ENVIRONMENTAL ASSESSMENT

KNOX EXCAVATING, INC.

PAINTED ROCK MINE

DOUGLAS COUNTY, NEVADA



U.S. Department of the Interior
Bureau of Indian Affairs
Western Regional Office
2600 North Central Avenue, Fourth Floor Mailroom
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LIST OF ACRONYMS AND ABBREVIATIONS

µg/m^3	Micrograms per cubic meter
AADT	Average Annual Daily Traffic
ACEC	Area of Environmental Concern
ACS	American Community Survey
ADT	Average Daily Traffic
Allottees	Allotment Owners
amsl	Above mean sea level
APE	Area of Potential Effect
BAPC	Bureau of Air Pollution Control
BIA	Bureau of Indian Affairs
BLM	Bureau of Land Management
BMPs	Best management practices
CRMP	Consolidated Resource Management Plan
CDP	Census Designated Place
CEAA	Cumulative Effects Analysis Area
CEQ	Counsel on Environmental Quality
CFR	Code of Federal Regulations
CH_4	Methane
CO	Carbon monoxide
CO_2	Carbon dioxide
CO_2e	CO_2 equivalent
COLA	Change of Location Approval
CRI	Cultural Resource Inventory
dB	Decibel
dBA	A-weighted sound in decibels
DM	Departmental Manual
DOI	Department of Interior
EA	Environmental Assessment
EIS	Environmental Impact Statement
EO	Executive Order
EPA	US Environmental Protection Agency
EPMs	Environmental Protection Measures
FAS	Federal Aid Secondary
FLPMA	Federal Land Policy and Management Act
FONSI	Findings of No Significant Impact
FR	Federal Register
g/hp-hr	Grams per horsepower-hour
g/VMT	Grams per vehicle mile traveled
GHG	Greenhouse Gas
gpm	Gallons per minute
IPCC	Intergovernmental Panel on Climate Change

ITA	Indian Trust Assets
lbs/VMT	Pounds per vehicle mile traveled
Lease	Sand and Gravel Mineral Lease
LOS	Level of service
MBTA	Migratory Bird Treaty Act
mph	Miles per hour
MSHA	Mine Safety and Health Administration
NA	Not applicable
NAAQS	National Ambient Air Quality Standards
NAC	Nevada Administrative Code
NDEP	Nevada Division of Environmental Protection
NDOT	Nevada Department of Transportation
NDWR	Nevada Division of Water Resources
NEPA	National Environmental Policy Act
NFDA	National Fire Protection Association
NFPA	National Fire Protection Association
NRCS	USDA Natural Resources Conservation Service
NRHP	National Register for Historic Places
NRS	Nevada Revised Statute
NO_2	Nitrogen dioxide
O_3	Ozone
OHV	Off-highway vehicle
OSHA	Occupational Safety and Health Administration
Pb	Lead
PCC	Portland Cement Concrete
PDA	Public Domain Allotments
PFYC	Potential Fossil Yield Classification
Plan	Knox's 2019 *Mining and Reclamation Plan of Operations*
$PM_{2.5}$	particulate matter less than 2.5 microns
PM_{10}	Particulate matter less than 10 microns
ppb	Parts per billion
ppm	Parts per million
Proponent	Knox Excavating
RMP	Resource Management Plan
RFFA	Reasonably Foreseeable Future Action
ROW	Right-of-way
SAAQS	State Ambient Air Quality Standards
SAD	Surface Area Disturbance
SHPO	State Historic Preservation Office
SO_2	Sulfur dioxide
SRP	Special Recreation Permits
TCP	Traditional cultural property
TNM	Traffic Noise Model

VAU	Visual Analysis Unit
vpd	Vehicles per day
VRM	Visual Resource Management
U.S.	United States
US 395	U.S. Highway 395
U.S.C.	United States Code
USDA	U.S. Department of Agriculture
USGS	U.S. Geological Survey
yd^3	Cubic yards

CHAPTER 1 PURPOSE AND NEED

1.1 Introduction

Knox Excavating (Proponent) has submitted a proposal to lease up to 148.8 acres of land from Individual Indian Allotment owners (Allottees) to mine aggregate material. The mine site, known as the Painted Rock Mine, is located on one Pine Nut Allotment approximately 7 miles northeast of Minden and 11 miles southwest of Carson City, in Douglas County, Nevada. **Figure 1-1** shows the general location of the Project area.

Public Domain Allotments (PDA) totaling 59,275 acres are situated in eastern Douglas County (**igure 1-2**). The Pine Nut Allotments were authorized under the 1887 Dawes Act. Following passage of the Dawes Act, the federal government began to transfer 160-acre parcels to individual Washoe Tribal members from Public Domain lands in the Pine Nut Mountains (Douglas County 2011). The Project would occur on two individual Indian allotments for mining and associated access (**Figure 1-3**). The two subject allotments were issued December 31, 1895. The Proponent has agreed to lease land in one allotment (672-CC-346 [CC-346]) for mining activities and acquire a right-of-way (ROW) in the other (672-CC-378 [CC-378]) for access. The PDA are located outside of the exterior boundaries of the Washoe Tribal Reservation; the Bureau of Indian Affairs (BIA) Western Nevada Agency holds jurisdiction and administration of the allotments.

1.2 Project Background, Overview, and Location

The Painted Rock Mine, as proposed, would provide building materials (i.e., sand, gravel, aggregate base coarse material) to the rapidly growing Carson, Minden, and Gardnerville areas. The Project would also fulfill the purpose of the allotments, which is to provide economic gain for the Allotees. Locally sourced construction material is economically important to Douglas and surrounding counties because it helps keep construction costs low. Bing Pit Mine (Bing), the only existing aggregate producer in Douglas County, will shut down in the near future. The next closest source is Brunswick Canyon (east of Carson City in Carson City County), which adds at least one hour per round trip to get to the intersection of United States Highway 395 (US 395) and Johnson Lane. This would add $5-$8 per ton more in additional trucking cost.

To fill the void left by Bing, the Proponent researched areas within Douglas County where aggregate could be produced. The proposed Painted Rock Mine site met several goals:

- The Indian allotment owners would experience economic gain
- The geology is favorable
- The land is private (individual Indian-owned allotment), unrestricted, leasable, and located over a mile from the nearest residence
- The site is contained in a naturally occurring bowl surrounded by ridges that limit visual- and noise-related impacts
- The site is accessible via a designated Major Collector County Road (Johnson Lane) with ample capacity for hauling material
- Bureau of Land Management (BLM) can provide legal access through a Federal Land Policy and Management (FLPMA) right-of-way (ROW) grant for use and maintenance of BLM existing roads (**Figure 1-3**).

The Proponent is requesting BIA approval of a Sand and Gravel Mineral Lease (Lease) totaling 148.8 acres on Allotment CC-346 and a total of 0.8 acre of permanent access ROW on Allotment CC-378. The proposed mine

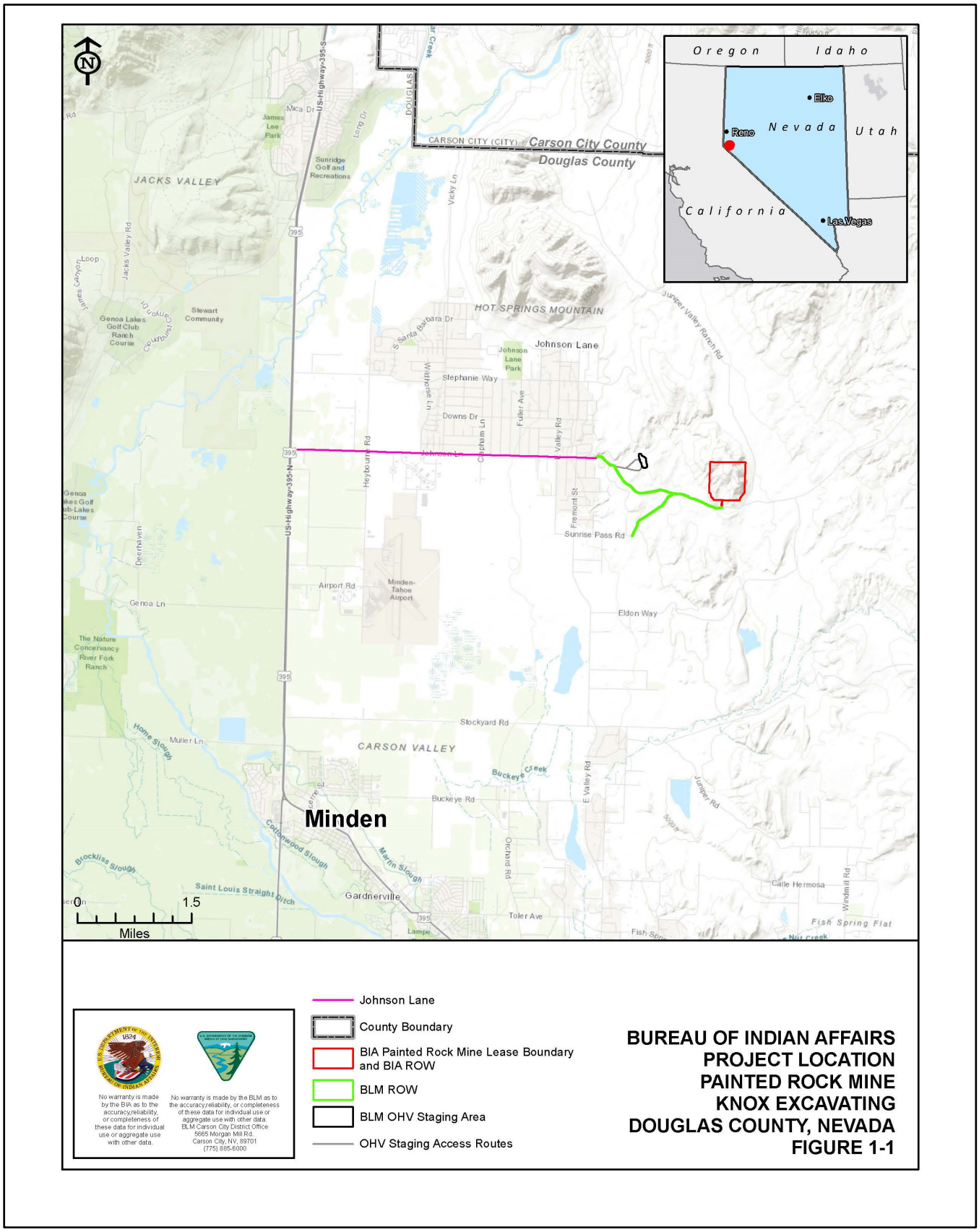


Figure 1-1. Location of Project

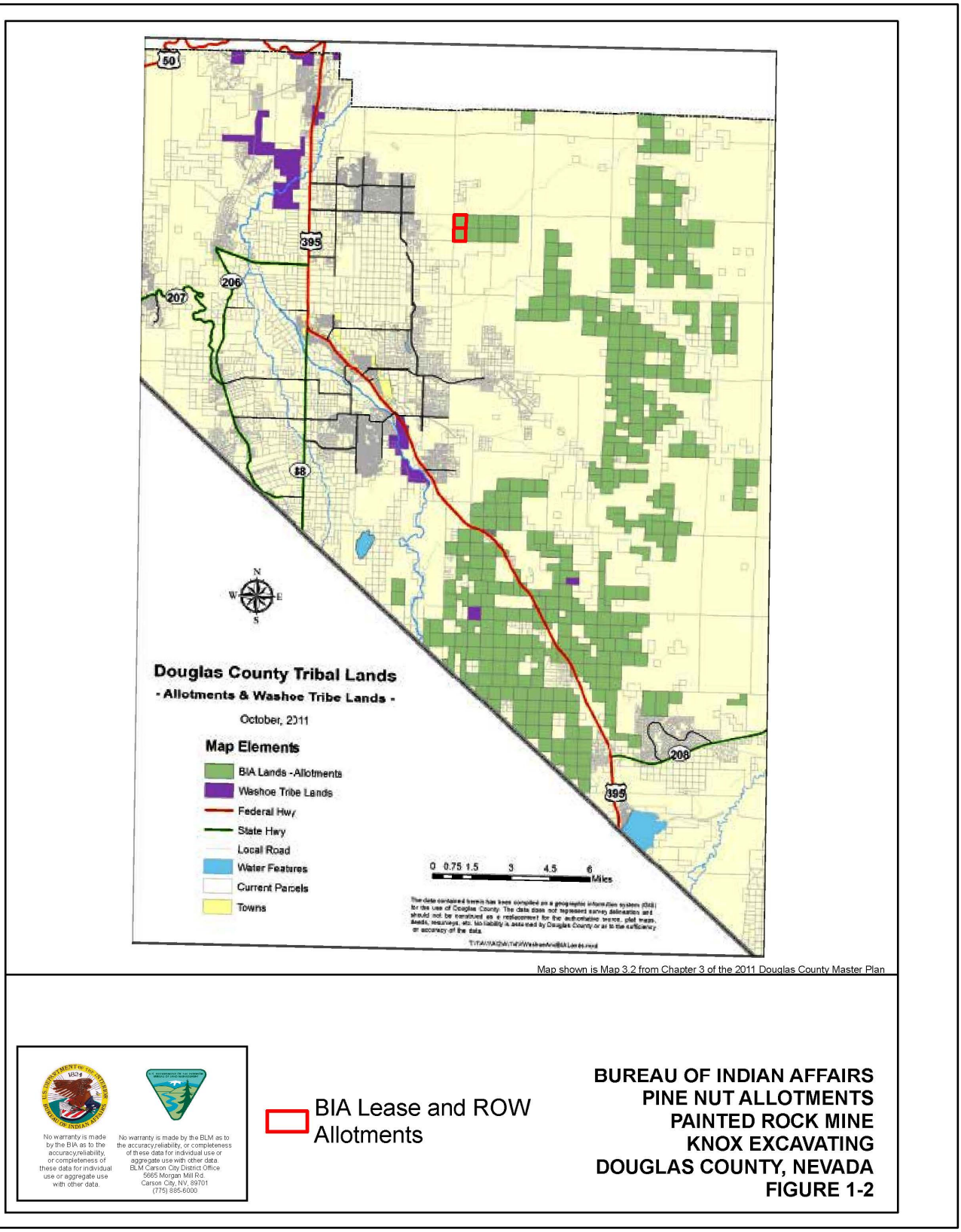


Figure 1-2. Location of Pine Nut Allotments

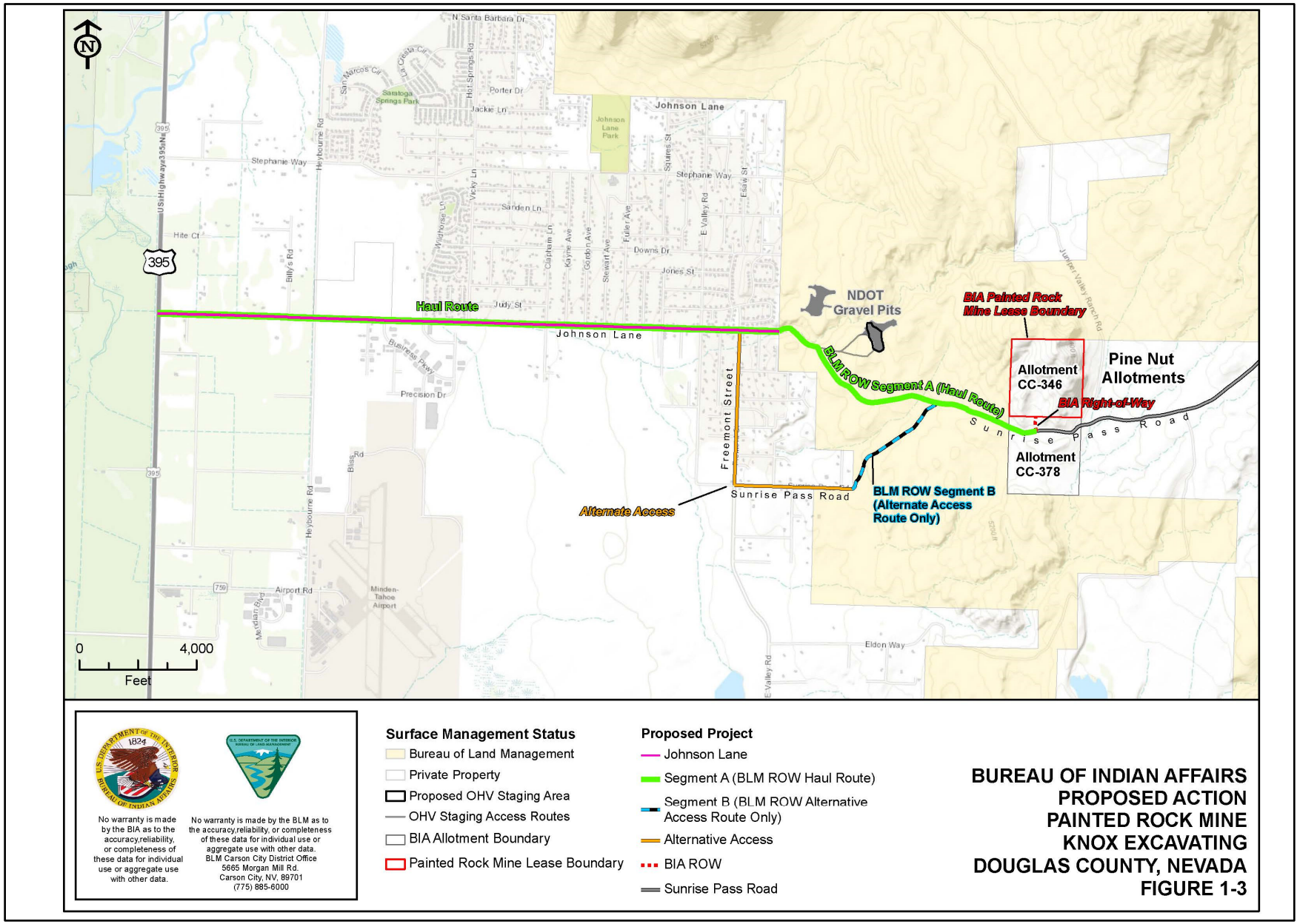


Figure 1-3. Proposed Project

and BIA authorized mine access are in Section 6, Township 13 North, Range 21 East (T13N, R21E), Mt. Diablo Baseline and Meridian (**Figure 1-3**). The Lease would be up to thirty-five years. The mining operation is further described in The Proponent's 2019 *Mining and Reclamation Plan of Operations* (Plan) (**Appendix A**) and would generally consist of excavation using a bulldozer with rippers or an excavator. Blasting is not expected. The anticipated output from the Painted Rock Mine would be approximately 500,000 tons per year and, depending on product demand, the Painted Rock Mine would employ between five and twenty workers. The permanent access ROW across Allotment CC-378 would be approximately 550 feet long by 60 feet wide (0.8 acre) and would require minor improvements including widening and placement of a gravel surface. At the expiration of the Lease agreement, mine area reclamation and closure would take place pursuant to the Reclamation and Closure Plan.

The Proponent is also requesting a ROW from the BLM to use an existing roadway (Segment A Haul Route) for site access and material hauling (**Figure 1-3)**. The alternate non-haul Access Route is referred to as Segment B, which traverses from Fremont Road and intersects the Segment A Haul Route on BLM-administered land in Sections 1, T13N, R20E (**Figure 1-3**). The total ROW required from BLM would be 2.8 miles long (Segment A = 2.0 miles and Segment B = 0.8 miles). The Segment A road would need to be widened for two-lane traffic. The new disturbance associated with the roadway ROW would be 2.0 miles long by up to 30 feet for a total of 7.3 acres of disturbance. Segment A road use and improvements including widening, placement of a gravel surface, and incorporation of an off-highway vehicle (OHV) designated parking area. The existing dry crossing at Johnson Lane Wash (BLM-administered land) would be improved to create a surface to accommodate heavy haul trucks and manage storm runoff. The haul operations are further described in the Proponent's 2019 *Plan of Development* (**Appendix B**).

The BLM ROW terminates at Johnson Lane, a four-mile paved road operated and maintained by Douglas County. The eastern 3.75 miles of Johnson Lane is a Major Collector County Road originally designed and built to engineering standards by the Nevada Department of Transportation (NDOT). The western 0.25 mile of Johnson Lane was built as part of the Skyline Ranch Phase 2 development (Western Engineering 2003). The Johnson Lane portion of the Access/Haul Route is in Sections 31, 32, 33, 34, and 35, T14N, R20E and Sections 2, 3, 4, 5, and 6, T13N, R20E. The Haul Route would continue on Johnson Lane for approximately four miles until it intersects US 395 for subsequent area-wide distribution. No improvements to Johnson Lane nor a ROW from Douglas County would be required.

The ROW approval by the BLM and the Lease Approval by the BIA constitutes *federal actions*. Because the BIA has a jurisdictional trust responsibility over Indian lands and the BLM has land-management responsibilities under the FLPMA, the Project is a major *federal action* and must comply with the National Environmental Policy Act (NEPA) of 1969 (42 United States Code [U.S.C.] §§ 4321 et seq.). The BIA is the lead federal agency because majority of the Project would be located on Individual Indian-owned Allotment land. The BLM and Douglas County are cooperating agencies on the environmental assessment (EA) for the Project. The BIA and the BLM will use this EA to make their respective decisions.

1.3 Purpose and Need of the Proposed Project

The purpose and need of the proposed Project is to provide locally sourced aggregate material for Douglas County, NDOT, surrounding communities, local builders, and other aggregate customers. The Project would also provide a long-term, viable economic revenue base for the Allottees.

1.4 Agency Purpose and Need

1.4.1 BIA Purpose and Need

The need for the BIA action is established by the BIA's responsibility to respond to a request for a lease approval and ROW application between the Pine Nut Allottees and the Proponent over or across allotment lands. The BIA must meet its responsibility to review and approve actions on Indian allotments for the benefit of the Pine Nut Allottees (42 U.S.C. §§ 4321 et seq).

The BIA purpose, pursuant to 25 U.S.C. § 415, is to deny, grant, or grant with modifications, the Lease and ROW agreements between the Pine Nut Allottees and the Proponent.

1.4.2 BLM Purpose and Need

The need for the BLM action is established under Title V of FLPMA (43 U.S.C. § 1761), where the BLM must respond to Proponent ROW grant applications for existing BLM-managed road and connection with non-BLM mine-site access roads. In accordance with Section 302(a) of FLPMA, public lands are to be managed for multiple uses that consider the long-term needs of future generations for renewable and non-renewable resources.

In accordance with Section 501 [43 U.S.C. 1761](a) the Secretary of the Interior, with respect to public lands, is authorized to grant, issue, or renew rights-of-way over, upon, under, or through such lands for roads. Therefore, the BLM purpose is to deny, grant, or grant with modifications the ROW request for the use of existing access roads located on BLM land for connection with, and access to the Painted Rock Mine site.

The ROWs would comply with FLPMA, BLM ROW regulations (43 Code of Federal Regulations [CFR] § 2800), and all other applicable federal and Nevada state laws and policies. The ROWs would also comply with all objectives, directions, and requirements of the BLM Carson City District Resource Management Plan.

1.5 Decision to be Made

Table 1-1 summarizes the agency decisions to be made for the proposed Project. The BIA and the BLM decisions, if approved, would assist in addressing the management objectives to fulfill the BIA's trust responsibility and mission. The decision would allow and provide for economic gain though use of the allotted land shown on **Figure 1-3**, which depicts the action components and the locations where the BIA lease and the BLM and BIA ROWs are required.

Table 1-1. Summary of Agency Decisions to be Made

Agency	Action
BIA	Approval of a Sand and Gravel Mineral Lease on Allotment CC-346 and approval of a ROW across Allotment CC-378.
BLM	Approval of ROW for authorizing improvements and use of existing access roads located on BLM land. Approval of proposed OHV access and parking actions.

