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

Environmental Assessment DOI-BLM-MT-B050-2015-015-EA
February, 2013

Proposal to Remove 7,250 tons of Waste Rock Material Under 43 CFR 3809

Location: Two locations west of Pony, Montana
Madison County Montana
T. 2 S, R. 3 W, Sections 15

Proponent: Moen Builders, Inc.

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BLM

CHAPTER 1
INTRODUCTION AND NEED FOR THE PROPOSED ACTION

INTRODUCTION

The Bureau of Land Management (BLM), Dillon Field Office has received an amendment to the currently approved Plan of Operation (MTM 104496) under 43 CFR 3809 from Moen Builders LLC, Virginia City, Montana, proposing to remove an additional approximate 9,750 tons of historic waste rock material from two areas west of Pony, Montana. Of the 9,750 tons to be removed, approximately 2,500 tons will come from patented land and the remaining 7,250 tons will come from Public Land. All of the approximated 9,750 tons would pass through the existing crusher site. The material would eventually be hauled to the Golden Sunlight Mill near Whitehall, Montana.

The proposed activity would use existing roads except for several short temporary road segments that would need to be constructed to some of the dumps (see Figures 1 and 2). A crusher site, established as part of the original approved Plan of Operations (MTM10496), is located about one mile west of Pony just off the Pony Creek road. Material would be moved from the two sites to the crusher site using 25-30 ton articulated trucks. Highway trucks would haul from the crusher site to the mill. The activity would occur during the summer and fall seasons of 2015 and possibly summer 2016.

The original Plan of Operation (MTM 104496) was analyzed under EA DOI-BLM-MT-B050-2013-02-EA. It included the Mexi 1, the MN 46, two sites on patented land, the crusher site and the use of the Pony Creek road. Since the plan was approved, the Mexi 1 has been determined to be currently uneconomic and there is no plan to remove that material. Material at the MN 46 has been removed and the site has been reclaimed. Revegetation efforts have begun and will be monitored. BLM roads leading into the MN 46 site are currently under review. The Pony Creek road has been transferred to Madison County. Impacts of processing the material under this amendment at the existing crusher site could potentially increase the footprint of the site, however no additional impacts, other than extending the time period, would occur because the site is a closed basin.

PURPOSE AND NEED FOR THE PROPOSED ACTION

The Federal Land Policy and Management Act of 1976 (43 U.S.C. 1732) requires the Secretary to prevent unnecessary or undue degradation of the public lands from operations conducted under the Mining Law. BLM regulations at 43 CFR 3809 were developed to prevent unnecessary or undue degradation and require that operators mining on BLM administered lands submit a Plan of Operation and obtain BLM approval before conducting operations (43 CFR 3809.11(a)).

An amendment to an approved Plan of Operation has been submitted seeking approval to remove an additional estimated 7,250 tons of waste rock material from unpatented mining claims located on lands managed by the BLM. In accordance with the rights of entry and use under the Mining Law and the requirements in the regulations at 43 CFR 3809, the

BLM must review the Plan of Operations to determine whether it is adequate to prevent unnecessary or undue degradation. BLM may approve the Plan of Operation as submitted, approve it subject to changes or modifications necessary to meet the performance standards of 43 CFR 3809.420 and prevent unnecessary or undue degradation, or disapprove/withhold approval of the Plan of Operation because it would result in unnecessary or undue degradation. BLM must approve a Plan of Operation if the Plan would not result in unnecessary or undue degradation.

Approval of a Plan of Operation is a federal action which requires BLM to comply with the National Environmental Policy Act (NEPA). BLM prepares an environmental analysis of the impacts from the Proposed Action (the Plan of Operation) and possible alternative(s) in accordance with the Council of Environmental Quality (CEQ) regulations implementing the provisions of NEPA (40 CFR 1500-1508). The results of the environmental analysis (in this case an environmental assessment) would assist in determining whether the Plan of Operation is adequate to prevent unnecessary or undue degradation, any mitigating measures are needed, and whether impacts from the Plan of Operation would be significant under NEPA thus requiring the preparation of an Environmental Impact Statement (EIS).

PUBLIC SCOPING

On February 17, 2015 the BLM issued a press release informing the public that the amendments were available for public comment. The comment period ran until March 17, 2015. Seven written comments were received along with three emails and two comments via phone call. A public meeting for informational purposes was held October 30, 2014 in Pony, MT at the Pony school gym, approximately 70 people were in attendance.

CONFORMANCE WITH BLM LAND USE PLAN(S)

The Proposed Action described in Section 2.1 is in conformance with the Dillon Resource Management Plan (BLM, February, 2006), page 46, that states the goal is to "Encourage and facilitate development of locatable minerals in a manner to prevent undue and unnecessary or undue degradation".

RELATIONSHIPS TO STATUTES, REGULATIONS AND OTHER PLANS

The Proposed Action and No Action Alternatives described below are consistent with federal, state, and local laws, regulations, and plans.

The proposed action is covered under Exploration License#00560 (Matt Moen dba Moen Builders, Inc.) issued by the State of Montana, Montana Department of Environmental Quality, Hardrock Permitting with the intent to better define the extent and mineral potential of the Pony Mining District. Operations covered under an exploration license have no acreage limit, although there is a tonnage limit of 10,000 short tons as put forth in 17.24.102 (8) Definitions under Administrative Rules of Montana (ARM), which states: "Exploration" includes pilot ore processing plants or sites and associated facilities constructed for the sole purpose of metallurgical or physical testing of ore materials, not to exceed 10,000 short tons, to aid in determining the development potential of an ore body. Their proposal is to remove approximately 9,750 tons. Again and by definition, (82-4-303 (10), Montana Code Annotated (MCA) mining commences "when the operator first mines

ores or minerals in commercial quantities for sale, beneficiation, refining, or other processing or disposition or first takes bulk samples for metallurgical testing in excess of the aggregate of 10,000 short tons." Based on the results of this initial testing, more work may or may not be contemplated.

The material would be processed at American Barrick Resources - Golden Sunlight Mine located on patented land and public lands managed by the BLM Butte Field Office. This mine is permitted to process gold-bearing ores under the Montana Department of Environmental Quality Permit No. 00065 and BLM Plan of Operation Number MTM82855. The mine was initially permitted in 1982; an expansion was approved under a Supplemental EIS in October 2007. Minor Revision 05-001 authorizing the milling of ore from historic waste rock dumps and tailings from old mines at Golden Sunlight Mine as well as other mines and abandoned mines around southwest Montana was approved September 2006. Golden Sunlight has complied with the stipulations in this amendment by informing the agencies of the source locations and composition of the material to be processed.

This EA is tiered to EA DOI-BLM-MT-B050-2013-02-EA, which was completed from the original Plan of Operations.

This EA and the proposed action are consistent with Federal 1872 Mining Law, as amended and 43 CFR 3809.

The proposed action is consistent with other plans, programs, other federal agencies, state, and local governments to the extent practical within federal law, regulation, and policy.

CHAPTER 2
DESCRIPTION OF ALTERNATIVES

INTRODUCTION

This Environmental Assessment (EA) focuses on the Proposed and No Action alternatives. Because potential resource impacts have been adequately addressed through project design features and mitigation measures, there are no issues to resolve through other action alternatives. Therefore, the Proposed Action is the only action alternative considered. The No Action alternative is considered and analyzed to provide a baseline for comparison of the impacts to the proposed action. The Proposed Action alternative is to approve the Plan of Operation.

NO ACTION

The No Action alternative would disapprove the Plan of Operation and would not allow the proponent to remove the waste rock and extract the value in the rock which he has a right to under his mining claim. Under the No Action alternative, minimal improvements to existing roads associated with the Plan of Operations would not occur, and no new roads would be constructed.

PROPOSED ACTION and MITIGATION MEASURES

Site Description

The Old Joe mine site is at an elevation of about 7,300 feet, on a north facing slope located at T. 2 S., R. 3 W., Section 15, SE ¼, Madison County, Montana. There are two dumps, Old Joe Upper and Old Joe Lower, located on a steep Lodgepole pine and Douglas-fir forest (Figure 2).

Old Joe Upper occupies about 0.03 acres and holds about 3,500 tons of waste and Old Joe Lower occupies about 0.03 acres and holds about 1,500 tons of waste. Total material is estimated at 5,000 tons.

The MN 55 claim is located at T. 2 S., R. 3 W., Section 15, NE ¼ at an elevation of 7,500 feet on a north facing 35% slope in a Lodgepole pine and Douglas-fir forest.

There are three small dumps on this mine site labeled Dumps A, B and C (Figure 2). Dump A is on patented land and contains 2,500 tons of material on 0.02 acres. Dump B contains 1,500 tons on 0.02 acres and Dump C contains 750 tons of material and occupies 0.01 acres.

Access

The principal access to the Old Joe site is up the Pony Creek Road, a county road built in the 1870's to provide access to area mines; and then up approximately 6,255 feet on a low quality road to the mine site. After crossing Pony Creek, the access road enters BLM surface. The initial 1,530 feet of road traverses a Douglas fir forest. The road is narrow, at about 10-12 feet wide and will need to be widened to a surface width of 14 feet. The existing road then follows an open ridge for about 2,685 feet, not requiring any widening. The final 1,515 foot segment enters back into the forest and would require widening to a 14 foot width from a 10-12 foot existing surface. With the proposed widening approximately 30 trees would need to be cut down. Several of these trees are dead or dying.

To access the Old Joe Upper dump site approximately 120 feet of road would need to be constructed and to reach the Old Joe Lower dump site approximately 135 feet of road would need to be constructed. Approximately 25 trees, some dead and dying would be cut during road construction. Both of these road segments would be across 25 to 35 degree slopes and will be cut and fill. A conceptual drawing is found in the Plan of Operation in Appendix A.

The MN 55 site would be accessed from the Pony Creek road across established roads on patented land.

Approximately 580 feet of temporary road will need to be constructed to reach the MN 55 dump sites. They are as follows:

250 feet to connect dumps A and B
50 feet to connect the two lobes of dump B.
280 feet to access dump C

Approximately 315 feet of this 595 foot existing road that approaches dump C is on BLM managed land. The new road connecting dumps A and B would cross 25 to 35 degree slope and will be cut and fill with a 14 foot running width.

Public Safety

During periods when trucks are hauling, "Truck Hauling" signs will be placed at the crossing of Pony Creek, at the west end of Pony on the Pony Creek Road, at the east end of Pony on the Pony-Harrison road and at the crusher site.

