

NOTICE REVIEW CHECK LIST – BLM

Arizona

- 1-Notice Date Stamped
- 2-Case file established (i.e., serial # obtained, file created)
- 3-Data entered into LR2000
- Enter Mandatory and Required Action Codes to establish case (see Attachment 1 for most commonly used action codes)
- 4-Land Status Checked
- 5-Copy of MTP and HI included in case file



- **6-Copy of LR 2000 GEO report included in case file (mining claim, case recordation geo report)**
- **7Copy of mining claim serial register pages(s) included in case file**
- **8-Is activity casual use?**
 - NO** **YES – Notify Operator and close file**
- **9-Notice filed by the operator in the BLM District/Field Office with jurisdiction over the lands involved**
 - YES** **NO -- Return Notice**
- **10-Notice filed on public lands administered by BLM where the mineral interest is reserved to the US - 3809.2(b)**
 - YES** **NO -- Return Notice**



- **11-Notice filed on Stock Raising Homestead lands**
 - NO YES – Return Notice
(Plan required absent surface owner consent)
- **12-Schedule of activities included**
 YES NO
- **13-Lands sold or exchanged under 43 USC 682(b) (Small Tracts Act), 43 USC 869 (Recreation and Public Purposes Act), 43 USC 1713 (sales) or 43 USC 1716 (exchanges) removed from operation under the mining laws unless opened in LUP – 3809.2(a)**
 - NO YES -- Return Notice



- **14-Land Use Plan Checked**
List document(s)
referenced
- **15-Lands withdrawn or segregated**
 - NO YES – Refer to 43
CFR 3809.100(2)

Special status area involved?
3809.11(c)

- **16-Designated Area of
Critical Environmental
Concern**
 - NO YES – Plan required



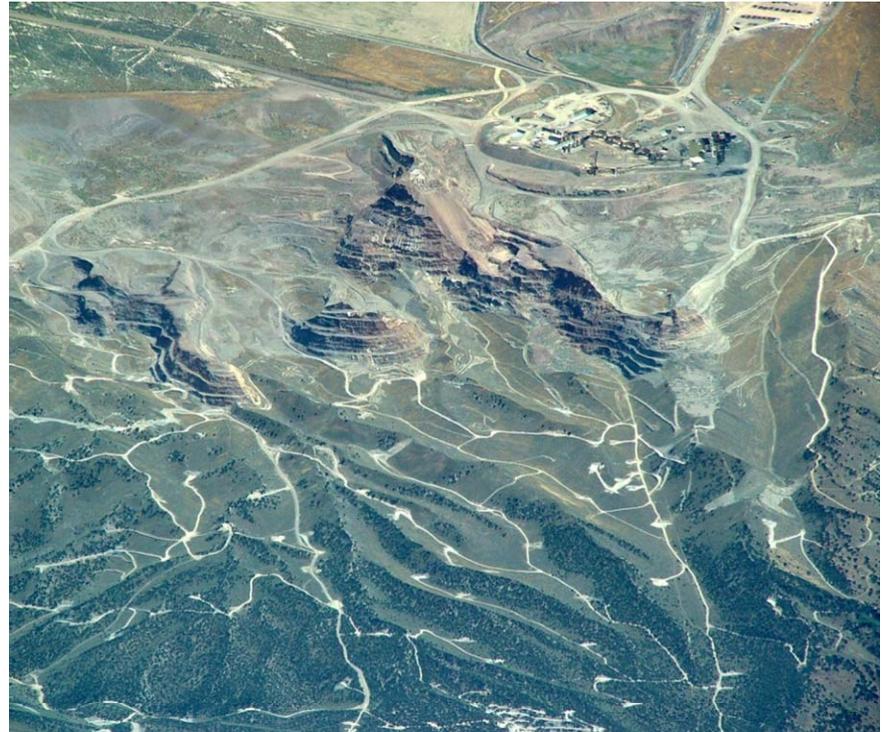
- **17-Designated as part of the National Wilderness Preservation System and administered by BLM**
 - NO YES -- Plan required
 - Refer to 3809.100**
- **18-Project is proposed on lands or waters known to contain Federally proposed or listed threatened or endangered species or their proposed or designated critical habitat**
 - NO YES – Plan required

- **19- Project located in area designated as “closed” to off-road vehicle use, as defined in 43 CFR § 8340.0–5 (43 CFR3809.11(c)(5))**
 - NO YES – Plan required