Table Acronyms: BIA – Bureau of Indian Affairs; BLM – Bureau of Land Management; OHV – off-highway vehicle; ROW – right-of-way

The EA is a site-specific analysis of potential impacts to environmental resources that may result from the Proposed Action or the No Action alternative. The EA assists the BIA and BLM in project planning, ensuring compliance with NEPA, and determining whether any "significant" impacts would result from the analyzed action. "Significance" is defined by the Council of Environmental Quality (CEQ) regulations for implementing

NEPA and is found in Table 40 of the CFR Part 1508.27. An EA provides evidence for determining whether to prepare an environmental impact statement or a Finding of No Significant Impact (FONSI). A FONSI is a document that briefly presents the reasons why implementation of the selected alternative would not result in "significant" environmental impacts (effects). If the decision maker determines this Project would have "significant" impacts, then an Environmental Impact Statement (EIS) will be prepared. If no significant impacts are identified, a FONSI will be issued by the BIA; a separate FONSI and Decision Record will be issued by the BLM for the BLM Actions.

This EA provides measures to avoid, minimize, or mitigate significant environmental impacts using environmental protection measures (EPMs), design features, and best management practices (BMPs) (**Appendix C**).

1.6 Summary of Public Scoping and Issue Identification

1.6.1 Public Scoping Process

Scoping helps determine the significant issues, development of alternatives (if necessary), and the appropriate scope of environmental analysis to be addressed in an EA. Scoping also ensures that the issues and alternatives are within the BIA's and BLM's decision scope.

Initial, pre-draft EA public scoping was deemed unnecessary due to the confinement of BIA's decision (lease approval) and because the mine site itself is within an isolated, Indian-owned allotment. The BIA also thought that access arrangements were secured or agreed upon with Douglas County and the BLM. A Draft EA was subsequently prepared in August 2020 as part of the BIA's responsibility to respond to the request for a Sand and Gravel Mineral Lease on Indian-owned allotment land. Since the Proponent proposed to help fund future maintenance of Johnson Lane through a financial agreement with the County (which has since been withdrawn), the agreement had to be on a publicly disclosed agenda. Douglas County and the BIA agreed to publish (notice) the Draft EA. It was posted on the County's website and the BIA published a Notice of Availability in the Record Courier on August 22, 2020 (Ad#0000612028). The document was available at http://paintedrockmineea.com/.

Due to the immediate and sizable public response and BLM jurisdictional and approval questions, the BIA decided that the Draft EA would better serve as a scoping vehicle. The public comments would inform a complete Draft EA revision to include analysis of the concerns and an alternative development section.

Over 600 comments were received following the thirty-day comment period, which ended on September 22, 2020. The comments presented approximately eleven unique issues. After consultation with relevant parties, the BIA designated the BLM and Douglas County as Formal Cooperating Agencies for the NEPA process. This revised EA has been prepared to clarify the proposed Project actions and to provide additional analysis of potential impacts or concerns brought forward during scoping. The revised EA includes the addition of the ROWs and the use of Johnson Lane as the Haul Route.

1.6.2 Identified Issues and Concerns

Table 1-2 provides a summary of the key issues identified by interested agencies, stakeholders, and members of the public during scoping for the Project. These issues are the focus of the EA analysis.

1.7 Policies and Programs

1.7.1 Relationships to Statutes, Regulations, and Other Plans

The Project would conform to the federal, state, and local laws; regulations; and policies. A majority of the Project lies within Indian-owned allotted land and would adhere to BIA regulations published in 25 CFR Part 216 – Surface Exploration, Mining, and Reclamation of Lands in accordance with NEPA and in compliance with other federal regulations that apply on Indian trust lands (state, county, and local laws and policies are not applicable to Indian trust lands). The access roads on BLM-managed land are regulated by federal statute at 43 CFR Part 2800. The Johnson Lane portion of the access route is under County jurisdiction and must conform to the Transportation Plan as part of the 2017 Douglas County Master Plan.

Table 1-2. Key Issues Identified During Scoping

Issue topic	Issue/Comment
Cultural Resources	• Concerns with potential impacts to eligible cultural sites
Native Vegetation	• Concerns with impacts from the potential spread of noxious and invasive weeds
Wildlife	• Concerns with the potential impacts associated with vehicle-animal collisions and the ability of wildlife to migrate through the area
Non-native and Invasive Plant Species	• Concerns with the spread of non-native and invasive plant species
Public Safety	• Concerns with haul trucks affecting safety at school bus stops on Johnson Lane and people accessing the roadway • Concerns with recreation use and haul truck conflicts
Noise	• Concerns with noise levels associated with the mining, transport, and processing facilities
Traffic	• Concerns with increased traffic on Johnson Lane, durability of the roadbed, and cracked windshields • Concerns with recreational vehicles/haul truck conflicts on the existing BLM roads
Air Quality	• Concerns with the dust generated during mine operations and hauling
Water Resources: Surface and Groundwater	• Concerns with impacts on floodplains and drainages, including surface water and stormwater flows, erosion, and sedimentation • Concerns with drainage crossings and construction adjacent to washes • Concerns with increased intensity and severity of stormwater flows and lack of sufficient stormwater infrastructure • Concerns with contamination of existing wells • Concerns with the drilling and use of a well on site • Concerns with a new well depleting existing water rights
Recreation	• Concerns with potential conflict between recreationists and use of roads by mine/hauling vehicles due to roadway congestion, narrow width, and degradation of the road • Concerns with the user-created OHV parking/staging area on BLM land at the end of Johnson Lane and potential conflicts with haul trucks

Issue topic	Issue/Comment
Home Values	• Concerns the aggregate mine and use of Johnson Lane as the Haul Route for gravel trucks would decrease home values

Table Acronyms: BLM – Bureau of Land Management; OHV – off-highway vehicle

1.8 Permits and Approvals Required for the Proposed Projects

Table 1-3 lists the anticipated federal, state, and local permits or approvals that may be required for the proposed Projects beyond the BIA, BLM, and NEPA process. This table has been subdivided by the Project components and land jurisdiction (the Reservation and lands managed by the BLM).

Table 1-3. Anticipated Permits and Approvals for the Project Components

Jurisdiction/Ownership	Mine Component	Rights-of-Way
BIA/Allotments	Lease Agreement Section 106 Consultation (State Historic Preservation Office [SHPO])	ROW Grant Section 106 Consultation (SHPO)
BLM	Review and Approval of Mining and Reclamation Plan of Operations	ROW Grant Section 106 Consultation (SHPO)
Nevada Division of Environmental Protection (NDEP)	Air Quality Permits • Surface Area Disturbance Permit • General Class II Permit for Temporary Source Application • Change of Location Approval for Temporary Sources Application • Permanent Class II Air Quality Permit	NA

Table Acronyms: BIA – Bureau of Indian Affairs; BLM – Bureau of Land Management; NA – not applicable; NDEP – Nevada Division of Environmental Protection; ROW – right-of-way; SHPO – State Historic Preservation Office

1.9 BLM Land Use Plan Conformance Statement

Resource management planning regulations mandate that all actions approved or authorized by the BLM be reviewed for conformance with existing land use plans (43 CFR 1610.5-3) (516 Departmental Manual [DM] 11.5 [BLM 2009b]). A proposed action and alternatives must be consistent with applicable land use plans and in agreement with the terms, conditions, and decisions of the approved plan, or a plan amendment must be completed in order for the proposal to be approved (BLM 2008).

1.9.1 Carson City District Consolidated Resource Management Plan (CRMP), May 2001:

The Proposed Action and Alternative(s) described in **Chapter 2** of this EA are in conformance with the Carson City District CRMP (BLM 2001); the Proposed Action is in compliance with the following section:

- LR-24. “Continue to issue land use authorizations (rights-of-way, leases, permits, easements) on a case-by-case basis and in accordance with resource management prescriptions in this land use plan.”

CHAPTER 2 PROPOSED ACTION AND ALTERNATIVES

This section describes the Proposed Action and identifies potential alternatives identified by the BIA, cooperating agencies, and the Proponent. These alternatives were evaluated for feasibility. To meet the purpose and need identified in **Chapter 1**, potential alternatives are in two categories: those carried forward for detailed analysis and those considered but not carried forward. Potential alternatives serve to resolve resource conflicts and issues.

2.1 Proposed Action

The Proposed Action consists of an approximately 35-year lease (25 years with a 10-year option for renewal) for development of an aggregate mining operation and the granting of an access ROW by BIA on two Pine Nut allotments (CC-378 and CC-346, respectively) (**Figure 1-2** and **Figure 1-3**); a ROW authorization for approximately 2.8 miles of road (approximately 17.5 acres) on lands administered by the BLM; OHV parking and access improvements by BLM; and use of Johnson Lane. The lease area proposed for mining (CC-346) was surveyed by a professional land surveyor on March 17, 2020, to identify the allotment boundaries and total mine lease area of 148.8 acres. The ROW lease area proposed for allotment CC-378 was surveyed at the same time and is approximately 550 feet (approximately 0.8 acre). **Table 2-1** provides a summary of the required ROW and estimated area of disturbance inside the ROW for each of the referenced project components. Mining activity details can be found in **Appendix A** and are summarized below. Approximately 29.9 million cubic yards (yd^3) or 44.9 million tons would be permanently removed and distributed to commerce.

Table 2-1. Anticipated ROW and Disturbance

Project Component	Miles	Acres of ROW	Acres of Disturbance
Mine Site on CC-346 (Allotment)	NA	148.8	148.8
Access on CC-378 (Allotment)	0.1	0.8	0.4
Segment A Haul Route (BLM)	2.0	14.6	7.3
Segment B Non-Haul Route (BLM)	0.8	2.9	1.0
Total	2.9	167.1	157.5

Table Acronyms: BLM – Bureau of Land Management; ROW – right-of-way

2.1.1 Mining

Phased Mining and Work Force

Depending on the amount of product produced, the work force would include approximately 5 workers during the initial startup (approximately five years) to a maximum of 20 workers during subsequent phases (year 6 through 35). The Proposed Action would include an initial disturbance of approximately 50 acres and produce approximately 3.8 million yd^3 of material. To allow for natural drainage, material would be excavated 30 feet deep to form a flat floor dipping at two degrees to the south with the sides of the first phase bowl maintaining natural slopes (**Figure 2-1**). There would be no open pit.

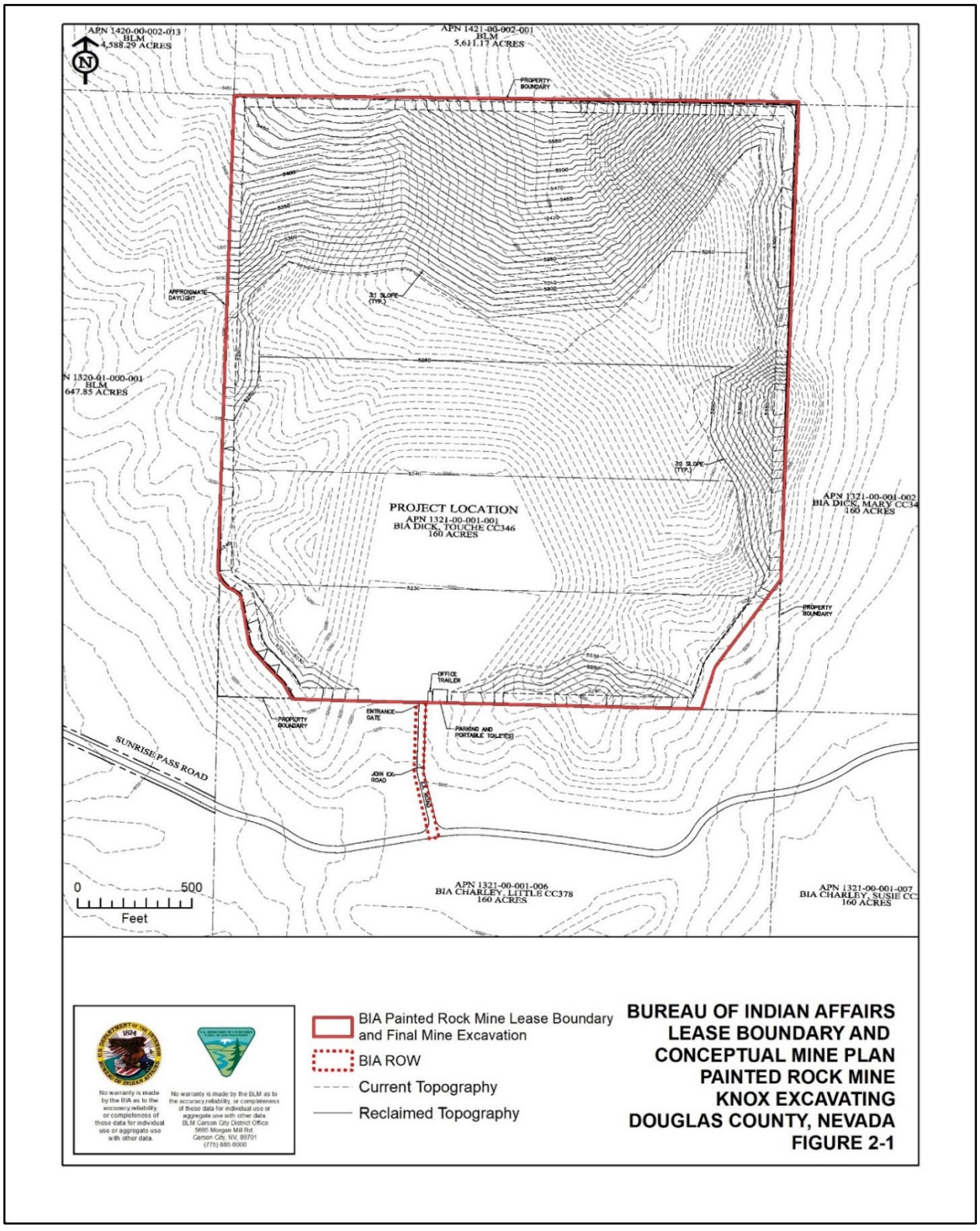


Figure 2-1. Final Buildout of Proposed Action

Initially, the Proponent would remove illegally dumped trash and debris and clear vegetation within the bowl area. Overburden, a mixture of soil, vegetation, and other uneconomic material (growth media) would be removed with a ripper and loader. The growth media would be stacked in berms up to 50 feet high around the perimeter of the proposed mine area and seeded with a certified weed-free seed mix to reduce erosion, prevent establishment of non-native noxious weeds, and decrease fugitive dust. The stockpiled material would be used for reclamation purposes when the Project is complete. The overburden would be handled by a rubber tire front-end loader and transported by truck to stockpiles or reclamation areas along the outer edge of the proposed operations.

Mining would advance from south to north and, as the mine progresses, expand laterally toward the east and west. A bulldozer would traverse the side slopes and push material downward into the bowl area for pit run, (non-screened material) or processing. Based on the local conditions and customer preference, different portions of the mine would be opened, with subsequent phases occurring in approximate four- to five-acre intervals until the end of mining. The material would generally be excavated using a bulldozer with rippers, although harder areas may require an excavator. The excavated sale material would be temporarily stockpiled in the mine-disturbance area as pit run, screened structural fill, Class A backfill, and possibly as drain rock or pea gravel depending on the characteristics of the material excavated. The material would be loaded from the stockpiles into trucks for sale to customers.

At full production, expected by year five of operations, the anticipated output from the Painted Rock Mine would be approximately 500,000 tons per year with a range of 1,000 to 2,000 tons per day, depending on economic demand. As portions of the mine become exhausted, mining would continue in other resource areas of the Project boundary. Interim reclamation would occur as practicable. The Proponent would maintain slope stability on all active faces, including those where personnel work or travel. Loose or unconsolidated material would be sloped to a maximum grade of 3 Horizontal to 1 Vertical (3:1) or stripped back at least ten feet from the top of the slope. To ensure and monitor slope safety, additional detailed geotechnical information would be acquired during operations.

An entrance gate to the mine area would be located at the mine lease boundary. The gate would be locked after working hours. Traffic signs and “No Trespassing” signs would be affixed to the gate to inform public land users of the private land. Speed limits and maximum vehicle weight would be posted at the entrance/exit. Haul truck and operator vehicle speed within the mine site would be restricted to five miles per hour (mph). Along the road ROWs, the speed limit would be restricted to 15 mph for safety and dust control. All drivers would be required to comply with speed limits set by local law enforcement agencies. A three-strand, wildlife-friendly wire fence would be constructed around the Project area to protect the public from inadvertently crossing from public land to private land. “No Trespassing” signs would be placed every 200 feet along the fence. The fence would be removed at the end of mining. The Proponent would coordinate with local law enforcement and fire departments to provide 24-hour access for emergency response.

Water Use

The operation’s water needs are approximately 12,000 to 24,000 gallons of water per day during peak production, principally for dust suppression on Access/Haul Route roads and for the screener-stacker. Water may be used periodically to wash equipment. The proposed and anticipated operation is a dry process and does

not consume water; however, a wash plant could be used depending on the material mined. No chemicals are used in the process.

Water for dust control for approximately three to six months would be obtained from the Heybourne Fill Station, approximately three miles west of where Johnson Lane pavement ends. This would take 6 to 12 trips per day, depending on the size of the truck (approximately 2,000 gallons). Douglas County would provide the Proponent with a meter to use at the Heybourne Fill Station. The municipality would be paid for the use of water based on amount used. As early as possible and using available water sources on the Allotment, the Proponent would install a water well in the southern portion of Allotment CC-346, close to the entrance on disturbed land. The BIA does not regulate or limit the use of available water by an allotment landowner, and water use on the allotment is not subject to state jurisdiction in the absence of a general water adjudication for the water source. Although neither a federal nor a state water permit is applicable to use of water on the Allotment, the proponent plans to drill and develop the well approximately 450-feet deep, in accordance with State regulations.

Schedule of Operations, Hauling, and Personnel

Mining operations would depend on demand and generally occur year-round, weather permitting, 40 to 80 hours a week during daylight hours. Approximately five workers would be employed during the first five years. A maximum of 20 workers may be employed during the following years, depending on material sales. The overall life of the mine is anticipated to be approximately 35 years.

During peak production, the Proponent anticipates mine operations could generate 30 to 85 truck trips (i.e., equivalate to 60 to 170 vehicles per day)[1], depending on the truck size. There would also be a small number of miscellaneous round trips for fuel, supplies, and personnel transport (**Table 2-2**). The customer would purchase and haul material away from the mine site. The Haul Route from the mine site is approximately 6.0 miles from the mine site to US 395 and includes a short segment on Allotment CC-378 between the mine site and Sunrise Pass Road. From there, the Haul Route would use Sunrise Pass Road, a small segment of an unnamed BLM road segment, and Johnson Lane (Segment A) (**Figure 1-3**) to access US 395. In addition, a secondary-access route to the mine has been identified for passenger vehicle use (not for haul trucks) when the haul road is not usable due to weather and storm events. The secondary, non-haul route would follow Sunrise Pass Road, Fremont Street, and Johnson Lane to access US 395 (referred to as Segment B). Johnson Lane would be both an Access Route and a Haul Route (ingress and egress) for four miles until it terminates at US 395 at a controlled intersection managed by NDOT (**Figure 1-3**).

Utilities

The site does not have access to electrical or sewer utilities. Utility connections are not anticipated. A diesel generator or solar power would provide electricity to the office and wash plant. There would be up to three portable toilets on site. A local contractor would provide bottled water to meet potable water needs. The screen and stacker units are self-contained with their own diesel-fueled motor.

[1] The 85 haul truck trips are the theoretical maximum based on the estimated cubic yards of material available on Allotment CC-346. Based on haul truck trip data from other Knox excavation facilities, the project Proponent estimates that the realistic average daily maximum haul truck trips would not exceed 62. The BIA has chosen to carry forward the theoretic maximum for analysis in the unlikely event that those production numbers are met.

Table 2-2. Anticipated Vehicle Trips Generated

Roundtrips	Vehicle Trip Summary
20	Maximum workers traveling to and from the mine site daily (after year five). This represents 20 trips to the mine and 20 trips leaving the mine site.
12	Maximum water trucks traveling to and from the mine site and traveling along the access roads daily for dust suppression and cleaning aggregate material. This represents 12 trips to the mine and 12 trips leaving the mine site.
3	Miscellaneous travel to the mine site for fuel, repairs, and/or supplies, as needed. This represents 3 trips to the mine and 3 trips leaving the mine site.
85	Maximum number of aggregate haul trucks traveling to and from the mine site and traveling along the access roads daily. This represents 85 trips to the mine and 85 trips leaving the mine site. The 85 haul truck trips are the theoretical maximum based on the estimated cubic yards of material available on Allotment CC-346. Based on haul truck trip data from the Proponent's other excavation facilities, the realistic average daily maximum haul truck trips would not exceed 62.
120	Maximum additional vehicle trips along Johnson Lane and the BLM access roads.

Table Acronyms: BLM – Bureau of Land Management

Processing

After the material has been excavated, screened, and sorted using a portable screen and stacker(s), it would be placed into an on-site stockpile and sold directly to customers. The material would be loaded using a front-end loader into covered trucks suitable for public streets. No chemicals would be used in the mining process. Depending on the characteristics of the material and demand for product, a wash plant may be used. Retention basins would be constructed for storing water and settling sediment from surface runoff. The retention basin would be designed to hold water until the water can evaporate or infiltrate. In addition, a secondary crusher may be used. This equipment would be located on disturbed ground near the office.

Support Facilities

The Proponent plans to operate the mine utilizing temporary structures and facilities, which would be removed when mining operations are completed. Anticipated facilities include the following:

- Staging area within the mine for stockpiles and other material handling
- Mine facilities area
- Designated parking area to accommodate mine and support staff vehicles, idle mine equipment, and trucks awaiting loads
- Modular office building on either concrete foundation or blocks, limited to approximately 44 feet by 12 feet
- Miscellaneous mine equipment and materials including portable waste receptacles, and other facilities
- One above-ground, double-walled, fire-resistant diesel fuel tank (approximately 10,000 gallons) with built-in secondary containment and interstitial monitoring
    - The tank would be secured and locked when personnel are not on site
    - The fuel, emergency procedures, and emergency phone numbers would be signed
    - Fuel would be red-dyed diesel
    - The tank would be secured with protective barriers and berms to prevent accidental or malicious damage

Equipment

The major pieces of mining equipment generally required to fulfill the production schedule are summarized in **Table 2-3**. The type of equipment may change to meet the demand of production.

Table 2-3. Equipment List

Type	Name	Quantity
Bulldozer	Caterpillar D8, with rippers	1
Grader	Caterpillar 140M	1
Excavator	John Deere 350	1
Haul Truck	Caterpillar 725 to 740 Articulated Dump Truck	1
Front End Loader	John Deere 624 to 844	2
Water Truck	Peterbilt 4,000 Gallon	1
Service Truck	Ford F350 with Compressor, tool cribs, and welding machine	1
Screen Plant	Powerscreen Warrior 1800 Tracked Screening Plant	1
Radial Stacker	Powerscreen CT75R Radial Stacker Conveyor	2
Crusher	Powerscreen PT400 and 1000 MAXTRAK Cone Crusher	
Gravel Haul Truck	Third-party contractor/customers	Varies

Not all equipment would be used at the same time. Mining would occur in stages and require staggered equipment use. The grader would clear the surface of the flat mined area. The bulldozer would rip and prepare the material. The front-end loader(s) would be used to load the material into dump trucks for transport to the screening equipment. Once the material has been sorted for commerce, the front-end loader(s) would load the trucks to haul the material to market.

Fire Prevention

The site contains a variety of natural fuels such as weeds, sagebrush, and juniper/pinyon pine. The Proponent would comply with all applicable local, state, and federal fire laws and regulations and maintain all reasonable measures to prevent and suppress fire. The Proponent would apply BMPs for fire prevention. These measures may include:

- Not parking vehicles on vegetation
- No smoking except in designated areas
- Proper vegetation removal
- Proper fuel and other ignitable material storage

Handheld tools and large equipment (e.g., saws, tractors) used for clearing vegetation would be kept in proper working condition. Fire prevention is also managed through the appropriate handling and storage of fuels, inspections and record keeping, spill prevention, response procedures, and proper use of safety equipment.

To protect individuals from a developed fire, the Proponent would have water available for firefighting. The Proponent would ensure all mobile equipment is equipped with fire extinguishers, hand tools, and first aid kits. During extended periods of time of non-operation or seasonal closure, all equipment and supplies would be removed from the site.

The National Fire Protection Association (NFPA) established NFPA 10: the Standard for Portable Fire Extinguishers. NFPA 10 mandates the type, size, placement, and minimum number of extinguishers required for each building and vehicle. Fire extinguishers would be installed to this standard.

