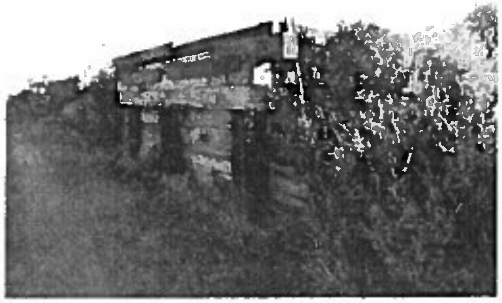
APPENDIX VI

List of additional items that are currently and/or proposed to be used and stored in the yard, and to be dismantled and/or removed pursuant to reclamation.

A- Fencing – Barbed wire fence around the yard, 600 feet in total with approximately 100 posts
Gates – West Front Gate 27'x 7'6" foot Chain link and East Back Gate 20'5"x 6' foot Chain link
B- Loading Dock – 13' 3"x11'4"x 6'8" made with approx. a dozen Railroad Ties 7"x 9" x 8'
C- Shed – 76'x 46'x 18'
D- Footings – 4 each approximately 3'x 3' x 3'
E- Shipping Container 45' x 7'8"x 8'6"
F- Large Blue Screening Plant – 13'x10'6"x 5' w/conveyor 45'x 3' x14'
G- Detached Blue Conveyor – 37'x 3' x 7'
H- Concrete Slab – 10'x12'x 4"
I- Large Blue Hammer Mill with Grizzly – 20'x 18'x 8'6"
J- Small generator
K- Jumbo totes – vary in number hold one ton of material
L- Pallets – vary in number but standard in size 48"x 40"
M- Two yellow hopper bins one is 13'x 6'x 6'6" and one 10'3"x 6'x 5'6" and beige 17'8"x 8'x 7'
N- Miscellaneous spare parts
O- Rotavator – 7'
P- Small screening equipment 6'3"x 4'x 4'

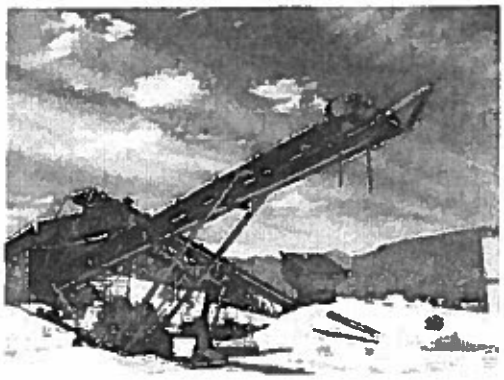


Front West Gate

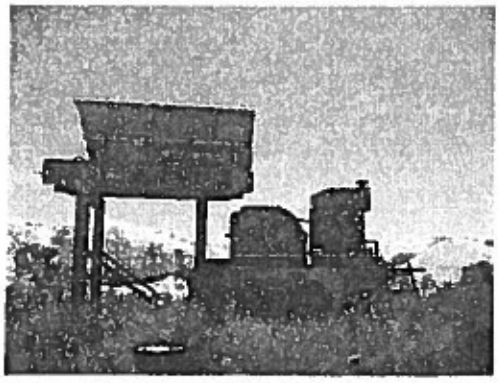


Loading Dock

Shed, Container, Pallets, Totes



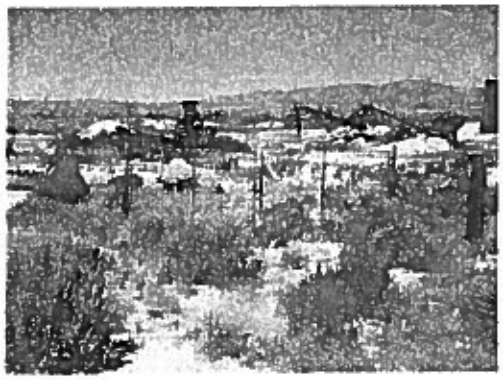
Blue Screener and Blue Conveyor



Hammer Mill w/Grizzly

Yellow and Beige Hoppers and Fence

Concrete Slab



Back East Gate

APPENDIX VII

Contractor and Operator Certification of Exploration Reclamation

Cost Estimate for Federal Lands

I, _____ of _____
(name, title, and company) (address)

hereby certify under penalty of 18 USC 1001, that my submitted reclamation estimate and its hourly rates include FICA, SHS, unemployment insurance, liability insurance, bond premium costs (if applicable), and my profit.

Signed: _____, Title _____
(if any);

Date: _____

I, Kristin Doulina hereby certify under penalty of 18 USC 1001, that I have reviewed, or caused to have reviewed, the above contractor's reclamation cost estimate for my project and I concur with the materials facts and statements contained therein.

Signed: K. Doul

Date: 2/18/15

NOTE: Title 18 USC § 1001 provides that:

"Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up any by any trick, scheme, or devise a material fact, or makes any false, fictitious, or fraudulent statements or representations, or makes or uses any false writing or documents knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than $10,000 or imprisoned not more than five years, or both."

NOTE: THIS DOCUMENT IS PROVIDED ONLY FOR APPROVAL AS TO FORM. AN EXECUTED ORIGINAL SHALL BE SUBSTITUTED FOR IT PENDING ITS APPROVAL AS TO FORM AND THE BASIC MATHEMATICAL PARAMETERS, OF THE ATTACHED COST ESTIMATE SUMMARY SHEET(S)

The Estimate Cost of Reclamation is from an Outside Contractor.

[See QUOTE in RECLAMATION QUOTE APPENDIX]

For purposes of bonding, the estimated cost of reclamation is from an outside contractor. Rockscape Trucking & Excavating.

Rockscape Trucking & Excavating will provide all the equipment and labor needed for reclamation of the disturbed area.

First, Rockscape Trucking & Excavating will clean the property by removing all metals: shed, mining equipment, and spare parts. They will also remove the fence (barbed wire and posts), loading dock and other yard waste (concrete slab, footings, pallets, tote bags, trash, etc.) for a cost of $7140.00

A loader will be used to pull up fence posts, load trash and scrap metal. The loader will also be used to tear down the screening plant and loading dock. A forklift and man lift will be used to dismantle the shed. An excavator will be used to remove the concrete slab and footings and all waste will be hauled out in a dump truck. A crane and flatbed truck will be used to remove mining equipment and dismantled shed.

Second, Stubb's Containers will remove the shipping container for a cost of $80.00 (local transportation fee)

Third, Rockscape Trucking & Excavating will grade and slope the area of reclamation to a 3:1 ratio using a grader and dozer. [See Reclamation Plan Map in Map APPENDICES]

Finally, the area will be seeded using the recommended seed mixture [See APPENDIX VIII] provided by the Operator, at an estimated cost of $250.00, from Great Basin Seeds. Rockscape Trucking & Excavating will seed the reclamation area using the broadcast method for $1120.00.

Monitoring will be done once a year, for three years, using the visual method along with photographs to provide a historical reference. $630 dollars will allow a Landscape Gardener in Lincoln County at a prevailing wage of $52.79 hour to monitor and document the seeded area with photographs.

INDIRECT COSTS:

Contingency 10% = $ 1281.50

Insurance at 1.5% of labor costs = $192.22

Contract Administration fee of 10% = $1281.50

BLM Indirect Cost 22.9% = $2934.63

APPENDIX VII
RECLAMATION COST ESTIMATE

	LABOR	EQUIPMENT	MATERIALS	TOTAL
A. EARTHWORK/RECONTOURING				
EXPLORATION	0	0	0	0
EXPLORATION ROADS & DRILL PADS	0	0	0	0
ROADS	0	0	0	0
DRILL HOLE ABANDONMENT	0	0	0	0
PITS	0	0	0	0
UNDERGROUND OPENINGS	0	0	0	0
PROCESS PONDS	0	0	0	0
HEAPS	See Rockscape Trucking & Excavating Quote			3675
WASTE ROCK DUMPS	0	0		0
LANDFILLS	0	0	0	0
TAILINGS	0	0	0	0
FOUNDATION & BUILDING AREAS	0	0	0	0
YARDS, ETC.	0	0	0	0
DRAINAGE AND SEDIMENT CONTROL	0	0	0	0
OTHER	0	0	0	0
MOBILIZATION/DEMOBILIZATION	0	0	0	0
SUBTOTAL		0	0	3675
B. REVEGETATION/STABILIZATION				
EXPLORATION	0	0	0	0
EXPLORATION ROADS & DRILL PADS	0	0	0	0
ROADS	0	0	0	0
DRILL HOLE ABANDONMENT	0	0	0	0
PITS	0	0	0	0
UNDERGROUND OPENINGS	0	0	0	0
PROCESS PONDS	0	0	0	0
HEAPS	0	0	0	0
WASTE ROCK DUMPS	0	0	0	0
LANDFILLS	0	0	0	0
TAILINGS	0	0	0	0
FOUNDATION & BUILDING AREAS	0	0	0	0
YARDS, ETC.	0	0	0	0
DRAINAGE AND SEDIMENT CONTROL	0	0	0	0
OTHER (Reseeding)	1120	See Rockscape Quote	250	1370
SUBTOTAL	0	0	250	1370
C. DETOXIFICATION/WATER TREATMENT & DISPOSAL OF WASTES				
INTERIM FLUID MANAGEMENT	0	0	0	0
CLOSURE PLAN DEVELOPMENT	0	0	0	0
PROCESS PONDS/SLUDGE	0	0	0	0
HEAPS	0	0	0	0
DUMP(WASTE&LANDFILL)	0	0	0	0
TAILINGS	0	0	0	0
SURPLUS WATER DISPOSAL	0	0	0	0
MONITORING	0	0	0	0
SUBTOTAL	0	0	0	0

APPENDIX VII
RECLAMATION COST ESTIMATE

	LABOR	EQUIPMENT	MATERIALS	TOTAL
D. STRUCTURES, EQUIPMENT AND FACILITY REMOVAL				
FOUNDATION & BUILDINGS AREAS	See Rockscape Trucking & Excavating Quote			3260
OTHER DEMOLITION				
EQUIPMENT REMOVAL+(SALVAGE)	See Rockscape Trucking & Excavating Quote			2200
FENCE REMOVAL, spare parts, and other misc.	See Rockscape Trucking & Excavating Quote			1600
FENCE INSTALLATION	0	0	0	0
PIPE & CULVERT REMOVAL	0	0	0	0
POWERLINE REMOVAL		0	0	0
RIP-RAP, ROCK LINING, GABLONS	0	0	0	0
OTHER- 46 foot shipping container	Stubbs Containers will haul away			80
SUBTOTAL		0	0	7140
E. MONITORING				
RECLAMATION MONITORING AND MAINTENANCE	EPA averg.($2000 for 5 acres) minus seeding			630
GROUND AND SURFACE WATER MONITORING	0	0	0	0
SUBTOTAL				630
F. CONSTRUCTION MANAGEMENT & SUPPORT				
CONSTRUCTION MANAGEMENT	0	0	0	0
ROAD MAINTENANCE	0	0	0	0
OTHER	0	0	0	0
SUBTOTAL	0	0	0	0
G. OPERATIONAL & MAINTENANCE COST	0	0	0	0
SUBTOTAL	0	0	0	12815
H. INDIRECT COSTS				
ENGINEERING, DESIGN & CONSTRUCTION	0	0	0	0
CONTINGENCY (10 percent)	0	0	0	1281.5
INSURANCE (1.5 percent of labor)	0	0	0	192.22
BOND	0	0	0	0
CONTRACTOR PROFIT	0	0	0	0
CONTRACT ADMINISTRATION (10 percent)				1281.5
BLM INDIRECT COSTS (22.9 percent)				2934.63
SUBTOTAL	0	0	0	5689.85
GRAND TOTAL				**18504.85**

APPENDIX VIII

Re-vegetation [5.D.b.]

An expansive area commencing just north of the county road (originating alongside the local fairgrounds and continuing around Window Peak to the west) which nearly abuts the junction of the south end of Robin I and the north end of Robin II, is outside the scope of the our comprehensive Plan of Operations in all but one respect. Nevertheless, of note within this remarkable area is a virtual Four-wing Saltbush forest which thrives with some individuals approaching several feet in height and diameter exhibiting almost lush foliage. The densest part of the saltbush community nearly extends to the borders of the *Panaca Reservoir* (popular local swimming hole) and natural spring.

Each autumn when the desert is very dry, contracted seed gatherers frequent the perimeter of the yard and the aforesaid saltbush community to harvest seed ostensibly for reclamation or reforestation purposes. Operator proposes to do the same little by little in future years to accumulate this seed for planting and beautification of the area once the grading is finished.

Saltbush is a hearty species and well adapted to the hard-to-penetrate clay soil, which is the subject of this plan. An observable number of individuals are thriving in and around the fence line in the barricade of overburden deposited there by former operators to restrain view and entry to the yard. It would not be long before another saltbush community like the one to the north could spring up and beautify the slopes, retarding or even preventing potential erosion.

Seeds may be broadcast with a fertilizer spreader in furrows that could be created with a disk drawn behind one of the tractors and then covered with a roller. Alternatively, a more selective approach may be taken by hand planting at intervals pods of seeds or individual seeds. Experiments may be conducted in the forthcoming years to see which planting method works best and which other types of vegetation would be ideally suited both ecologically and aesthetically to the disturbed area.

However, during final reclamation, a seed mix approved by the BLM Caliente Field Office would be used to reseed all disturbed areas, such as:

Indian ricegrass (Achnatherum hymenoides) 8-12 lbs/ac
Needleandthread (Hesperostipa comata) 1-2 lbs/ac
Galleta (Pleuraphi jamesii) .02-.5 lbs/ac
Sandbergs bluegrass (Poa secunda) .02-.5 lbs/ac
Black sagebrush (Artemisia nova) .5-1 lbs/ac
Nevada ephedra (Ephedra nevadensis) .02-.05 lbs/ac
Winterfat (Krashinninikovia lanata) .02-.05 lb/ac
Fourwing saltbrush (Atriplex canescens) .02-.05 lb/ac

APPENDIX IX

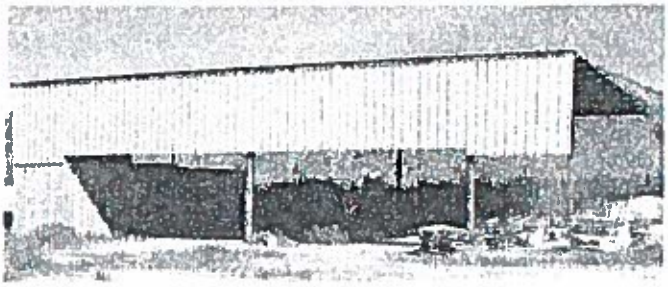
NOTICE OF PROPOSED OCCUPANCY

For the avoidance of doubt operator hereby gives formal notice of its proposed occupancy of the Robin I and Robin II mining claims consistent with approval of its *Plan of Operations* which Operator hereby incorporates by reference, and to which this Notice is appended. Occupancy shall consist in two respects, namely the A) on-going occupancy of the "yard" area incident to mining operations since 1948 (the 1st occupancy), and B) re-occupancy of the area where mineral extraction operations verifiably have taken place since the 1970's (th 2nd, or "additional" occupancy).

A) Regarding the "yard" straddling the Robin I and Rob II claims historically used by all operators of the quarry:

Detailed maps for said *Plan of Operations* can be found in **MAP APPENDICES**. The continued occupancy of the yard is reasonably incident to mining because a suitable place is needed to stockpile, screen, bag, warehouse, and ship refined material. [[illegible]]. The minerals extracted and quarried require a shed to protect them from weather so that in their refined state they do not revert to material that requires refining all over again. The mineral inventory needs to be isolated from public traffic to minimize the risk of tampering or vandalism. The mineral stockpile needs to be protected from recreational use to avoid accident. [[illegible]]. Likewise, the equipment, supplies and tools need to be protected from public interference and wandering cattle by reason of a fence which puts them on notice that the yard is a restricted area. At the same time the container and fence protect passersby and animals from being harmed by equipment when refining or loading activity is undertaken. [[illegible]] A watchman is not required at this time nevertheless the foregoing expressions meet the conditions referred to in [illegible]. Location of the only structure is illustrated herein and in **APPENDIX VI and Occupancy Map in MAP APPENDICES**

The following historical backdrop is of interest as a preview:



The entire occupancy has not materially changed over the intervening years until the present time with the addition of 1) a temporary structure (3420 sq. ft. "shed") erected to protect inventory for sale, supplies and certain equipment from the effects of weather, and as a deterrent to vandalism and theft (a container, under lock and key, forms the foundation of the northern end of this structure), and 2) a concrete slab to anchor some small screening equipment and augers used to refine further, re-bag the minerals removed from the hill (2nd occupancy) bordering the south side of the yard, and to refill fluids in small equipment.

