

Voluntary - 3809 Plan of Operations Outline/Format

This Plan of Operations (PoO) outline/format was derived from the 43 CFR 3809 Surface Management Regulations, Section 43 CFR 3809.401. Your proposed PoO must contain the following information and describe the operations at a level of detail sufficient for BLM to determine that the PoO prevents unnecessary or undue degradation. BLM may request additional information throughout the processing period. The use of this outline/format is recommended and should be used in conjunction with the 43 CFR 3809 regulations.

The Plan of Operations is to be filed in the BLM District or Field Office with jurisdiction over the land involved. The PoO but must address the information required under 43 CFR 3809.401(b), as outlined below. This format has been prepared to assist operators in addressing the content requirements for a PoO. This format includes both BLM and NDEP-BMRR, reclamation group, requirements. When submitting the same plan to both agencies, it is unnecessary to duplicate the same information in different locations throughout the document.

**BLM File Serial Number: NVN -
Project Name:**

1. Operator/Claimant Information

Operator Information

Operator Name:
Mailing Address:
Phone Number (Office, Cell, and FAX):
Tax Payer Identification Number of the Operator(s):
Point of contact, (when operator is a corporation):

Claimant/Claim Information (if different than operator information)

Claimant(s) Name:
Mailing Address:
Phone Number (Office, Cell, and FAX):
BLM Serial Number of unpatented mining claim(s) where disturbance would occur:
Primary Commodity (e.g. gold, silver, copper, turquoise, barite, etc.):
Claim Name(s):
Claim Type (Lode, Mill Site, Placer, etc.):

2. Description of Operations (i.e., Proposed Action)

Legal Description: Township, Range, section(s), quarter section(s)
County:

Descriptions of Operations: Must include detailed information or description for the BLM to be able to assess the proposed action for undue or unnecessary degradation to the public lands and analyze the proposal under the National Environmental Policy Act (NEPA). You only need to address those items applicable to your operations. This outline includes information for both a mining operation and an exploration project.

- Equipment: Provide a list or description of the equipment that will be used in the operations and its purpose.
- Devices: Provide a description of the devices that will be used in the operations and their purpose/use.
- Operating Practices: Include the type of action/operation or facility proposed, method or techniques proposed, applicable facility dimensions such as length, width, height, depth, capacity, diameter, slope degrees/percent slope, slope of natural terrain, mid-slope length, percent grade, acreages, tonnages, et.
- Mining operations: include all proposed surface and/or underground and processing

Voluntary - 3809 Plan of Operations Outline/Format

facilities such as, but not limited to, open pit, decline, shaft, waste rock disposal facilities, mill, carbon columns, tailing impoundments, facility associated ponds and pipelines, heap leach pads, jig plant, etc.

- Ancillary Facilities: include all proposed facilities such as, but not limited to, structures (e.g. permanent, temporary, mobile, storage containers/tanks, roasters, autoclave, cooling towers, administrative buildings, dry houses, fuel bays, maintenance shops, wash bays, scales), utility needs (e.g. power, natural gas, generators), sanitation needs (e.g. septic system, sewage ponds), communication needs (e.g. buildings, telephone antennas, towers), fencing, diversion ditches, sediment control structures, signs, stockpiles, landfill, trash disposal, lay down areas, etc.
- Water needs and uses: include information such, but not limited to, as wells (e.g. type {water, piezometer, monitoring, injection} number of them), dewatering, rapid infiltration ponds, land application, reservoirs, ponds, water treatment, discharge methods and quantity, characterization data, etc.
- Access and other roads: include information such as, but not limited to, the type (haul, light vehicle, access), location(s), maintenance, upgrades, uses, temporary, permanent, etc.
- Hazmat: include information such as, but not limited to, type of generator, chemicals, fuel, quantities, disposal, storage, etc.
- Exploration operations: include all proposed activities such as, but not limited to, seismic surveys, trenching, drill pads, sumps, roads, material storage site, water source, pipelines, generator/pump, storage containers, number of drill holes that will be left open at any one time, number of drill rigs that will be on site at any one time, etc.