In the event of a small fire that can be extinguished using a hand-held fire extinguisher or a small water hose, personnel would make a reasonable effort to extinguish the fire with such means. If two or more people are present, one would fight the fire while the other reports the size, type, and location to the Douglas County Dispatch Center in case the fire grows out of control. Personnel would not directly engage any fire beyond the incipient stage (i.e., a fire which has progressed to the point it has substantially involved any structure/equipment). The Proponent would provide local emergency services keys for any locks on the mine property.

Surface Water Management

Surface water within the site consists of stormwater runoff. BMPs would be implemented to comply with local, state, and federal requirements.

Reclamation

The purpose of the reclamation plan is to return the site to pre-mining conditions similar to the surrounding area. Naturally steep slopes would be left intact. The proposed reclamation and closure activities are intended to promote the establishment of a self-sustaining ecosystem consistent with the surrounding area's biotic communities. Site-specific conditions would also be considered. To ensure the success of the program, post-closure monitoring and maintenance would occur. Concurrent reclamation is planned throughout the life of the operation. Components of reclamation include, where practicable:

- Regrade and reshape land where needed to a 3:1 slope
- Promote the establish of self-sustaining native vegetation (hydroseed and tackifier may be used on slopes not suitable for conventional seeding)
- Remove all equipment and infrastructure
- Abandon water well unless the Allotee requests leaving the well for future use
- Provide post-mining monitoring, maintenance, or treatment

The Allottee ROW would remain in use during the post-closure period for access. The BLM may require reclamation of the BLM-managed roads to original dimensions; however, this decision would be made by the BLM and may depend on the use and maintenance requirements at that time.

2.1.2 BIA Access Right-of-Way

The permanent access ROW across Allotment CC-378 would be 550 feet long by 60 feet wide (0.8 acre) and would require minor improvements including widening and placement of a gravel surface (**Figure 1-3**). At the expiration of the lease agreement, reclamation, and mine closure would occur pursuant to the Reclamation and Closure Plan.

2.1.3 BLM Access Right-of-Way

The total BLM ROW would include approximately 2.8 miles (Segment A = 2.0 miles and Segment B = 0.8 miles) (**Figure 2-2**). Segment A is an existing road that would be widened to accommodate two-way traffic and include a 60 feet wide ROW, totaling approximately 14.6 acres of ROW. Segment A would be used by the haul truck to transport material from the mine site to US 395. Currently, the road surface is approximately 20 feet wide, which meets the minimum design standard for two-way traffic per *Nevada Department of Transportation Road Design Guide*, Section 1.3 Low Speed Facilities (50 mph and below) of 20 feet wide (10-foot travel lanes). Segment A would re-graded to remove ruts and washout areas. As use of Segment A increases the proponent would add a 6-inch-thick layer of road base to help reduce road wear and need for maintenance operation as well as reduce dust. Once Segment A use by haul trucks generates approximately 60 trips per day an additional 3-inch-thick layer of asphalt grindings would be placed over the base layer. A low water crossing at the western end of Segment A would be constructed consisting of 9-inch-thick Portland Cement Concrete (PCC) a minimum of 12-feet-wide to reduce damage and washout during rain events. Additionally, a concrete transition section would be constructed between Segment A and Johnson Lane to protect the pavement edge at the connection of the two roadways. The new disturbance associated with the Segment A ROW would be 2.0 miles long and up to an additional 30 feet in width for a total of approximately 7.3 acres of new disturbance.

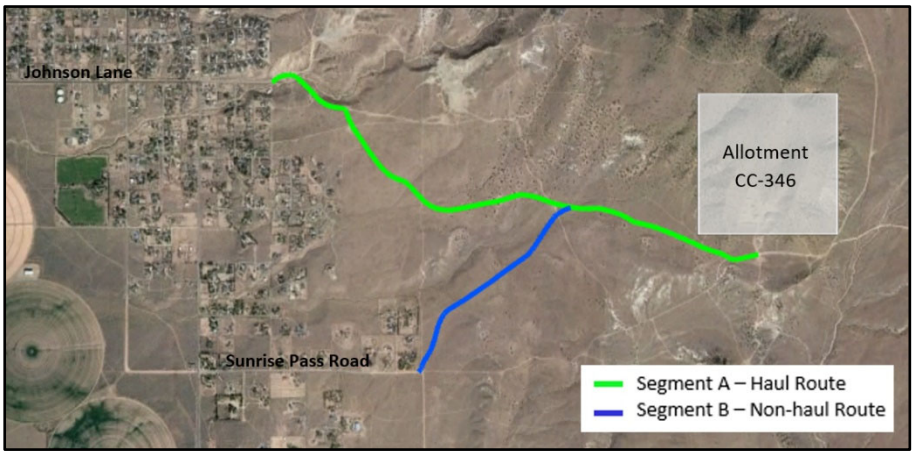


Figure 2-2. BLM Right-of-ways

Segment B is also an existing road that would be maintained at its current width and used as a secondary access for passenger vehicles only, no material haul trucks would use this route. Segment B would require a 30-foot-wide ROW for 0.8 miles, totaling approximately 2.9 acres of ROW. No new construction is anticipated for Segment B although disturbance of approximately 1.0 acre has been included for incidental disturbance during routine maintenance.

The Proponent, in consultation with the BLM, would follow appropriate road-building standards to include the following:

- Minor cut and fill to improve the roadway profile
- Modify curve profiles to improve sight distances
- Provide turnouts as needed in areas of traffic congestion
- Improve roadside ditches to accommodate potential runoff and stormwater
- Install concrete low-water crossings in washes prone to flooding during storms to allow water to cross without damaging the road
- Construct small sediment catch basins where drainage structures collect large amounts of sediment
    - Clean the basins as needed to reduce the sediment transported into the residential areas near Johnson Lane and Fremont Street

- Add a layer of gravel road base material to create a durable driving surface
    - A six-inch road base would be used for the initial haul trips
    - The gravel thickness would increase and the composition may change as haul trips increase
- Apply dust suppression on Access and Haul Route roads
- Add a layer of asphalt road grindings east from Johnson Lane to reinforce the driving surface
    - All or a portion of Road Segment A may be paved if future use indicates a paved road is necessary
    - If Road Segment A is paved, additional grading and drainage improvements would be required for increased vehicle speeds and load-rating
    - OHV-specific travel lanes would be needed along the shoulders in areas where other existing trails do not provide adequate access for non-street-legal OHVs
- Segments A and B would be bladed on a regular basis, without creating berms, to ensure the driving surface does not deteriorate and water drains properly
    - The Proponent and the BLM would create an adaptive management strategy to determine when the roads need improvements

The dry crossing (**Figure 1-3** and **Figure 2-5**) at Johnson Lane Wash (BLM-administered land) would be improved by adding large rocks and other material to create a surface that can accommodate heavy haul trucks and manage storm runoff. A cement pad may be used in place of gravel to create a more resilient driving surface through the wash.

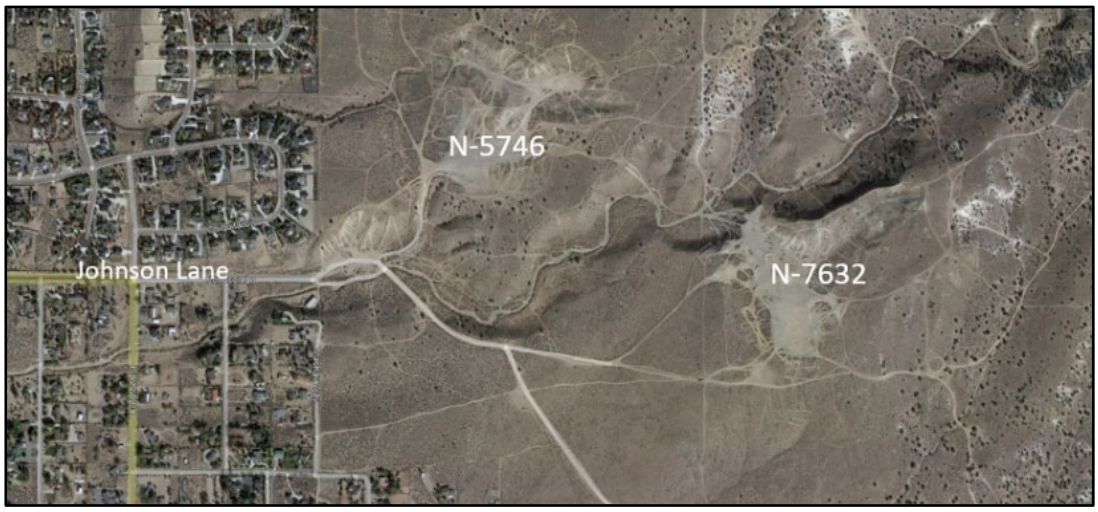


Figure 2-3. OHV Staging Area

Off-Highway Vehicle Authorized Staging Area

There is a user-created OHV staging area at the end of Johnson Lane where recreationists park their vehicles and unload OHVs (**Figure 1-3** and **Figure 2-4**). As a condition of the ROW authorization, the Proposed Action includes a BLM request to establish access to a larger area within the Southeast NDOT material site (N-7632) for a BLM-managed authorized OHV staging area to relieve road congestion and mitigate potential conflicts between OHV users and traffic passing through the area of the ROW (**Figure 2-4**). Due to limited parking at the current user-created staging area, the BLM anticipates most OHV users would stage at this new location once Segment A has been improved. The new OHV staging area would be used for parking tow vehicles and for camping. Due to the anticipated increase in recreational use at the new location, the informational kiosk would be moved to where

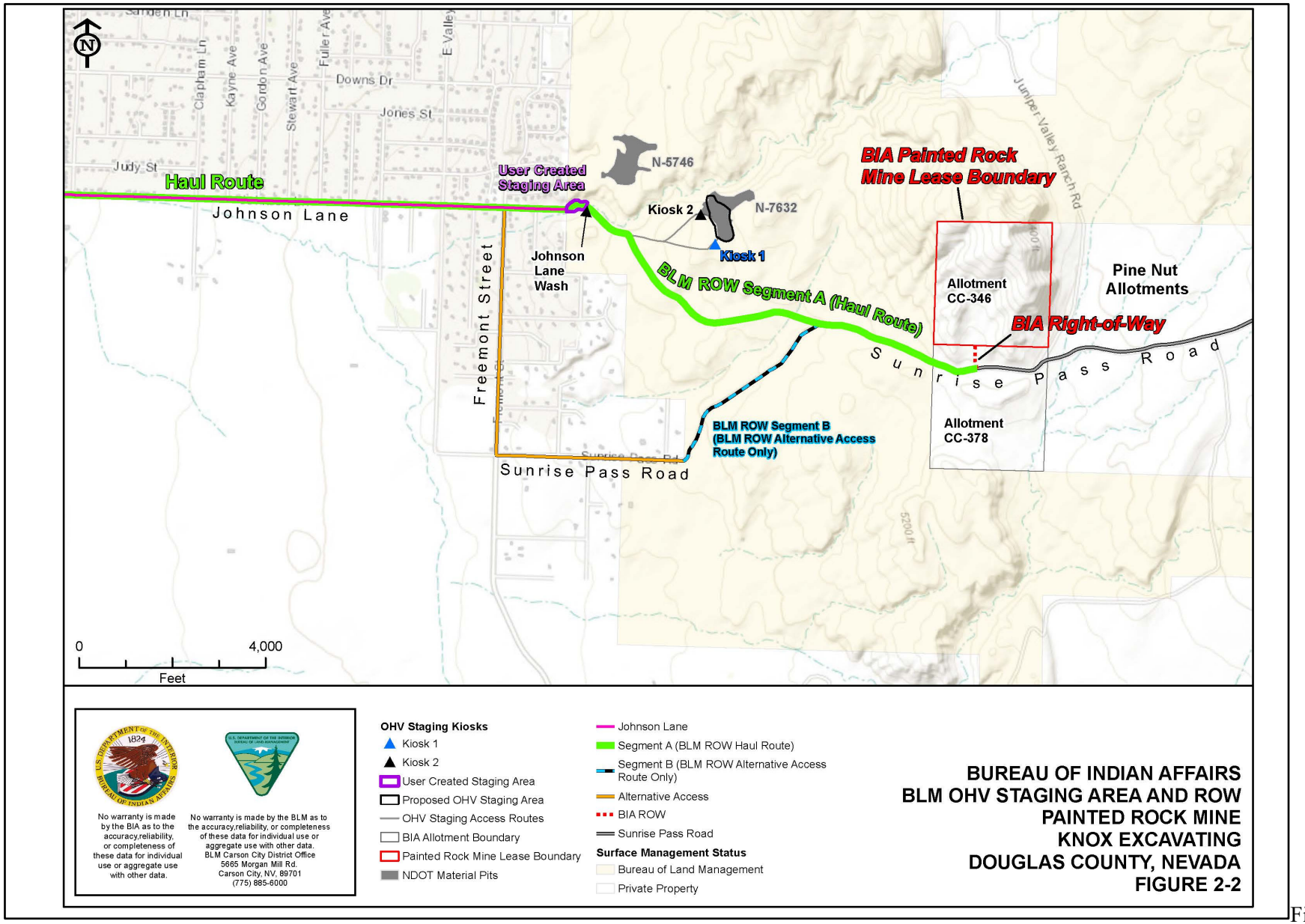


Figure **2-4. OHV Staging Area Detail**

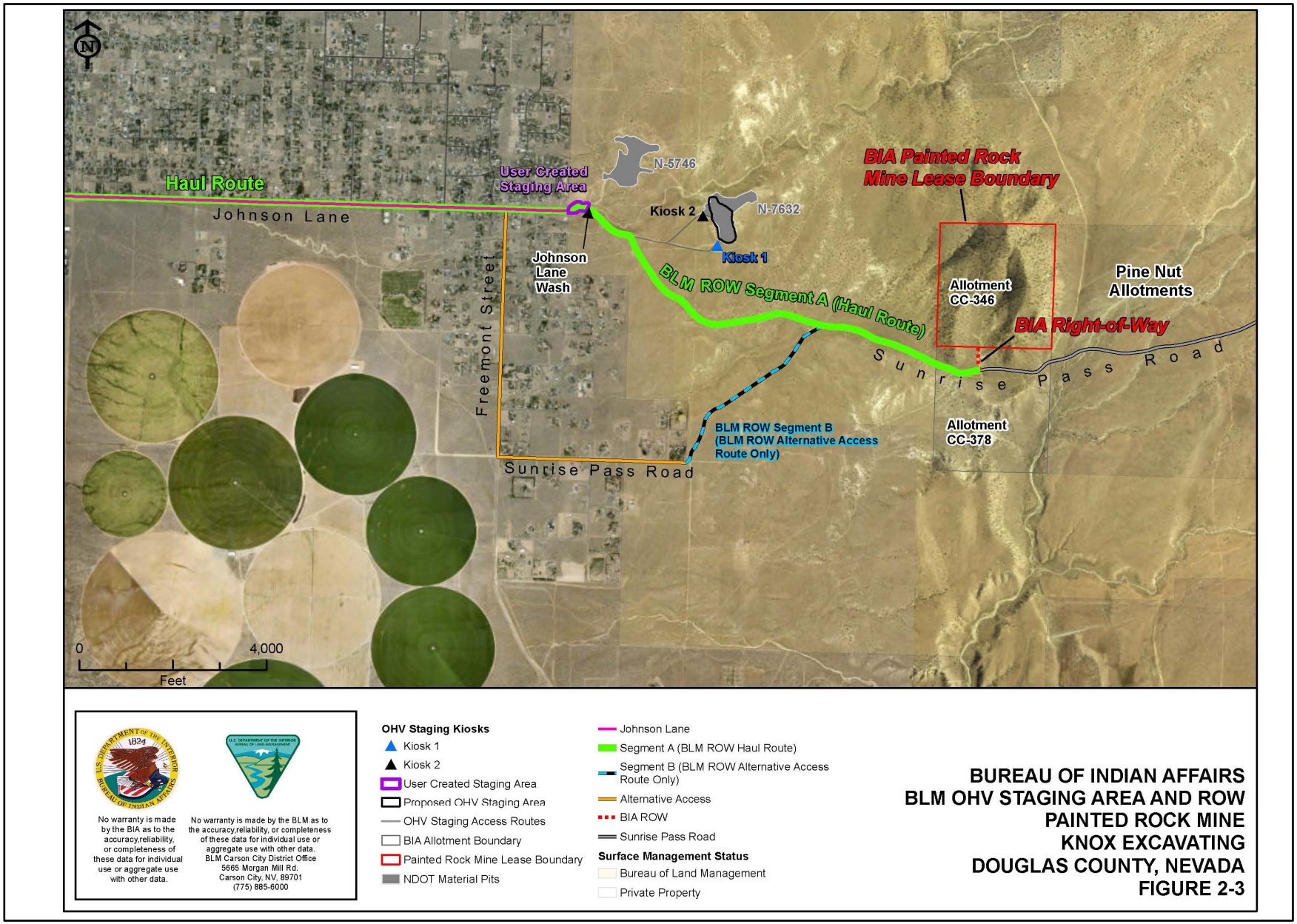


Figure 2-5. OHV Staging Area on Aerial

users congregate. The road leading into N-7632 forks and allows two separate routes into the new OHV staging area (**Figure 2-4** through **Figure 2-5**).

A second kiosk may be installed if OHV traffic uses both routes to access the NDOT material site. In addition to the kiosks, the BLM would maintain the OHV staging area access road and parking surface to accommodate the anticipated increase in recreation. The BLM and the Proponent would work together to complete the initial repair work on the new OHV staging area access road and perform maintenance as needed. If NDOT needs to use the material site ROW (N-7632) where the new OHV staging is located, the BLM would coordinate with NDOT to determine if the materials site could be used by the public while NDOT is operating.

To allow Access/Haul traffic and recreational traffic to use Segment A safely, the user-created OHV staging area would be modified to separate traffic from OHV users parking in the area. The edges of the road through the user-created OHV staging area would be defined by raising the driving surface above the rest of the open area to distinguish it from parking areas. Barriers may be placed along the edges of the driving surface to further delineate the roadway. The road improvements would leave as much usable space as practicable for parking. Signage would be placed to direct drivers to avoid blocking Access/Haul traffic and signage would direct users to the new OHV staging area (**Figure 2-4** and **Figure 2-5**). Dirt berms may be constructed within the existing parking area to replace berms the public currently uses to unload their OHVs from pickup truck beds. Anticipated new disturbance would include approximately 2.1 acres associated with approximately 0.6 miles of roadway improvements leading to the new OHV staging area.

2.1.4 Johnson Lane (Douglas County)

Johnson Lane, a four-mile-long, two-lane, paved road is under the jurisdiction of and maintained by Douglas County (**Figure 2-4**). Johnson Lane connects the BLM access road to US 395 for subsequent area-wide distribution. The ROW for Johnson Lane is approximately 120 feet. No improvements to Johnson Lane nor a ROW from Douglas County would be required.

2.2 No Action Alternative

Under NEPA, the BIA and cooperating agencies must consider an alternative that assesses the impacts that would occur if the Project was not developed. The No Action Alternative assumes that the Sand and Gravel Mineral Lease agreement and associated ROWs would be denied, the BLM ROWs would not be issued, and the Proponent would not undertake the Project. Under the No Action Alternative, the purpose and need of the Project would not be met. The Allotment owners would not benefit economically from the sand, gravel, and aggregate material from the Painted Rock Mine. The development of construction materials would not occur, and Douglas County communities would not enjoy the economic benefit of locally produced construction aggregate. Additionally, the OHV site would not be improved, and the public would not enjoy the use of a designated staging area. The Johnson Lane Wash crossing would not be improved, and no maintenance would be performed on the BLM road to the mine.

2.3 Actions Considered but Eliminated from Detailed Analysis in this EA

Under NEPA, federal agencies are required to rigorously explore and objectively evaluate reasonable alternatives and to briefly discuss the reasons for eliminating any alternative not developed in detail (40 CFR § 1502.14). Several alternatives were considered during the development and scoping phase of the Project. The

alternatives below were not carried forward for detailed analysis because they would be ineffective (it would not respond to or meet the purpose and need), were determined to not be technically feasible, economically practical, or would cause greater environmental effects than the alternatives analyzed in detail. The justifications for eliminating these alternatives are described briefly below.

2.3.1 Route from the Mine North to Carson City to US 395 (North Route Alternative)

Douglas County proposed the alternative route from the mine north to Carson City to US 395 (North Route) (**Figure 2-6**). It was evaluated on if it met the purpose and need of the Project and then compared to the Proposed Action. This alternative was suggested early on and was considered by the Proponent and the BIA.

The North Route begins at the intersection of Sunrise Pass Road and Juniper Valley Ranch Road located near the southeast corner of the proposed mine site. This route is approximately 14.9 miles long and would require a 60-foot ROW. It crosses one bridge and has three unimproved wash crossings. The North Route crosses four BLM parcels and nine private parcels prior to reaching a public road (Eagle Valley). No new ROW would be required for the public roads. Introducing heavy truck traffic on a narrow unimproved roadway not designed for such use, would pose an unnecessary safety risk to the traveling public.

Unlike the Proposed Action Haul Route (Johnson Lane), North Route is not a Major Collector and based on the road's existing conditions and unclassified in the Roadway Functional Classification Map, this would not accommodate heavy truck traffic without additional upgrades/improvements and ROW acquisition (Douglas County 2017). This would pose a financial burden on Douglas County and its citizens. The North Route is nearly three-times as long as the Proposed Action Haul Route and would require substantial maintenance and mitigation, as well as a proportional increase in transport cost. According to the Proponent this would add approximately $1-$2 per ton to the cost of production and an additional $9-$13 per ton for hauling the material into the Douglas County Market (accounts for a 2.5 hour round trip between Johnson Lane and US 395 intersection at approximately $110-$130 per hour depending on haul truck and trailer combination). For example, an End Dump at $110 per hour with a 2.5 hour round trip would be $275 for 22 tons costing the end user an additional $12.50 per ton. A bottom dump train at $130 per hour with a 2.5 hour round trip would be $325 for 35 tons costing the end user an additional $9.29 per ton. These factors, and the increased point-of-sale cost to cover road maintenance and additional trucking cost, would effectively increase material cost to the end user by $10.29-$14.50 per ton to get that material to Johnson Lane/US 395 intersection (Knox Excavation 2021). These prices make the North Route economically impractical to the Proponent. Existing operations in Carson City and Dayton are less expensive and have better access routes; these costs would price the material out of the competitive market.

To summarize, if the ROW was obtainable, the cost of ROW acquisition, road maintenance, wash-crossing improvement, bridge upgrade/replacement, and haul distance would render the Project cost too high. Because the Project would not move forward and the mine would not go into production under this alternative, it would not meet the Project's purpose and need. Therefore, this alternative was eliminated from further consideration.

2.3.2 Route from the Mine South to Fish Springs to US 395 (South Route Alternative A)

Douglas County proposed an alternative route east from the mine site and south to Fish Springs Road to US 395 (South Route Alternative A) (**Figure 2-7**). It was evaluated to determine if it met the purpose and need of the Project and then compared to the Proposed Action.