The shed was conceived during International Trace Minerals, Inc.'s operation as a means to stockpile bulk material and keep it reasonably dry for screening during the rainy winter months. However, given

the ambient air humidity and frigidity during that season, the shed is more efficiently used to store bagged material ready for testing or market, since bulk material to be screened can be stockpiled in tote bags during the summer months and thus avoid the problems associated with winter production. The shed sits in the NE corner of the yard, inside the fence. [43 CFR Ch. II § 3715.3-2 (c)].

These installations are necessary to extend the operating period seasonally, including shipping, and to produce different grades of material prompted by fluctuating market demand. As such, just like the larger equipment on site, they are also reasonably "incident to mining". The use of the equipment and shed are planned for use consistent with the duration for the minerals to be quarried and Operator's involvement, and shall be removed within the reclamation period allotted once operations have ceased. [43 CFR Ch. II § 3715.3-2 (f)]. It is likely that the duration of the occupancy of the yard will continue for several more years.

The area is isolated from the general public by an obvious fencing off on three sides and cliffs on the fourth. By being adjacent to a county road, immediately bordering the yard on two sides (north and east), the yard is readily accessible by Operator by means of an auxiliary east gate and a main, west gate without causing additional surface disturbance, which road at the same time further delineates to the general public the yard as an "off-limits" area. The same road serves the public as a general access route to the cemetery, fairgrounds, public recreation area, swimming hole, farms and town. [43 CFR Ch. II § 3715.3-2 (e)].

Plans to place the appropriate signage indicating the existence of a mining area are underway [43 CFR Ch. II § 3715.3-2 (c)] instead of reposting "not trespassing" signs as was done by previous operators.

B) Regarding the occupancy of the hillside west of the Window Peak natural monument and immediately south and adjacent to the yard, refer to Description of the Operation:

Full details are presented in the appropriate sections of the *Plan of Operations*] and corresponding **APPENDICES III, IV, AND VI AND MAP APPENDICES**].

43 CFR Ch. II § 3715.5 STANDARDS

For peace of mind it is important to know that no fuel tanks, hazardous waste, water hook-up, wells or permanent electrical power are employed by Operator, nor are present in the yard. All MSHA and EPA standards are used in the operation of this mine to insure best practices.

The occupancy complies with the requirements imposed by § 3715.5, specifically the clean Air Act, Clean Water Act, and the Resource Conservation and Recovery Act as inferred from the Plan of Operations. Great care is taken to insure that dust clouds are not impacting the residents in the area and if dust clouds are present and traveling outside the mining area, operations are suspended until the wind conditions are more favorable.

There are no tailings incident to, nor chemicals employed in, the operations. Screened off material is of a homogeneous nature and is merely temporarily stockpiled to be recycled by further rotovating and/or further re-screening at a later date.

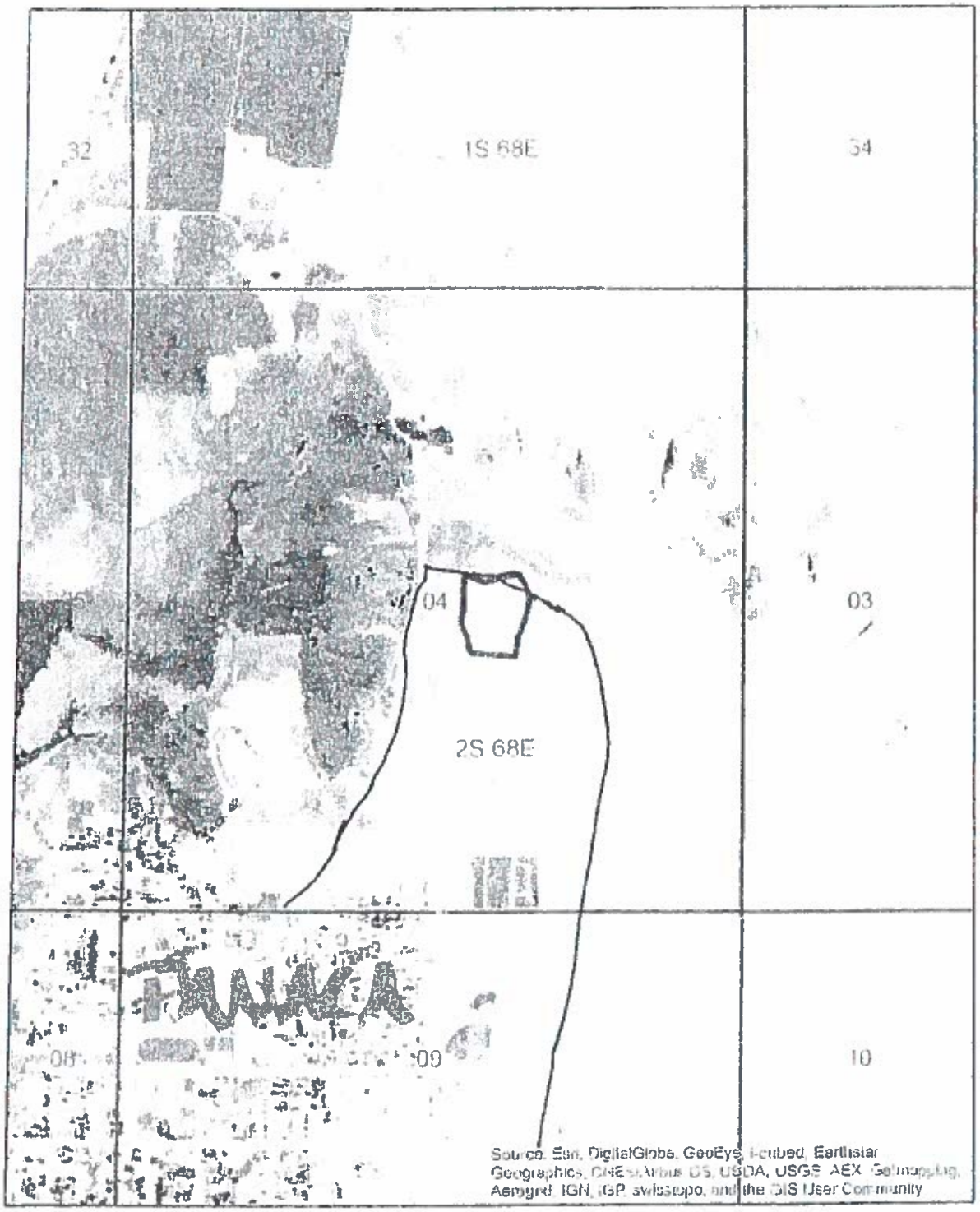
Any additional approvals, permits or fees required by the State of Nevada shall be obtained or paid, if required, contemporaneously with the with approval of the *Plan of Operations* by the BLM, and appropriate Notices given as necessary.

There are no permanent structures on site, nor sewerage issues. Work is to be performed in short intervals mainly by Operator's officers or independent contractors who reside in town. Routine removal of broken pallets, trash, spent containers of fluids, weeds and other refuse preserves the site from "unnecessary or undue degradation" of public land.