Maps of Project Area: Maps should be at an appropriate scale and show the location of exploration activities, drill sites, mining activities, processing facilities, waste rock and tailing disposal areas, support facilities, structures, buildings and access routes.

Electronic Maps: Where available, please provide electronic maps. However, IN ALL CASES, PLEASE SUBMIT A HARD COPY, which will serve as your OFFICIAL COPY. Please contact the local BLM field office to determine the appropriate format and standards.¹

The Plan of Operations also includes the following information, which may or may not be the same information NDEP requires in the Water Pollution Control Permit:

- Preliminary or conceptual designs, cross sections, and operating plans for mining areas, processing facilities, and waste rock and tailing disposal facilities, which would include the as-built designs. Flow charts may be used to illustrate processes.
- Water Management Plans (Joint BLM and NDEP guidance under development)
- Rock Characterization and Handling Plans (Joint BLM and NDEP guidance under development): This includes waste rock characterization data and treatment of potentially acid generating (PAG) materials.
- Quality Assurance Plans (Joint BLM and NDEP guidance under development)
- Spill Contingency Plans (Joint BLM and NDEP guidance under development)
- Plans for all access roads, water supply pipelines, and power or utility services. This item also includes connected actions that may require right-of-way permit.
- General schedule of operations from start through closure:

¹ When the operator chooses to submit AutoCad or other electronic formats for drawings and maps, they need to save their information into shapefiles, set the projections, and submit or email this information to the BLM. The projections need to be set to either NAD 83 and UTM's or NAD 27 and UTM's. When the operator is using ARC/INFO for their drawings and maps, they need to just email or submit on a CD their export files that have been projected to either NAD 27 and UTM's or NAD 83 and UTM's

Voluntary - 3809 Plan of Operations Outline/Format

Use and Occupancy: The following information must be included in the proposed Plan of Operations in order to comply with the 43 CFR 3715, Use and Occupancy Under the Mining Laws, when use or occupancy exceeds 14-days in a 90-day period. The definitions of terms are found in 43 CFR 3715.0-5. These regulations apply to public lands administered by the BLM.

A written description of the proposed occupancy that describes in detail: (See 43 CFR 3715.3-2)

- (a) How the proposed occupancy is reasonably incident;
- (b) How the proposed occupancy meets the conditions specified in §3715.2 and §3715.2- 1;
- (c) Where you will place temporary or permanent structures for occupancy;
- (d) The location of and reason you need enclosures, fences, gates, and signs intended to exclude the general public;
- (e) The location of reasonable public passage or access routes through or around the area to adjacent public lands; and
- (f) The estimated period of use of the structures, enclosures, fences, gates and signs, as well as, the schedule for removal and reclamation when operations end.

You must provide BLM with a detailed map that identifies the site and the placement of the items specified in (c), (d), and (e) of this section.

3. Reclamation Plan : A plan for reclamation to meet the standards in 3809.420, with a description of the equipment, devices, or practices you propose to use) See page 4 for detailed information to be included. One reclamation plan must be included in your submittal to the agencies that meets the requirements of both sets of regulations.

4. Monitoring Plan: Monitoring plans may incorporate existing State or other Federal monitoring requirements to avoid duplication. The scope of monitoring depends on the location and complexity of the operation. Generally, exploration activity may require some monitoring, while mining activities may require various levels of comprehensive monitoring plans.

The monitoring plan must be designed to meet the following objectives:

- a) to demonstrate compliance with the approved plan of operations and other Federal and State environmental laws and regulations;
- b) to provide early detection of potential problems; and
- c) to supply information that will assist in directing corrective actions should they become necessary.