The South Route Alternative A begins at the south end of the mine site and heads east on Sunrise Pass Road for 1.1 miles, then turns south on an unnamed rural dirt road for 2.7 miles. The route then travels southwest on Stockyard Road for 1.9 miles. It then turns southeast and then south onto an unnamed rural dirt road for 1.4 miles. The route turns southwest onto Juniper Road for 0.3 mile, heads southeast onto Calle Hermosa Road for 1.4 miles, and then turns south onto Calle Pequeno Road for 0.7 mile. The route continues on Fish Springs

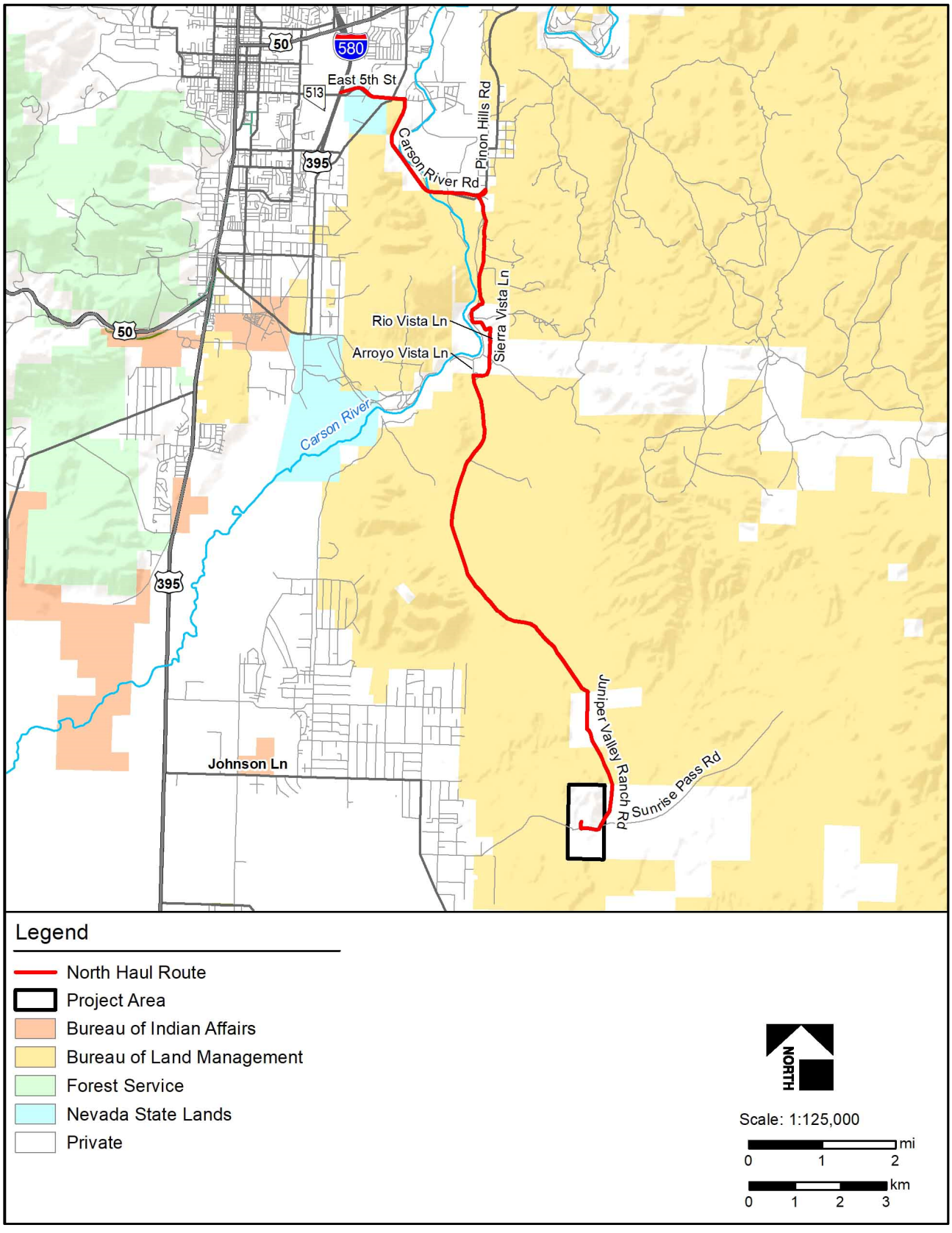


Figure 2-6. Alternative North Route

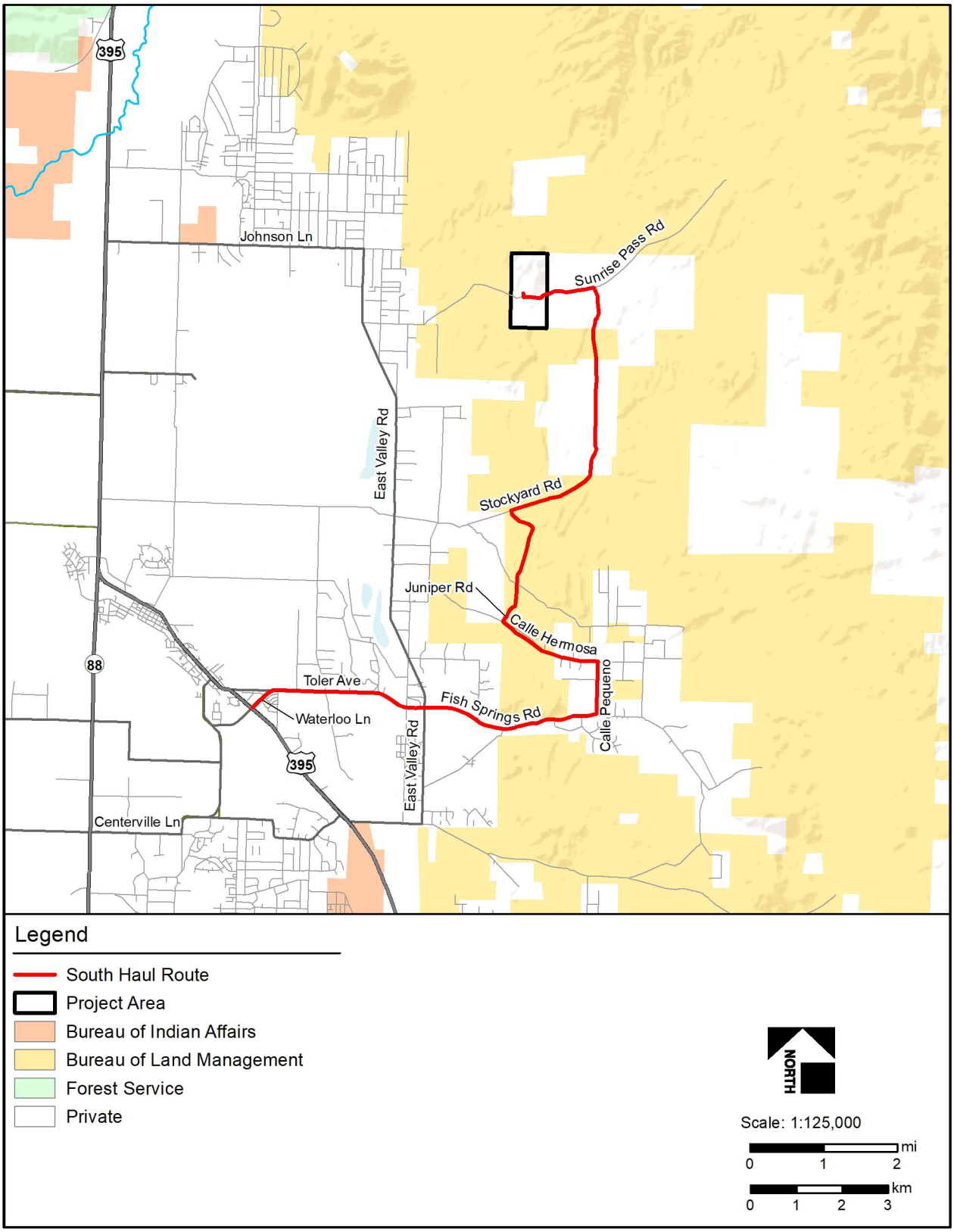


Figure 2-7. South Route Alternative A

Road for 3.3 miles, where it becomes Toler Avenue, continuing on for 1.2 miles before turning southwest onto Waterloo Lane for 4.4 miles where it connects with US 395 at a signaled intersection. Calle Hermosa Road and Calle Pequeno Road are both rural local roads constructed of gravel and asphalt millings traversing rural neighborhoods. Fish Springs Road is a Minor Collector with an uncontrolled intersection at Calle Pequeno. Waterloo Road is identified as unclassified in the Roadway Functional Classification Map in the Douglas County Transportation Plan (2017; Figure 4-1).

This route is approximately 18.8 miles long and would require a 60-foot ROW. There are nine unimproved wash crossings. The South Route Alternative A crosses four Allottee parcels, three BLM parcels, one county parcel, and five private parcels prior to reaching a public road for which no ROW would be required.

Unlike the Proposed Action Haul Route, the South Route Alternative A is not a Major Collector and based on the road's existing conditions of being partially dirt and unclassified in the Roadway Functional Classification Map, the South Route Alternative A would not accommodate heavy truck traffic without additional upgrades/improvements and ROW acquisition. The South Route Alternative A is nearly four-times as long as the Proposed Action haul route and would require substantial maintenance/upgrade and mitigation to facilitate use. According to the Proponent, this haul route would add $1-$2 per ton to the cost of production. The additional cost for hauling the material into the Douglas County Market would add an additional $9-$13 per tons (1.75 hour round trip just to get to Waterloo/US 395 intersection at $110-$130 per hour depending on truck trailer combination). An End Dump at $110 per hour with a 1.75 hour round trip would be $192.50 for 22 tons costing the end user an additional $8.75 per ton. A bottom dump train at $130 per hour with a 1.75 hour round trip would be $227.50 for 35 tons costing the end user an additional $6.50 per ton. These two factors, and the increased point-of-sale cost to cover road maintenance and additional trucking cost, would effectively increase material cost to the end user to $7.50-$10.75 per ton more than the Proposed Action (Knox Excavation 2021). These prices make the South Route Alternative A economically impracticable to the Proponent. Existing operations in Carson City and Dayton are less expensive and have better access routes; these costs would price the material out of the competitive market.

To summarize, if the ROW was obtainable, the cost of ROW acquisition, road maintenance, wash-crossing improvement, and haul distance would render the Project cost too high. Because the Project would not move forward and the mine would not go into production under this alternative, it would not meet the Project's purpose and need. Therefore, this alternative was eliminated from further consideration.

2.3.3 Route from the Mine to Fremont to East Valley to Stockyard Road to US 395 (South Route Alternative B)

Members of the public proposed the alternative route from the mine to Fremont Street to East Valley Road to Stockyard Road to US 395 Haul Route (South Route Alternative B) (**Figure 2-8**) during the public scoping period. It was evaluated on whether or not it met the purpose and need of the Project and then compared to the Proposed Action.

The route begins west from the mine site on Sunrise Pass Road for two miles to the eastern end of Johnson Lane. The route travels west on Johnson Lane for 0.2 mile and then turns south onto the paved Fremont Street for 1.5 miles. The route continues south on the East Valley Road (paved) for 2.1 miles. The route then turns west onto Stockyard Road, continuing 4.1 miles until reaching an uncontrolled intersection at US 395. Stockyard Road is an approximately 30-foot wide partially dirt and partially paved private road, with gated control, and is identified as unclassified in Roadway Functional Classification Map in the Douglas County Transportation Plan (2017; Figure 4 1). This route is approximately 9.9 miles long and crosses twenty-nine private parcels, for which an access easement or ROW would be required. The haul route would then reach a public road, for which no access easement or ROW would be required.

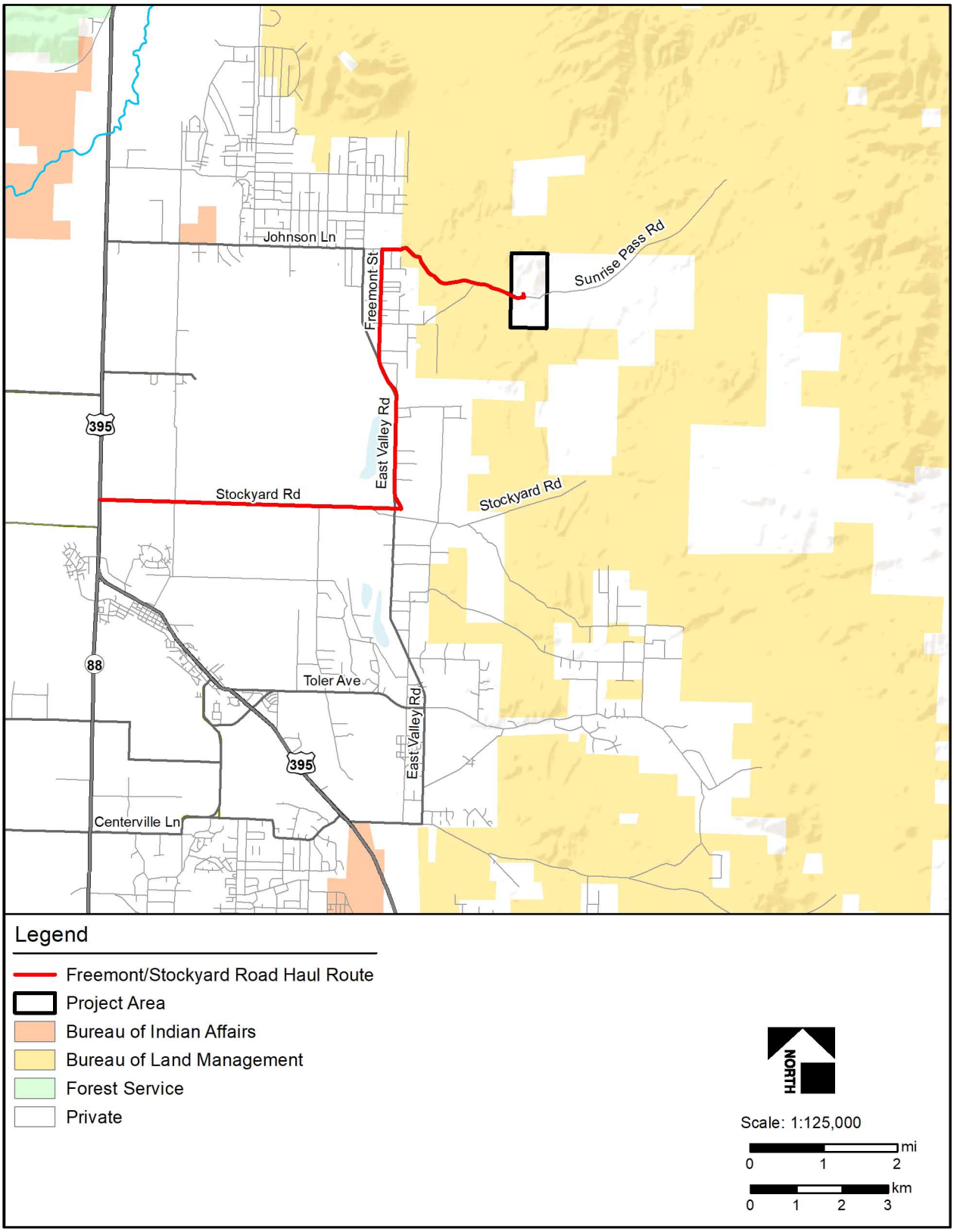


Figure 2-8. Alternative South Route B

Unlike the Proposed Action Haul Route, the South Route Alternative C is not a Major Collector and based on the road's existing conditions of being partially private, dirt, and unclassified in the Roadway Functional Classification Map, would not accommodate heavy truck traffic without additional upgrades/improvements and ROW acquisition. The South Route Alternative B is nearly twice as long as the Proposed Action Haul Route and would require substantial maintenance/upgrade and mitigation to facilitate use. The intersection at US 395 is not safe for regular truck traffic and would require major improvements including, at a minimum, widening the intersection, dedicated turn lanes, and installing traffic signals. To widen the intersection, NDOT would need to acquire additional ROW. These improvements, at a minimum, would roughly cost $6-8 million upfront for planning, studies, engineering, permitting fees, and construction costs. It would also delay the project. These improvement costs, either born by the Proponent or NDOT, not including the cost to acquire ROW, make the Project economically infeasible. Additionally, the Douglas County Planning Commission previously denied Douglas County Sewer District #1 permission to use this exact route for a gravel pit operation.

To summarize, if the ROW was obtainable, the cost of ROW acquisition, road improvements, and haul distance would render the Project cost too high. Because the Project would not move forward and the mine would not go into production under this alternative, it would not meet the Project's purpose and need. Therefore, this alternative was eliminated from further consideration.

2.3.4 Route from the Mine South to Stockyard to US 395 (South Route Alternative C)

Douglas County proposed the alternative route from the mine south to Stockyard Road to US 395 (South Route). It was evaluated to determine if it met the purpose and need of the Project and then compared to the Proposed Action (**Figure 2-9**).

The South Route Alternative C begins at the south end of the mine site and heads east on Sunrise Pass Road for 1.1 miles, then turns south on an unnamed rural dirt road for 4.0 miles. The route then turns west onto Stockyard Road/Bangberg Road, continuing 5.0 miles until reaching an uncontrolled intersection at US 395. Stockyard Road/Bangberg Road is an approximately 30-foot wide partially dirt and partially paved private road with a locked gate. This is also identified as unclassified in Roadway Functional Classification Map in the Douglas County Transportation Plan (2017; Figure 4-1). This route is approximately 10.0 miles long and would require a 60-foot ROW. There are six unimproved wash crossings.

Unlike the Proposed Action Haul Route, the South Route Alternative C is not a Major Collector and based on the road's existing conditions of being partially private, dirt, and unclassified in the Roadway Functional Classification Map, would not accommodate heavy truck traffic without additional upgrades/improvements and ROW acquisition. The South Route Alternative C is nearly twice as long as the Proposed Action haul route and would require substantial maintenance and mitigation. According to the Proponent, this haul route would add $1-$2 per ton to the cost of production. The additional cost for hauling the material into the Douglas County Market would add an additional $9-$13 per tons (1.75 hour round trip just to get to Waterloo/US 395 intersection at $110-$130 per hour depending on truck trailer combination). An End Dump at $110 per hour with a 1.75 hour round trip would be $192.50 for 22 tons costing the end user an additional $8.75 per ton. A bottom dump train at $130 per hour with a 1.75 hour round trip would be $227.50 for 35 tons costing the end user an additional $6.50 per ton. These two factors, and the increased point-of-sale cost to cover road maintenance and additional trucking cost, would effectively increase material cost to the end user to $7.50-$10.75 per ton more than the Proposed Action (Knox Excavation 2021). These prices make the South Route Alternative C economically impracticable to the Proponent. Existing operations in Carson City and Dayton are less expensive and have better access routes; these costs would price the material out of the competitive market.

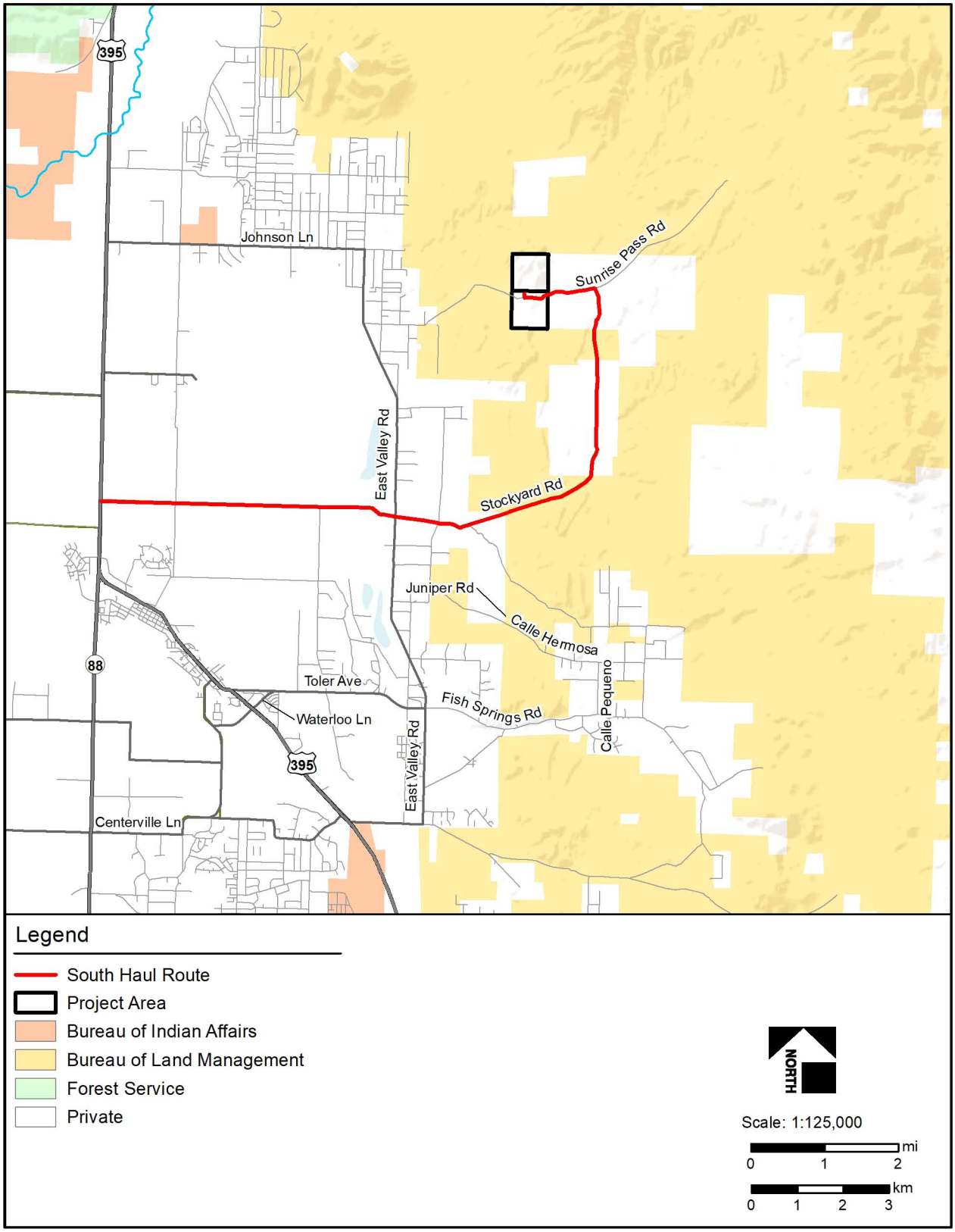


Figure 2-9. Alternative South Route C

To summarize, if the ROW was obtainable, the cost of ROW acquisition, road improvements, and haul distance would render the Project cost too high. Because the Project would not move forward and the mine would not go into production under this alternative, it would not meet the Project's purpose and need. Therefore, this alternative was eliminated from further consideration.

2.3.5 Alternate Mine Sites

The Project is, by the terms of its purpose, limited to locations on the subject allotted land (CC-346) held in trust by the federal government for the Indian Allotment owner(s). The BIA did not consider off-allotment alternatives because these are beyond the BIA's authority to do so and would not meet the Project's primary purpose and need.

While off-allotment mine sites do not, by definition, meet the purpose and need of the proposed project, the Proponent, in performing due diligence studies, had explored other mine sites prior to settling on the CC-346 Allotment location. At least four other mine sites (including the existing NDOT gravel pits at the east end of Johnson Lane) were considered. All other sites were dismissed, primarily due to incompatible geology, type of rock needed for aggregate, the volume of material available for removal, the haul distance to commerce centers, and the absence of Major Collector roadways with a controlled intersection at US 395 built for heavy-truck traffic.

CHAPTER 3 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

3.1 Introduction

The information in this chapter describes the affected (existing) environment in the proposed Project area and presents the potential effects of the Proposed Action and the No Action Alternative. Measures to avoid or minimize impacts have also been identified and are listed at the end of each resource discussion. The terms "impacts" and "effects" are used interchangeably, and the terms "increase" and "decrease" are used for comparison purposes. Potential impacts are described in terms of duration, intensity, and context.

For the purposes of this analysis, duration (temporal scale) of the effects of the analysis is defined as follows. These durations would apply to each of the resources/uses that are analyzed in this EA but may vary slightly depending on the resource/use. Forty years would include the expected duration of the life of the facility and an additional five years would allow for site restoration after decommissioning.

- ***Short-term/Temporary:*** impacts that would be less than 5 years in duration
- ***Long-term:*** impacts that would be between 5 to 35 years

For the purposes of this analysis, intensity or severity of the impact is defined as follows:

- ***Negligible:*** changes would not be detectable and/or measurable. The resource/use would be essentially unchanged or unaltered
- ***Minor:*** changes would be detectable and/or measurable and would have a slight change or alteration to the resource/use
- ***Moderate:*** changes would be clearly detectable, measurable, and/or have an appreciable effect on the resource/use. The resource/use would be notably changed or altered and the effect is apparent. Project activities could change the indicator over a small area or to a lesser degree
- ***Major:*** changes would be readily detectable, and/or have a severe effect on the resource. The resource/use would be substantially changed or altered over a large area or to a large degree

Context is the setting within which an impact is analyzed. For the purposes of this analysis, the contexts are defined as follows:

- ***Local:*** within and immediately adjacent to the Project area
- ***Regional:*** remaining area outside of but within 20 miles of the Project area

3.2 Resources Considered

The resources that are not present within the Project area or would not be impacted by the Proposed Action and No Action include lands with wilderness characteristics, wild and scenic rivers, wild horses and burros, wilderness, and wilderness study areas. These resources are not further evaluated in the EA. **Table 3-1** identifies the supplemental authorities and resources in the Project area and states the rationale for the exclusion of a detailed analysis in the EA. The supplemental authorities and other resources that may be affected by the Proposed Action and/or No Action Alternative are further described in the EA as noted in **Table 3-1**.