There will be no hauling on weekends. There will be no winter operations; therefore snow removal will not be necessary. Early or late storms may delay work for a few days until roads return to operable condition.

Operations

Waste rock would be excavated with a 300 Hitachi tracked excavator with a 1 ½ CY bucket and loaded onto a 25 or 30 ton off road articulated haul truck.

The ore would be hauled to the previously approved mill site beside the Pony Creek Road where it would be stockpiled, screened and crushed, and then hauled to the Golden Sunlight Mine (GSM) for processing. Once crushed, ore would be hauled to GSM in highway legal belly dump trucks, hauling about 20 tons per load. It is anticipated that about 6 to 8 loads per day would go to GSM.

Up to two belly dump trucks would be used to haul the ore to the Golden Sunlight mine. Each truck may make 3 to 4 trips per day, for a total of 6 to 8 truck trips. Driving at low speeds would minimize the amount of road dust created. Magnesium chloride has been applied, and will be maintained on the road from the Crusher Site and through Pony.

Hauling would be limited to daylight hours during the work week.

The following equipment will be used on the project:

- 300 Hitachi tracked excavator with a 1 ½ CY bucket
- Wheeled loader
- Road grader
- 25-30 ton articulated off road haul truck
- 2 - 30 CY highway belly dump trucks
- Pickup trucks

Disturbance
The Old Joe waste dumps cover approximately 0.06 acres.

The MN55 dumps cover approximately 0.03 acres on public land and 0.02 acres on patented land.

Reclamation
As each dump is removed from the mine site, native soil would be exposed. This area would then be scarified across the slope with the teeth of the excavator bucket and broadcast seeded with the native grass seed mix shown below or other as stipulated by the BLM. New road segments constructed to access the dumps would be pulled back to original contour and similarly seeded.

Proposed Seed Mix		
Agropyron spicatum	Bluebunch wheatgrass	9.5 lb/acre
Festuca Idahoensis	Idaho fescue	3.0
Agropyron trachycaulum	Slender wheatgrass	5.5
Poa ampla	Big bluegrass	2.0
		20.0 lbs. Pure Live Seed/acre

Weed Control
The Old Joe site appears to be free of noxious weeds at this time and the operator will maintain this condition. Excavating equipment and articulated haul trucks will be pressure washed before coming onto the project.

Schedule
It is anticipated that this project will require about 90 days for completion. Road construction and mining of the dump sites would start soon after approval. Mining, crushing and hauling will continue through 2015 and 2016. Final reclamation will be completed not later than Nov. 30, 2016. Reclamation will be performed at each dump site as soon as waste rock removal is complete.

Sequencing of operations for this Amendment will be as follow:

- Road construction: summer 2015.
- Waste rock removal: summer/fall 2015 and summer 2016.
- Reclamation: fall 2016.

Environmental Protection
The following measures will be taken to prevent undue degradation of natural resources:

- All heavy equipment will be pressure washed before accessing the sites.
- Noxious weeds will be sprayed along access roads and at mine sites.
- Except for the temporary screened ore stockpile, there will be no equipment or material storage on the BLM.
- There will be no permanent fuel tanks. Fuel and lubricants will be brought on site as needed in drums or tanks mounted in pickup trucks. Fuel service trucks will not be permanently on site.

- The excavator will have a spill containment kit on site.
- There will be no solid waste placed on the BLM. Solid waste will not be allowed to accumulate on the project.
- At closure:
    - All equipment, material and trash will be removed from the site.
    - The sites will be scarified and seeded with a native seed mix.
    - New road segments will be returned to original contour and seeded.

Fire Protection

- All vehicles and equipment will be equipped with a shovel, bucket and fire extinguisher.
- The proponent will abide by any closure or work restriction orders from the agencies with regard to fire conditions.

ADDITIONAL BLM MITIGATION MEASURES

Vegetation

In order to mitigate the spread of Dalmatian toadflax, the operator would coordinate with the BLM to spray the weeds before operations begin.

Per agencies policy, weeds would be sprayed by the operator for a minimum of three years or until they are considered under control by the agencies.

Cultural Resources

In order to protect existing on-the-ground cultural resources the operator would avoid all historic features, including on-the-ground historic debris. If historic artifacts are inadvertently discovered during the course of the project the operator would stop work and contact the Dillon Field Office for further direction.

Wildlife

Prior to road work commencing to both sites, a raptor nest survey would be completed. If an active nest is found along the new road sites and/or where the road will be widened, the nest tree would be protected and a timing stipulation would be implemented.

A food storage stipulation would be included to avoid attracting bears.

Soil and Water Quality

Additional BMPs would be implemented as necessary and appropriate to ensure that water quality standards are met throughout the project area. The Madison Watershed EA Forest and Woodland Treatments (pages 22 and 23), Water Quality BMPs for Montana Forests (2001), Montana Placer Mining BMPs (1993) and the Montana Guide to the Streamside Management Zone Law and Rules (2006) provide guidance for mitigating water quality impacts from roads. These documents can be found at the following websites;

http://dnrc.mt.gov/forestry/Assistance/Practices/Documents/2001WaterQualityBMPGuide.pdf
http://www.mbmg.mtech.edu/mbmgcat/public/ListCitation.asp?pub_id=11696&
http://dnrc.mt.gov/forestry/Assistance/Practices/Documents/SMZ.pdf

Air Quality - Dust

As a mitigating measure, if dust becomes excessive, the operator may be required to shut down until measures are taken to reduce dust. In addition to the road segment listed above, select areas of the road may need magnesium chloride or water applied for dust abatement.

Reclamation Bond

In order to insure reclamation, a reclamation bond would be calculated by the agencies and collected before the project begins. Activities under the plan may not begin until the proponent receives notification from the BLM that the bond has been accepted and obligated. On this project it will be considered that there is an existing bond posted for disturbance on the originally proposed activities and much of the reclamation has been completed. In additional the Pony Creek road has been transferred to Madison County and the BLM does not have authority to hold a bond on the road.

The bond would be released upon reclamation approval by the BLM and Montana Department of Environmental Quality.

CHAPTER 3
AFFECTED ENVIRONMENT/ENVIRONMENTAL IMPACTS

INTRODUCTION AND GENERAL SETTING

The area is located on the east side of the Tobacco Root Mountains. The terrain consists of rugged mountains with areas of heavy timber. Extensive mining has taken place in the area going back over 130 years and historic mine features are prevalent all through the area. Most roads in the area are rugged, winding and in steep places. Elevations of the project vary from 5,500 feet in Pony to 7,500 feet.

A Watershed Assessment Report and EA were completed for the Madison Watershed in 2009 and 2010. The waste rock dumps, haul routes and crusher site are located within the Strawberry Ridge Allotment. The reader is directed to those sections of the Madison Assessment Report and EA that address the Strawberry Ridge Allotment and Pony Creek for additional information.

CRITICAL ELEMENTS

Critical Elements of the Human Environment are those elements that are subject to the requirements specified in statute, regulation, or executive order, and must be considered in all EAs (BLM H-1790-1, Appendix 5). The check list below indicates which Critical Elements are either not present in the project area, would not be impacted to a degree that requires detailed analysis, or are analyzed in further detail.

CRITICAL ELEMENTS		
Determination*	**Resource**	**Rationale for Determination**
NI	Air Quality	Due to the equipment used and timing of the hauling there could be periods of heavy dust. However, due to the location of the potential dust coming off BLM managed roads it shouldn't impact the town of Pony. If dust becomes excessive the contractor would be required to apply dust abatement.
NP	Areas of Critical Environmental Concern	NP
PI	Cultural Resources	See below
NP	Environmental Justice	NP
NP	Farmlands (Prime or Unique)	NP
NP	Floodplains	NP
PI	Invasive, Non-native Species	See below
NP	Native American Religious Concerns	No Native American Religious concerns exist in this area.
NI	Threatened, Endangered or Candidate Animal Species	One Threatened species, the grizzly bear, could potentially be transient in the project area. The proposed action would not impact grizzly bear.
PI	Threatened, Endangered or Candidate Plant Species	Whitebark pine is a candidate species that occurs within this area. See below
NP	Wastes (hazardous or solid)	Potential hazardous waste would be removed
NI	Water Quality (drinking/ground)	Drinking/groundwater is not expected to be impacted. Leaching of heavy metals that may be present in the waste rock will be reduced or eliminated by its removal. The removal of waste rock is in and of itself heavy metal mitigation
NI	Wetlands/Riparian Zones	Wetlands/Riparian Zones are not expected to be impacted. Impacts associated with road widening and road use will be mitigated by the installation and maintenance of water bars and periodic inspections
NP	Wild and Scenic Rivers	NP
NP	Wilderness	NP

*Possible determinations:
NP = not present in the area impacted by the proposed or alternative actions
NI = present, but not affected to a degree that detailed analysis is required
PI = present and may be impacted to some degree. Would be analyzed in the affected environment and environmental impacts. (NOTE: PI does not mean impacts are likely to be significant in any way).

AFFECTED ENVIRONMENT

The existing condition is described below for resources, including Critical Elements, which are potentially affected by the proposal.

VEGETATION – Including Special Status Species and Weeds

The MN55 site is dominated by Douglas-fir (*Pseudotsuga menziesii*) and lodgepole pine (*Pinus contorta*) trees. The native grass community includes; bluebunch wheatgrass (*Pseudoroegneria spicata)*, pinegrass (*Calamagrostis rubescens*), and Idaho fescue (*Festuca idahoensis*). Other plants present in this site habitat are skunkbush sumac (*Rhus trilobata*), common *snowberry (Symphoricarpos albus),* a variety of native forbs, and Rocky Mountain juniper (*Juniperus scopulorum*). The native grass community includes; bluebunch wheatgrass, and Idaho fescue. Other plants present at this site are mountain big sagebrush, Rocky Mountain juniper, and a variety of native forbs.

The public land in the vicinity of the project has low probability for habitat plants on the current sensitive plant species list.

Spotted knapweed and Houndstongue occur in the area around and the road leading to the MN55 site. These weeds as well as Musk and Canada thistle occur around the crusher site.

The public lands in this area have been treated yearly by BLM crews and through an agreement with Madison County but steep terrain and a large seed bank have hindered treatments.