Notwithstanding anything to the contrary in the foregoing, Operator believes it can remove all structures and equipment easily depending on weather after cessation of activity pursuant to the proposed *Plan of Operations* and any extension or amendments to it. [43 CFR Ch. II § 3715.5-1]

MAP APPENDICES

General Location Map



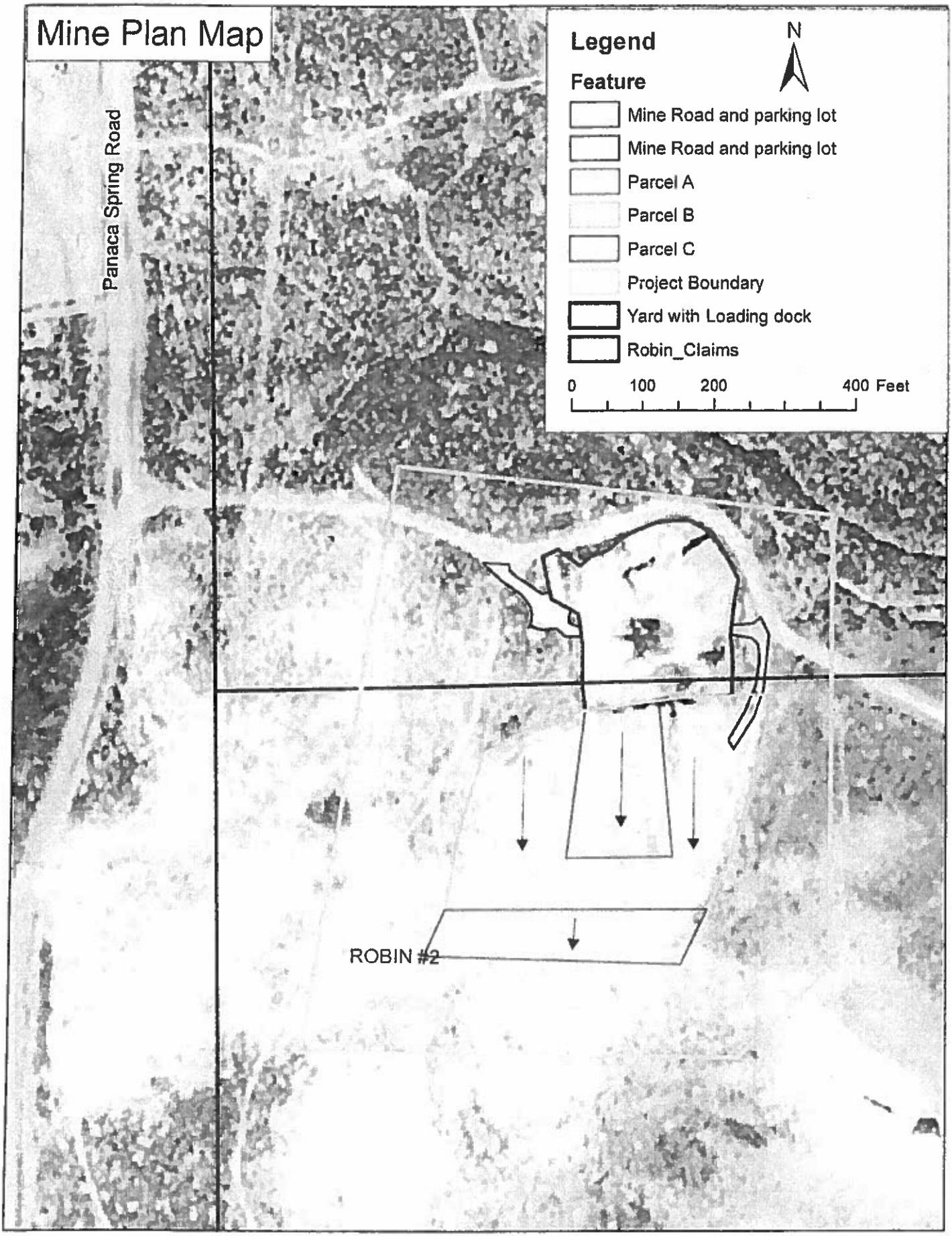
— Access Roads

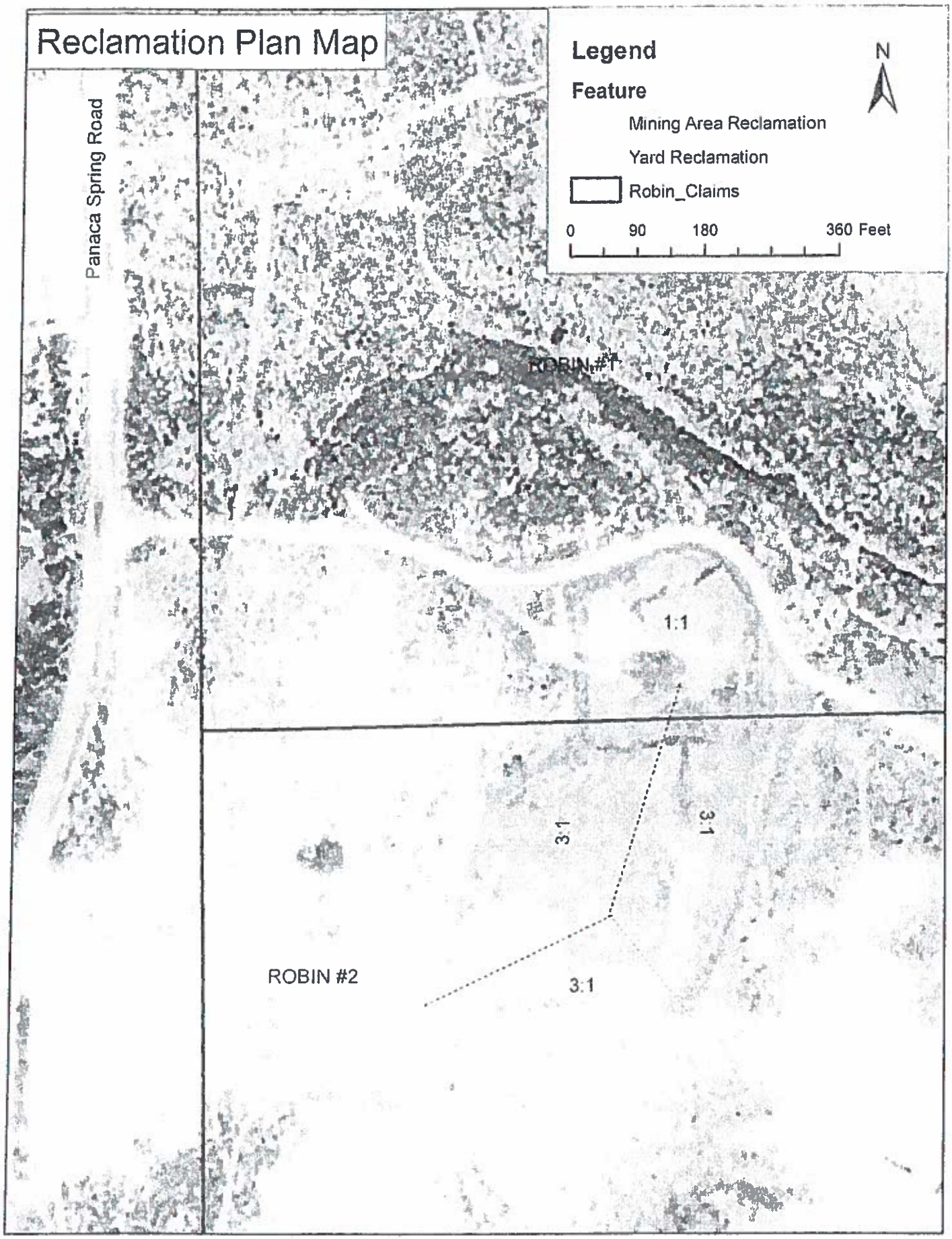
Legend

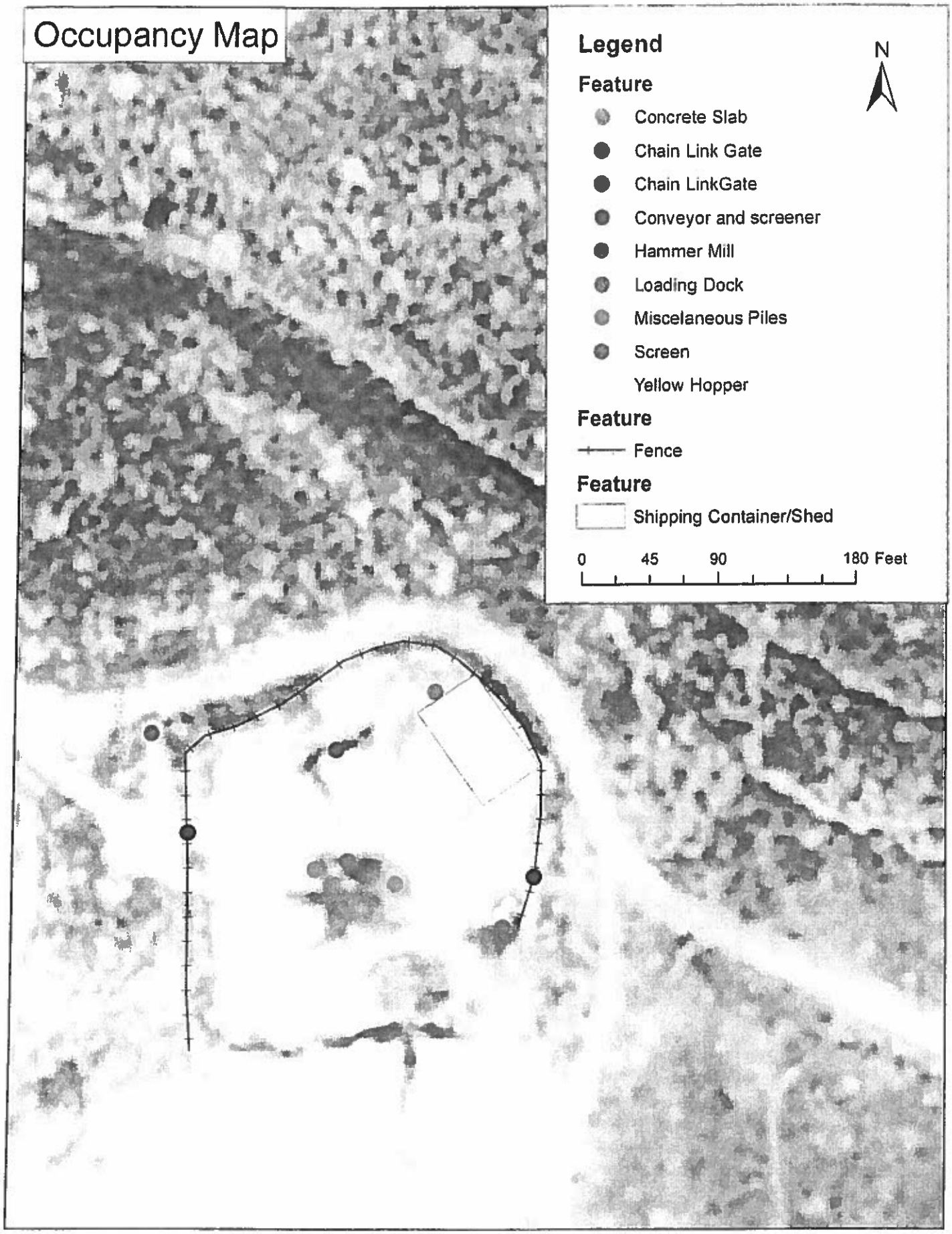
- Plan Boundsary
- Sections
- Townships

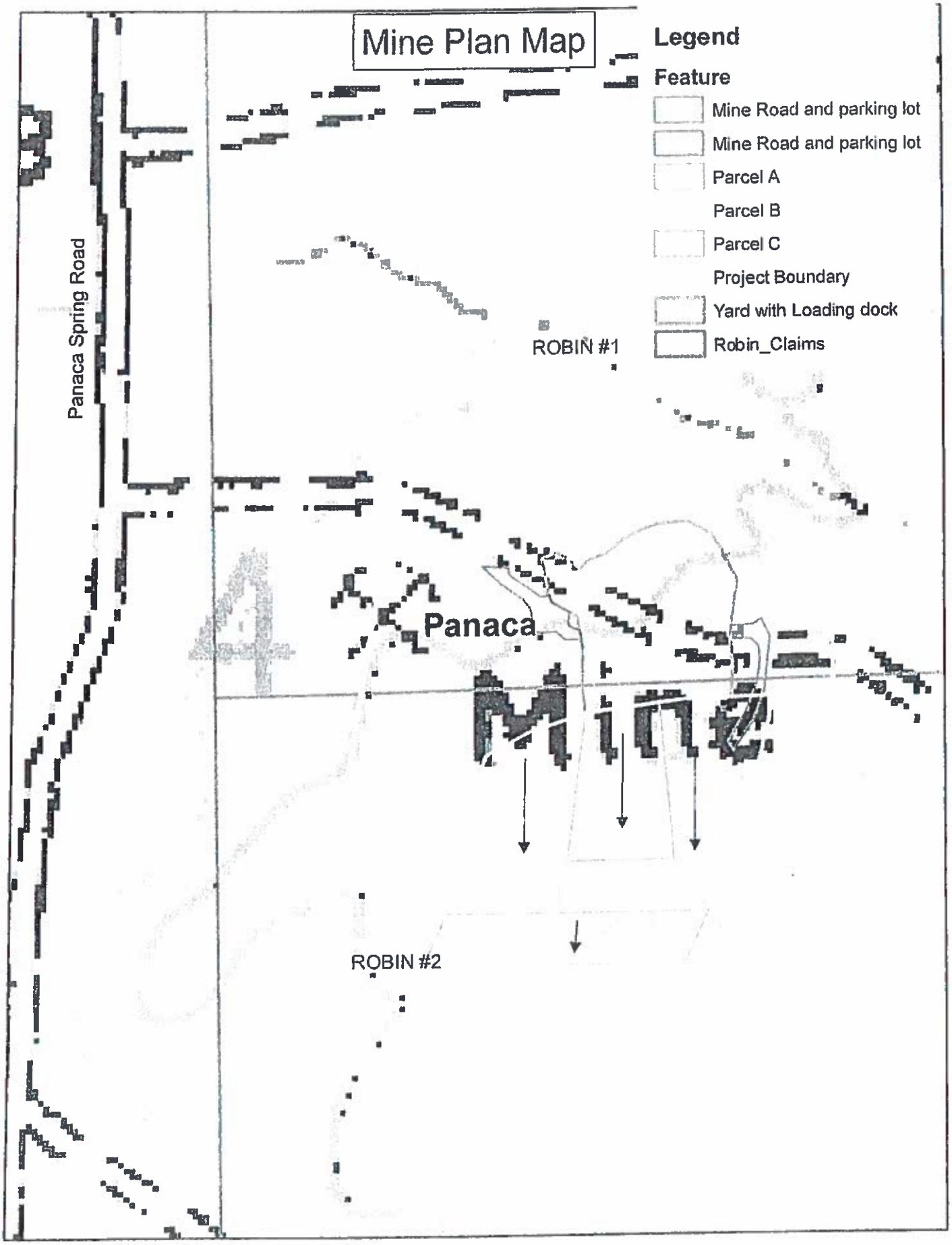
N

0 0.15 0.3 0.6 Miles


Mine Plan Map
Legend
N
Feature
Mine Road and parking lot
Mine Road and parking lot
Parcel A
Parcel B
Parcel C
Project Boundary
Yard with Loading dock
Robin_Claims
0
100
200
400 Feet
Panaca Spring Road
ROBIN #2


Reclamation Plan Map
Legend
Feature
Mining Area Reclamation
Yard Reclamation
Robin_Claims
0
90
180
360 Feet
N
Panaca Spring Road
ROBIN #1
1:1
3:1
3:1
ROBIN #2
3:1


Occupancy Map
Legend
Feature
Concrete Slab
Chain Link Gate
Chain LinkGate
Conveyor and screener
Hammer Mill
Loading Dock
Miscelaneous Piles
Screen
Yellow Hopper
Feature
Fence
Feature
Shipping Container/Shed
0
45
90
180 Feet
N