Table 3-1. Determination and Rationale for Detailed Analysis by Resource

Resource	Additional Analysis Determination and Rationale
Air Quality	See detailed analysis in **Section 3.3**.
Climate Change/ Greenhouse Emissions	Climate change is a term often used to describe the impact on the environment from Greenhouse Gas (GHG) emissions. GHGs are gases that trap heat in the atmosphere, causing a greenhouse effect. According to the Intergovernmental Panel on Climate Change (IPCC), increased atmospheric levels of carbon dioxide (CO_2) are correlated with rising temperatures. Projected concentrations of GHGs (expressed as CO_2) are used as a proxy for assessing proposed actions' potential effects on climate change. For this Project, potential GHG emissions from both the mining operations and haul routes were evaluated. For the mining operation, the equipment identified in **Table 2-1** in was used to develop an estimate of GHG emissions. Although this equipment would only operate periodically and not at the same time, to provide a worst-case estimate, it was assumed that all the equipment would operate 11 hours/day and 365 days/year. Mining equipment exhaust emission factors were developed using EPA MOVES2014a-20151201 (MOVES) model for equivalent non-road constructions sources and the emission factors were reported in units of grams per horsepower-hour (g/hp-hr). MOVES was also used to develop exhaust emission factors for haul trucks traveling on Segment A on Sunrise Pass Road and Johnson Lane between Segment A and US 395. These factors are in units of grams per vehicle mile traveled (g/VMT). Eighty-five round trips per day were assumed to occur between the mine and US 395. The haul vehicles were assumed to be trailer type vehicles. CO_2 equivalent (CO_2e) emissions were based on CO_2 and methane (CH_4) emissions from the mine fleet and haul trucks. On-site (5,582 CO_2e) and off-site emissions 108 CO_2e for Haul Road Segment A and 216 CO_2e for Johnson Lane) were evaluated for the estimated annual GHG emissions for individual mining operations. These totals were compared to the Douglas County emissions total for 2017 (386,606 CO_2e) showing a very low contribution by the proposed Project. These results show that annually, mining operations and associated hauling would contribute negligible amounts of GHG emissions relative to the county-wide GHG emissions. Although mobile equipment emissions are not applicable to stationary source air permitting rules, GHG emissions during the operational phase of the project would be well below the state and federal air permitting threshold for stationary sources (75,000 tons per year). Therefore, this resource topic has been eliminated from further analysis in this EA.
Areas of Critical Environmental Concern (ACECs)	There are no ACECs in the vicinity of the Project area and the Proposed Action would have no effect on this resource. The nearest ACEC is the Legend-Williams Combleaf Habitat ACEC approximately 21.3 miles north of the Project area. Therefore, this resource topic has been eliminated from further analysis in this EA.
Cultural Resources	An archival records search was conducted through the Nevada Cultural Resources Information System, Nevada State Historic Preservation Office (SHPO), National Register of Historic Places (NRHP), Nevada State Register of Historic Places, the BLM Carson City District Office's cultural resources database, and Southern Nevada Archaeological Archive database. These background records searches were completed for the direct and indirect area of potential effect (APE). Class III systematic pedestrian surveys for Cultural Resources Inventories (CRIs) were also completed for the Proposed Action and covered a total of approximately 250 acres (BIA 2019; BIA 2020; BIA 2021), encompassing areas where Project-related actions have the potential to directly adversely affect cultural resources. The indirect effects evaluation incorporated a buffer extending up to five miles in all directions from the proposed mine site; the indirect APE for the associated access road was confined to the

Resource	Additional Analysis Determination and Rationale
	direct APE (McVey to Palmer, April 19, 2021). The total acreage for the indirect APE is approximately 5,819 acres. The indirect effects assessment suggests the proposed Project does not have the potential to cause indirect adverse effects to any potential historic property. As a result of the literature review and field investigations for the proposed Project, a total of 26 cultural resources investigations have been completed within one mile of the direct APE. A total of 10 sites have been previously recorded within the 1-mile buffer and CRIs identified 5 new sites within the APE for a total of 15 sites within the direct and indirect APE. Additionally, one isolated occurrence (IO) mining claim marker, was identified and is not considered for the National Register of Historic Places (NRHP) because IOs are not considered for eligibility. The five newly recorded cultural resources (one historic refuse scatter, three roadway segments, and one historic transmission line) within the direct APE are concurred upon as non-contributing or not eligible (SHPO concurrence letter, Reed to McVey, May 19, 2021). The SHPO previously concurred with BIA's initial finding of No Adverse Effect; however, the access roads were unevaluated in correspondence dated July 14, 2020. The BIA has since inventoried and evaluated the access roads and has subsequently revised the finding to No Historic Properties Affected (McVey to Palmer, April 19, 2021). The SHPO concurred with this determination (see SHPO concurrence documents in **Appendix F**) (CR3-2884), completing the Section 106 consultation process. Therefore, this resource topic has been eliminated from further analysis in this EA.
Environmental Justice	In compliance with Executive Order (EO) 12898, the most current available demographic data should be used to determine if minority and/or low-income populations are present in the area of analysis and would be disproportionately and adversely impacted by the Proposed Action. Washoe tribal members and Allotees meet the criteria of a minority population and are subject to environmental justice consideration under EO 12898. The mine property is being developed by and to benefit the Allotees by creating both jobs and lease income. Potential effects from the Proposed Action would not result in disproportionate adverse human health or environmental effects on environmental justice populations. There would be no displacements or permanent changes to the Allotees or tribal members. Therefore, this resource topic has been eliminated from further analysis in this EA.
Farmlands (prime or unique)	There are no U.S. Department of Agriculture (USDA)-designated unique farmlands or farmlands of statewide or local importance within the Project area. Approximately 10 acres (4 percent) of the mine lease area and access road on the allotment land is composed of Greenbrae gravelly fine sandy loam, which are classified as prime farmland if irrigated (USDA Natural Resources Conservation Service [NRCS] 2021). However, the area where these soils are found is not currently irrigated, and thus does not qualify as prime farmland. Therefore, there would be no impact to protected farmlands and this resource topic has been eliminated from further analysis in this EA.
Fire Management	The Proposed Action would slightly reduce the long-term potential for wildland fires in the area by temporarily removing the fuel source (vegetation). By developing the OHV designated parking area, the Proposed Action would reduce the likelihood for ignitions (such as from parking vehicles on top of vegetation) that could increase the frequency of fire. Fire management would not change with implementation of the Proposed Action. The implementation of the Fire Prevention Plan described in **Section 2.1.1** and BMPs would minimize the potential for the spread of fire (**Appendix C**). The improvements and repairs to the existing access road in the Project area could aid suppression efforts of wildland fires.

Resource	Additional Analysis Determination and Rationale
	Potential fire ignition from fuels and other ignitable material would be negligible since limited quantities would be stored or maintained on site. Therefore, the Proposed Action would have negligible impacts to wildland fire and fire management and this resource topic has been eliminated from further analysis in this EA.
Floodplains	EO 11988 ("Floodplain Management" [Federal Register (FR), Volume 42, page 26, 951, May 24, 1977]), Floodplain Management, requires an evaluation of impacts to floodplains for all federal actions and directs federal entities to reduce impacts to floodplains and minimize flood risks to human safety. The entire Project area is within Zone X (areas of minimal flood hazard). No on- or off-site facilities would be constructed within the 100-year floodplain. All ancillary facilities would be located outside of the ordinary high-water mark of any drainages. Although no road crossings would be constructed within the designated 100-year floodplain, crossings in other drainages would be designed to meet standards for low-water crossings within floodplains. Additionally, the crossings would be designed to allow surface waters to flow unimpeded over the crossing. Temporary disturbance in drainages would also occur from construction associated with the low water crossing and securing the crossing installation. A number of design features and BMPs (**Appendix C**) would be implemented to manage stormwater runoff and erosion in the Project area, which could otherwise have downstream effects on floodplains. With the implementation of these design features and BMPs, the Proposed Action would not lead to the adverse modification of any floodplains or increased flood flows or hazards that would result in property damage or risk to human safety on- or off-site. The existing flood-carrying capacity of the floodplain, pattern, or magnitude of the flood flow would not be affected. The Proposed Action would have negligible, short- and long-term, direct and indirect, adverse impacts on floodplains and flood hazards, and no additional analysis is warranted; therefore, this resource has been eliminated from further discussion in this EA.
Forest Resources	The Project area does not contain any forest resources as classified by the BLM and BIA. The lease area (CC-346) does however, contain a few scattered trees along the interior slope of the proposed mine site which may be removed during operations. These trees do not represent a Forest Resource by definition and constitute only very small fraction of the number of the juniper and piñon trees in the Pine Nut Mountains. The Proposed Action would result in no impacts to Forest Resources and no additional analysis is warranted; therefore, this resource has been eliminated from further discussion in this EA.
General Wildlife	See detailed analysis in **Section 3.4**.
Geology and Minerals	See detailed analysis in **Section 3.5**.
Hunting, Fishing, and Gathering	No hunting, fishing, or gathering has been reported or documented by the Washoe Tribe in the project vicinity. Pine nuts may have been gathered in the past; however, the intrusion of juniper into the pine forest has decreased the viability of nut collecting. There are only five acres of Piñon-Juniper Woodland in the entire Project area, and these are generally in the upper reaches of the mine area. The Proposed Action would result in no impacts to these activities and no additional analysis is warranted; therefore, these resources have been eliminated from further discussion in this EA.
Indian Trust Assets	See detailed analysis in **Section 3.6**.

Resource	Additional Analysis Determination and Rationale
Invasive Plant Species and Noxious Weeds	A site visit completed in November of 2019 identified a high density of cheatgrass (an invasive annual grass) in the disturbed portions of the Project area (McGinley & Associates 2019). Surface disturbance as a result of the Proposed Action would provide an opportunity to introduce additional species of invasives and noxious weeds. Invasive plant species and noxious weeds could be transported to the Project area by vehicles (if not properly cleaned), erosion control materials such as hay bales and straw wattles, and by invasion from adjacent lands via natural movement such as wind. Existing populations of invasive plant species and noxious weeds could be spread during trimming of vegetation for the roadway improvements and vehicle use in and out of the Project area. Invasive plant species and noxious weeds could out-compete native plants for resources (such as space and water), adversely affecting native vegetation and increasing erosion potential over the short-term during roadway improvements, and over the long-term during aggregate mining operation. Treatment of invasive plant species and noxious weeds could inadvertently result in mortality and injury to native plant species. To minimize the potential for the introduction and spread of invasive plant species and noxious weeds, a Noxious Weed Management Plan (**Appendix D**) has been prepared for the Proposed Action, which includes BMPs such as control of established invasive plant species and noxious weeds using herbicide and mechanical treatments, use of weed-free erosion control materials, and washing of vehicles. This Plan includes monitoring for weeds within all surface disturbance areas of the project area. With the implementation of design features and BMPs (**Appendix C**) and the Noxious Weed Management Plan (**Appendix D**), the Proposed Action would result in minor, short-term, direct and indirect impacts associated with introduction and spread of invasive plant species and noxious weeds. Additionally, the Proposed Action would result in beneficial, long-term, negligible impacts from the implementation of the Noxious Weed Management Plan which includes monitoring and treatment activities, when necessary. No additional detailed analysis is warranted and therefore, this resource topic has been eliminated from further analysis in this EA.
Land Ownership/Land Use	Land ownership in the Project area is composed of lands administered by the BLM and individual Indian owned Allotments. There would be no change in ownership with the implementation of the Proposed Action. The BIA does not regulate land use for the allotments; instead, the BIA has a fiduciary responsibility to assist the allottee in achieving the highest and best use of the land. The BLM CRMP provides management guidance for the public land and resources under the BLM's jurisdiction. Existing land uses in the Project area include roadway ROWs (BLM), material source pits (NDOT), and undeveloped land (Allotments). At the mine site, land use would shift from undeveloped land to an aggregate source, representing an operational change in land use. There would be no change in designations or legal context for the BIA allotments. For BLM, granting of the ROW and access permit for the Proposed Action is an allowable land use under FLPMA and does not contradict the land use plan for BLM. The BLM would not require a land use plan amendment. There are no withdrawals or conflicting ROWs on BLM-administered land. The ROW is regulated under 43 CFR 2800. BIA's responsibility to review and approve actions on allotted lands for the benefit of the Pine Nut Allottees is outlined in 42 U.S.C. §§ 4321 et seq. Douglas County's land uses are found in the Douglas County Master Plan (2017; updated 2020). The Proposed Action would not have any impacts to Land Use Authorizations. No additional detailed analysis is warranted and therefore, this resource topic has been eliminated from further analysis in this EA.

Resource	Additional Analysis Determination and Rationale
Livestock Grazing	There are no known authorized grazing allotments within the Project area; therefore, no grazing allottees would incur temporary or permanent impacts. However, livestock from adjoining areas may stray into and through the Project area. Any existing range improvement structures would be repaired or replaced if disturbed or damaged. There would be no permanent access limitations or grazing rotation restrictions. Portions of the Project area would be fenced to keep stray livestock out. The Proposed Action would have no impact to livestock grazing. No additional detailed analysis is warranted and therefore, this resource topic has been eliminated from further analysis in this EA.
Migratory Birds	See detailed analysis in **Section 3.4**.
Native American Religious Concerns	There are no identified Native American religious concerns in or near the Project area that would be impacted by the implementation of the mine site, associated features, OHV area, or roadway improvements of the Proposed Action. Since no sensitive Native American religious concerns would be adversely impacted, no measures to minimize or avoid impacts are required. Through coordination and consultation, no specific concerns have been raised regarding traditional cultural properties (TCPs) or other religious issues. Therefore, this resource topic has been eliminated from further analysis in this EA.
Noise	See detailed analysis in **Section 3.7**.
Paleontological	The BLM's Potential Fossil Yield Classification (PFYC) database was examined to determine if geologic units present in the Project area have a higher potential to contain fossils of scientific interest. The PFYC system is ranked from Class 1 (Very Low Potential) to a Class 5 (Very High Potential). According to the BLM database the entire project area is located in Class 2. The geologic units exposed in the Project area are volcanic and igneous rock units that have a low to very low potential to contain paleontological resources. The Project area also consists of basalt and andesite flows dating to the Miocene, as well as basaltic and andesitic volcanics interbedded with Pleistocene and Pliocene sedimentary units. Sand, gravel, sandstone and conglomerate are poor hosts for fossils and the intrusive rock underlying these sediments would not host fossils. Any paleontological resources discovered during construction activities would be administered in accordance with the principles and recommendations found in the Assessment of Fossil Management of Federal and Indian Lands (U.S. Department of the Interior [DOI] 2000). Adherence to the BMPs in **Appendix C** would reduce any impacts to paleontological resources. Based on the lack of known paleontological localities in the area and the low PFYC values assigned to the affected geologic units, no additional detailed analysis is warranted. Therefore, this resource topic has been eliminated from further analysis in this EA.
Public Health and Safety	See detailed analysis in **Section 3.8**.
Recreation	See detailed analysis in **Section 3.9**.
Socioeconomic Conditions and Home Values	See detailed analysis in **Section 3.10**.

Resource	Additional Analysis Determination and Rationale
Soils	According to the USDA NRCS Web Soil Survey (NRCS 2021), approximately 80 percent of soils in the Project area are described as Stodick-Koontz association. Stodick-Koontz association is classified as deep, well-drained soils. The soil textures are generally loamy with grayish brown color. These soils are composed of colluvium and alluvium derived from granite. Alluvial sand and gravel deposits are present within the bowl area and extend to at least 12.5 feet beneath the ground surface. The alluvial soils generally consist as a mixture of gravelly fine sandy loam, sandy clay loam, sandy loam, gravelly sandy loam, stony fine sandy loam, clay loam, gravelly loam, very gravelly loam, very gravelly clay loam, and bedrock. Traditional topsoil does not exist at the mine site. Potential impacts to disturbed and reclaimed soils would be reduced by the implementation of BMPs to limit erosion and reduce sediment runoff from the Project area during mining operations. Direct impacts may also result from increased erosion as a result of Project-related disturbance including soil compaction from vehicles and equipment operation within the Project area. Mining and reclamation activities would have a direct, short-term impact on increased dust potential as disturbed areas are more likely for wind erosion. The impacts would only last until reclamation is complete and is expected to be consistent with existing conditions at the site. Soil compaction within the area of mined material would be minimal because a majority of the soils would be removed and put into commerce for beneficial use. Any compaction of the road surface, unmined areas, or overburden replaced at the end of each mining phase would be relieved by ripping the soil prior to seeding. This would eliminate any compaction issues at the end of mining. Soil erosion potential for disturbed areas during mining operations would be low because the rocky, sandy soils are well-drained and would be contained within the bowl, thereby inhibiting runoff. There would be interim stabilization to reduce erosion. During reclamation there would be completion of stabilization and revegetation of all disturbed areas to reduce erodibility hazards. With the implementation of the BMPs and other design features in **Appendix C**, potential impacts would be minimized. The new OHV parking area and ROW would have negligible impacts to soils as there would be limited new disturbance associated with these Project components. Soils on BLM-administered land within the roadways, OHV staging area, and in NDOT gravel pits are already disturbed. There would be long- and short-term negligible impacts to soils with the implementation of BMP and erosion control measures, therefore, this resource topic has been eliminated from further analysis in this EA.
Special Status Plant and Wildlife Species	See detailed analysis in **Section 3.4**.
Threatened or Endangered Species	The U.S. Fish and Wildlife Service's (USFWS) Information for Planning and Consultation (IPaC) tool was used to identify which species protected under the Endangered Species Act has the potential to occur within the Project area (**Appendix G**). The IPaC included two species, the Lahontan cutthroat trout (*Oncorhynchus clarkii henshawi*) and the Carson wandering skipper (*Pseudocopaeodes eunus obscurus*). The Project area does not contain suitable habitat for either species due to a lack of surface water and lowland grassland with alkaline substrates. The IPaC did not identify any designated or proposed critical habitat in the Project area. Therefore, the Proposed Action and the No Action would have no effect to federally threatened or endangered species or critical habitat. Therefore, this resource topic has been eliminated from further analysis in this EA.

Resource	Additional Analysis Determination and Rationale
Traditional Cultural Properties	The BIA consulted with the Reno-Sparks Indian Colony, Yerington Paiute Indian Tribe, and the Washoe Tribe of Nevada and California regarding the identification of cultural resources including TCPs. No TCPs or properties having cultural or religious significance have been identified in the direct or indirect APE (associated letters in **Appendix F**). Therefore, this resource topic has been eliminated from further analysis in this EA.
Transportation and Travel Management	See detailed analysis in **Section 3.11**.
Vegetation	The Proposed Action is situated in the Sierra Nevada-Influenced Semiarid Hills and Basins ecoregion (EUS EPA Level IV; Bryce et al. 2003). Land cover types in the Project area were identified using the Southwest Regional Gap Analysis Project (Lowry et al. 2005; U.S. Geological Survey [USGS] 2005) which uses satellite imagery to delineate land cover types (vegetation communities). Six community types were identified, including Inter-Mountain Basins Big Sagebrush Shrubland (167 acres), Great Basin Xeric Mixed Sagebrush Shrubland (12 acres), Inter-Mountain Basins Mixed Salt Desert Shrub (8 acres), Great Basin Piñon-Juniper Woodland (4 acres), Inter-Mountain Basins Montane Sagebrush Steppe (2 acres), and Inter-Mountain Basins Semi-Desert Shrub Steppe (< 1 acre). The majority of vegetation disturbed (87 percent) would be the Inter-Mountain Basin Big Sagebrush Shrubland. Initial mining activities would include clearing vegetation within the bottom of the bowl area. Overburden at the site is not extensive and consists primarily of sandy material and vegetation. As mining activities expand into undisturbed areas, removal and stockpiling of vegetation would occur. Reclamation would include establishing self-sustaining vegetation. Concurrent reclamation would occur throughout the life of the Project. Revegetation would require site-appropriate, native seed mixtures. The seed mix list would be reviewed by the BIA before revegetation activities were initiated to confirm the availability of the seeds, and the list would be adjusted as needed. After final reclamation, annual monitoring, and reporting of reestablishment of vegetation would be conducted for a period of five years. The BLM ROW and new OHV staging area are existing and highly disturbed with bare ground or sparse vegetation. The total removal or disturbance of vegetation for the previously mentioned vegetation types was also evaluated to determine the impact this Project would have on that vegetation type within Douglas County. Impacts from the Project and related activities represent a range between 0.002 (Great Basin Pinyon-Juniper Woodland) and 0.168 percent (Inter-Mountain Basins Semi-Desert Shrub Steppe) of the vegetation types. The implementation of BMPs and other design features would prevent or minimize impacts that may occur, such as the removal of vegetation (**Appendix C**). The BMPs and other design features include revegetation, soil stabilization, and erosion reduction measures that would be implemented to ensure that all temporary use areas are restored. The Proposed Action would result in localized and regional negligible impacts to general vegetation. Therefore, this resource topic has been eliminated from further analysis in this EA.
Visual Resources	See detailed analysis in **Section 3.12**.
Wastes, Hazardous or Solid	No hazardous waste would be produced at Painted Rock Mine. Vehicle and production related materials such as contaminated grease, unused chemicals, fuel, paint, spent batteries, and reagents may be classified as hazardous waste and would be shipped off-site for disposal as necessary. All waste would be managed in dumpsters or other appropriate containers before off-site disposal. Any solid waste generated by mining or transportation

Resource	Additional Analysis Determination and Rationale
	activities would be stored and disposed in accordance with applicable local, state, and federal regulations. The implementation of BMPs and other design features associated with hazardous materials and wastes such as the Hazardous and Solid Waste Management Plan would reduce or prevent environmental impacts due to improper storage, disposal, or handling of materials (**Appendix C**). Therefore, this resource topic has been eliminated from further analysis in this EA.
Water Quality (Surface/ Ground)	See detailed analysis in **Section 3.13**.
Wetlands/ Riparian Zones	Based on a review of the U.S. EPA NEPAssist tool (EPA 2021), there are no known wetlands mapped along the Haul Route, access road, and mine site. Johnson Wash (ephemeral wash) supports xero-riparian vegetation adjacent to and within the Project area where it would be seasonally inundated and considered riparian habitats by the BLM. The general vegetation within and surrounding Johnson Wash is the same as the surrounding areas. The dry crossing at Johnson Lane would be improved by adding large rocks and other road material to create a surface with the ability to accommodate heavy haul trucks and manage stormwater runoff. The Proposed Action would have no impacts on wetlands and both short- and long-term, direct and indirect, negligible impacts on xero-riparian vegetation due to the potential for alterations to the natural hydrology of the drainages, which could result in erosion or sedimentation. Therefore, this resource topic has been eliminated from further analysis in this EA.
Wild and Scenic Rivers	There are no Congressionally designated Wild and Scenic Rivers within or immediately adjacent to the Project area so no impact to this resource would result from the Project. Therefore, this resource topic has been eliminated from further analysis in this EA.