Where applicable, the monitoring plan must include: details on type and location of monitoring devices; sampling parameters and frequency; analytical methods; reporting procedures; and procedures to respond to adverse monitoring results. Examples of monitoring programs which may be necessary include surface- and ground-water quality and quantity, air quality, Revegetation, stability, noise levels, and wildlife mortality.

5. Interim Management Plan: Include a plan describing the management of the project area during periods of temporary closure, including periods of seasonal closure, to prevent unnecessary or undue degradation.

The interim management plan must include, where applicable, the following:

- a) measures to stabilize excavations and workings;
- b) measures to isolate or control toxic or deleterious materials (See also the requirements in §3809.420©(12)(vii) of the 43 CFR 3809 Regulations);
- c) provisions for the storage or removal of equipment, supplies and structures;
- d) measures to maintain the project area in a safe and clean condition;

Voluntary - 3809 Plan of Operations Outline/Format

- e) plans for monitoring site conditions during periods of non-operation;
- f) a schedule of anticipated periods of temporary closure during which you would implement the interim management plan, including provisions for notifying BLM and NDEP of unplanned or extended temporary closures; and
- g) in cases of temporary or seasonal closure, you must provide adequate maintenance, monitoring, security, and financial guarantee, and BLM may require you to detoxification of process solutions.

In addition to Requirements 1-5, BLM may require you to supply:

- **Operational and Baseline Environmental Information:** The BLM may require information to use in analyzing potential environmental impacts as required by the National Environmental Policy Act and to determine if your plan of operations will prevent unnecessary or undue degradation.(see 43 CFR 3809.401(c))

For example, the BLM may request information on public and non-public lands needed to characterize geology, paleontological resources, cave resources, hydrology, soils, vegetation, wildlife, air quality, cultural resources, and socioeconomic conditions in and around the project area, as well as information that may require you to conduct static and kinetic testing to characterize the potential for your operations to produce acid drainage or other leachate.

The appropriate BLM Field Office will advise you on the exact type of information and level of detail needed to meet these requirements.

- **Other information:** if necessary, to ensure that your operations will comply with 43 CFR 3809.

6. Reclamation Cost Estimate: At a time specified by BLM, you must submit an estimate of the cost to fully reclaim your operations as required by 43 CFR 3809.552.

Voluntary - 3809 Plan of Operations Outline/Format

Nevada Reclamation Plan Outline

This outline is for a reclamation plan to meet the BLM standards at 43 CFR 3809.420 and requirements at 43 CFR 3809.401, and the State of Nevada requirements at NAC 519A.265 and 519A.270. This plan should include a description of the equipment, devices, or practices you propose to use, including, where applicable, plans for:

1. Drill hole plugging;
2. Regrading and reshaping (*Measures to control erosion, landslides, and water runoff*);
3. Mine reclamation, including information on the feasibility of pit backfilling that details economic, environmental, and safety factors;
4. Riparian mitigation;
5. Wildlife and fisheries habitat rehabilitation;
6. Handling and Application of Topsoil (*Saving of topsoil for final application after reshaping of disturbed areas have been completed*);
7. Revegetation;
8. Isolation, Removal, and/or control of acid-forming, toxic, or deleterious;
9. Removal or stabilization of buildings, structures and support facilities;
10. Post-closure management
11. Topographic map. The topographic map must show the area of the operation and depict:
 - a) The boundaries of the area of the operation;
 - b) Surface ownership of the land within the area of operation;
 - c) The areas to be affected in sufficient detail so that they can be located from the ground;
 - d) The kind of disturbances, including:
 - 1) Tailings impoundments;
 - 2) Leach pads;
 - 3) Waste rock dumps;
 - 4) Buildings;
 - 5) Roads;
 - 6) Exploration roads, pads, trenches, and sumps;
 - 7) All other surface facilities; and
 - e) Is there previous disturbance within the project boundary? If “No,” check here [] and move to 11f. If “Yes,” continue with this section:

Land within the area of operation which was affected by:

 - 1) An operation conducted by a previous operator and which is inactive on the date on the application for a permit for an operation is filed;
 - 2) The current operator before January 1, 1981, and which is inactive on the date on which the application for a permit for an operation is filed;
 - 3) The current operator before January 1, 1981, and which is active on the date on which the application for a permit for an operation is filed;
 - 4) The current operator on or after January 1, 1981, but before October 1, 1990, and which is inactive on the date on which the application for a permit for an operation is filed; and
 - 5) The current operator on or after January 1, 1981, but before October 1, 1990, and which is active on the date on which the application for a permit for an operation is filed.
 - f) The location of any surface water body within one-half-mile down gradient of the operation which may be impacted by excess sedimentation resulting from the mining operations.
 - g) Land within the operation is active on or after October 1, 1990; and
 - h) Access roads which were created before January 1, 1981.
12. Acreage disturbed. An estimate of the number of acres affected by each type of disturbance.
13. Prospecting and excavation techniques. A description of the techniques for prospecting and excavation to be used which will affect the surface.
14. Proposed productive post-mining use of the land.

Voluntary - 3809 Plan of Operations Outline/Format

15. Proposed schedule of the time for initiation and completion of activities for reclamation (including concurrent reclamation).
16. Proposed post-mining topography (Provide topographic map or cross-sections).
17. Technical criteria used to determine the final gradient and stability of slopes created or affected by the mining operation.
18. Proposed methods for concurrent reclamation.
19. Statement of reclamation constraints. A statement of any constraints on the estimated time to complete reclamation caused by the residual moisture content or physical or chemical qualities of impoundments.
20. Access roads. The kinds of access roads and their estimated width and length which will be built and the manner in which they will be reclaimed.
21. Measures to minimize loading of sediment to surface waters during the operation and reclamation.
22. Proposed revegetation of the land for its post-mining land use (including :)
 - a) A plan for the management of topsoil and growth medium;
 - b) A list of each species of vegetation;
 - c) The rate of seeding of vegetation;
 - d) The type of fertilizer and mulch to be used; and
 - e) When the planting will occur.
23. Proposed disposition of:
 - a) Buildings;
 - b) Equipment;
 - c) Piping;
 - d) Scrap;
 - e) Chemicals and reagents;
 - f) Fuel tanks and petroleum products; and
 - g) Any other equipment and materials.
24. Description of any surface facilities such as buildings or roads which will not be reclaimed.
25. Description of any necessary monitoring and maintenance of fences, signs and other structures which will be performed by the operator on the reclaimed land.
26. Description of any reclamation which is necessary because of in-stream mining.
27. Effect the proposed reclamation will have on future mining in the area.
28. Effect the proposed reclamation will have on public safety.
29. Proposed methods for reclaiming any waste rock, ore, and other stock piles (include original underlying topography, operational slope, and proposed reclaimed slope);
30. Proposed methods for reclaiming any tailings impoundments and dams (including fluid management and disposal);
31. Proposed methods for reclaiming any heap-leach pads and ponds (including fluid management and disposal);
32. Proposed methods for reclaiming any open pit mines, including activities that will provide for public safety;
33. Proposed methods for reclaiming underground mines, including activities that will provide for public safety;
34. Operator statement agreeing to assume responsibility for the reclamation of the project.
35. Acknowledgements:
 - a. This reclamation plan is consistent with the plan of operations.
 - b. It is understood that approval of this reclamation plan does not constitute: (1) Certification of ownership to any person named Herein; and (2) Recognition of the Validity of any Mining Claim Herein.
 - c. It is understood that approval of this plan does not relieve me of my responsibility to comply with any other applicable State or Federal laws, rules or regulations.