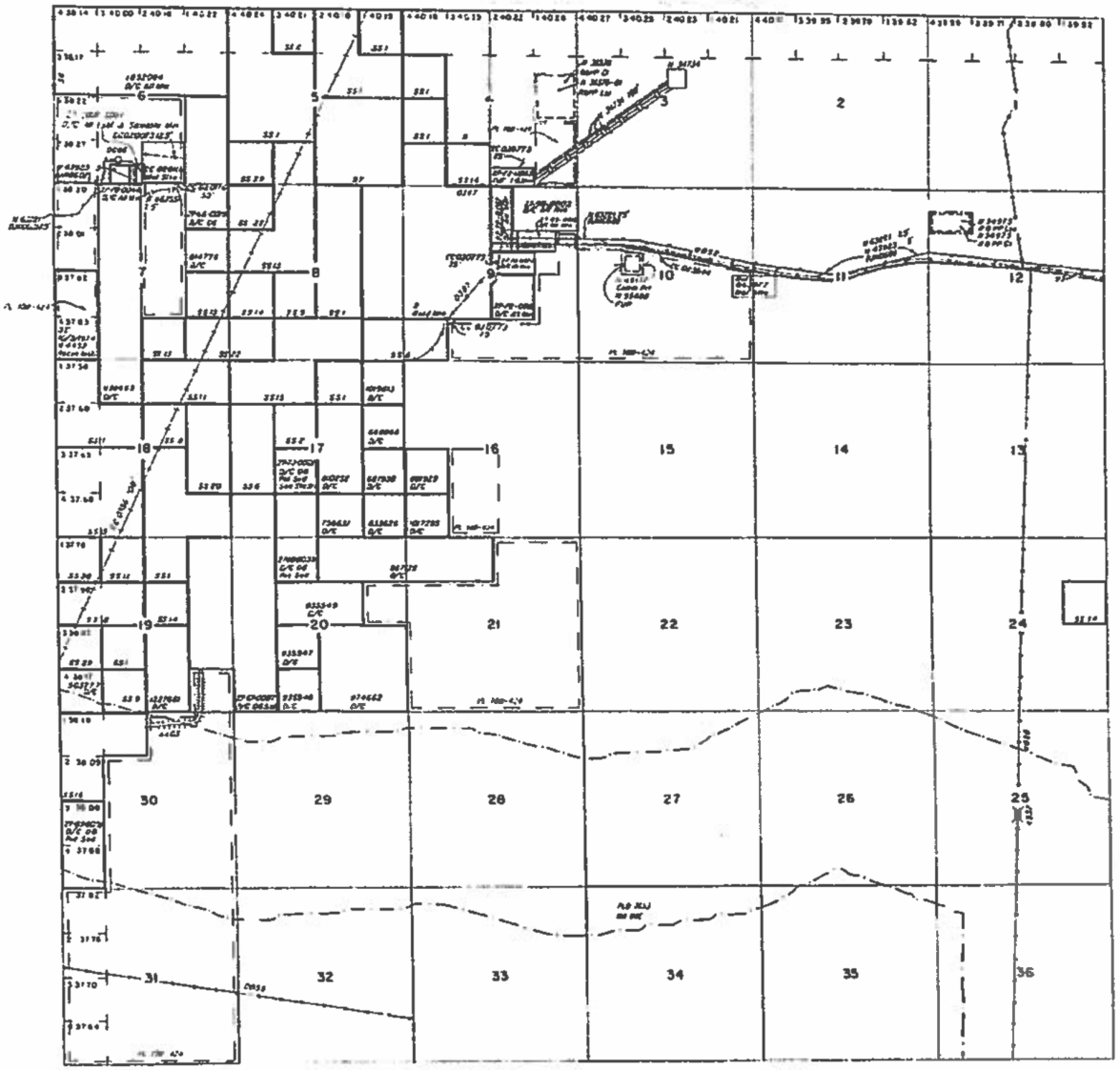

Mine Plan Map
Legend
Feature
Mine Road and parking lot
Mine Road and parking lot
Parcel A
Parcel B
Parcel C
Project Boundary
Yard with Loading dock
Robin_Claims
Panaca Spring Road
ROBIN #1
Panaca
Mine
ROBIN #2

TOWNSHIP 2 SOUTH RANGE 68 EAST OF THE MOUNT DIABLO MERIDIAN, NEVADA

LINCOLN COUNTY
ELY DISTRICT

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT



INDEX TO SEGREGATED TRACTS				
PRE SURVEY	ORIGINAL SURVEY			
TRACT NO	T	S	SEC	SUBDIVISION

FOR ORDERS AFFECTING DISPOSAL OR USE OF UNIDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION, MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

CURRENT ID	BY
4/30/2004	SL
11/10/04	MS
1/20/06	MS
4/24/06	MS
6/26/09	MS
5/3/10	MS
6/3/10	MS
[illegible]	MS
9/17/13	MS

N-050
T. 2 S.
R. 68 E.

SCALE

20 chains to the inch

WARNING STATEMENT

This plat is the Surveyor's Record of Survey and should be used only as a graphic display of the township survey data. Reports herein do not reflect site changes which may have been taken effected by lateral movements of rivers or other bodies of water. Refer to the cadastral surveys for official survey information.

RECLAMATION QUOTE APPENDICES

ROCKSCAPE Trucking & Excavating
Po Box 732
Caliente, Nv. 89008
702-701-1204

January 23, 2015
Job estimate: Robins Mine, Panaca, Nv.
Kristin Dovalina

Scope of work:

$1600.00	Clean up of property includes, remove fence, remove trash (pallets, bags, trash, etc.), remove 3 pcs. of equipment (to location in Panaca).
$3260.00	Removal of existing building (canopy), footings and 10' x 10' slab
$2200.00	Removal of screening plant and crusher (to location in Panaca)
$3675.00	Leveling of property Includes leveling of property to a slope no steeper than a 3:1 ratio, level berms and dirt piles in yard, rough grading, removal of loading dock. See attached map for scope of work.
$1120.00	Seeding, labor only.
$11,855.00	Total

Thank You
Regen Gubler

APPENDIX X

Besides maintaining a neat and tidy yard, further mitigated measures to be taken before extended periods of non-operation (usually several weeks or longer) to maintain the area in a safe and clean manner and to reclaim the land to avoid erosion and other adverse impacts are as follows:

- Rented and/or small mobile equipment like fork-lifts, tractors, bobcats, and generators will be removed from the mill site and stored off public property.
- Fluids will be stored properly in original and/or approved containers and placed in a storage bin securely locked in the cargo container.
- A drip pan and/or catch basin will be securely placed on the large blue screener and conveyor that is semi-permanent in the yard. If a spill does occur, it will be captured immediately upon discovery and remediated quickly. The mineral material will be scooped up until there is no discoloration at the spill site and put in a container to be discarded properly.
- A temporary chain will be placed across the potentially high walls. The chain will have caution signs and reflectors on it to warn passing hikers and/or off rode enthusiasts of the potentially high wall and loading dock.
- For the most part, the mill site is surrounded by natural berms and vegetation creating a natural bearer to deter individuals from venturing into the active mine site. Those natural features along with the barbed wire fence and locked gates adorned with caution signs warning individuals of the dangers of an active mine site should provide for a safe and secure non-operational site.
- The small road to the mill site is usually well maintained, but before winter it will be evaluated further and any potential erosion problems will be addressed and taken care of before any extended period of closure.

For nearly 70 years, the owners and operators of the Robin 1 and 2 mining claims have been mindful of the Panaca community and have diligently operated in an environmentally responsive manner and will continue to use preventative measures in maintaining the claims.

Bureau of Land Management
RECEIVED
MAY 28 2015
Caliente Field Office

Appendix B. Weed Risk Assessment

See attached pdf.

RISK ASSESSMENT FOR NOXIOUS & INVASIVE WEEDS

Dovalina Mining (Robin Claims 1&2)
Lincoln, Nevada

On December, 2016 a Noxious & Invasive Weed Risk Assessment was completed for Dovalina Mining. In summary, the claimants wish to continue the existing surface mining operations on less than 10 acres of their 320 acre claim block. New disturbance of 0.3 acres is proposed at this time. The operation consists of scooping material, screening it, and then stockpiling or packaging it for shipment.

No field weed surveys were completed for this project. Instead the Ely District weed inventory data was consulted. The following invasive species are documented within the project area:

Cirsium vulgare	Bull thistle
Tamarix spp.	Salt cedar

There are also probably undocumented weeds found scattered along roads in the area. The project area was last inventoried for noxious weeds in 2015.

A list of species undocumented in the District's follows:

Arctium minus	Common burdock
Bromus diandrus	Ripgut brome
Bromus rubens	Red brome
Bromus tectorum	Cheatgrass
Ceratocephala testiculata	Bur buttercup
Convolvulus arvensis	Field bindweed
Elaeagnus angustifolia	Russian olive
Erodium circutarium	Filaree
Kochia scoparia	Kochia
Halogeton glomeratus	Halogeton
Marrubium vulgare	Horehound
Salsola kali	Russian thistle
Sysimbrium altissimum	Tumble mustard
Tragopogon dubius	Yellow salsify
Ulmus pumila	Siberian elm
Verbascum thapsus	Common mullein

Factor 1 assesses the likelihood of noxious/invasive weed species spreading to the project area.