CULTURAL RESOURCES

A Class III cultural resource inventory was conducted for each historic mining site as well as all road improvements associated with mine dumps and in order to fully comply with Section 106 of the National Historic Preservation Act, consultation with the Montana Historic Preservation Office would need to be completed to decide on the proper mitigation for the project prior to the project going forward.

The proposed action could have an impact on historic mine features as waste material is removed. The excavator and the trucks working close around the mines themselves could cause potential damage. However, every effort would be made to minimize the impacts of removal and reclamation. Steps taken to reduce impacts include using the preexisting access roads, only removing select material containing appropriate grade and using borrow material for reclamation and closure from areas cleared for cultural resources.

Section 106 compliance as required by the National Historic Preservation Act would be completed, and implementing all required mitigation measures would reduce impacts to cultural resources.

SOIL AND WATER QUALITY

Soils in the vicinity were impacted during the period of active mining and through ongoing soil development processes. Historic waste dumps frequently contain heavy metals other than those which were the object of the original mining operation and these can impact soil

and water quality as well as groundwater. Where contaminated groundwater intersects stream channels as base flow, surface water may also be impacted.

RECREATION AND VISUAL RESOURCES

Recreation in the proposed general project area is primarily of a dispersed nature and includes activities such as hunting, sightseeing, driving for pleasure, and occasional horseback riding. There are no developed recreation sites such as picnic areas or campsites in this general area, nor are there developed recreational trails.

The area is managed as Visual Resource Management (VRM) Class III. The objective for management "is to partially retain the existing character of the landscape. Activities or modifications of the environment should not be evident or attract the attention of the casual observer. Changes caused by management may be evident but should not detract from the existing landscape."

PUBLIC SAFETY

The access to the MN 55 is on a route off the Pony Creek road. This route passes over patented land directly off the Pony Creek road and then onto public land. The route on public land is not an open route so no public vehicles should be traveling this access.

Some hazard may exist from trucks traveling to and from the sites however visibility of the existing main access roads is good.

WILDLIFE

Several migratory bird species, including raptors, use the habitat in the project area for nesting and foraging. The project area is outside of both sage grouse priority habitat and general habitat. There are no known active sage grouse leks along the eastern end of the Tobacco Root Mountains. The absence of a lek and the project sites being within forested, rather than sagebrush, habitat reduces the probability that sage grouse would be nesting within the project area, as sage grouse typically nest within two miles of a lek.

To date there are no confirmed reports of grizzly bears in the Tobacco Root Mountains. Special status species wildlife are discussed in the Biological Evaluation in Appendix B.

ROADS

The Pony Creek Road which is the main haul route is now a county road. BLM has no formal easements across patented land. The proponent either owns the patented land that would be crossed or they have made arrangements with the land owners. Access routes on BLM that are off of the main roads are not designated open routes.

NO ACTION

Direct and Indirect Impacts of the No Action Alternative

The No Action alternative would not meet the purpose and need for the proposed action. Under the 1872 Mining Law and the 43 CFR 3809 regulations, the claimant has the right to

mine and process ore on his unpatented mining claim. BLM must review the Plan of Operation in order to insure no unnecessary or undue degradation of the environment.

The No Action Alternative would not create any additional potential for immediate runoff into the creek, would not impact cultural resources and would not create any impacts beyond what currently exists. There would be no environmental impacts from the proposed action because it would be denied.

PROPOSED ACTION

Direct and Indirect Impacts of the Proposed Action

This section analyzes the impacts of the proposed action to those resources described in the affected environment.

VEGETATION – Including Special Status Species and Weeds

Due to low probability habitat, no impacts to sensitive plants or their habitat are anticipated at the sites.

It is expected that noxious weed treatment during the two to three year period would reduce the severity of infestation. Given the probability of some escape during each application and the seed bank in the soil, the treatment would not result in 100% control. Reseeding the footprint of the waste dumps and any other disturbances would reduce the chance of invasion from surrounding noxious weeds.

SOIL AND WATER QUALITY

Although there is no evidence at this time that these particular dumps have impacted soil or water quality, waste rock often contains heavy metals. The removal of this material would reduce the possibility of continued heavy metal impacts to soils and water

Sediment input to Pony Creek will be mitigated by the installation and maintenance of water bars in association with road widening and maintenance.

RECREATION AND VISUAL RESOURCES

The project is located in mostly steep mountainous area and much of the removal activity would not be visible to visitors. Crushing and hauling would be visible to those traveling the Pony Creek Road and in the general vicinity.

Since there are no developed recreation areas in the area, it is anticipated there would be minimal impacts to recreation. There could be impacts to hunters and other users from noise and truck traffic on the Pony Creek and adjoining roads during time of hauling.

Removal of the tailings piles, recontouring and reseeding, would actually restore previously disturbed components of the natural landscape in this area, which would be clearly consistent with the objective for management of visual resources in this area.

PUBLIC SAFETY
The proposed action would add traffic to the Pony Creek Road for a limited period of time that could impact safety. Placing "Truck Hauling" signs, encouraging low travel speeds and constructing turnouts where visibility is limited, would reduce potential impacts to public safety during times of use.

WILDLIFE
The proposed project is not expected to have a significant impact on wildlife. Please see wildlife mitigation measures listed in Chapter 2 and Appendix B for the Biological Evaluation for Special Status Fish and Wildlife Species.

The Old Joe site is within elk winter range, however the project proponent will not be operating in the winter, eliminating any disturbance to wintering elk. Temporary road construction and road widening would require cutting down several trees. There is a potential to impact nesting raptors, including Northern goshawks and great gray owls. Mitigation measures would be implemented to avoid impacts to nesting raptors. The potential impacts to individual migratory birds include destruction of eggs, nests, and nesting habitat. Road construction may impact individual birds; however a species population in the project area would not be impacted. Sage grouse are not anticipated to be nesting in this area since there are no leks along the eastern Tobacco Root Mountains and the area is outside of core and general sage grouse habitat. Both sites are also within forested, rather than sagebrush, habitats.

To date there are no confirmed reports of grizzly bears in the Tobacco Root Mountains. There is potential for transient grizzly bears to move through the project area, however there are no anticipated effects to grizzly bear from the Proposed Action. A food storage stipulation is included to avoid attracting grizzly and black bears and to reduce conflicts with bears.

AIR QUALITY
Unpaved roads can be a source of dust. Dust mitigation may be implemented as necessary to minimize these conditions. Dust at the crusher site as a result of crushing and loading would be mitigated by spraying water or using spray bars on the crusher. As a mitigating measure, if dust becomes excessive, the operator may be required to shut down until measures are taken to reduce dust.

A Montana Department of Transportation, Environmental Services Memorandum dated December 27, 2004, Subject: Chloride Levels in Streams Adjacent to Winter Maintenance Activities generally finds magnesium chloride not to be harmful to aquatic life.

ROADS
Roads will be widened to a minimum of fourteen feet. Total disturbance may reach twenty six feet where cut and fill operations are required. None of the access routes that are on public land are open routes. The new temporary access roads will be reclaimed and the routes that were widened will be reclaimed back to original width and the existing routes that are not improved will be left as is.

SOCIOECONOMICS

Removal of waste material could potentially save the federal government the cost of removal or mitigation in the future.

CUMULATIVE IMPACTS

Cumulative impacts are those resulting from the incremental impact of an action when added to other past, present, or reasonable foreseeable actions regardless of what agency or person undertakes such other actions.

The last several years has seen a number of historic waste piles in the area being removed for reprocessing. These result in disturbances for access roads, the remaining footprint of the waste pile and other associated disturbances. These areas have been reclaimed or are currently in the process of being reclaimed and revegetated. This temporary disturbance may result in sediment runoff. Most of these disturbances are on patented land and not managed by the BLM. As described earlier in this document, the only associated disturbances on BLM are the MN 46, the road that was widened to access the MN 46 and the crusher site.

This area has seen extensive mining over the years with activity dating back to the 1870s and before. Much of this disturbance has not been reclaimed and the resulting waste piles, tailing piles and other disturbance may result in runoff into the creeks. One of larger tailings piles in the drainage is the Boss Tweed mine.

During the summer of 2012 there was a major forest fire that burned within approximately one mile of the project area.

Overall, the proposed project is small and short term and should not contribute significantly to cumulative impacts. Reclamation would mitigate adverse impacts.

RESONABLY FORSEEABLE DEVELOPMENT

Since this area is highly mineralized there is always the possibility that additional economic material could be found and a mining project(s) developed. There are numerous historic waste dumps in the area and many of them have not been adequately sampled. Additional sampling may result in another proposal to remove waste material either by the current proponent or another proponent. Economic viability is also affected by the price of metals that always has the potential to increase in value.

The Forest Service is currently evaluating a plan from the same operator proposing to remove approximately 8,500 tons of material from three different sites. This material on Forest Service is in the Cataract Creek drainage and would be hauled down the Cataract Creek road and then to the Golden Sunlight mill.

CHAPTER 4
PERSONS, GROUPS, AND AGENCIES CONSULTED

Table 4.1. List of Persons, Agencies and Organizations Consulted

Name/Agency	Purpose & Authorities for Consultation or Coordination	Findings & Conclusions
Robert Cronholm	Montana Department of Environmental Quality – Hardrock Permitting	Exploration Permit
Pete Strazdas	Representative for the proponent	Supplied additional information as consultant to the proponent.