Voluntary - 3809 Plan of Operations Outline/Format

Reclamation Cost Estimate

BLM Case-File No.: NVN-
Project Name:

The reclamation cost estimate must cover the estimated costs as if BLM/NDEP were to contract with a third party to reclaim the operations according to the reclamation plan, including construction and maintenance costs for any treatment facilities necessary to meet Federal and State environmental standards.

1. The Cost of Equipment Rental, Operation and Labor Appropriate for the Geographic Area, or;
2. The Estimate of Cost from an Outside Contractor, or;
3. 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.

Enter those values in the cost estimate that are appropriate to this project. This summary sheet is to be accompanied by a worksheet describing how each itemized cost was calculated. Attach sources/information used in cost estimate (examples: Caterpillar Performance Handbook, contractor's estimate, BLM state office procurement analyst, etc.).

A. Earthwork/Recontouring	Labor ⁽¹⁾	Equipment ⁽²⁾	Materials	Total
Exploration	\$	\$	\$	\$
Exploration Roads & Drill Pads	\$	\$	\$	\$
Roads	\$	\$	\$	\$
Drill Hole Abandonment	\$	\$	\$	\$
Pits	\$	\$	\$	\$
Underground Openings	\$	\$	\$	\$
Process Ponds	\$	\$	\$	\$
Heaps	\$	\$	\$	\$
Waste Rock Dumps	\$	\$	\$	\$
Landfills	\$	\$	\$	\$
Tailings	\$	\$	\$	\$
Foundation & Buildings Areas	\$	\$	\$	\$
Yards, Etc.	\$	\$	\$	\$
Drainage & Sediment Control	\$	\$	\$	\$
Other**	\$	\$	\$	\$
Mobilization/Demobilization	\$	\$	\$	\$
Subtotal "A"	\$	\$	\$	\$
B. Revegetation/Stabilization	Labor ⁽¹⁾	Equipment ⁽²⁾	Materials	Total
Exploration	\$	\$	\$	\$
Exploration Roads & Drill Pads	\$	\$	\$	\$
Roads	\$	\$	\$	\$
Drill Hole Abandonment	\$	\$	\$	\$
Pits	\$	\$	\$	\$
Underground Openings	\$	\$	\$	\$
Process Ponds	\$	\$	\$	\$
Heaps	\$	\$	\$	\$
Waste Rock Dumps	\$	\$	\$	\$
Landfills	\$	\$	\$	\$
Tailings	\$	\$	\$	\$
Foundation & Buildings Areas	\$	\$	\$	\$
Yards, Etc.	\$	\$	\$	\$
Drainage & Sediment Control	\$	\$	\$	\$
Other**	\$	\$	\$	\$
Subtotal "B"	\$	\$	\$	\$
C. Detoxification/Water Treatment/Disposal of Wastes**	Labor ⁽¹⁾	Equipment ⁽²⁾	Materials	Total
Interim Fluid Management	\$	\$	\$	\$
Closure Plan Development	\$	\$	\$	\$
Process Ponds/Sludge	\$	\$	\$	\$
Heaps	\$	\$	\$	\$
Dumps (Waste & Landfill)	\$	\$	\$	\$
Tailings	\$	\$	\$	\$