- **20-Project located in National Monuments **or** National Conservation Areas administered by BLM (43 CFR 3809.11(c)(7)).**
 - NO YES – Plan required



- **21-Proposed new disturbance exceeds 5 acre (43 CFR 3809.21)**
 - NO YES – Plan required
- **22-Segmented project area (3809.21(b))**
 - NO YES -- Plan required
- **23-Bulk sampling proposing to remove 1,000 tons or more of presumed ore for testing**
 - NO YES -- Plan required



- **Notice complete (document inadequacies and action plan for resolution in comment section)**
- **Required Information to be considered complete - 3809.301(b)**
- **Operator Information - 3809.301(b)(1).**
- **24-Name, address, phone, taxpayer identification number**
 - YES** **NO**

- **25-TIN maintained with appropriate administrative, technical, and physical safeguards to ensure the security and confidentiality**

YES NO

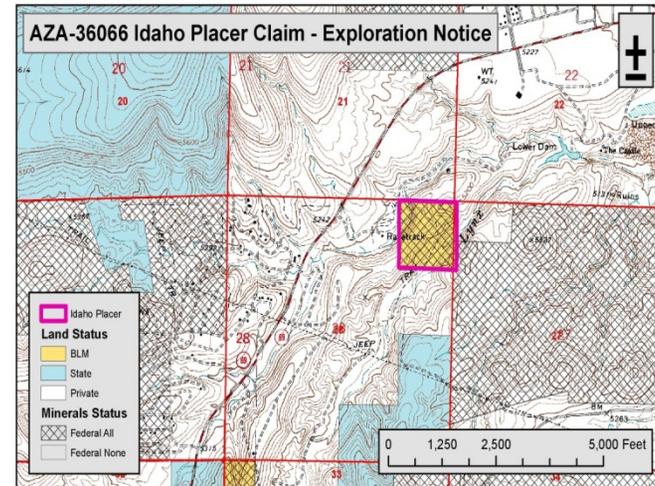
- **26-Point-of-contact for corporations**

YES NO N/A



- 27-Adequate maps showing all activity (including road access) and facility locations