Table 4.2. List of Preparers

Name (and agency, if other than BLM)	Title	Responsible for the Following Section(s) of this Document
Robert Gunderson	Geologist	Geology/Minerals, Project Leader
Stephen Armiger	Hydrologist	Riparian, Soil, Water, Air
Katie Benzel	Wildlife Biologist	Wildlife
Mike Mooney	Weed Specialist	Noxious Weeds
Jason Strahl	Archeologist	Cultural
Kelly Savage	Rangeland Management Specialist	Plants including T&E
Rick Waldrup	Recreation Planner	Visuals, Travel Management, Recreation

Figure 1 - Vicinity Map

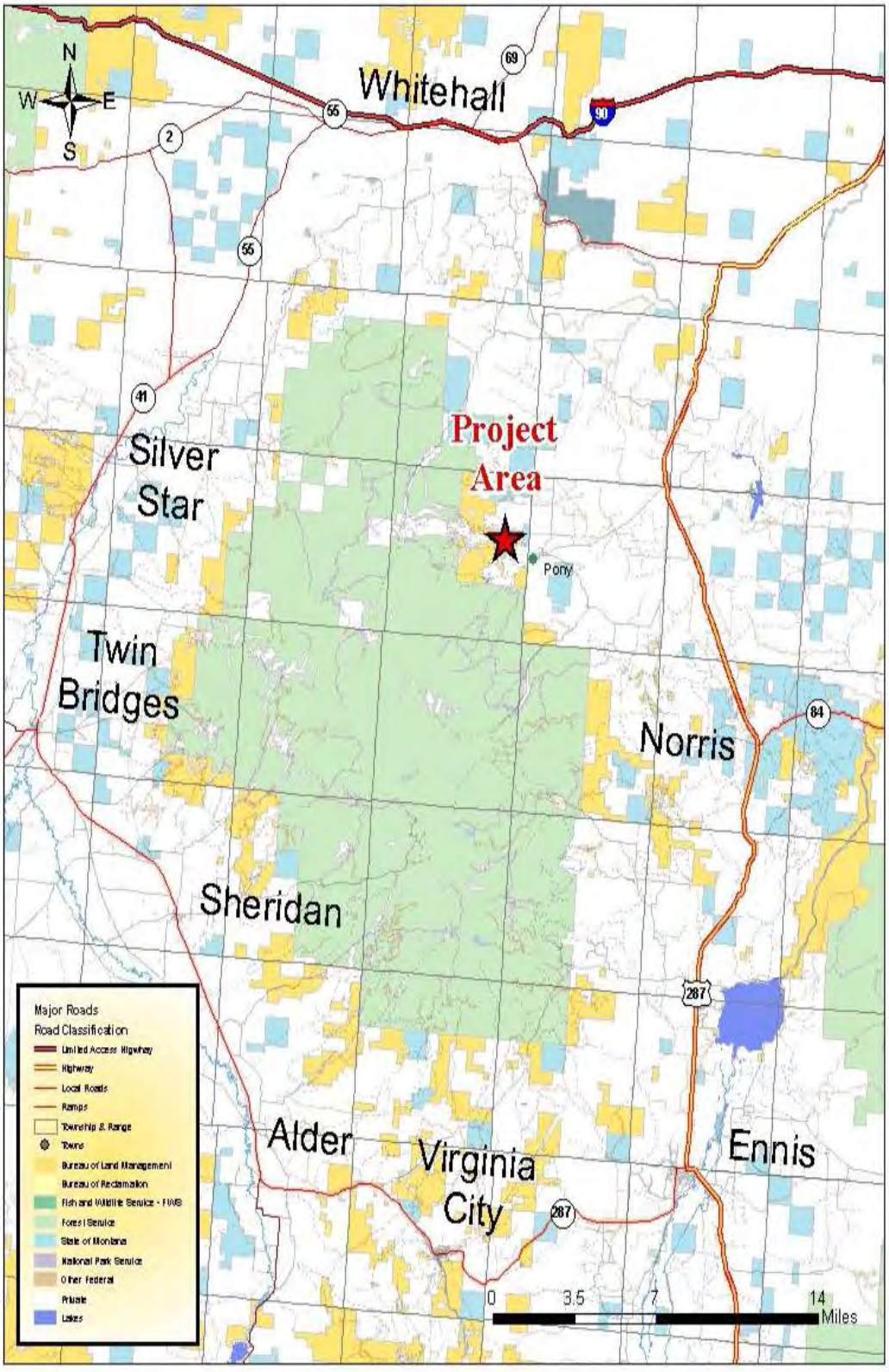
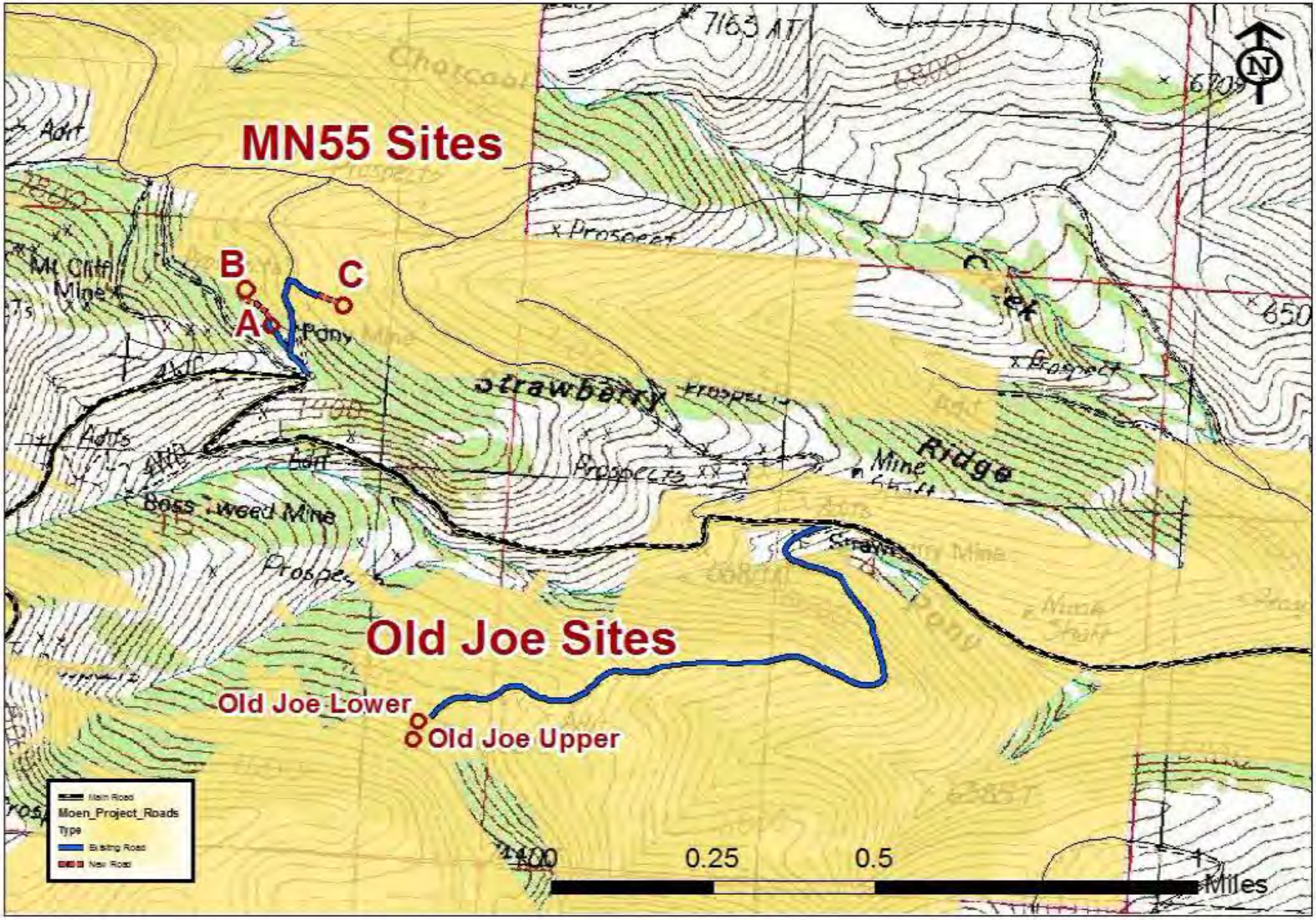


Figure 2 - Pony Waste Dump Removal Amendments



APPENDIX A

PLAN OF OPERATION

M & W Milling & Refining

Custom Gold Milling

96 Prospect Mine Road
PO Box 33
Virginia City, MT 59755
E-MAIL: moen@moenbuildersinc.net

(406) 843-5342
(406) 843-5343 Fax
Marlene Moen, Owner
Web Site:www.moenbuilders.net

July 15, 2014

Robert Gunderson, Geologist
Bureau of Land Management
1005 Selway Drive
Dillon MT 59725

Dear Bob:

Enclosed, please find an Amendment to the Plan of Operations approved on March 20, 2013, on behalf of Moen Builders, Inc, for removal of waste rock dumps from the MN 55 claims and for extension of the completion period for the Plan of Operations to November 30, 2016.

Thank you for your attention to this submittal. Please contact Mr. Gene Nellis at 406-685-3541 or Matt Moen 406-570-4445 for a site visit.

Sincerely:

Pete Strazdas
608 Logan Street
Helena MT 59601
406-461-2728
petestrazdas@gmail.com

Amendment to Plan of Operations
3809 (MTB050) MTM 104497
July 15, 2014

Moen Builders, Inc.
PO Box 33
Virginia City MT 59755
406-843-5342

Taxpayer i.d. # 81-0349170

Unpatented Mining Claims in this Project:

Serial Number	Name	Claimant
MMC226640	Mill #1	Marlene Moen
MMC221285	MN #46	Gene M Nellis
MMC215961	Mexi #1	Gene M Nellis
MMC221294	MN #55	Gene M Nellis

Moen Builders , Inc. (Moen) submits this Amendment to the Plan of Operations approved on March 20, 2013, to remove approximately 4,750 tons of waste rock dump material from the MN #55 claim located in the NW ¼ NE ¼ Section 15: T2S R3W, Madison County and to extend the period of operations for final closure to Nov. 30, 2016.

A staging and crushing site has been established on the Mill #1 claim in the SW ¼ NE ¼ Section 13: T2S R3W. Ore would be screened and/or crushed, then hauled to the Golden Sunlight mine near Whitehall, MT.

A general site map and a Google air photo of the site are enclosed with this submittal.

Site Description

The MN 55 claim is at an elevation of about 7,500 feet, on a north facing, 35% slope. The dumps are on a steep lodgepole pine and Douglas fir forest. There are three small dumps on this mine site, labeled A, B and C. Most of dump A is on a patented claim. The toe appears to extend onto BLM.

Dump A, mostly on patented ground, occupies about 0.02 acres and holds about 2,500 T of waste.
Dump B, on BLM, occupies about 0.02 acres in two segments and holds about 1,500 T of waste.
Dump C, on BLM, occupies about 0.01 acres and holds about 750 T of waste.

Access

The principal access is the Pony Creek Road, a county road built in the 1870's to provide access to area mines.

There will be no winter operations, therefore snow removal will not be necessary. Early or late storms may delay work for a few days until roads return to operable condition.

The MN 55 claim will be accessed from the Pony creek road across established roads on patented ground. A new 250 foot road segment is to be constructed connecting dumps A and B, and an additional 50 foot segment will be reconstructed to connect the two lobes of dump B.