Voluntary - 3809 Plan of Operations Outline/Format

C. Detoxification/Water Treatment/Disposal of Wastes**	Labor ⁽¹⁾	Equipment ⁽²⁾	Materials	Total
Surplus Water Disposal	\$	\$	\$	\$
Monitoring	\$	\$	\$	\$
Other**	\$	\$	\$	\$
Subtotal "C"	\$	\$	\$	\$
D. Structure, Equipment and Facility Removal	Labor ⁽¹⁾	Equipment ⁽²⁾	Materials	Total
Foundation & Buildings Areas	\$	\$	\$	\$
Other Demolition	\$	\$	\$	\$
Equipment Removal	\$	\$	\$	\$
Fence Removal	\$	\$	\$	\$
Fence Installation	\$	\$	\$	\$
Pipe & Culvert Removal	\$	\$	\$	\$
Powerline Removal	\$	\$	\$	\$
Transformer Removal	\$	\$	\$	\$
Rip-rap, rock lining, gabions	\$	\$	\$	\$
Other Misc. Costs	\$	\$	\$	\$
Other**	\$	\$	\$	\$
Subtotal "D"	\$	\$	\$	\$
E. Monitoring	Labor ⁽¹⁾	Equipment ⁽²⁾	Materials	Total
Reclamation Monitoring and Maintenance	\$	\$	\$	\$
Ground and Surface Water Monitoring	\$	\$	\$	\$
Subtotal "E"	\$	\$	\$	\$
F. Construction Management & Support	Labor	Equipment ⁽²⁾	Materials	Total
Construction Management	\$	\$	\$	\$
Road Maintenance	\$	\$	\$	\$
Other**	\$	\$	\$	\$
Subtotal "F"	\$	\$	\$	\$
G. Operational & Maintenance Costs	Labor ⁽¹⁾	Equipment ⁽²⁾	Materials ⁽³⁾	Total
Subtotal A through F	\$	\$	\$	\$
H. Indirect Costs				Total
1. Engineering, Design and Construction (ED&C) Plan (7)				
2. Contingency (8)				
3. Insurance (9)				
4. Bond (10)				
5. Contractor Profit (11)				
6. Contract Administration (12)				
7. BLM Indirect Cost (13)				
Subtotal Add-On Costs				
Grand Total				

RECLAMATION COST ESTIMATION SUMMARY SHEET FOOTNOTES

1. Federal construction contracts require Davis-Bacon wage rates for contracts over \$2,000. Wage rate estimates may include base pay, payroll loading, overhead and profit. To avoid double counting of any of the identified administrative costs the operator must itemize the components of their labor cost estimates or provide BLM with a signed statement, under penalty of USC 1001, that identifies what specific administrative costs are included in the quoted hourly rate.
2. The reclamation cost estimate must include the estimated plugging cost of at least one drill hole for each active drill rig in the project area. Where the submitted Notice or approved Plan of Operations calls for drill holes to be plugged, but doesn't specifically require the drill holes be plugged before the drill rig has been moved from the drill pad, the reclamation cost estimate must include the plugging cost for those drill holes. For all drill holes and wells scheduled to be left open, the estimated plugging cost must be included in the reclamation cost estimate. Where the approved Plan of Operations proposes immediate mining through an area where the drilling is to occur, and the cost of the post-mining reclamation is included in the reclamation cost estimate, the cost estimate does not need to include the plugging costs for those drill holes.