Table Acronyms: APE – area of potential effect; ACEC – Areas of Critical Environmental Concern; BLM – Bureau of Land Management; BIA – Bureau of Indian Affairs; BMPs – Best Management Plans; CO_2 – Carbon Dioxide; CO_2e – CO_2 equivalent; CRI – Cultural Resource Inventory; CRMP – Consolidated Resource Management Plan; DOI – U.S. Department of the Interior; EA – Environmental Analysis; EO – Executive Order; FLPMA – Federal Land Policy and Management Act; FR – Federal Register; g/hp-hr – grams per horsepower-hour; g/VMT – grams per vehicle mile traveled; GHG – Greenhouse Gas; IO – isolated occurrence; IPCC – Intergovernmental Panel on Climate Change; IPaC – Information for Planning and Consultation; NDOT – Nevada Department of Transportation; NRCS – Natural Resources Conservation Service; NRHP – Nevada Register of Historic Places; OHV – off-highway vehicle; PFYC – Potential Fossil Yield Classification; SHPO – State Historic Preservation Office; ROW – right-of-way; TCPs – traditional cultural properties; USDA – U.S. Department of Agriculture; USGS – U.S. Geological Survey; USFWS – U.S. Fish and Wildlife Service

3.3 Air Quality

3.3.1 Affected Environment

Ambient air quality is primarily a result of the type and amount of pollutants emitted into the atmosphere, the size and topography of the air basin, and the regional meteorological conditions. Degraded air quality results from both localized industrial developments, vehicle emissions from the local population, and fugitive dust from exposed areas, in addition to air pollution transported from other areas. Air quality in a given area is affected by industrial, mobile sources (cars, trucks, buses, construction equipment, RVs, OHVs, and lawn or garden equipment), agricultural, and commercial activities.

Pursuant to the Federal Clean Air Act of 1970, the EPA has established National Ambient Air Quality Standards (NAAQS) for six criteria pollutants: ozone (O_3), particulate matter ($PM_{2.5}$ and PM_{10}), carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), and lead (Pb) (USEPA 2011). The NDEP, Bureau of Air Pollution Control (BAPC) also has air quality statutes that require the use of reasonably available methods to prevent, reduce or control air pollution throughout Nevada. Nevada has its own State Ambient Air Quality Standards (SAAQS), which are similar to the NAAQS (NAC 445B.22097) (**Table 3-2**).

Table 3-2. State and Federal Ambient Air Quality Standards and Air

Pollutant	Averaging Time	Nevada Standard	Federal Standards (NAAQS)
CO	8-Hour 1	9 ppm	9 parts per million (ppm)
CO	1-Hour 1	35 ppm	35 ppm
Pb	Rolling 3-month average	1.5 µg/m^3	0.15 µg/m^3
NO_2	Annual	53 ppb	53 parts per billion (ppb)
NO_2	1-Hour 4	NA	100 ppb
PM_{10}	Annual	50 µg/m^3	NA
PM_{10}	24-Hour	150 µg/m^3	150 µg/m^3
$PM_{2.5}$	Annual	NA	12 µg/m^3
$PM_{2.5}$	24-Hour	NA	15 µg/m^3
O_3	8-Hour	0.075 ppm	0.075 ppm
O_3	1-Hour (Lake Tahoe Basin #90)	0.10 ppm	NA
SO_2	Annual	0.030 ppm	NA
SO_2	24-Hour	0.14 ppm	NA
SO_2	3-Hour	0.5 ppm	NA
SO_2	1-Hour	NA	75 ppb

Table Acronyms: CO – Carbon Monoxide; NA – not applicable; NO_2 – Nitrogen dioxide; O_3 – ozone; Pb – Lead; NA – not applicable; NAAQS – National Ambient Air Quality Standards; PM_{10} – Particulate Matter with an aerodynamic diameter less than 10 microns; $PM_{2.5}$ – Particulate Matter with an aerodynamic diameter less than 2.5 microns; ppb – parts per billion; ppm – parts per million; SO_2 – sulfur dioxide; µg/m^3 – micrograms per cubic meter

The proposed Project area lies within the Carson Valley Air Basin. Since 2004, Douglas County has been below the EPA air pollutant standards for criteria pollutants (EPA 2021). Therefore, the Project area lies in an area of attainment (areas meeting state and federal air quality standards).

3.3.2 Environmental Consequences

Painted Rock Mine applied for and received a Surface Area Disturbance (SAD) air quality operating permit from NDEP BAPC in June of 2021 (permit number AP1629-4375; FIN A2342). A Class II General Air Quality Operating Permit for Temporary Construction Sources Change of Location Approval (COLA) permit also issued and approved by demonstrating emissions would meet the NDEP BAPC pre-defined daily emission limits (permit number AP1442-4374.04; FIN A2341). Permits are included in **Appendix E**. Emissions of regulated air pollutants for the mine were evaluated in the air permits issued by NDEP. An additional analysis of pollutant emissions from haul trucks traveling along Johnson Lane has been conducted to assess air emissions from that source for the Project. These sources include exhaust emissions and fugitive dust emissions. Two sources that can cause local air quality problems are windblown fugitive dust (particulates) and mobile impacts from on-road and non-road vehicles.

Effect of the Proposed Action Alternative

The existing main source of emissions and fugitive dust in the vicinity of the Project area is and would continue to be the OHV vehicular traffic on unpaved roads and OHV use on the adjacent BLM lands. Additionally, the introduction of aggregate mining activities, haul activities, OHV haul vehicles, and OHV use has been considered for both fugitive dust and emissions.

Fugitive Dust

The mining operations and limited on-site vehicles has the potential to increase fugitive dust, however design features and BMPs (**Appendix C**) would be implemented to manage dust at the mine site throughout the life of the mine. Fugitive dust emissions from haul truck traffic were estimated using EPA AP-42 emission factors for paved roads (Johnson Lane). Annual emission estimates for individual activities are presented on **Table 3-3**. The potential fugitive dust generated by the haul trucks would be limited due to the roadway improvements, which includes the placement of a gravel surface. The incorporation of an OHV designated parking area would potentially increase recreational traffic, however the placement of gravel along the roadway surface, it would reduce the potential fugitive dust from OHV vehicular traffic. Fugitive dust on unpaved roads would be reduced through watering the roads or other dust control measures.

Vehicle Emissions

Emissions as a result of the Proposed Action would be associated with vehicles completing the initial roadway improvements, personnel vehicles accessing the mine site, and equipment used at the mine. Emission factors for the haul truck exhaust pollutants were generated with the MOVES program using the same assumptions as the GHG emission factors. For comparison, existing exhaust emissions from local traffic along Johnson Lane were also estimated. Average Daily Traffic (ADT) for Johnson Lane from the fall of 2019 (ADT of 7,574 vehicles) was used in the calculations. These were combined with MOVES emission factors for passenger vehicles and light-duty trucks.

Table 3-3. Criteria Pollutant Emissions for Individual Activities

Total Emission Category	NOx (tons)	CO (tons)	SO_2 (tons)	VOC (tons)	PM_{10} (tons)	$PM_{2.5}$ (tons)
Offsite Haul Road Johnson Lane Exhaust[1]	0.87	0.23	0.003	0.05	0.03	0.03
Offsite Fugitive Dust Johnson Lane (paved)[2]	-	-	-	-	3.18	0.78
Johnson Lane Passenger Traffic Exhaust[3]	5.87	31.23	0.052	0.76	0.20	0.18
Johnson Lane Passenger Traffic Fugitive Dust[4]	-	-	-	-	13.53	3.32

Table Acronyms: CO – carbon dioxide; NOx – nitrogen oxide; PM_{10} – Particulate Matter with an aerodynamic diameter less than 10 microns; $PM_{2.5}$ – Particulate Matter with an aerodynamic diameter less than 2.5 microns; SO_2 – sulfur dioxide; VOC – volatile organic compounds

[1] Onroad exhaust emission factors for haul trucks (g/VMT) developed from EPA's Mobile2014a software. For calculating emission rates, round trip distances were used.

[2] Paved road emission factor (lbs/VMT) developed from EPA's Paved Roads emission factors from AP-42, Section 13.2.1. Assumed surface silt loading of 0.6 grams per square meter and truck weights to be 10 tons empty and 25 tons loaded.

[3] Onroad exhaust emission factors for passenger vehicles and light-duty trucks (g/VMT) developed from EPA's Mobile2014a software. Vehicles assumed to be half passenger vehicles and half trucks. ADT assumed to be 7,574 vehicles for 365 days per year. Distance traveled for each trip assumed to be four miles (length of Johnson Lane).

[4] Paved road emission factor (lbs/VMT) developed from EPA's Paved Roads emission factors from AP-42, Section 13.2.1. Assumed surface silt loading of 0.6 grams per square meter, equal distribution of passenger cars and light-duty trucks, and car weight of 1.5 tons and truck weight of 2 tons.

During the initial roadway improvements and widening activities associated with the Proposed Action, there would be localized minor increases in vehicle exhaust emissions and fugitive dust. Once the roadway improvements are completed, there would be a negligible increase in vehicle exhaust emissions and fugitive dust from a limited amount of vehicle traffic into and out of the Project area. The mining operations there would result in a negligible increase in combustion emissions from mining equipment used throughout the life of the mine. The OHV designated parking area would potentially increase recreational traffic and would result in a long-term, localized negligible increase in vehicle exhaust emissions from OHV use. Additionally, the introduction of haul trucks would contribute about two percent (85/7,574) to the existing traffic along Johnson Lane. **Table 3-4** presents estimated total annual haul truck emissions for the project compared to the annual totals for Douglas County and existing Johnson Lane traffic.

Table 3-4. Total Emissions

Total Emission Category	NOx (tons)	CO (tons)	SO_2 (tons)	VOC (tons)	PM_{10} (tons)	$PM_{2.5}$ (tons)
Offsite Johnson Lane Total	0.87	0.23	0.003	0.05	3.21	0.81
Douglas County 2017 Totals	1,746.42	10,325.16	23.55	5,387.06	4,766.30	852.26
Johnson Lane Existing Traffic Total	5.87	31.23	0.052	0.76	13.72	3.50

Source: Douglas County Totals: USEPA 2017 National Emission Inventory

Table Acronyms: CO – carbon dioxide; NOx – nitrogen oxide; PM10 – Particulate Matter with an aerodynamic diameter less than 10 microns; PM2.5 – Particulate Matter with an aerodynamic diameter less than 2.5 microns; SO2 – sulfur dioxide; VOC – volatile organic compounds

According to the EPA, air pollutants from cars, trucks, and other motor vehicles are found in higher concentrations near major roads and appear to cause a higher incidence of health issues. Major roads are defined as major arterials of four lanes or greater (EPA 2014). Since Johnson Lane is a two-lane road with a relatively low ADT, localized line source dispersion is not an issue as not enough pollutants are generated to

elevate concentrations to a level that exceeds federal standards. Therefore, the Proposed Action would not contribute to measurable or detectible impacts to air quality.

Additional Measures to Avoid and/or Minimize Impacts

With the implementation of the BMPs and other design features in **Appendix C**, no additional measures to minimize impacts are recommended.

Effect of the No Action Alternative

Under the No Action Alternative, the BIA and BLM would not approve the requested leases and ROWs and the Painted Rock Mine would not be operational, the new OHV area would not be created, and the BLM roads would not be improved. Under the No Action Alternative, no impacts to air quality from the Project would occur.

3.4 General Wildlife and Special Status Species

3.4.1 Affected Environment

General wildlife species either directly observed, documented by sign, or are likely to occur in the Project area include desert cottontail (*Sylvilagus audubonii*), black-tailed jack rabbit (*Lepus californicus*), white-tailed antelope squirrel (*Ammospermophilus leucurus*), mule deer (*Odocoileus hemionus*), coyote (*Canis latrans*), long-nosed leopard lizard (*Gambelia wislizenii*), and western fence lizard (*Sceloporus occidentalis*). There are no known bighorn sheep (*Ovis canadensis*) or pronghorn (*Antilocapra americana*) distributions in the vicinity of the Project area.

Raptors (birds of prey) are afforded protection under several regulatory frameworks, including the Bald and Golden Eagle Protection Act (16 U.S.C. 668–668d), Migratory Bird Treaty Act (MBTA) (16 U.S.C. 703–711), and Nevada Department of Wildlife (NDOW) Species of Conservation Priority. An NDOW database query showed no known raptor nests within four miles of the Project area. Foraging habitat for raptors exists within the Project area, and wooded areas may provide nesting substrate for certain species.

The MBTA protects migratory birds and their nests. The list of birds protected under this regulation is extensive and the Project area has potential to support many of these species, including sensitive species, and their nests. Typically, the breeding season is when these species are most sensitive to disturbance, which generally occurs from March 1st through August 31st in the Great Basin. During the site visit, several bird species were detected within the Project area including the common raven (*Corvus corax*), horned lark (*Eremophila alpestris*), and American crow (*Corvus brachyrhynchos*). No nests were observed. A red-tailed hawk (*Buteo jamaicensis*) and rough-legged hawk (*Buteo lagopus*) were observed foraging within two miles of the Project area. Other migratory bird species, which may utilize the area given the habitat described above, are the mourning dove (*Zenaida macroura*), northern flicker (*Colaptes auratus*), ash-throated flycatcher (*Myiarchus cinerascens*), American robin (*Turdus migratorius*), and sagebrush sparrow (*Artemisiospiza nevadensis*). There is no wetland or riparian habitat in the Project area to support or attract waterfowl.

Habitat for the Bi-State Distinct Population Segment of greater sage grouse (*Centrocercus urophasianus*) exists outside of the Project area (within one mile). There are no known leks within four miles of the Project area. The site visit confirmed non habitat for sage grouse, due to the density of juniper and cheatgrass, and anthropogenic disturbance (primarily noise). Refer to **Table 3-1** for a vegetation description and analysis.

No NDOW special status plant species have been identified with potential to occur in the Project area. Only two BLM Sensitive Species—the Lavin eggvetch (*Astragalus oophorus var. lavinii*) and the Carson Valley silverspot (*Speyeria nokomis carsonensis*)—were identified as potentially occurring in the Project area (Nevada Natural

Heritage Program). The Lavin eggvetch grows in open, barren, gravelly clay slopes, badlands, or outcrops derived from volcanic ash or carbonate whereas the Carson Valley silverspot requires wetted habitats such as riparian forests, wetlands, or meadows. Suitable habitat for either species is not present in the Project area and neither species was observed during multiple field visits (McGinley & Associates 2020) (**Appendix G**).

3.4.2 Environmental Consequences

Effect of the Proposed Action Alternative

A maximum of 17.5 acres would be involved in the BLM action of issuing a ROW grant. Of the 17.5 acres, 6.8 acres are already disturbed in the form of the existing roadway. New disturbance due to roadway widening and routine maintenance would include an additional 8.3 acres. Additionally, 2.1 acres would be disturbed to accommodate the OHV parking/staging area. A maximum of 159.6 acres (mine site, OHV area, and access roads to facilities) of wildlife habitat would be disturbed over the life of the mining operations.

Within the mine site, approximately 50 acres would be disturbed over the first five years of the mine life and increase approximately four to five acres every year over the next 35 years. The impacts from this disturbance would be throughout the length of the lease agreement and be restored at the end of the lease term. The primary direct impacts of the Proposed Action on wildlife would be disturbance of ground dwelling animals; displacement of individuals; the temporary loss and fragmentation of habitat; increased potential for harassment of wildlife; and increased noise during the initial roadway improvements, and mining operations. Indirect impacts could include increased noise, introduction and spread of weeds, and increased erosion potential. The loss of habitat is unlikely to result in population-level impacts for many wildlife species because extensive similar habitat is available adjacent to the Project area. Some ground dwelling animals could be crushed; the noise from the equipment would likely frighten other animals. They would leave the area for suitable habitat outside of the active mining area. Habitat fragmentation would be minimal because there is ample, undeveloped habitat all around the mine area, allowing bypass around activities associated with mining. Vehicle-animal collisions would be unlikely as the vehicle speed would be limited within the mine site and along the Haul Route, therefore the operator would have enough time to avoid the animal. The site and noise of the vehicles would likely cause the animal to exit the vicinity if they inadvertently end up in a mining area. The EPM in **Appendix C** and the Noxious Weed Management Plan in **Appendix D** considering control of noxious and invasive weeds and the use of certified weed-free seeds for revegetation would minimize impacts to existing and future wildlife habitat. No long-term impacts to wildlife habitat are likely to occur within the Project area since interim reclamation would take place, when feasible, upon completion of each mining phase. Reestablishment of vegetation would likely occur within three years of each phase. Interim reclamation would allow for reestablishment of habit that would be used by wildlife at the end of mining and final reclamation. Once vegetation is reestablished, the perimeter fence would be removed allowing freedom of movement into or out of the mine site.

The primary direct impacts of the Proposed Action on migratory birds (including raptors) year-round would be temporary vegetation removal, habitat destruction, disturbance of breeding behavior (through the phases of mining), displacement of individuals, increased noise during operations, or other disturbance-related impacts. Indirect impacts could include change in vegetation communities through the introduction and spread of weeds. Habitat for migratory birds is likely degraded due to prior disturbance/removal of vegetation and the continual high impact use of the roadway and adjacent area by OHV users and target shooters. No nests were observed during the field visits. However, the removal of trees and shrubs within the Project area during the life of the project would result in a loss of breeding habitat and remove the opportunity to nest within the Project area for certain migratory birds. The number of nesting opportunities eliminated from the Proposed Action would be negligible to minor because extensive, undisturbed similar habitat is available adjacent to the Project area. The

Proposed Action would not result in a loss of viability for any migratory bird species. Initially, the Proposed Action would impact approximately 50 acres over five years. The remaining acres would be disturbed in approximately four to five-acre increments over the next 35 years. It is unlikely implementation of the Proposed Action would result in a decline in local or regional migratory bird populations. No active nests would be destroyed based on the EPM listed in **Appendix C**. In addition, reclamation and revegetation of the surface disturbance associated with the Proposed Action would reduce any loss of habitat in the long term. Implementation of the recommended EPMs (**Appendix C**) would reduce the risk of direct and indirect impacts to migratory birds.

No impacts to sage grouse are expected as the Project area does not occur within mapped habitat, and there are no known leks within four miles of the Project area. No impacts to BLM Sensitive Species are anticipated to occur on BLM administered lands due to a lack of habitat.

Overall, habitat within the Proposed Project would have both a minor, long-term adverse impacts from the conversion of 8.7 acres of vegetation to a roadway; and long-term, temporary impacts from clearing approximately 148.8 acres of vegetation in the mine site. Wildlife would experience negligible to minor direct and indirect impacts during the life of the mine. Direct impacts would occur from crushing and noise disturbance and indirect impacts from the temporary and permanent loss of habitat. Implementation of the recommended EPMs such as revegetation, migratory bird surveys, and control of noxious weeds (identified in **Appendix C**) would reduce the risk of direct and indirect impacts to wildlife.

Additional Measures to Avoid and/or Minimize Impacts

With the implementation of the BMPs and other design features in **Appendix C**, no additional measures to minimize impacts are recommended.

Effect of the No Action Alternative

Under the No Action Alternative, no upgrades or maintenance of existing roadways, erosion, or stormwater control, nor re-location of the OHV parking/staging area would occur. The unauthorized user-created OHV staging area would continue to be degraded and cause bottlenecks for users of the BLM-managed land. Wildlife impacts would remain the same as they are today with continued potential of OHV and vehicular traffic collisions with birds and other wildlife.

3.5 Geology and Minerals

3.5.1 Affected Environment

The elevation of the site ranges from approximately 5,220 feet above mean sea level (amsl) to 5,600 feet amsl, with the highest elevation occurring near the mid-point of the northern property line. The Project area consists of undeveloped land in a semi-mountainous terrain. Topography generally rises to the north with high hills within the northern portion and a south facing bowl located in the southern portion of the Project area. The bowl is bordered by north-south oriented ridges rising to the north and joining northern high hills area. The vertical relief within the site is approximately 290-feet, with approximately 60-80 feet locally within the bowl area.

The Project area lies in the western foothills of the Pinenut Mountains in an area mapped by the Nevada Bureau of Mines and Geology as Tertiary age Sunrise Pass Formation: sand, gravel, sandstone, and conglomerate

overlying Jurassic age Quartz Monzodiorite (Garside and Rigby 2009). Most of the Project area contains surficial alluvial sand and gravel within the central bowl area. Decomposed granitic rock forms a portion of the western ridge and sandstone crops out along the northern and eastern ridge of the bowl. These units and the material derived from these rocks provide the mineral material that would be mined.

3.5.2 Environmental Consequences

Effect of the Proposed Action Alternative

The Proposed Action would include roadway improvements leading to NDOT material source pit N-7632 and use the existing area as a new OHV staging area (**Figure 2-3.** , **Figure 2-4**, and **Figure 2-5**). The BLM would maintain the access road to the new OHV staging area and the parking surface, as needed. The BLM has agreed that if NDOT needs to use the material site ROW (N-7632) where the new OHV staging area would be located, the BLM would coordinate with NDOT to determine if the materials site could be used by the public while NDOT is operating.

The overall impact associated with the removal of the mineral material is considered beneficial because the aggregate would go into commerce to provide roadbed material and material for other infrastructure projects that benefit the public. The Allotees would receive a royalty for the aggregate produced, off hauled, and sold from their private land. The goal of BIA-level decisions, published in 25 CFR Part 216 - Surface Exploration, Mining, and Reclamation of Lands, establishes the department's policy "to encourage the development of the mineral resources underlying Indian lands where mining is authorized." The Proposed Action would meet the goal of mineral development.

Extraction would have no impact on the geologic/mineral material in and of itself as the material is reserved for use by the Indian owner (Allotee) and it is not a unique resource, being widely available in off-Allotment locations. The sale and use of the material would have a long-term temporary beneficial financial impact by providing substantial lease income to the heirs and successors of Allotment CC-346.

Additional Measures to Avoid and/or Minimize Impacts

With the implementation of the BMPs and other design features in **Appendix C**, no additional measures to minimize impacts are recommended.

Effect of the No Action Alternative

Under the No Action Alternative, no mineral material would be excavated and no locally sourced aggregate material for Douglas County, and surrounding communities. The No Action Alternative would have no impact to geological resources.

3.6 Indian Trust Assets

Indian Trust Assets (ITAs) are legal interests in property held in trust by the United States for federally recognized Indian tribes or individual Indians. An Indian trust has three components: (1) the trustee, (2) the beneficiary, and (3) the trust asset. An ITA may include land, minerals, federally reserved hunting and fishing rights, federally reserved water rights, and instream flows associated with trust land. Beneficiaries of the Indian

trust relationship are federally recognized Indian tribes with trust land or individual Indian owners of Public Domain Allotments; the United States is the trustee. By definition, ITAs cannot be sold, leased, or otherwise encumbered without approval of the United States. The characterization and application of the U.S. trust relationship have been defined by case law that interprets Congressional acts, executive orders, and historic treaty provisions (Secretarial Order 3215 and 25 CFR Part 115.002).

The federal government, through treaty, statute, or regulation, may take on specific, enforceable fiduciary (trust) obligations that give rise to a trust responsibility to federally recognized tribes and individual Indians possessing trust assets. Courts have recognized an enforceable federal fiduciary duty with respect to federal supervision of Indian money or natural resources, held in trust by the federal government, where specific treaties, statutes, or regulations create such a fiduciary duty. Specific guidance is provided in EO 13751, Consultation and Coordination with Indian Tribal Governments, 63 FR. 96; and Government-to-Government Relations with Native American Tribal Governments FR, Vol. 59, No. 85. In addition, there are agency-specific guidelines.

The DOI is required to "protect and preserve Indian trust assets from loss, damage, unlawful alienation, waste, and depletion" (DOI, Secretarial Order 3215). It is the general policy of the DOI to perform its activities and programs in such a way as to protect ITAs and avoid adverse effects whenever possible.

3.6.1 Affected Environment

As part of the initial proposed Project issue identification process, the BIA's efforts to identify the presence or absence of ITAs in the Project area included informal conversations with the Indian owners of Allotments CC-346 and CC-378, Knox Excavation, and a member of the Washoe Environmental Protection Department.

Allotments CC-346 and CC-378 are themselves an ITA. A review of the American Indian/Alaska Native/Native Hawaiian Areas National Shapefile indicated that the subject allotments are the only Indian trust land that intersects the Project area. The aggregate (mineral) proposed for extraction from Allotment CC-346 was identified as an ITA. The Allotments currently suffer from multiple forms of trespass including dumping, recreational shooting, and OHV use.

There are no perennial or intermittent water features on either of the two allotments that provide "instream flows." There is presumed subsurface water below Allotments CC-346 and CC-378. Rights to the subsurface water (presumed via the Winter's Doctrine) date to the original 1895 land patent reserved from the public domain and conferring ownership to the original Indian Owner and his heirs and successors. The subsurface water, by definition, represents an ITA.