An existing road will be used to approach dump C. Approximately 315 feet of this 595 foot road is on the BLM. A 280 foot road segment will be reconstructed to access dump C from the existing road.

The new road connecting dumps A and B is across a 25% - 35% slopes and will be cut and fill, with a 14 foot running width. A conceptual drawing is attached. The new road accessing dump C from the existing road is on gently sloping ground and will be bladed to a running width of 14 feet. The existing access road will also be bladed to a 14 foot running width.

Public Safety

During periods when trucks are hauling, "Truck Hauling" signs will be placed near the MN 55 dump, at the west end of Pony on the Pony Creek Road, at the east end of Pony on the Pony-Harrison road.

Haul truck drivers will be instructed to drive not faster than 15 mph on the Pony Creek Road and through the town of Pony. Trucks entering the road from the Crusher Site will yield to traffic on the road.

There will be no hauling on weekends.

Plan of Operations

Moen expects to remove approximately 2,250 tons of waste rock from dumps B and C on the BLM and an additional 2,500 tons from dump A on the patented claim. Waste rock would be excavated with a 300 Hitachi tracked excavator with a 1 ½ CY bucket and loaded onto a 25 or 30 ton off road articulated haul truck.

Removal of the old waste rock material would provide the added benefit of removing potential heavy metal contaminants from public land.

The ore would be hauled to the previously permitted mill site beside the Pony Creek Road where it would be stockpiled, screened and crushed, and then hauled to the Golden Sunlight Mine (GSM) for processing. Once crushed, ore would be hauled to GSM in highway legal belly dump trucks, hauling about 20 tons per load. It is anticipated that about 6-8 loads per day would go to GSM.

Up to two belly dump trucks would be used to haul the ore to the Golden Sunlight mine. Each truck may make 3 – 4 trips per day, for a total of 6 – 8 truck trips. Trucks would travel at not more than 15 mph on the Pony Creek Road and through Pony. The low speed would minimize the amount of road dust created. Magnesium chloride has been applied to the road from the Crusher Site and through Pony.

Hauling would be limited to daylight hours during the work week.

The following equipment will be used on the project:

- 300 Hitachi tracked excavator with a 1 ½ CY bucket
- Wheeled loader
- Road grader
- 25 or 30 ton articulated off road haul truck
- 2 - 30 CY highway belly dump trucks
- Pickup trucks

Amendment Summary:

	BLM	PRIVATE
MN 55		
Dump A		0.02 acres
		2,500 T
Dump B	0.02 acres	
	1,500 T	
	300' new road	
Dump C	0.01 acres	
	750 T	
	280' new road	
	315' existing road	280' existing road

Reclamation

As each dump is removed from the mine site, native soil would be exposed. This area would then be scarified across the slope with the teeth of the excavator bucket and broadcast seeded with the native grass seed mix shown below or other as stipulated by the BLM.

The new road segments constructed to access the dumps would be pulled back to original contour and similarly seeded.

Reclamation Seed Mix

Agropyron spicatum	bluebunch wheatgrass	9.5 lbs/acre
Festuca idahoensis	Idaho fescue	3.0
Agropyron trachycaulum	slender wheatgrass	5.5
Poa ampla	big bluegrass	0.5
Agropyron riparium	streambank wheatgrass	2.0
		20.5 lbs PLS/acre

Weed Control

The MN 55 site appears to be free of noxious weeds at this time and Moen will maintain this condition.

Excavating equipment and articulated haul trucks will be pressure washed before coming onto the project.

Schedule

It is anticipated that the project will require about two additional seasons for completion. Road construction and rehabilitation to the dump sites would start immediately after completion of work at the Pony mine sites, previously permitted on patented ground.

Mining, crushing and hauling from MN 55 will continue through 2014 and 2015. Final reclamation will be completed not later than Nov. 30, 2016.

Reclamation will be performed at each dump site as soon as waste rock removal is complete.

Sequencing of operations for this Amendment will be as follow:

- Road construction at the MN 55 claim: summer 2014.
- Waste rock removal at the MN 55 claim: summer/fall 2014 and summer 2015.
- Reclamation of the MN 55 claim: fall 2015.

Environmental Protection

The following measures will be taken to prevent undue degradation of natural resources:

- All heavy equipment will be pressure washed before accessing the sites.
- Noxious weeds will be sprayed along access roads and at mine sites.
- Except for the temporary screened ore stockpile, there will be no equipment or material storage on the BLM.
- There will be no permanent fuel tanks. Fuel and lubricants will be brought on site as needed in drums or tanks mounted in pickup trucks. Fuel service trucks will not be permanently on site.
- The excavator will have a spill containment kit on site.
- There will be no solid waste placed on the BLM. Solid waste will not be allowed to accumulate on the project.
- Al closure:
    - All equipment, material and trash will be removed from the site.
    - The sites will be scarified and seeded with a native seed mix.
    - New road segments will be returned to original contour and seeded.

Fire Protection

- All vehicles and equipment will be equipped with a shovel, bucket and fire extinguisher.
- Moen will abide by any closure or work restriction orders from the agencies with regard to fire conditions.

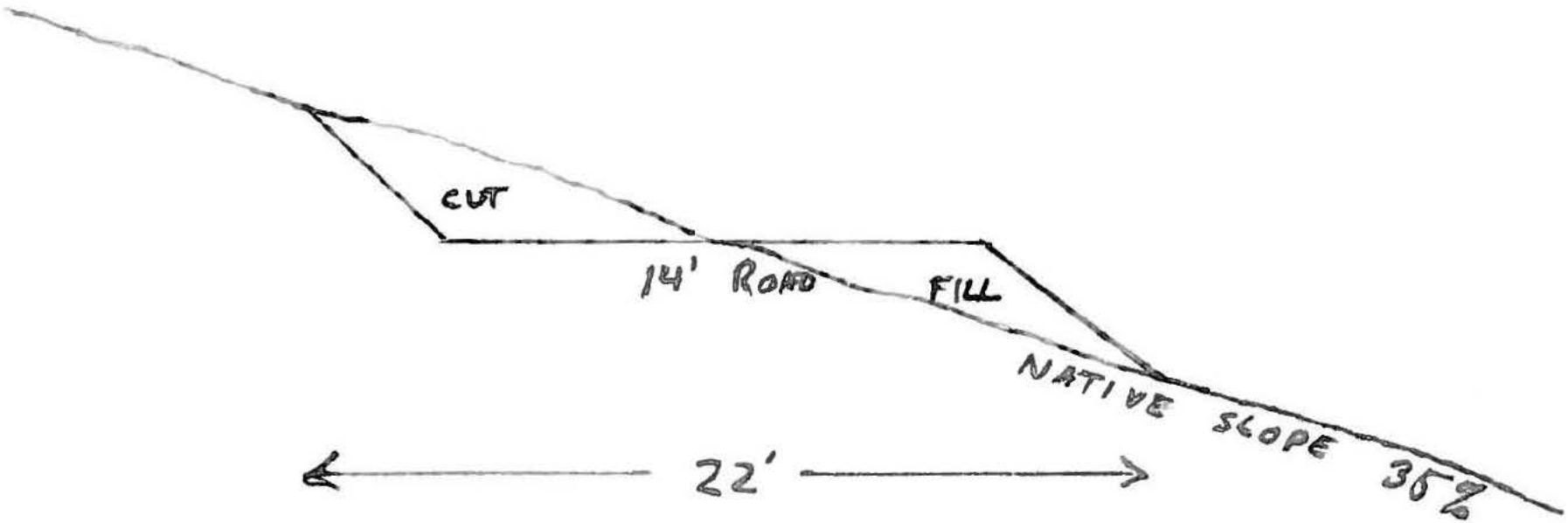
Site managers for the project will be Mr. Matt Moen: 406-570-4445 and Mr. Gene Nellis: 406-685-3541

Matt Moen, Owner

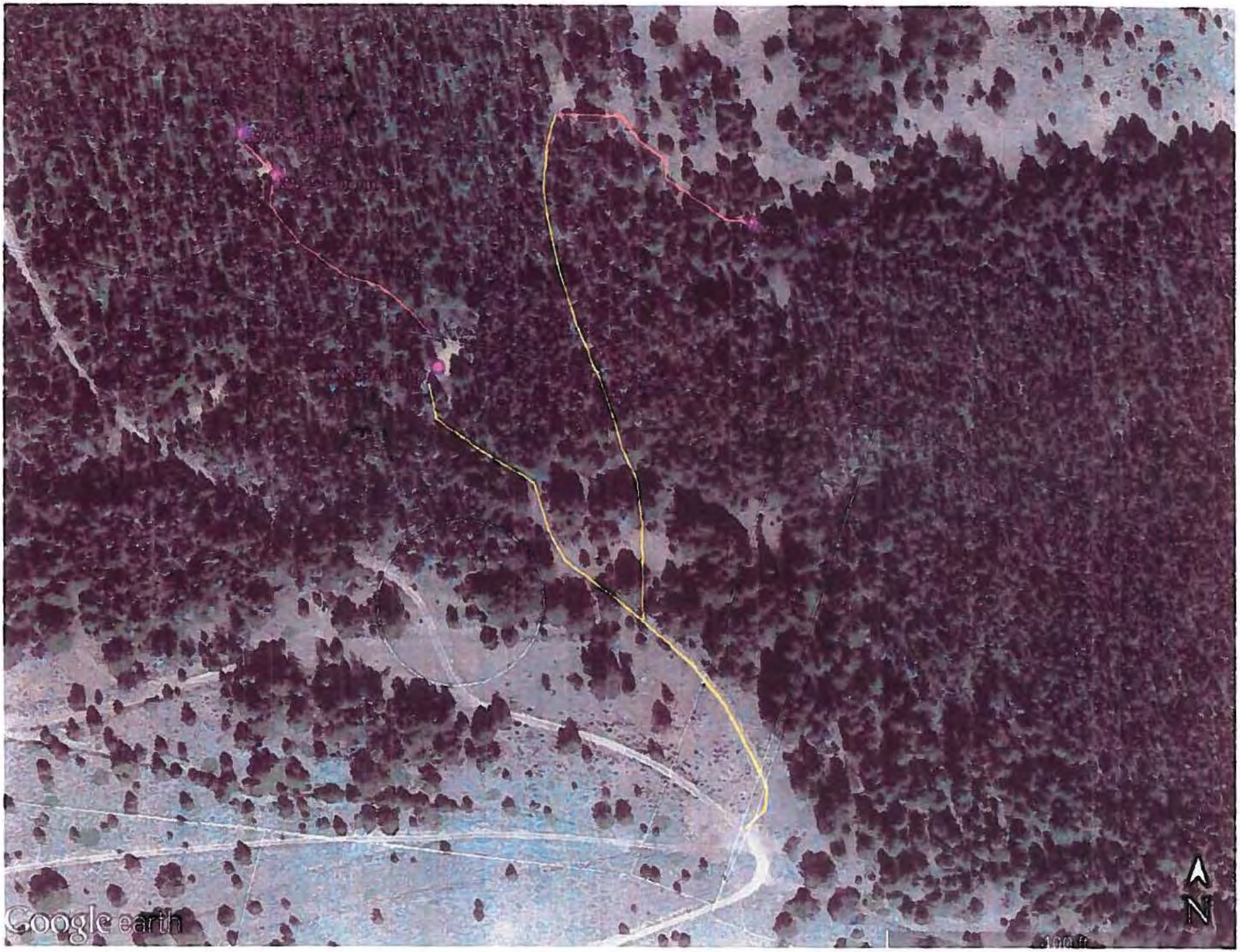
2/17/15
Date

Conceptual X-Sec

Dump A-B ROAD



SCALE 1" = 4'