Voluntary - 3809 Plan of Operations Outline/Format

3. Miscellaneous items should be itemized on accompanying worksheets.
4. Fluid management should be calculated only when mineral processing activities are involved. Fluid management represents the costs of maintaining proper fluid management to prevent overflow of solution ponds through premature cessation or abandonment of operations. Calculate a minimum six month direct cost estimate which includes power, supplies, equipment, labor and maintenance.
5. Handling of hazardous materials includes the cost of decontaminating, neutralizing, disposing, treating and/or isolating all hazardous materials used, produced, or stored on the site.
6. Any mitigation measures required in the Plan of Operations must be included in the reclamation cost estimate. Mitigation may include measures to avoid, minimize, rectify and reduce or eliminate the impact, or compensate for the impact.
7. Engineering, design and construction (ED&C) plans are often necessary to provide details on the reclamation needed to contract for the required work. To estimate the cost to develop an ED&C plan use 4.8% of the O&M cost. Calculate the ED&C cost as a percentage of the O&M cost as follows: up to and including \$1 million, use 8%; over \$1 million to \$25 million, use 6%; and over \$25 million, use 4%. Inclusion of a line item for the development of an ED&C plan may not be necessary for small operations, such as notice-level exploration. With small, uncomplicated reclamation efforts contracting may be able to proceed without developing an ED&C plan. [ED&C is automatically eliminated if "Notice" is selected on the Property Information Sheet]
8. A contingency cost is included in the reclamation cost estimation to cover unforeseen cost elements. Calculate the contingency cost as a percentage of the O&M cost as follows: up to and including \$500,000, use 10%; over \$500,000 to \$5 million, use 8%; over \$5 million to \$50 million, use 6%; and greater than \$50 million, use 4%. As with the ED&C cost, inclusion of a contingency cost may not be necessary for small operations, such as notice-level exploration.
9. Insurance premiums are calculated at 1.5% of the total labor costs. Enter the premium amount if liability insurance is not included in the itemized unit costs.
10. Federal construction contracts exceeding \$100,000 require both a performance and a payment bond (Miller Act, 40 USC 270et seq.). Each bond premium is figured at 1.5% of the O&M cost. Enter the sum of both premium costs on this line.
11. For Federal construction contracts, use 10% of estimated O&M cost for the contractor's profit.
12. To estimate the contract administration cost, use 6 to 10% of the operational and maintenance (O&M) cost. Calculate the contract administration cost as a percentage of the O&M cost as follows: up to and including \$1 million, use 10%; over \$1 million to \$25 million, use 8%; and greater than \$25 million use 6%.
13. BLM's indirect cost rate is 21% of BLM's contract administration costs.

Additional Processing Information

Within 30 calendar days of receiving your proposed Plan of Operations, the BLM will review the submitted material and notify you: 1) that your Plan of Operations is complete, that is, it meets the content requirements under 43 CFR 3809.401(b); or 2) that your Plan does not contain a complete description of the proposed operations, specifying what information is missing or incomplete; or 3) that your Plan of Operations is complete, but BLM cannot process the Plan until certain additional steps are taken which could include you providing adequate baseline data, BLM conducting an environmental review, or BLM consulting with various entities such as the State or Indian tribes.

Once a Plan of Operations is determined to be complete, an environmental analysis is prepared. The environmental analysis and/or complete Plan of Operations is available for public comment for not less than 30-days. The processing of a Plan of Operations that requires preparation of an environmental impact statement (EIS) is subject to the cost recovery provisions of the regulations. BLM will notify you immediately if it is determined your Plan of Operations falls within the cost recovery requirements.

Voluntary - 3809 Plan of Operations Outline/Format

Upon completion of the review of your Plan of Operations, including environmental analysis, consultation, and consideration of public comments, the BLM will issue a decision that: 1) approves the Plan of Operations basically as submitted; or 2) approves the Plan of Operations subject to changes or conditions needed to prevent unnecessary or undue degradation; or 3) disapproves or withholds approval of the Plan of Operations, listing the reason for not approving the Plan. The decision to approve or deny a

Plan of Operations can be appealed to the BLM State Director or directly to the Interior Board of Land Appeals (IBLA).

Even after receiving a decision approving your Plan of Operations, you must not begin surface disturbing activity until you have provided a financial guarantee in the amount of the approved reclamation cost estimate to the BLM State Office and have received a decision from that office that the financial guarantee has been accepted and obligated.

It should be noted that approval of a Plan of Operations by BLM does not constitute a determination regarding the validity or ownership of any unpatented mining claim involved in the operation. In addition, you are responsible for obtaining any use rights or local, state or federal permits, licenses or reviews that may be required for your operation.

Operations proposing the use and occupancy of the public lands, including full or part time residence or the construction, presence, or maintenance of temporary or permanent structures, exceeding the 14-90day rule (43 CFR 3715.2), must also obtain concurrence under the regulations at 43 CFR 3715 that the use or occupancy is reasonably incident to prospecting, mining, or processing operations. This information is to be included in your proposed Plan of Operations per 43 CFR 3715.3-2. This concurrence or non-concurrence will be addressed in the Plan of Operations decision.