YES NO

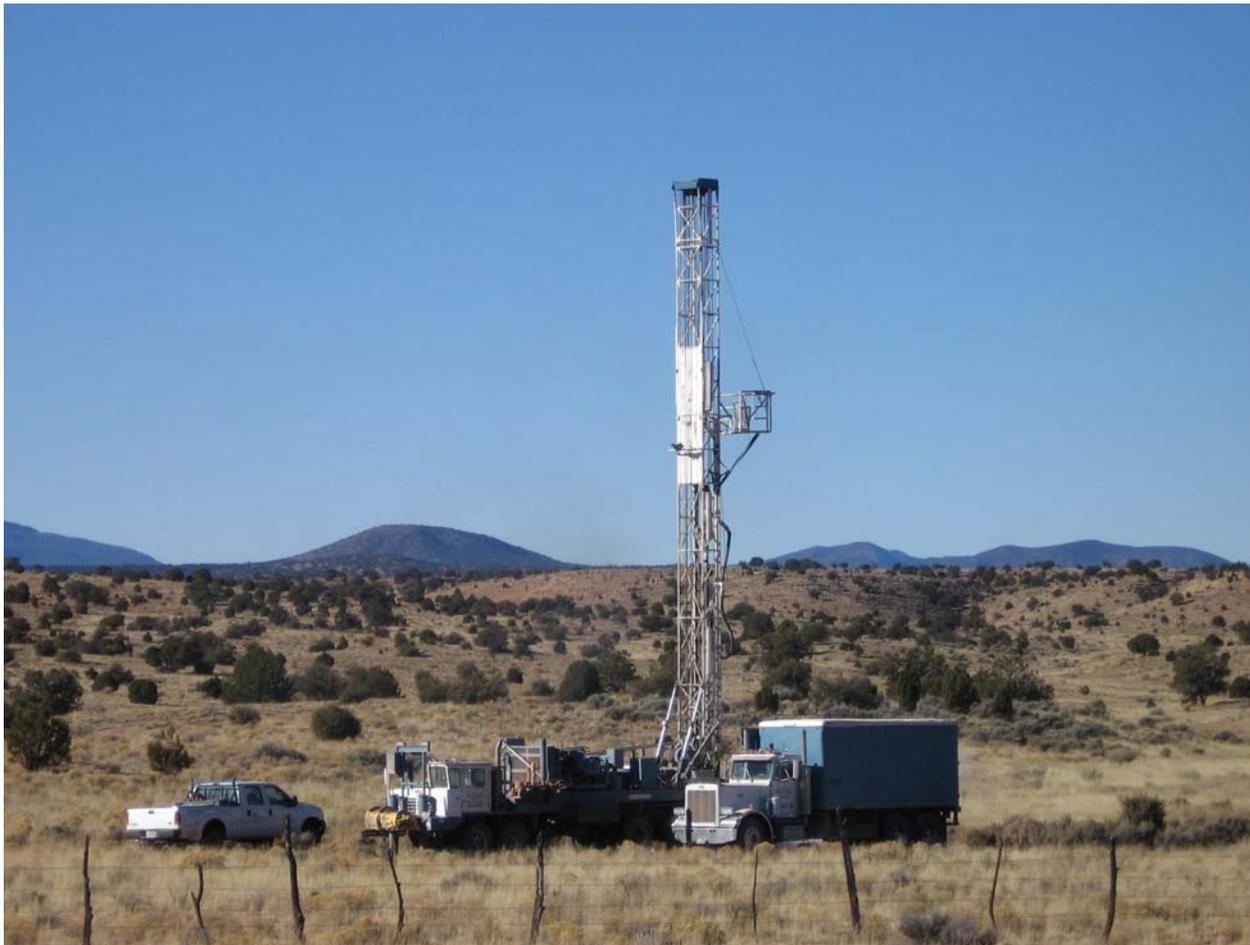


- **Description of Activities** - 3809.301(b)(2)
- The measures you will take to prevent undue and unnecessary degradation during operations. 43 CFR 3809.301(b)(2)(i)

UUD

- 3809.5 Fail to comply with one or more of the following: the performance standards in §3809.420, the terms and conditions of an approved plan of operations, operations described in a complete notice, and other Federal and state laws related to environmental protection and protection of cultural resources;
- Are not “reasonably incident” to prospecting, mining, or processing operations as defined in §3715. 0–5 of this chapter; or

- 3809.415 You prevent UUD by ... Complying with 3809.420, as applicable...



- .420(a) *General performance standards* —
(1) *Technology and practices*. You must use equipment, devices, and practices that will meet the performance standards of this subpart.



- 28-Operator proposes using equipment, devices and practices that will meet the performance standards of 3809.420



(2) *Sequence of operations.*

You must avoid unnecessary impacts and facilitate reclamation by following a reasonable and customary mineral exploration, development, mining and reclamation sequence.

- 29-Proposal avoids unnecessary impacts
- 30-Proposal follows customary exploration procedures



(3) *Land-use plans.*

Consistent with the mining laws, your operations and post-mining land use must comply with the applicable BLM land-use plans and activity plans, and with coastal zone management plans under 16 U.S.C. 1451, as appropriate.

- 31-Proposal is consistent with LUP



- (4) *Mitigation*. You must take mitigation measures specified by BLM to protect public lands.

Mitigation- To moderate (a quality or condition) in force or intensity; alleviate; the act of [mitigating](#), or lessening the [force](#) or intensity of something unpleasant,

stipulations vs. mitigation on notices.

Stipulation - a condition, demand, or promise in an agreement or contract

Can't include stipulations as part of notice acknowledgement

(5) *Concurrent reclamation.*
You must initiate and complete reclamation at the earliest economically and technically feasible time on those portions of the disturbed area that you will not disturb further.

*Should be part of the
Reclamation Plan*



(6) *Compliance with other laws.* You must conduct all operations in a manner that complies with all pertinent Federal and state laws.

32-Proposal is compliant with all pertinent Federal and state laws.

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- .420(b) *Specific standards*
 - (1) *Access routes.*
 - 33-Access routes are specified and are planned for only the minimum width needed and follows natural contours
 - 34-If road construction involves slopes that require cuts on the inside edge in excess of 3 feet, is consultation with Field Manager needed?
 - NO** **YES** -Document action plan



- (2) *Mining wastes*. All tailings, dumps, deleterious materials or substances, and other waste produced by the operations shall be disposed of so as to prevent unnecessary or undue degradation and in accordance with applicable Federal and state Laws.

- *Would not normally pertain to notice level activities*



- (3) *Reclamation*. (i) At the earliest feasible time, the operator shall reclaim the area disturbed, except to the extent necessary to preserve evidence of mineralization, by taking reasonable measures to prevent or control on-site and off-site damage of the Federal lands.