Google earth
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M & W Milling & Refining

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(406) 843-5342
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Marlene Moen, Owner
Web Site:www.moenbuilders.net

November 10, 2014

Robert Gunderson, Geologist
Bureau of Land Management
1005 Selway Drive
Dillon MT 59725

Dear Bob:

Enclosed, please find an Amendment to the Plan of Operations approved on March 20, 2013, on behalf of Moen Builders, Inc, for removal of waste rock dumps from the Old Joe mine and for extension of the completion period for the Plan of Operations to November 30, 2016.

Thank you for your attention to this submittal. Please contact Mr. Gene Nellis at 406-685-3541 or Matt Moen 406-570-4445 for a site visit.

Sincerely:

Pete Strazdas
608 Logan Street
Helena MT 59601
406-461-2728
petestrazdas@gmail.com

Amendment to Plan of Operations
3809 (MTB050) MTM 104497
November 10, 2014

Moen Builders, Inc.
PO Box 33
Virginia City MT 59755
406-843-5342

Taxpayer i.d. # 81-0349170

Unpatented Mining Claims in this Project:

Serial Number	Name	Claimant
MMC215963	Old	Gene Nellis

Moen Builders , Inc. (Moen) submits this Amendment to the Plan of Operations approved on March 20, 2013, to remove approximately 5,000 tons of waste rock dump material from the Old Joe claim located in the SE ¼ SE ¼ Section 15: T2S R3W, Madison County and to extend the period of operations for final closure to Nov. 30, 2016.

A staging and crushing site has been established on the Mill #1 claim in the SW ¼ NE ¼ Section 13: T2S R3W. Ore would be screened and/or crushed, then hauled to the Golden Sunlight mine near Whitehall, MT.

A general site map and a Google air photo of the site are enclosed with this submittal.

Site Description

The Old Joe mine site is at an elevation of about 7,300 feet, on a north facing slope. There are two dumps on a steep lodgepole pine and Douglas fir forest.

The lower dump occupies about 0.03 acres and holds about 3,500 T of waste.
The upper dump occupies about 0.03 acres and holds about 1,500 T of waste.
For a total of 5,000 tons

Access

The principal access is up the Pony Creek Road, a county road built in the 1870's to provide access to area mines, thence up approximately 6,255 feet of low quality road to the mine site. The road crosses Pony Creek over a 24" culvert on the BLM. The culvert and crossing are in good repair and will not be changed. The initial 1,530 feet of road traverses a Douglas fir forest. The road is narrow, at about 10-12

feet wide and will need to be widened to a running width of 14 feet. The road then follows an open ridge for about 2,685 feet. There would be no road construction on this segment. The final 1,515 foot segment again enters a forest and will need to be expanded from the present 10-12 feet wide to 14 feet wide.

Assuming that about one tree per 100 feet of existing road that is to be widening will need to be removed, a total of about 30 trees will be removed from the two road segments in the forest. An additional 25 trees would be removed from the 255 ft. of new road segments that access the Old Joe and upper Old Joe dumps, for a total of approximately 55 trees.

Two new road segments will be needed to access the lower portions for the lower and upper dumps, 120 feet of new road to reach the lower dump and approximately 135 feet of new road to reach the upper dump.

There will be no winter operations, therefore snow removal will not be necessary. Early or late storms may delay work for a few days until roads return to operable condition.

The new road segments would be across 25% - 35% slopes and will be cut and fill, with a 14 foot running width. A conceptual drawing is attached.

Public Safety

During periods when trucks are hauling, "Truck Hauling" signs will be placed at the crossing of Pony Creek, at the west end of Pony on the Pony Creek Road, at the east end of Pony on the Pony-Harrison road.

Haul truck drivers will be instructed to drive not faster than 15 mph on the Pony Creek Road and through the town of Pony. Trucks entering the road from the Crusher Site will yield to traffic on the road.

There will be no hauling on weekends.

Plan of Operations

Moen expects to remove approximately 5,000 tons of waste rock from dumps on the Old Joe mine. Waste rock would be excavated with a 300 Hitachi tracked excavator with a 1 ½ CY bucket and loaded onto a 25 or 30 ton off road articulated haul truck.

Removal of the old waste rock material would provide the added benefit of removing potential heavy metal contaminants from public land.

The ore would be hauled to the previously permitted mill site beside the Pony Creek Road where it would be stockpiled, screened and crushed, and then hauled to the Golden Sunlight Mine (GSM) for processing. Once crushed, ore would be hauled to GSM in highway legal belly dump trucks, hauling about 20 tons per load. It is anticipated that about 6-8 loads per day would go to GSM.

Up to two belly dump trucks would be used to haul the ore to the Golden Sunlight mine. Each truck may make 3 – 4 trips per day, for a total of 6 – 8 truck trips. Trucks would travel at not more than 15 mph on the Pony Creek Road and through Pony. The low speed would minimize the amount of road dust created. Magnesium chloride has been applied, and will be maintained on the road from the Crusher Site and through Pony.

Hauling would be limited to daylight hours during the work week.

The following equipment will be used on the project:

- 300 Hitachi tracked excavator with a 1 ½ CY bucket
- Wheeled loader
- Road grader
- 25 or 30 ton articulated off road haul truck
- 2 - 30 CY highway belly dump trucks
- Pickup trucks

Amendment Summary:

Old Joe upper	0.03 acres
Old Joe lower	0.03 acres
Roads:	3,045 feet would be built out to 14' width from the present 10-12 feet.
	2,685 feet would require no construction.
	255 feet of new road would be built.
	5,985 feet of road

Reclamation

As each dump is removed from the mine site, native soil would be exposed. This area would then be scarified across the slope with the teeth of the excavator bucket and broadcast seeded with the native grass seed mix shown below or other as stipulated by the BLM.

The new road segments constructed to access the dumps would be pulled back to original contour and similarly seeded.

Reclamation Seed Mix

Agropyron spicatum	bluebunch wheatgrass	9.5 lbs/acre
Festuca idahoensis	Idaho fescue	3.0
Agropyron trachycaulum	slender wheatgrass	5.5
Poa ampla	big bluegrass	0.5
Agropyron riparium	streambank wheatgrass	2.0
		20.5 lbs PLS/acre

Weed Control

The Old Joe site appears to be free of noxious weeds at this time and Moen will maintain this condition.

Excavating equipment and articulated haul trucks will be pressure washed before coming onto the project.

Schedule

It is anticipated that this project will require about 90 days for completion. Road construction and and mining of the dump sites would start soon after approval.

Mining, crushing and hauling from the Old Joe will continue through 2015 and 2016. Final reclamation will be completed not later than Nov. 30, 2016.

Reclamation will be performed at each dump site as soon as waste rock removal is complete.

Sequencing of operations for this Amendment will be as follow:

- Road construction: summer 2015.
- Waste rock removal: summer/fall 2015 and summer 2016.
- Reclamation: fall 2016.

Environmental Protection

The following measures will be taken to prevent undue degradation of natural resources:

- All heavy equipment will be pressure washed before accessing the sites.
- Noxious weeds will be sprayed along access roads and at mine sites.
- Except for the temporary screened ore stockpile, there will be no equipment or material storage on the BLM.
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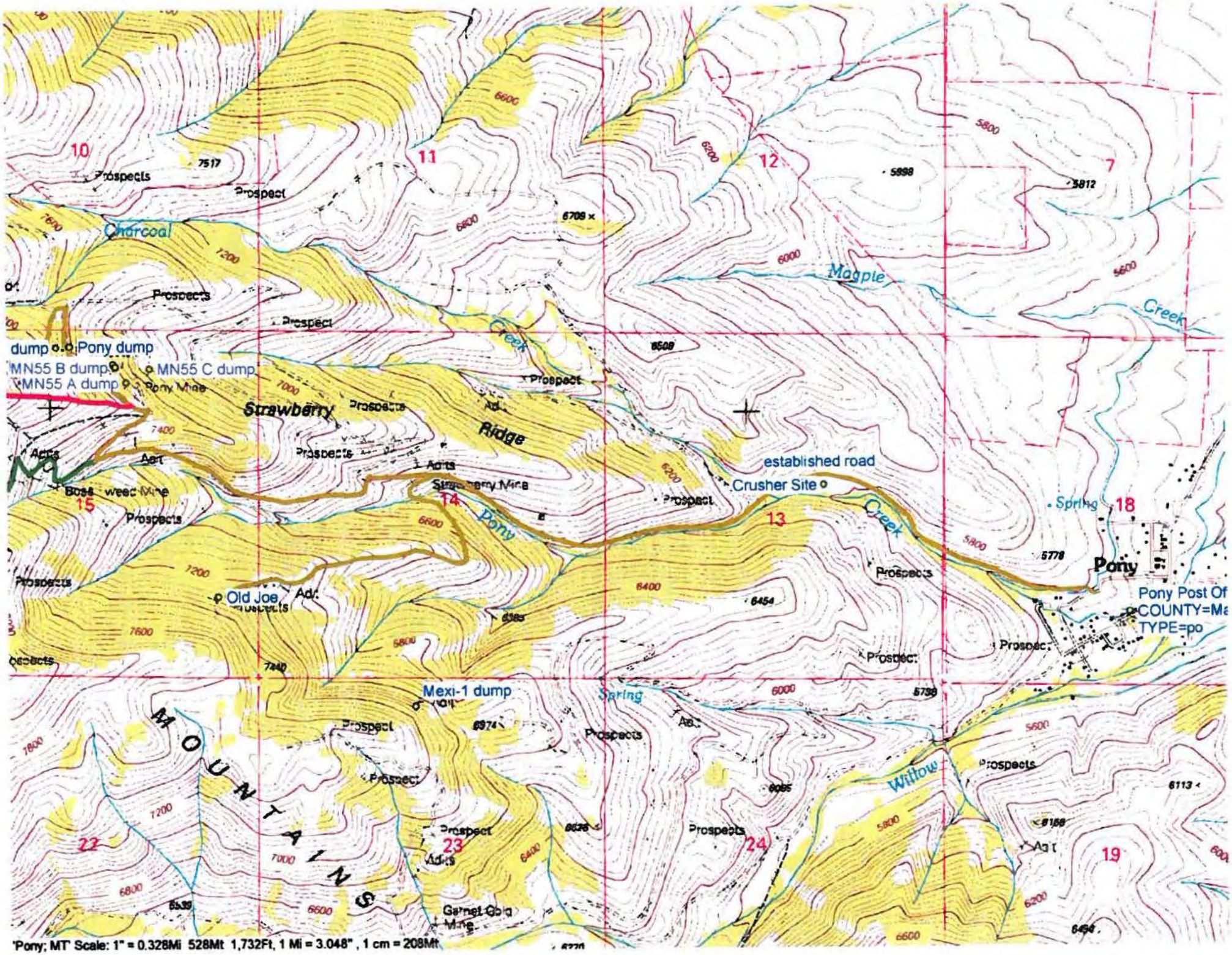
Fire Protection