None (0)	Noxious/invasive weed species are not located within or adjacent to the project area. Project activity is not likely to result in the establishment of noxious/invasive weed species in the project area.
Low (1-3)	Noxious/invasive weed species are present in the areas adjacent to but not within the project area. Project activities can be implemented and prevent the spread of noxious/invasive weeds into the

	project area.
Moderate (4-7)	Noxious/invasive weed species located immediately adjacent to or within the project area. Project activities are likely to result in some areas becoming infested with noxious/invasive weed species even when preventative management actions are followed. Control measures are essential to prevent the spread of noxious/invasive weeds within the project area.
High (8-10)	Heavy infestations of noxious/invasive weeds are located within or immediately adjacent to the project area. Project activities, even with preventative management actions, are likely to result in the establishment and spread of noxious/invasive weeds on disturbed sites throughout much of the project area.

For this project, the factor rates as Moderate (6) at the present time. Bull thistle was documented in the area in 2003, but was not detected in 2015. It is likely that some isolated plants still exist within or adjacent to the project area.

Factor 2 assesses the consequences of noxious/invasive weed establishment in the project area.

Low to Nonexistent (1-3)	None. No cumulative effects expected.
Moderate (4-7)	Possible adverse effects on site and possible expansion of infestation within the project area. Cumulative effects on native plant communities are likely but limited.
High (8-10)	Obvious adverse effects within the project area and probable expansion of noxious/invasive weed infestations to areas outside the project area. Adverse cumulative effects on native plant communities are probable.

This project rates as Low (3) at the present time. Infestation of bull thistle could have adverse impacts on native plant establishment in disturbed areas. However, the clayey saline soils of the project area are somewhat restrictive to plants not adapted to such conditions, and as such limits bull thistles ability to establish and become dominant. Also, the area is located immediately adjacent to an urban area and has experienced continued disturbance since the early 1900's. This has degraded the ecological condition over time, which lessens the consequences of invasive species on the project area. Continued occupation by the mining operation provides an opportunity for rapid detection of invasive species, and would be facilitated by providing weed awareness information to the proponent.

The Risk Rating is obtained by multiplying Factor 1 by Factor 2.

None (0)	Proceed as planned.
Low (1-10)	Proceed as planned. Initiate control treatment on noxious/invasive weed populations that get established in the area.
Moderate (11-49)	Develop preventative management measures for the proposed project to reduce the risk of introduction of spread of noxious/invasive weeds into the area. Preventative management measures should include modifying the project to include seeding the area to occupy disturbed sites with desirable species. Monitor the area for at least 3 consecutive years and provide for control of newly established populations of noxious/invasive weeds and follow-up treatment for previously treated infestations.
High (50-100)	Project must be modified to reduce risk level through preventative management measures, including seeding with desirable species to occupy disturbed site and controlling existing infestations of noxious/invasive weeds prior to project activity. Project must provide at least 5 consecutive years of monitoring. Projects must also provide for control of newly established populations of noxious/invasive weeds and follow-up treatment for previously treated infestations.

For this project, the Risk Rating is Moderate (18). This indicates that the project can proceed as planned as long as the following measures are followed:

- Continue to use integrated weed management to treat weed infestations and use principles of integrated pest management to meet management objectives and to reestablish resistant and resilient native vegetation communities.
- Develop weed management plans that address weed vectors, minimize the movement of weeds within public lands, consider disturbance regimes, and address existing weed infestations.
- When manual weed control is conducted, remove the cut weeds and weed parts and dispose of them in a manner designed to kill seeds and weed parts.
- All straw, hay, straw/hay, or other organic products used for reclamation or stabilization activities, must be certified that all materials are free of plant species listed on the Nevada noxious weed list or specifically identified by the Ely District Office.
- Where appropriate, inspect source sites such as borrow pits, fill sources, or gravel pits used to supply inorganic materials used for construction, maintenance, or reclamation to ensure they are free of plant species listed on the Nevada noxious weed list or specifically identified by the Ely District Office. Inspections will be conducted by a weed scientist of qualified biologist.
- Where appropriate, vehicles and heavy equipment used for the completion, maintenance, inspection, or monitoring of ground disturbing activities; for emergency fire suppression; or for authorized off-road driving will be free of soil and debris capable of transporting weed propagules. Vehicles and equipment will be cleaned with power or high pressure equipment prior to entering or leaving the work site or project area. Vehicles used for emergency fire suppression will be cleaned as a part of check-in and demobilization procedures. Cleaning efforts will concentrate on tracks, feet and tires, and on the undercarriage. Special emphasis will be applied to axels, frames, cross members, motor mounts, on and underneath steps, running boards, and front bumper/brush guard assemblies. Vehicle cabs will be swept out and refuse will be disposed of in waste receptacles. Cleaning sites will be recorded using global positioning systems or other mutually acceptable equipment and provided to the Ely District Office Weed Coordinator or designated contact person.
- To minimize the transport of soil-borne noxious weed seeds, roots, or rhizomes, infested soils or materials will not be moved and redistributed on weed-free or relatively weed-free areas. In areas where infestations are identified or noted and infested soils, rock, or overburden must be moved, these materials will be salvaged and stockpiled adjacent to the area from which they were stripped. Appropriate measures will be taken to minimize wind and water erosion of these stockpiles. During reclamation, the materials will be returned to the area from which they were stripped.
- Prior to project approval a site-specific weed survey will occur and a weed risk assessment will be completed. Monitoring will be conducted for a period no shorter than the life of the permit or until bond release and monitoring reports will be provided to the Ely District Office. If the presence and/or spread of noxious weeds is noted, appropriated weed control procedures will be determined in consultation with Ely District Office personnel and will be in compliance with the appropriate BLM Handbook sections and applicable laws and regulations. All weed control efforts on BLM-administered lands will be in compliance with BLM Handbook H-9011, H-9011-

1 Chemical Pest Control, H-9014 Use of Biological Control Agents of Pests on Public Lands, and H-9015 Integrated Pest Management. Submission of Pesticide Use Proposals and Pesticide Application Records will be required.

- Determine seed mixes on a site specific basis dependant on the probability of successful establishment. Use native and adapted species that compete with annual invasive species or meet other objectives.
- For soil disturbing actions which will require reclamation, salvage and stockpile all available growth medium prior to surface disturbances. Seed stockpiles if they are to be left for more than one growing season. Re-contour all disturbance areas to blend as nearly as possible with the natural topography prior to re-vegetation. Rip all compacted portions of the disturbance to an appropriate depth based on site characteristics. Establish an adequate seed bed to provide good seed-to-soil contact.
- Conduct mixing of herbicides and rinsing of herbicide containers and spray equipment only in areas that are a safe distance from environmentally sensitive areas and points of entry to bodies of water (storm drains, irrigation ditches, streams, lakes, or wells).
- Keep removal and disturbance of vegetation would be kept to a minimum through construction site management (e.g. using previously disturbed areas and existing easements, limiting equipment/materials storage and staging area sites, etc.)
- Generally, conduct reclamation with native seeds that are representative of the indigenous species present in the adjacent habitat. Document rationale for potential seeding with selected nonnative species. Possible exceptions would include use of nonnative species for a temporary cover crop to out-compete weeds. In all cases, ensure seed mixes are approved by the BLM Authorized Officer prior to planting.
- Certify that all interim and final seed mixes, hay, straw, and hay/straw products are free of plant species listed on the Nevada noxious weed list.
- Respread weed-free vegetation removed from the right-of-way to provide protection, nutrient recycling, and seed source.
- When managing in areas of special status species, carefully consider the impacts of the treatment on such species. Wherever possible, hand spraying of herbicides is preferred over other methods.
- Do not conduct noxious and invasive weed control within 0.5 mile of nesting and brood rearing areas for special status species during the nesting and brood rearing season.
- When maintaining unpaved roads on BLM-administered lands, avoid the unnecessary disturbance of adjacent native vegetation and spread of weeds. Grade roads shoulders or barrow ditches only when necessary to provide for adequate drainage. Minimize the width of grading operations. The BLM Authorized Officer will meet with equipment operators to ensure that they understand this objective.
- Consider nozzle type, nozzle size, boom pressure, and adjuvant use and take appropriate measures for each herbicide application project to reduce the chance of chemical drift.
- Store all pesticides in areas where access can be controlled to prevent unauthorized/untrained people from gaining access to chemicals.