There were no hunting or fishing rights conferred by or within the original 1895 land patent to the Individual Indian Owner Allottee or his heirs and successors. Therefore, there are no Washoe Tribal or Pine Nut Allotment hunting rights ITAs involved with or affected by the proposed Project.

The pinyon pine trees existing on the Pine Nut Allotments as a whole (thus the name) were suggested by the Washoe Tribe as an ITA; however, individual trees or groups of trees on these allotments are not ITAs by definition (see above legal definition).

Therefore, three ITAs were determined to be present in the Project area; Allotments CC-346 and CC-378 themselves, the subsurface mineral material (aggregate), and any water below each allotment.

It is the policy of the federal government to protect ITAs per the laws, statutes, and executive orders cited above. This concept of protection yields the following criteria for assessing potential effects for the ITAs identified as being present in the Project area:

Effects on existing ITAs would be considered adverse if the action

1. Interferes with the use, value, occupancy, character, or enjoyment of an ITA, including effects on fish and wildlife where fishing and hunting rights exist
2. Fails to protect ITAs from loss, damage, waste, depletion, or other negative effects including from disturbances such as noise or changes to visual resources

3.6.2 Environmental Consequences

Effect of the Proposed Action Alternative

The Proposed Action would have an effect on ITAs. Should the proposed Project lease be approved, the aggregate resource would be developed. Allotment CC-346 would be occupied and the owners would derive value (lease income) from ownership of the land. Owners of Allotment CC-378 would be compensated for the use of the existing access road through its encumbrance as a dedicated access ROW. Additionally, the Proposed Action would reduce negative effects from the OHV users and recreationalists in the area from disturbances by installation of a gate, fencing, and human activity would delineate the Allotment and deter trespassing.

Views from Allotment CC-378 would be adversely affected during the life of the mining lease on Allotment CC-346. Although the clearing and grubbing and excavation would not be visible downslope of the lease area beyond the two allotment boundaries, the immediate viewshed and character of the land visible from the access road on Allotment CC-378 would be obvious. The change, however, would be acceptable to the owners of Allotment CC-378 by virtue of their consent to grant a ROW on their property and acceptance of lease payments in exchange for that ROW grant. Disturbance from noise on Allotment CC-346 would increase for owners of Allotment CC-378 but again, the increase would be acceptable to the owners' consent for that ROW grant.

Additional Measures to Avoid and/or Minimize Impacts

With the implementation of the BMPs and other design features in **Appendix C**, no additional measures to minimize impacts are recommended.

Effect of the No Action Alternative

The No Action Alternative would have a direct effect on ITAs. Should the Proposed Project lease not be approved, and the aggregate source not be developed, existing conditions would continue. There would be an adverse effect to the CC-346 Allotment ITAs because the No Action Alternative would interfere with the Indian Owner Allottees use of the land such that it would not allow them to benefit from the economic value (lease income) the land can provide. It would not fulfill the purpose of the 1895 land patent to be for the "sole use and benefit" of the original Allottee or his heirs and successors.

The No Action Alternative would not protect the land surface of the two Allotments from the damage currently taking place as a result of trespass use by OHVs and recreational shooters. The perimeter fence to be installed by the Proponent would deter, minimize, or prevent the damage.

3.7 Noise

Sound is created when an object vibrates and radiates part of its energy as acoustic pressure or waves through a medium, such as air, water, or a solid object. Sound levels are expressed in units called decibels (dB). Noise is generally defined as any loud or undesired sound. Noise levels are also expressed in dB. Because the human ear does not respond equally to all frequencies (or pitches), measured noise levels in dB at standard frequency bands are often adjusted or weighted to correspond to the frequency response of human hearing and the human perception of loudness. The weighted sound level corresponding to the human ear is designated as the A-weighted sound in decibels (dBA).

The ability of an average individual to perceive changes in noise levels is well documented. Generally, changes in noise levels of 3 dBA would be barely perceived by most listeners, whereas a 10-dBA change normally is perceived as a doubling of noise levels (Murphy 2014). The general principle underlying most noise acceptability criteria is that a perceptible change in noise is likely to cause annoyance wherever it intrudes upon the existing noise from all other sources (annoyance depends on the noise that exists before the introduction of a new sound). Typical sound levels experienced by people range from about 40 dBA, the daytime level in a typical quiet living room, to 85 dBA, the approximate level occurring near the sidewalk adjacent to heavy traffic. Most suburban areas have daytime noise levels ranging from 50 to 70 dBA.

3.7.1 Affected Environment

Dominant noise sources located within and adjacent to the Project Area included traffic noise from Johnson Lane, US 395, cross streets, and noise from the existing OHV use and hauling. An analysis of potential noise impacts was conducted within the Project area and documented in a Draft Noise Analysis Technical Memorandum prepared in November 2021 (Newton Environmental 2021) (**Appendix H**). Existing noise level measurements were taken at 36 noise receiver locations (residential dwelling units) adjacent to the Project area according to the FHWA-approved Traffic Noise Model version 2.5 (TNM 2.5), a computer noise model used for the prediction of highway and roadway traffic noise levels. **Table 3-5** below provides the TNM 2.5 noise modeling results, comparing existing noise levels without mining operations to future noise levels with mining operations. The first column on the left identifies the noise receiver identification number for the homes closest to Johnson Lane. The second column shows the existing modeled noise levels without mining operation traffic. The third column shows the future modeled noise levels with normal mining traffic operations (10 percent of daily traffic in the peak hour). The fourth column shows the increase in noise levels from existing to future normal mining traffic operations. According to the Nevada Traffic and Construction Noise Analysis and Abatement Policy (2018), residential noise receivers are considered impacted at noise levels of 66 dBA Leq(h). Noise receiver locations are shown in **Appendix H** and **Figure 3-1**.

3.7.2 Environmental Consequences

Effect of the Proposed Action Alternative

The Painted Rock Mine site is located approximately 1.1 to 1.6 miles east of the nearest residences along Johnson Lane. Noise modeling was completed to determine the existing noise level and future noise level with the introduction of the mine site, associated equipment, and the worker passenger vehicles and haul trucks. Thirty-six receivers were modeled to represent 36 residential home sites along Johnson Lane. Existing noise levels at the receivers ranged from 51.0 to 63.6 dBA.

For the future normal mining traffic and operations, noise levels range from 52.5 to 65.4 dBA, which represents an increase of 1-2 dBA over existing noise levels with the average receiver increase of 1.9 dBA. The smallest change in noise level that can be detected by the human ear is approximately 3 dBA, while a 5-dBA change in noise levels is considered perceivable (Murphy 2014). For the future normal scenario, there are no impacted receivers because the increase average of 1.9 dBA is not perceivable to the receivers and no receiver reached or exceeded 66dBA.

Table 3-5. TNM 2.5 Modeled Roadway Noise Level Results Johnson Lane

Receiver Identification Number	Existing Noise Levels without Mining Operations (dBA)	Future Noise Levels with Mining Operations, dBA (Normal Scenario)	Future Noise Level Increase with Mining Operations, dBA (Normal Scenario)
R1	53.2	55.1	1.9
R2	55.8	57.7	1.9
R3	58.4	60.3	1.9
R4	60.7	62.6	1.9
R5	58.8	60.7	1.9
R6	58.5	60.4	1.9
R7	61.3	63.2	1.9
R8	60.2	62.1	1.9
R9	60.3	62.2	1.9
R10	61.8	63.7	1.9
R11	61.8	63.7	1.9
R12	61.8	63.7	1.9
R13	61.6	63.5	1.9
R14	55.8	57.7	1.9
R15	61.9	63.8	1.9
R16	60.9	62.8	1.9
R17	61.0	62.8	1.9
R18	63.6	65.4	1.8
R19	61.6	62.9	1.3

Receiver Identification Number	Existing Noise Levels without Mining Operations (dBA)	Future Noise Levels with Mining Operations, dBA (Normal Scenario)	Future Noise Level Increase with Mining Operations, dBA (Normal Scenario)
R20	61.7	63.0	1.3
R21	60.6	61.9	1.3
R22	58.1	59.5	1.3
R23	51.0	52.5	1.5
R24	57.3	58.6	1.4
R25	51.4	52.9	1.5
R26	52.9	54.4	1.5
R27	59.3	60.6	1.3
R28	51.5	53.0	1.5
R29	52.5	54.0	1.5
R30	57.1	59.0	1.9
R31	58.9	60.7	1.9
R32	58.7	60.5	1.9
R33	58.1	59.9	1.9
R34	59.8	61.7	1.9
R35	62.0	63.9	1.9
R36	60.1	62.0	1.9

Source: https://ndot.maps.arcgis.com/apps/webappviewer/index.html?id=278339b4605e4dda8da9bddd2fd9f1e9
Table Acronyms: dBA – A-weighted sound in decibels; TNM – Traffic Noise Model
Notes: Johnson Lane speed limit is 45 mph; it is assumed that 10 percent of daily mining operation traffic is used for peak hour volume.

To determine when future noise levels would reach or exceed levels that would be perceivable at the receivers, a future worst-case scenario for mining traffic operations was completed. Future modeled noise levels with worst-case mining traffic operations consisted of having 50 percent of daily mining traffic in the peak traffic hour. This future worst-case scenario equates to having approximately 50 haul trucks traveling down Johnson Lane within the one-hour peak traffic period along with local traffic (Newton Environmental 2021) (**Appendix H**). Future noise levels for this scenario would range from 55.8 to 69.1 dBA, which is an increase of 4.3 to 5.9 dBA over existing noise levels. This worst-case scenario, 17 of the 36 receivers are impacted with noise levels of 66 dBA or more. This scenario is not possible from an operational perspective due to the time it takes at the mine site to load a haul truck (12 trucks maximum), but instead identifies the threshold for when the increase in haul trucks would be noticeable. The increase from the modeled future worst-case scenario would never be reached with the implementation of the Proposed Action. Temporary noise impacts could be experienced by the receivers during the initial roadway improvements, anticipated to last approximately one month. Recreational users of the adjacent BLM-lands on or near Segments A and B may experience higher noise levels during the initial roadway improvements.

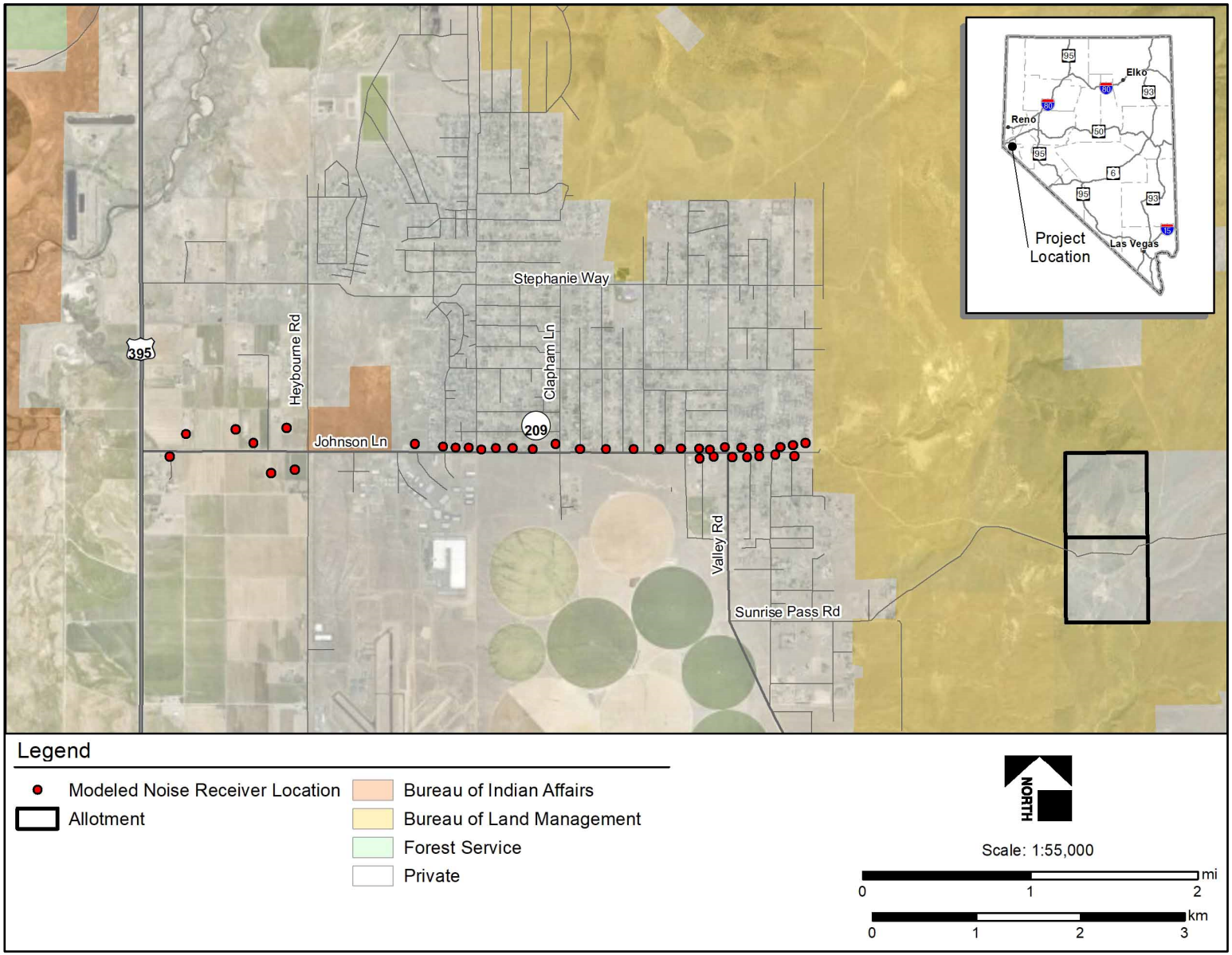


Figure 3-1. Modeled Noise Receiver Locations

Any noise from the initial roadway improvements would be temporary. Although noise generated from the mining equipment on the mine site would generally be blocked by the existing topography, as recreational users approach the mine site there is the potential for an increase in perceptible noise levels.

According to the noise modeling, with introduction of the mine and associated hauling and vehicle traffic there would be short-term minor impacts from the initial roadway improvements and long-term negligible impacts, as the projected increase in modeled noise levels would not be perceptible to the receivers or warrant any sound barriers or mitigation.

Additional Measures to Avoid and/or Minimize Impacts

With the implementation of the BMPs and other design features in **Appendix C**, no additional measures to minimize impacts are recommended.

Effect of the No Action Alternative

Under the No Action Alternative, the BIA and BLM would not approve the requested leases and ROWs and the Painted Rock Mine would not be operational, the new OHV area would not be created, and the BLM roads would not be improved. Therefore, under the No Action Alternative, no new impacts on noise receivers would occur.

3.8 Public Health and Safety

3.8.1 Affected Environment

While BIA has trust responsibilities over Indian trust lands, there is no ordinance or regulation regarding the safety of the property nor is there a management authority for the BIA to enforce. Public safety of the mine area is regulated by the Occupational Safety and Health Administration (OSHA) for non-mining activities and Mine Safety and Health Administration (MSHA) for mining activities. Although MSHA does not have regulatory authority over Trust lands, the Proponent intends to use MSHA standards for mine safety. All workers at the mine would be MSHA-certified.

During the initial review of the Proposed Action, public comments received identified public safety concerns including, interactions with mining equipment; vehicular collisions with recreationists and animals; speeding; visual problems with dust from haul trucks; gravel damaging windshields; haul trucks interfering with school bus stops, pedestrians, and equestrians; fires; flooding; and noise.

Johnson Lane consists of two 12-foot-wide paved travel lanes (one lane in each direction) and an unpaved shoulder ranging from 3- to 15-feet-wide. Drainage ditches are located off both shoulders of Johnson Lane. These ditches vary in size and width along the County Road. The speed limit along the roadway within the Project area is 45 mph. The intersection of Johnson Lane and US 395 is signal controlled with dedicated northbound and southbound turn lanes on Johnson Lane. Additionally, Johnson Lane widens at Heybourne Road, Nowlin Road, and Business Parkway to provide a separated left-turn lane for southbound traffic entering the business area. Johnson Lane also widens at Wildhorse Drive to accommodate center turn lanes for both north- and south-bound traffic. According to the 2017 Douglas County Transportation Plan, arterial and collector streets, including Johnson Lane, are designed to provide sufficient capacity to reduce through traffic on local streets, reducing conflicts between vehicles and neighborhood residential uses. Douglas County would continue to explore ways to provide north–south and east–west collectors and arterials, including providing additional capacity on Heybourne Road, Vicky Lane, Stephanie Way and Johnson Lane (Douglas County 2017). All the

intersecting side roads have a stop control before entering on Johnson Lane. There are no sidewalks, bicycle lanes, or pedestrian facilities along Johnson Lane within the Project area.

The Proposed Action would use Johnson Lane and the existing BLM-managed roadway for access to the site and material hauling. The alternate non-haul Access Route includes Fremont Road and Segment A Haul Route. The total ROW would be approximately 2.8 miles long. The Segment A road is existing but would need to be widened to accommodate two lane traffic, placement of a gravel surface, and incorporation of an OHV designated parking area. The existing Johnson Lane Wash crossing (BLM-administered land) would be improved to create a surface to accommodate all-weather crossing. The haul operations are further described in the Proponent's 2020 *Plan of Development* (**Appendix B**).

3.8.2 Environmental Consequences

Effect of the Proposed Action Alternative

Public access to the mine site would be controlled by the entrance gate. The gate would be locked after working hours to prohibit the public from entering the mine site. Traffic advisories and no trespassing signs would also be affixed to the gate consistent with requirements of MSHA. The Proposed Action would include widening and improving the BLM ROW to accommodate two lane traffic between the mine site and the eastern terminus of Johnson Lane. The user-created OHV staging area would be revamped to exclude parking in the roadway and the roadway would be delineated with appropriate markings or barriers. Widening the BLM roadways and creating the designed/authorized OHV staging area away from the terminus of Johnson Lane would help remove conflict between OHV users and haul truck traffic. Signage would be used to direct recreationists to the new OHV parking area. Signs would also be posted warning of heavy truck traffic and two-way traffic direction as well as speed limits. Drivers of haul trucks would be instructed to be extra cautious on the BLM ROW and Johnson Lane.

Vehicle speed would be restricted for safety and dust control within the mine area. Speed limits and maximum vehicle weight would be posted at the entrance/exit. Additionally, haul trucks would comply with all traffic speeds along BLM-managed roads, Johnson Lane, and US 95. This would include following the law regarding school bus stops. In addition, signage would be prominently displayed warning of truck traffic and OHV use area. Dust from the mining operation would be controlled in accordance with the SAD permit issued by BAPC, including the use of water to spray down areas to prevent the surface and air transport of dust during operations. The Proposed Action would place gravel on the existing BLM dirt road and use additional dust suppression techniques to reduce the potential for fugitive dust from haul truck travel (i.e., the roads and the loads would be sprayed with water). Refer to **Section 3.3** for additional discussion regarding air quality. No dust-suppression activities are included in the Proposed Action for the use of the OHV trails and open lands, as this is outside of the jurisdiction of the Proponent.

Haul trucks would follow State of Nevada and Douglas County hauling requirements for securing the truck load including Nevada Revised Statute (NRS) 484D.850 and NRS 484D.855 reducing the potential for haul and mined material from dropping, sifting, leaking, or otherwise escaping. Securing the truck loads and/or meeting the State of Nevada requirements for hauling material would reduce the potential for material to escape and harm property of the adjacent residential areas. Covering and securing the haul truck load would be enforced by the State of Nevada and cannot be enforced by the Proponent.

The addition of 30-85 tractor-trailer trucks would incrementally increase the ADT (3.2 to 5.0 percent) on Johnson Lane and therefore, a proportionate risk of increase for vehicle related incidents. A nearby existing material source pit was found to have a similar haul route situation as the Painted Rock Mine proposal. The Golden Valley Pit/Sha-Neva Open Material Pit (referenced in this document as Sha-Neva) in Golden Valley has a haul

route (Golden Valley Road) that runs through a housing area and passes in front of both a high school and an elementary school zone on its way to US 395. The principals of both schools (North Valleys High School and Alice Smith Elementary School, respectively) stated that haul trucks have not been an inherent risk and that in at least the last 10 years, have not been involved in any accidents involving students or school buses. They state that the haul trucks are not inherently any more dangerous than any of the many other vehicles on the roads in and around the schools nor are they of any higher concern than the other tractor-trailer trucks that use the road for delivery of material goods to the schools or to new home building sites. While there are no schools on or near Johnson Lane, there are school bus stops. Based on the information provided, and by adhering to posted speed limits and heeding school bus directional signals (flashers and stop signs), haul trucks are not expected to disproportionately contribute to the existing accident rate involving tractor-trailer trucks and school buses on Johnson Lane.

Commenters relate that in the absence of adjacent sidewalks or walking paths, Johnson Lane community members use Johnson Lane to walk, jog, and bicycle. The addition of 30-85 tractor-trailer truck trips on Johnson Lane would incrementally increase the ADT (3.2 to 5.0 percent depending on location) and increase accordingly, any pedestrian-vehicle related conflicts that already exists between the average number of vehicles that use Johnson Lane on a daily basis (5,300 vehicles per day [vpd] from SR 395 to Vicky Lane; 3,400 vpd from Vicky Lane to Fremont Street).

A fire management plan and BMPs associated with the Proposed Action includes the following: restrictions regarding worker on-site activities, parking on vegetation, designating smoking areas, and storing of any necessary flammable material would assist with the prevention of potential fires. Unexpected fires would be managed per the Fire Management Plan as part of the Proposed Action and federal fire managers would be notified in the case of a wildland fire.

The mine site is contained within a natural depression. No runoff or water from dust suppression activities would leave the site. The Johnson Lane Wash would be armored with gravel or concrete to prevent erosion and wash outs during storm events. Should storm events disrupt travel on the roads for haul truck drivers, hauling operations would cease until the road has been repaired.

Noise associated with the mine operations and the haul trucks has been evaluated and future noise conditions modeled to determine the anticipated impacts to adjacent residents. The introduction of additional haul truck along Johnson Lane would not increase noise levels to a threshold perceivable to the adjacent properties. Refer to **Section 3.7** for additional discussion and specific details.

The Proposed Action would widen and place material on the existing BLM dirt roads to create a more durable driving surface and reduce the existing dust emissions in the area from the existing OHV users. Establishing a dedicated OHV parking area would provide a delineated parking-and-loading area for the recreational users, reducing the conflict between OHV users and through traffic. The introduction of the mine and haul activities would increase vehicles and haul trucks along Johnson Lane and associated BLM roads, however, the vehicles would follow all existing rules, regulations, and laws regarding speed and haul requirements. The Proposed Action is anticipated to have short- and long-term minor adverse impacts to public health and safety.

Additional Measures to Avoid and/or Minimize Impacts

With the implementation of the BMPs and other design features in **Appendix C**, no additional measures to minimize impacts are recommended.

Effect of the No Action Alternative

Under the No Action Alternative, the BIA and BLM would not approve the requested leases and ROWs and the Painted Rock Mine would not be operational, the new OHV area would not be created, and the BLM roads would not be improved. Recreational vehicles would continue to park at the end of Johnson Lane, between the pavement and beginning of the BLM Segment A and unload OHVs. This lack of formal parking would continue to create a conflict between the parked vehicles and the traveling public. Additionally, without the BLM road improvements, dust from unpaved roads would not be potentially reduced and the road would not be widened. The No Action Alternative would not introduce additional impacts to public health and safety. Therefore, under the No Action Alternative, minor impacts on public health and safety would occur.

3.9 Recreational Resources

The BIA does not manage lands for recreational resources whereas, the BLM "shall ensure the continued availability of Public Lands and related waters for a diversity of resource dependent outdoor recreation opportunities while maintaining its commitment to managing the Public Lands as a national resource in harmony with the principle of balanced multiple use" (BLM 2001).