- All vehicles and equipment will be equipped with a shovel, bucket and fire extinguisher.
- Moen will abide by any closure or work restriction orders from the agencies with regard to fire conditions.

Site managers for the project will be Mr. Matt Moen: 406-570-4445 and Mr. Gene Nellis: 406-685-3541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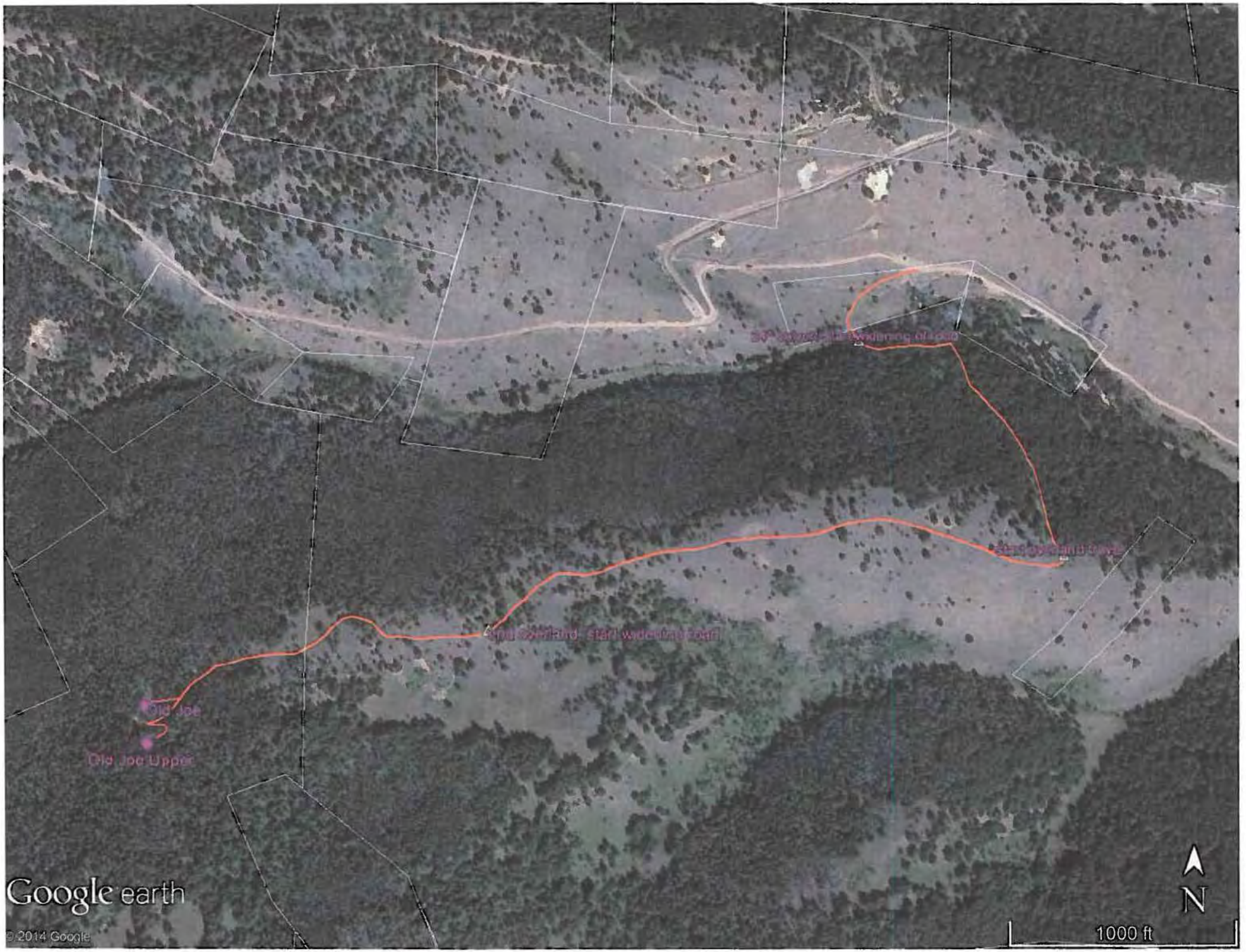
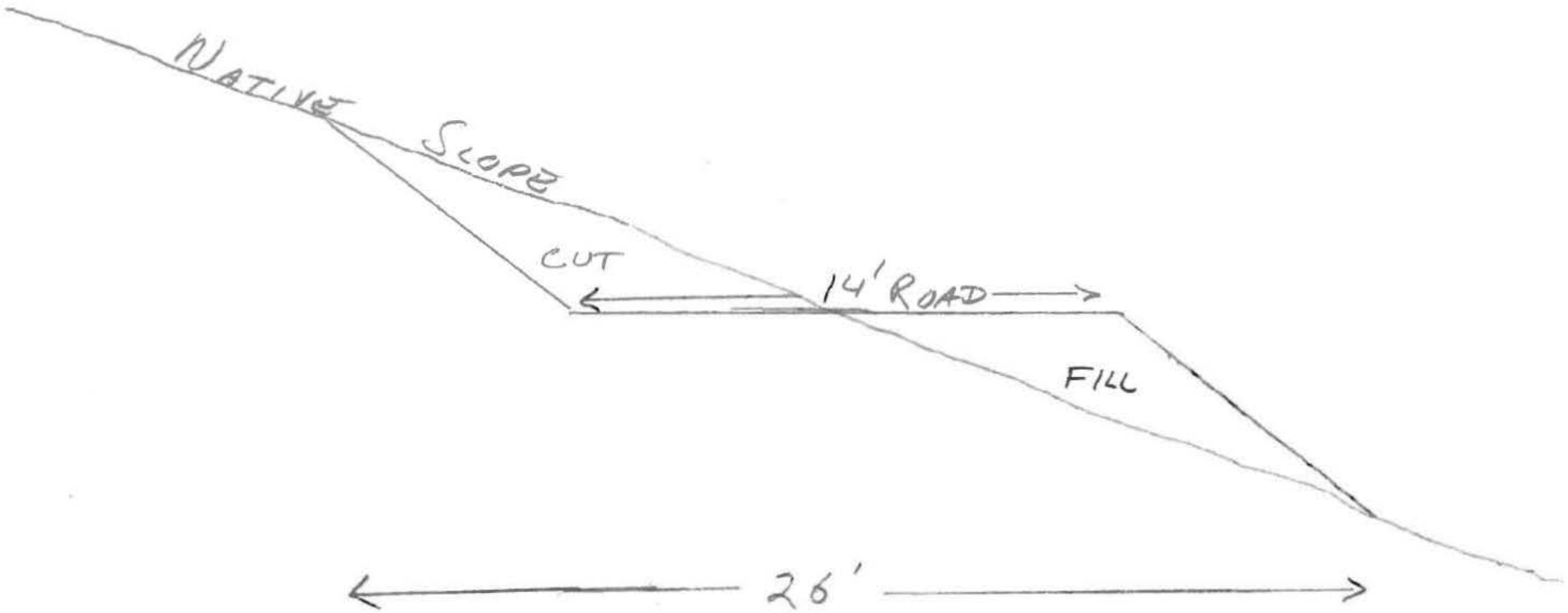
Prospects
Prospect
Charcoal
Creek
Magpie
Creek
dump
Pony dump
MN55 B dump
MN55 C dump
MN55 A dump
Pony Mine
Strawberry
Ridge
Prospects
Adits
established road
Crusher Site
Spring
Pony
Creek
Pony
Pony Post Of
COUNTY=Ma
TYPE=po
Old Joe
Adit
Mexi-1 dump
Spring
Willow
MOUNTAINS
Garnet Gold
Mine
'Pony; MT' Scale: 1" = 0.328Mi 528Mt 1,732Ft, 1 Mi = 3.048" , 1 cm = 208Mt


Old Joe
Old Joe Upper
Google earth
© 2014 Google
N
1000 ft

CONCEPTUAL X-SEC
NEW ROAD SEGMENTS



SCALE 1" = 4'

M & W Milling & Refining

Custom Gold Milling

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E-MAIL: moen@moenbuildersinc.net

(406) 843-5342
(406) 843-5343 Fax
Marlene Moen, Owner
Web Site:www.moenbuilders.net

November 10, 2014

RE: Exploration License 00560

Bob Cronholm, SMES & Exploration Program
Environmental Management Bureau
Dept. of Environmental Quality
PO Box 200901
Helena MT 59620

Dear Bob:

Enclosed, please find the following three plans submitted by Moen Excavation LLC, for evaluation of several ore bodies by taking bulk samples from waste rock dumps. These are submitted to the DEQ under Exploration License No. 00560.