(ii) Reclamation shall include, but shall not be limited to:

...



- **Reclamation proposal includes:** (if NO or N/A, provide explanation in comments)

3809.420(b)(3)(ii)

- 35-Saving of topsoil
- 36-Measures to control erosion, landslides and water runoff
- 37-Measures to isolate, remove, or control toxic materials
- 38-Discussion on reshaping disturbed area, application of topsoil and revegetation
- 39-Discussion on rehabilitation of fisheries and wildlife habitat

- (4) *Air quality*. All operators shall comply with applicable Federal and state air quality standards, including the Clean Air Act (42 U.S.C. 1857 *et seq.*).

- 40-Discussion on compliance with applicable Federal and state air quality standards



- (5) *Water quality*. All operators shall comply with applicable Federal and state water quality standards, including the Federal Water Pollution Control Act, as amended (30 U.S.C. 1151 *et seq.*).

- 41-Discussion on compliance with applicable Federal and state water quality standards



- (6) *Solid wastes*. All operators shall comply with applicable Federal and state standards for the disposal and treatment of solid wastes, including regulations issued pursuant to the Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act (42 U.S.C. 6901 *et seq.*). All garbage, refuse or waste shall either be removed from the affected lands or disposed of or treated to minimize, so far as is practicable, its impact on the lands.

- 42-Discussion on disposal and treatment of solid wastes



- (7) *Fisheries, wildlife and plant habitat.* The operator shall take such action as may be needed to prevent adverse impacts to **threatened or endangered species**, and their habitat which may be affected by operations.
- (8) *Cultural and paleontological resources.* (i) Operators shall not knowingly disturb, alter, injure, or destroy any scientifically important paleontological remains or any historical or archaeological site, structure, building or object on Federal lands.

- 43-Operators must comply with all applicable Federal and state fire laws and regulations, and will take all reasonable measures to prevent and suppress fires in the project area.
- Operators working under a Notice may be required to comply with all fire restrictions that apply to other public land users. This includes restrictions on off-road travel, operating hours, open flames, spark arrester requirements for equipment, and requirements to carry fire suppression equipment.



- 44-Notice must state how the operator will identify, handle, treat, and reclaim all acid forming, toxic, or other deleterious material during all phases of the operation.



- **45-Discussion of public safety issues and how the operator will alert and/or protect the public**
 - **YES** **NO** **N/A**



46-Does Reclamation Cost Estimate meet the requirements of 3809.301(b)(4) and 3809.552

YES NO

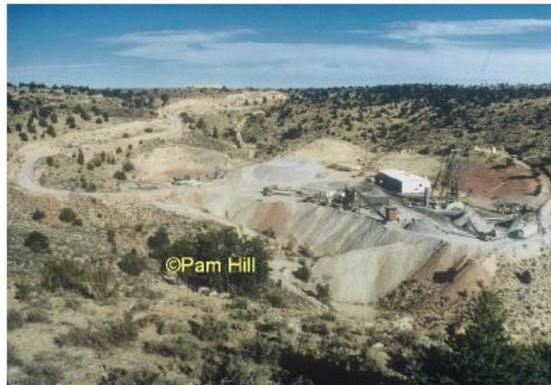


Figure 8. Pigeon Mine during production, November, 1989. The mine was located on the north side of Snake Gulch. Photo courtesy of Pam Hill.

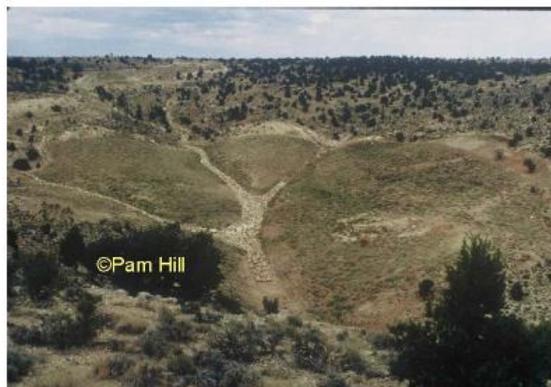


Figure 9. The Pigeon Mine after reclamation, October 5, 1993. Photo courtesy of Pam Hill.

- **47-Additional information required by BLM - 3809.301(c) YES NO**

- **48-Occupancy proposed NO YES -Refer to 3715 review checklist**

- **Request clearances: Include copies in case file**
Cultural T&E Other as needed