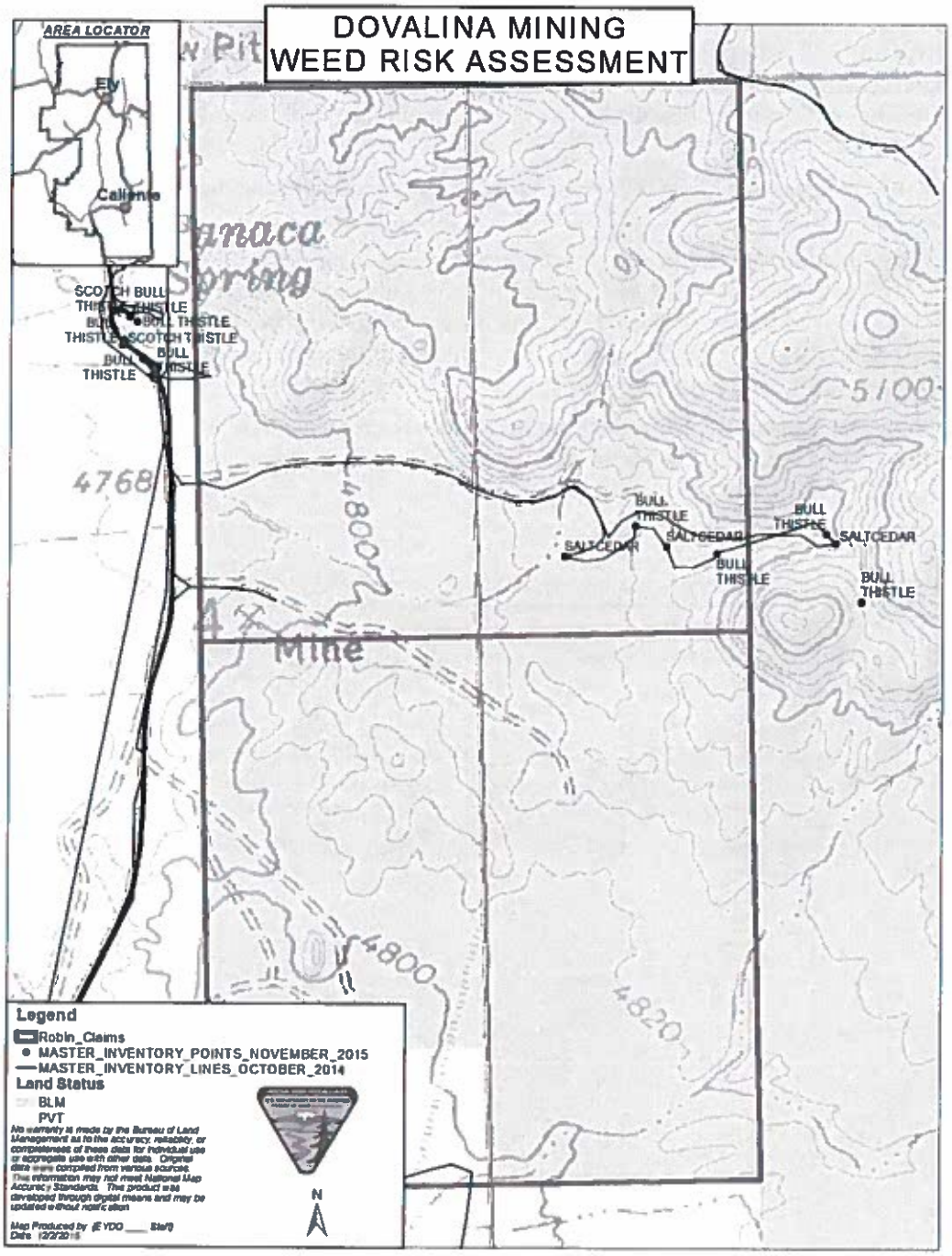
- Do not apply pesticides within 440 yards (0.25 mile) of residences without prior notification of the resident.
- Areas treated with pesticides will be adequately posted to notify the public of the activity and of safe re-entry dates, if a public notification requirement is specified on the label of the product applied. The public notice signs will be at least 8 ½" x 11" in size and will contain the date of application and the date of safe re-entry.
- No noxious weeds will be allowed on the site at the time of reclamation release. Any noxious weeds that become established will be controlled.
- Prior to entering public lands, the contractor, operator, or permit holder will provide information and training regarding noxious weed management and identification to all personnel who will be affiliated with the implementation of the project. The importance of preventing the spread of weeds to uninfested areas and importance of controlling existing populations of weeds will be explained.
- Whenever possible, hand spraying of herbicides is preferred over other methods at heavily used recreation sites (i.e. campgrounds, trailheads, etc.).

Reviewed by: /S/ Cameron Boyce _____ _____

Cameron Boyce
Caliente Field Office Natural Resource Specialist

Date

MAP


DOVALINA MINING
WEED RISK ASSESSMENT
AREA LOCATOR
Ely
Caliente
SCOTCH THISTLE
BULL THISTLE
SALTCEDAR
4768
4800
5100
4820
Mine
Legend
Robin_Claims
MASTER_INVENTORY_POINTS_NOVEMBER_2015
MASTER_INVENTORY_LINES_OCTOBER_2014
Land Status
BLM
PVT
N

Nevada Project WEEDS

Fact Sheet-06-22

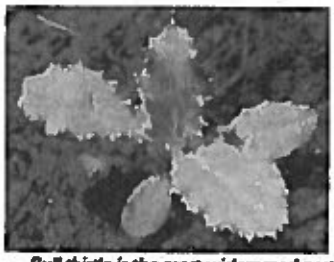
WANTED—Dead, Not Alive!

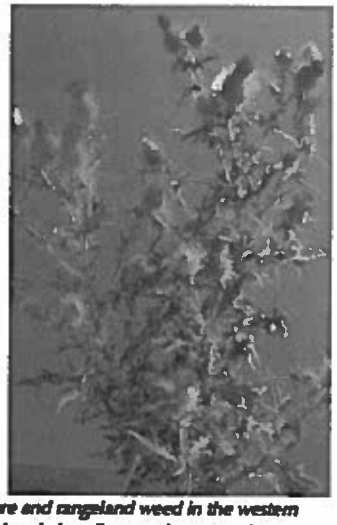
This outlaw weed is hiding out! Find it. Eradicate it.

Bull Thistle

Alias: ***Cirsium vulgare***

Bull thistle is a biennial in the sunflower family that spread to North America from Eurasia in contaminated seed. It grows along roadsides and ditch banks, in overgrazed pastures and rangelands, and in parks and vacant lots. It prefers moist soils rich in nitrogen. Reproducing only by seed, plants produce 5,000 to 50,000 seeds each that may be spread in contaminated hay and crop seed or by human activity. Naturally, seeds move by wind, water, and tag along on animals and equipment. Established plants outcompete native plants for water, nutrients, and space. Sharp spines deter animals from grazing the plant.





Bull thistle is the most widespread pasture and rangeland weed in the western United States, growing and reproducing best in heavily grazed pastures that receive some nitrogen fertilizer.

Distinguishing features:

- A rosette and a short, noncreeping, fleshy taproot form the first year.
- Stems grow 2 to 5 feet tall with many branches the second year.
- Stems have spiny-winged leaves that are prickly on top and cottony beneath.
- Fragrant flowers are pinkish purple, but may be white. They grow singly at the ends of shoots and branches.
- Flattened, oblong seeds are 1/8 inch long, light colored with dark longitudinal stripes, and plume-like hairs.

Take action:

- Report its location to the landowner, gardener, manager, park ranger or weed district supervisor.
- Remove all weed seeds from clothing, shoes, pets, camping gear, vehicle, equipment, and tire treads before moving out of an infested area.
- Monitor pastures, rangelands, roadsides and disturbed sites. Dig up the plant with 2 inches of root and dispose of it in a sealed garbage bag in the trash. Herbicides are available to kill this plant.
- Use only clean, certified weed-free seed.

Your reward:

A cleaner, healthier environment and the satisfaction that you have helped make a difference!

For more information about controlling this and other invasive weeds, contact:

University of Nevada Cooperative Extension
775-784-1334;
Nevada Department of Agriculture
775-688-1182; or
Your local Weed District manager or Conservation District:

University of Nevada Cooperative Extension

Photographs courtesy Weeds of the West.