1. A second Amendment to the Plan of Operations approved by the BLM on March 20, 2013 for removal of two waste rock dumps from the Old Joe claim,. The dumps are on the BLM. The first Amendment was sent to you on July 15, 2014.

2. A Plan of Operations submitted to the BLM for removal of a waste rock dump from the Blade West claim on Alder Gulch.

3. A Plan of Operations submitted to the USFS for removal of waste rock dumps from three claims, the Mountain Meadow, Ben Harrison and Bozeman, in the Cataract creek drainage and on the Pony/South Boulder divide.

These projects propose removal, crushing, and determination of the grade and economic viability of the ore from several ore bodies from the patented and unpatented claims. The ore from west of Pony would be crushed at the previously approved mill site on the BLM and the crushed ore would be shipped to the Golden Sunlight Mine near Whitehall. The ore from Alder Gulch would be crushed at the M&W mill site for shipment to Golden Sunlight.

I have enclosed a spread sheet that summarizes the permitting and land ownership status of all of Moen Excavations' dump removal projects.

Thank you for your attention to this submittal. Please contact either me or Mr. Gene Nellis at 406-685-3541 or Matt Moen 406-570-4445 for a site visit when conditions allow.

Sincerely:

Pete Strazdas
608 Logan Street
Helena MT 59601
406-461-2827
petestrazdas@gmail.com

cc. Bob Gunderson, BLM
Licette Hammer, USFS
Matt Moen

APPENDIX B

BIOLOGICAL ASSESSMENT

BLM DILLON FIELD OFFICE
Biological Evaluation for Special Status Fish and Wildlife Species.
Form Revised August 2014 - Updated September 2014

Project:

Step 1a. List of all Special Status Species that are known or suspected to occur on the DFO.	Step 1b. Current Management Status of the Species.	Step 1c. Does the species occur on this portion of the Field Office?	Step 2 Is the species or its habitat found in the surrounding area?	Step 3. Could this proposal have any effect?	Step 4. Are Irreversible or Irretrievable Resources involved?	Step 5. Alt A level of effect	Step 5. Alt B level of effect	Step 5. NO Alt C
Canada Lynx (*Lynx canadensis*)	Threatened	N/A	N/A					
Grizzly Bear (*Ursus arctos horribilus*)	Threatened	T	Y	N				
Greater Sage Grouse (*Centrocercus urophasianus*)	Canidate	T	Y	N				
Mammals								
Fringed myotis (*Myotis thysanodes*)	Sensitive	T	Y	N				
Gray Wolf (*Canis lupus*)	Sensitive	R	Y	N				
North American Wolverine (*Gulo gulo luscus*)	Sensitive	T	Y	N				
Pygmy Rabbit (*Brachylagus idahoensis*)	Sensitive	N	Y	N				
Spotted Bat (*Euderma maculatum*	Sensitive	T	Y	N				
Townsend's Big-eared Bat (*Plecotus townsedii*)	Sensitive	T	Y	N				
Birds								
American Bittern (*Botaurus lentiginosus*)	Sensitive	N/A	N/A					
Bald Eagle (*Haliaeetus leucocephalus*)	Sensitive	R	Y	Y	N	NI	MIIH	
Black Tern (*Chlidonias niger*)	Sensitive	N/A	N/A					
Black-backed Woodpecker (*Picoides arcticus*)	Sensitive	T	Y	N				

(cont.) List of all Special Status Species that are known or suspected to occur on the DFO.	Current Management Status of the Species.	Does the species occur on this portion of the Field Office?	Is the species or its habitat found in the surrounding area?	Could this proposal have any effect?	Are Irreversible or Irretrievable Resources involved?	Alt A level of effect	Alt B level of effect	NO Alt C
Brewer's sparrow *(Spizella breweri)*	Sensitive	R	Y	N				
Burrowing Owl (*Athene cunicularia*)	Sensitive	N/A	N/A					
Caspian Tern (*Hydroprogne caspia*)	Sensitive	N/A	N/A					
Chestnut-collared Longspur (*Calcarius ornatus*)	Sensitive	N/A	N/A					
Common Tern (*Sterna hirundo*)	Sensitive	N/A	N/A					
Ferruginous Hawk (*Buteo regalis*)	Sensitive	R	Y	N				
Flammulated Owl (*Otus flammeolus*)	Sensitive	T	Y	Y	N	NI	MIIH	
Forster's Tern (*Sterna forsteri*)	Sensitive	N/A	N/A					
Franklin's Gull *(Larus pipixcan)*	Sensitive	N/A	N/A					
Golden Eagle *(Aquila chrysaetos)*	Sensitive	R	Y	Y	N	NI	MIIH	
Great Gray Owl (*Strix nebulosa*)	Senstive	R	Y	Y	N	NI	MIIH	
Lewis's Woodpecker (*Melanerpes lewis*)	Sensitive	T	Y	Y	N	NI	MIIH	
Loggerhead Shrike (*Lanius ludovicianus*)	Sensitive	T	Y	N				
Long-billed Curlew *(Numenius americanus)*	Sensitive	N/A	N/A					
McCown's longspur *(Calcarius mccownii)*	Sensitive	N/A	N/A					
Mountain Plover (*Charadrius montanus*)	Sensitive	N/A	N/A					

(cont.) List of all Special Status Species that are known or suspected to occur on the DFO.	**Current Management Status of the Species.**	**Does the species occur on this portion of the Field Office?**	**Is the species or its habitat found in the surrounding area?**	**Could this proposal have any effect?**	**Are Irreversible or Irretrievable Resources involved?**	**Alt A level of effect**	**Alt B level of effect**	**NO Alt C**
Peregrine Falcon (*Falco peregrinus anatum*)	Sensitive	R	Y	N				
Sagebrush Sparrow (*Artemisiospiza nevadensis*)	Sensitive	R	Y	N				
Sage thrasher *(Oreoscoptes montanus)*	Sensitive	R	Y	N				
Sedge Wren *(Cistothorus platensis)*	Sensitive	N/A	N/A					
Sprague's Pipit (*Anthus spraugueii*)	Sensitive	N/A	N/A					
Trumpeter Swan (*Cygnus buccinator*)	Sensitive	N/A	N/A					
Veery (*Catharus fuscescens*)	Sensitive	T	Y	N				
White-faced Ibis (*Plegadis chihi*)	Sensitive	N/A	N/A					
Amphibian/reptiles								
Boreal/Western toad *(Bufo boreas)*	Sensitive	R	Y	N				
Northern leopard frog *(Rana pipiens)*	Sensitive	N/A	N/A					
Fish								
Westslope cutthroat trout *(Onchorhynchus clarkii lewisi)*	Sensitive	N/A	N/A					
Fluvial Arctic Grayling (*Thymallus arcticus montanus*)	Sensitive	N/A	N/A					

Step 6. Are there any specific recommendations to avoid significant effects (if any)? These are mitigation measures needed to avoid determinations of: LAA, LJ, WIFV. If so, the narrative describing these recommendations would be discussed in the NEPA document.

Step 7. Documentation: This short form is intended to follow a seven-step process to provide basic biological evaluations. Judgments must not be arbitrary but should be reasoned. This form provides a "road map" of that reasoning and assumes the judgments are drawn from numerous sources. Any species-specific impacts should be discussed in the NEPA document or below under the Narrative of Potential Impacts.

The signature below certifies that:

1. The wildlife biologist has reviewed the proposed action and its alternatives, but may or may not have provided input to alternative design, depending on the issues.

2. The wildlife biologist has an understanding of the specific conditions found in the affected area. Column 1a lists all possible Special Status Species in the Dillon Field Office. Column 1b identifies the species' current management status. Column 1c indicates whether there are no records (N/A), or whether the species is considered a Transient (T) or Resident (R) {for our purposes, resident includes migratory species that fulfill a portion of their life history here}. Step 2 is satisfied by field visits or knowledge of local conditions from previous visits resulting in enough information to determine if the area is potential habitat for species listed in Step 1. Extensive surveys are not necessary if the conservative approach is taken that: "suitable habitat" means the potential for occupancy.

3. The wildlife biologist has an understanding of the species habitat needs and other attributes important to the determination. This can be a combination of literature review, professional experience, and consultation with others.

4. The wildlife biologist has assimilated the above information in making the "determinations" (i.e. final judgments about the scientific significance of the effects).

Signed /s/*Katie Benzel* **Date** 2/23/2015 **Signed** _____ **Date** _____

Printed Name and Title: Katie Benzel, Wildlife Biologist

N/A – "Not Applicable." Indicates this species does not occur in the project area or that the project would have no bearing on its potential habitat. These species were removed from detailed analysis after field review of existing and potential habitats and consideration of distribution records.

FEDERALLY LISTED SPECIES

NE - No Effect
***LAA** - May Effect - Likely to Adversely Affect (formal consultation required)
NLAA - May Effect, Not Likely to Adversely Affect (informal consultation - concurrence with determination - required)
BE - Beneficial Effect (informal consultation - concurrence with determination - required)

SPECIES PROPOSED FOR LISTING

NE - No Effect
NLJ - Not likely to Jeopardize the continued existence of the species or result in the destruction or adverse modification of proposed critical habitat
***LJ** - Likely to Jeopardize the continued existence of the species or result in the destruction or adverse modification of proposed critical habitat

SENSITIVE SPECIES

NI - No Impact
MIIH - May Impact Individuals or Habitat, but will not likely contribute to a trend towards federal listing or cause a loss of viability to the population or species.
***WIFV** - Will Impact Individuals or habitat with a consequence that the action may contribute to the need for federal listing or cause a loss of viability to the population or species.
BI - Beneficial Impact

* triggers formal consultation process

revised 10/11

NARRATIVE of POTENTIAL IMPACTS

Bald Eagle, Flammulated Owl, Golden Eagle, Great Gray Owl, and Lewis's Woodpecker:
These species may possibly be nesting in the trees that will be removed for new road construction and/or road widening. Surveys will be completed prior to tree removal. If nests are found on the project site, the nest tree will be protected and a timing stipulation implemented to avoid disturbing nesting activities. For this reason, the proposed project May Impact Individuals or Habitat, but will not likely contribute to a trend towards federal listing or cause a loss of viability to the population or species (MIIH).