3.9.1 Affected Environment

There are no designated recreational facilities within or adjacent to the Project area. The existing Indian-owned allotments are not open to the public and do not allow for public recreational use. There is one BLM Special Recreation Permits (SRPs) in the project area. The SRP is a BLM-granted land use authorizations that allow specified recreational uses of public lands in the vicinity of the project. The 2001 *Carson City Field Office Consolidated Resource Management Plan* (RMP) provides opportunities for dispersed recreation to include both motorized and non-motorized activities such as wildlife viewing, hunting, camping, hiking, and OHV use on the BLM lands adjacent to the mine site. Currently, recreation vehicles park at the end of Johnson Lane between the pavement and the beginning of the BLM Segment A. Vehicles routinely park along the side of the dirt road and use this area to stage, park, and unload OHVs. This routine parking has disturbed the vegetation surrounding the road and causes conflict between traveling and parked vehicles.

3.9.2 Environmental Consequences

Effect of the Proposed Action Alternative

The Proposed Action includes the establishment of a road that would provide access to a larger open area within the Southeast NDOT material site (N-7632) to provide a BLM-managed authorized OHV staging area. Improved access and a new authorized staging area would relieve congestion at the end of Johnson Lane and reduce conflicts between traveling vehicles and the vehicles parked alongside the road. The BLM anticipates most OHV users would stage at this new location once improved due to the limited parking that would remain in the current user-created OHV staging area. The new OHV staging area would be used both for parking tow vehicles and for camping (**Figure 2-2** and **Figure 2-3**).

The initial repair work on the new OHV staging area access road would bring the road to an appropriate standard and once complete, the BLM would maintain the access road into the new OHV staging area and the parking surface, as needed, to accommodate the anticipated increase in recreational use. Due to the anticipated

increase in recreational use at the new location, the informational kiosk would be moved to where most users are anticipated to congregate (**Figure 2-2** and **Figure 2-3**).

During the initial roadway improvements, construction activities and traffic may reduce the appeal for dispersed recreational activities, resulting in a direct and indirect, short-term, negligible effect. During the life of the mine operations, there would be no prohibition for dispersed recreation activities. The addition of vehicles accessing the mine site and haul trucks may negatively impact the level of enjoyment for OHV recreationalists due to the slower moving, larger vehicles along the designated roadways. If NDOT needs to use the material site ROW (N-7632) where the new OHV staging area would be located, the BLM would coordinate with NDOT to determine if the materials site could be used by the public while NDOT is operating.

The BLM roads that would be used for the Haul Route are currently and would continue to be used by the public for access to the dispersed recreational areas. These roads would remain open to the public, though users may experience brief delays during the initial roadway improvements. The Proposed Action would improve roadway surfaces and could potentially encourage additional recreational use. Improved roads and access for dispersed recreation, hunting, and additional recreational opportunities, would result in long-term direct and indirect, minor beneficial impact to recreation resources associated with the Proposed Action.

Additional Measures to Avoid and/or Minimize Impacts

With the implementation of the BMPs and other design features in **Appendix C**, no additional measures to minimize impacts are recommended.

Effect of the No Action Alternative

Under the No Action Alternative, the BIA and BLM would not approve the requested leases and ROWs and the Painted Rock Mine would not be operational, the new OHV area would not be created, and the BLM roads would not be improved. Recreational vehicles would continue to park at the end of Johnson Lane, between the pavement and beginning of the BLM Segment A and unload OHVs. This lack of formal parking would continue to disturb surrounding vegetation and causes potential conflict between traveling and parked vehicles. Because the area where OHV vehicles currently use is not designated as a formal recreational area, the No Action Alternative would not impact designated recreational resources. Therefore, under the No Action Alternative, no impacts on recreational resources would occur.

3.10 Socioeconomic Conditions and Home Values

The following discussion identifies and evaluates impacts that may occur on the social and economic environment in the study area. Specific topics addressed in this section include economic impacts, neighborhood continuity, relocations or displacements, home values, and access and traffic patterns.

3.10.1 Affected Environment

The mine site and a portion of the access to the mine would be located on two individual Indian-owned allotments. The purpose of the allotments is to provide economic gain for the allottees. The nearest communities to the proposed mine site include Minden (seven miles southwest of the Painted Rock Mine, Douglas County), and Carson City (11 miles northwest, Carson City County). Douglas County is the 15th largest

county in Nevada in geographic area (709.72 square miles) with a population of 49,488 individuals. The socioeconomic study area for the Painted Rock Mine encompasses Douglas County including the towns of Gardnerville, Genoa, Minden, and other general improvement districts.

Properties east of the mine site are additional individual Indian-owned allotments consisting of open desert area. Lands surrounding the mine site and east of Johnson Lane are under the jurisdiction of the BLM.

Johnson Lane extends west from the BLM land to US 395 and runs through a small, disassociated industrial and residential neighborhood (community) locally identified as Johnson Lane but officially designated as within Minden. Along this four-mile stretch of Johnson Lane, residential areas are located to the north for the eastern 2.25 miles (between Wildhorse Lane and BLM lands) and to the south for approximately 0.50 mile (between East Valley Road and BLM lands). Approximately 43 homes front and 31 homes back up to this residential segment of Johnson Lane. The remainder of the area adjacent to Johnson Lane includes undeveloped lands, farmland, industrial and commercial development (highlighted by a large Starbucks warehouse and shipping facility), recreational resources (OHV area), and scattered residences. There is also a neighborhood general store on the northwest corner of Johnson Lane and Clapham Lane. The Johnson Lane community is serviced by three schools, Pinon Hills Elementary School (1.0 mile north), Carson Valley Middle School (5.6 miles south), and Douglas High School (6.0 miles south). There are three public facilities in the Johnson Lane community area. The Johnson Lane Volunteer Fire Department and existing Johnson Lane Park are located on Stephanie Way. The Douglas County North Valley Wastewater Treatment Plant is located within the community area on Heybourne Road. Access to these facilities is provided by a network of local streets and US 395.

Despite Johnson Lane's designation as a Major Collector with its associated commercial and industrial development along the western one-third of the roadway and OHV users congregating at the east end, public comment and anecdotal information garnered from public websites, indicate that Johnson Lane residents identify and enjoy a rural lifestyle that relative isolation and low-density housing provides. Douglas County has identified the desire of the Johnson Lane community to preserve its rural character and, defined it as a management goal (JL Goal 1) in its 2011 Master Plan Update (Douglas County, 2012).

Demographics, Income, and Employment

The total population of Douglas County was 49,488 (2020 decennial census). The U.S. Census Bureau identified 21 Census Designated Places (CDPs) located within Douglas County, Nevada. Three of those CDPs are the towns of Gardnerville, Genoa, and Minden. In Douglas County in 2020, 91.6 percent of the population identified as white and is the majority of the population in the three towns of Gardnerville (79.2 percent), Genoa (92.1 percent), and Minden (85.1 percent). The Native American population consisted of 2.2 percent of the population in Douglas County, 1.6 percent in Gardnerville CDP, 1.4 percent in Genoa CDP, and one percent in Minden CDP. **Table 3-6** through **Table 3-9** summarize the demographic composition, major employment sectors, income, poverty rate, housing characteristics, and the employment characteristics for the of the study area and comparative locations. Notable statistical differences reported for each category are shaded in tables; this shading indicates that percentages either are higher than those for Douglas County for comparison purposes.

Home Values

The closest residential home to the proposed Painted Rock Mine site is approximately one mile; however, the majority of the homes in the Johnson Lane community are between 1.5 and 5.0 miles from the proposed mine

site. Residents and private property owners have expressed concerns related to the potential decline in property values due to the proximity of the mine and specifically, for those homes directly on the Haul Route (Johnson Lane).

A Nevada real estate agent provided an opinion letter regarding home values as they might be affected by a nearby material source pit. Based on his examination of housing sales data for homes adjacent to the Bing Pit (a similar mine operated by Bing Material located in Douglas County), property values were believed not to have been negatively impacted due to their unique nature, location, and distance to the mine. The agent cited an example of a house sold near the mine that saw no decline in value compared to other homes similar in age and quality outside the vicinity of the mine. Similarly, the transportation of material from the proposed Painted Rock Mine site along Johnson Lane can be compared to Kimmerling Lane, an arterial roadway used as a haul route to transport mined material to US 395. A housing subdivision was developed with full knowledge of the mining operation and the related truck traffic. The agent found that the homes held their value over the years and saw no negative impact to property value (Valentine 2021).

For comparative purposes, a summary of home values in the vicinity of the Bing Pit, Sha-Neva Pit, and Rilite Pit were evaluated to identify any potential trends in home value over time. Each of the three comparison material source/mine sites have housing adjacent to the mine sites and along the haul routes. Additionally, the Sha-Neva Pit haul truck route passes through a school zone after leaving the mine site. The Proposed project is on allotment lands, surrounded by BLM lands and therefore does not have adjacent homes although there are homes within 1.5 miles from the proposed mine site and along the haul truck route. The Sha-Neva mine is located approximately 60 miles north of the Project area in Golden Valley (**Figure 3-2**). It is approximately 55 acres in size and is mined for sand and gravel. Bing Pit Mine was established in 1982 and is approximately 20 miles south of the Project area in Gardnerville (**Figure 3-3**). The Bing Pit is approximately 150 acres in size and also mined for sand and gravel. The Rilite Pit, established in 2009, is 140 acres in size and also mined for sand and gravel (**Figure 3-4**).

Table 3-10 identifies the percent change in home values over time for homes adjacent to the existing mine sites, along the existing haul routes, and within the general vicinity, but further removed from the mine site and haul route. The values provided in **Table 3-11** represent homes within the Johnson Lane Community along Johnson Lane (proposed future Haul Route) closest to the proposed mine, which include homes adjacent to the BLM-managed lands, approximately 1.5 miles from the mine site and homes further removed from the mine site and Haul Route.

Table 3-6. Painted Rock Mine Study Area Population by Age, Ethnic, and Racial Groups

Location	Population (number of individuals)	Elderly Population (age 65 and over)	White	Black/ African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Other	Hispanic/ Latino Ethnicity
Gardnerville CDP, NV	6,211	1,237 (20.9%)	4,918 (79.2%)	25 (0.4%)	99 (1.6%)	165 (2.7%)	11 (0.2%)	369 (5.9%)	940 (15.1%)
Genoa CDP, NV	1,343	275 (41.7%)	1,237 (92.1%)	1 (0.07%)	19 (1.4%)	19 (1.4%)	0 (0%)	14 (1.0%)	53 (3.9%)
Minden CDP, NV	3,442	1,040 (33.0%)	2,930 (85.1%)	19 (0.6%)	34 (1.0%)	58 (1.7%)	4 (0.1%)	95 (2.8%)	323 (9.4%)
Douglas County, NV	49,488	13,191 (29.7%)	40,837 (91.6%)	243 (1.0%)	1,014 (2.2%)	934 (1.9%)	95 (0.2%)	2,244 (4.5)	6,141 (13.2%)

Source: U.S. Census Bureau, 2020 Census Redistricting Data (Public Law 94-171), and U.S. Census Bureau, 2015-2019 American Community Survey 5-Year Estimates
Table Acronyms: ACS – American Community Survey; CDP – Census Designated Place; NV – Nevada
Note: Individuals may identify with multiple racial groups. Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. In addition to sampling variability, the ACS estimates are subject to non-sampling error.
Note: All shaded numbers represent percentages that are more than those of the comparison populations.

Table 3-7. Income and Poverty within the Painted Rock Mine Study Area

Location	Per Capita Income	Median Household Income	Poverty Rate[1] (percent)
Gardnerville CDP, NV	$26,903	$55,603	10.2
Genoa CDP, NV	$80,030	$106,875	1.4
Minden CDP, NV	$32,894	$57,830	10.1
Douglas County, NV	$38,814	$66,810	8.7

Source: U.S. Census Bureau, 2015-2019 American Community Survey 5-Year Estimates and U.S. Census Bureau
Table Acronyms: ACS – American Community Survey; CDP – Census Designated Place; NV – Nevada
Note: Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. In addition to sampling variability, the ACS estimates are subject to non-sampling error.
Note: All shaded numbers represent percentages that are more than those of the comparison populations.

Table 3-8. Painted Rock Mine Study Area Housing Characteristics

Location	Total Housing Units (number)	Occupied Housing Units (number/percent)	Unoccupied Housing Units (number/percent)	Median Home Value[1]
Gardnerville CDP, NV	2,901	2,728/94.0	173/6.0	$304,000
Genoa CDP, NV	448	293/65.4	155/34.6	$816,500
Minden CDP, NV	1,600	1,409/88.1	191/11.9	$344,700
Douglas County, NV	24,399	20,741/85.0	3,658/15.0	$378,800

Source: U.S. Census Bureau, 2015-2019 American Community Survey 5-Year Estimates and U.S. Census Bureau
Table Acronyms: ACS – American Community Survey; CDP – Census Designated Place; NV – Nevada
Note: Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. In addition to sampling variability, the ACS estimates are subject to non-sampling error.
Note: All shaded numbers represent percentages that are more than double those of the comparison populations.

Table 3-9. Painted Rock Mine Study Area Employment Characteristics

Location	Management, Business, Science, and Arts Occupations (%)	Sales and Office Occupations (%)	Service Occupations (%)	Unemployment Estimate (%)
Gardnerville CDP, NV	31.1	19.4	28.4	3.3
Genoa CDP, NV	39.3	49.3	11.4	0.0
Minden CDP, NV	24.4	22.9	24.4	2.0
Douglas County, NV	35.9	21.1	22.8	4.2

Table Acronyms: NV – Nevada



Figure 3-2. Sha-Neva Material Pit Location



Figure 3-3. Bing Material Pit Location

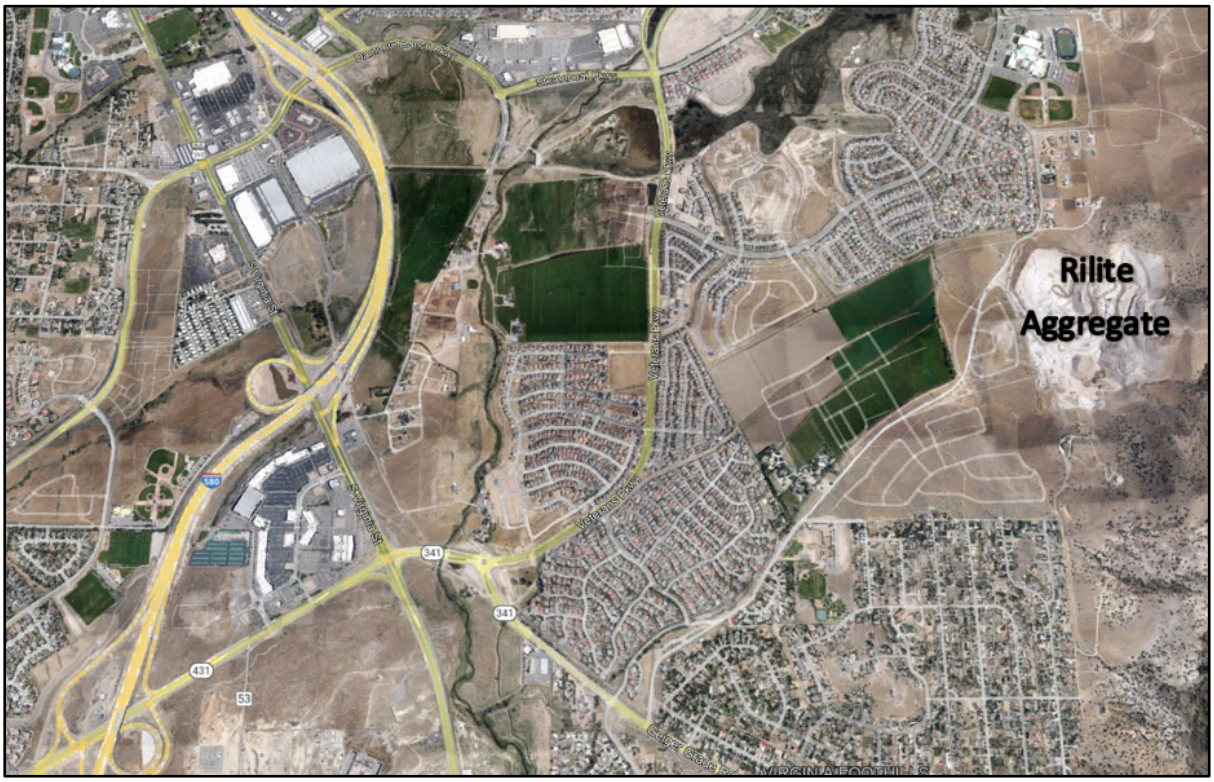


Figure 3-4. Rilite Aggregate Location

Table 3-10. Percent Change in Home Value Near Existing Mine Sites Comparison from 2015 - 2022

Mine Site and Location	2015	2016	2017	2018	2019	2020	2021	2022	Average Percent Change per Year
Sha-Neva: Adjacent to Mine Site	10.14	8.23	6.52	5.67	23.44	0.75	13.75	20.61	**11.14**
Bing: Adjacent to Mine Site	9.88	7.14	16.80	23.98	7.78	-1.42	13.04	29.91	**13.39**
Rilite: Adjacent to Mine Site	10.71	9.40	16.39	6.61	-10.34	2.66	74.26	27.04	**17.09**
Sha-Neva: Along the Haul Route	-0.46	15.13	8.97	14.81	11.10	7.23	8.50	20.84	**10.77**
Bing: Along the Haul Route	9.86	10.71	4.61	7.84	11.61	-3.14	12.35	31.49	**10.67**
Rilite: Along the Haul Route	0.77	12.45	-3.56	18.46	12.63	-2.43	24.99	21.13	**10.56**
Sha-Neva: General Vicinity of Mine	7.13	9.69	7.54	29.14	8.60	2.93	13.75	8.94	**10.96**
Bing: General Vicinity of Mine	11.35	19.32	2.73	10.84	12.71	1.53	15.39	20.53	**11.80**
Rilite: General Vicinity of Mine	4.86	9.05	16.83	9.98	10.81	2.8	25.97	8.66	**11.12**

Note: The data provided is the summary of multiple home values to identify the average percent change from year to year. Home values were obtained from www.zillow.com. Individual residential addresses were not included in the public document but has been incorporated in the project record. Home values are based on the average 3 bedroom/2 bath home with an average of 2,500 square feet.

Adjacent to the Mine Site refers to homes that either front or back the mine location. ***Along the Haul Route*** refers to homes directly along the Haul Route where haul truck would travel to gain access to a major roadway. ***General Vicinity of the Mine Site*** refers to homes within the neighborhood but further removed from both the mine site and the Haul Route (approximate distance from the mine site 1.5 to 2.5 miles from the mine or Haul Route)

Table 3-11 illustrates that home values located immediately adjacent to a mine site or along a haul route were not negatively impacted by mining operations. Home values in these specific locations did not decline, instead continued to rise at a rate consistent with the nearby homes. This included homes as close as 90 feet from the Sha-Neva pit property. These values are also consistent with the average home value increase within the Johnson Lane Community as seen in **Table 3-12**. Homes in the Johnson Lane Community closest to the mine site (12.53%), on the proposed Haul Route of Johnson Lane (11.28%), and further away from the mine site (11.76%) were reviewed and the rate of change per year were consistent with those from the comparison areas.

Table 3-11. Summary of Percent Change in Home Value

Year	Johnson Lane Community (Along Johnson Lanes)[1]	Johnson Lane Community (Adjacent to BLM)[2]	Johnson Lane Community (General vicinity)[3]
2015	11.53%	9.70%	9.38
2016	3.73%	20.26%	14.99
2017	2.53%	4.20%	5.03
2018	18.39%	8.14%	11.14
2019	13.11%	15.25%	13.93
2020	2.89%	-1.22%	0.88
2021	14.94%	22.34%	18.57
2022	23.15%	21.56%	20.95
Average change per year	**11.28%**	**12.53%**	**11.86**

Table Acronyms: BLM – Bureau of Land Management

Note: The data provided is the summary of multiple home values to identify the average percent change from year to year. Home values were obtained from www.zillow.com. Individual residential addresses were not included in the public document but has been incorporated in the project record. Home values are based on the average 3 bedroom/2 bath home with an average of 2,500 square feet.

[1] ***Along Johnson Lane*** refers to homes that either front or back Johnson Lane. [2] ***Adjacent to BLM*** refers to homes that are along the boundary of the Johnson Lane Community and the BLM-managed lands between Johnson Lane and Sunrise Pass Road and/or just north of Johnson Lane (approximately 1.25 to 2.00 miles from proposed mine site). [3] ***General Vicinity*** refers to homes within the Johnson Lane Community but further removed from both Johnson Lane and the BLM managed-lands (approximately two miles of the proposed Haul Route).

3.10.2 Environmental Consequences

Effect of the Proposed Action Alternative

The operation of the proposed Painted Rock Mine would not alter the physical character of the Johnson Lane community because all of the mine operations would be located on Allotment CC-346 at a distance of a mile or more from the streets and houses of the community. The mine pit itself would not be visible from the community (**Figure 3-5**) and due to terrain and distance, noise from mine operations would not be detectable or otherwise discernable from the current ambient noise. Mine operations would result in an increase in the current ADT (3,400 to 5,300) on Johnson Lane, adding approximately 200 vehicles per day (vpd) total if and when peak operations are achieved. The increase in ADT, including the haul trucks, is consistent with historic ADTs, which fluctuated as many as 500 vpd lower and 400 higher over the last 11 years. A minor increase in haul trucks (30-85 roundtrips) falls within the prior annual fluctuation in ADT on Johnson Lane. It is also consistent with Johnson Lane's prior use by NDOT to transport material from its two pits at the east terminus of Johnson Lane. Additionally, it is consistent with Douglas County's designation of Johnson Lane as a Major Collector whose stated definition is to "provide service to traffic generators of equivalent intra-county importance such as … important mining areas, etc." and to "…provide sufficient capacity to reduce through traffic on local streets." Major Collectors are established to route traffic straight through the community rather than encouraging traffic to veer of through side streets (2017 Douglas County Transportation Plan).

There are no relocations or displacements associated with the Proposed Action. The implementation of the Proposed Action is projected to increase traffic on Johnson Lane. Johnson Lane would continue to provide

capacity and circulation for local traffic to access community services adjacent to the Project area. Additionally, access and traffic patterns would not be modified along Johnson Lane as a result of the Proposed Action. There would be no temporary detours and access to the adjacent properties, community services, businesses, and local roads would remain as currently exists. The Proposed Action would create a defined parking/staging area for the OHV recreational users, removing potential conflict between parked vehicles and through traffic. Johnson Lane would adequately accommodate projected traffic volumes, overall traffic operations, and circulation throughout the Project area therefore, there would be no impacts on access and traffic patterns. Therefore, the Proposed Project would have a negligible impact on lifestyle and neighborhood continuity.

Demographics, Income, and Employment

According to the census data, the racial and ethnic makeup of the study area was predominantly White. The Project area and comparison Census Designated Places (CDPs) have a relatively similar racial composition, with Whites composing more than half of the entire population for each. The Genoa CDP also has the highest per capita income and median household income at approximately double the value of Gardnerville CDP, Minden CDP, and Douglas County. Gardnerville CDP also has the lowest poverty rate when compared to the other CDPs.

The Proposed Action would result in a long-term, viable economic revenue base for the Allottees. Locally sourced aggregate material would be beneficial for Douglas County, NDOT, surrounding communities, local builders, and other aggregate customers because it would keep construction costs low by reducing haul costs. The Proposed Action would be beneficial for employment. The anticipated employment is between 5 and 20 workers depending on product demand over the lease period. There are no anticipated changes to demographic related patterns from the implementation of the Proposed Action.

Home Values

There is no evidence to suggest that a nearby excavation and associated Haul Route would impact home values in the Johnson Lane community. A local realtor's examination of like versus like home sales found no significant difference between homes near a gravel pit and/or along a haul route and those that were not. Similarly, historic change in home prices around three existing gravel pit operations and Johnson Lane were found to be almost identical. Therefore, the Proposed Action would have a negligible anticipated impact on nearby home values.

Overall, when considering the Johnson Lane Community lifestyle, neighborhood continuity, demographics, and nearby home values, the Proposed Action is anticipated to have a negligible impact on socioeconomic resources.

Additional Measures to Avoid and/or Minimize Impacts

With the implementation of the BMPs and other design features in **Appendix C**, no additional measures to minimize impacts are recommended.

Effect of the No Action Alternative

Under the No Action Alternative, the BIA and BLM would not approve the requested leases and ROWs and the Painted Rock Mine would not be operational, the new OHV area would not be created, and the BLM roads would not be improved. The closest source of aggregate material for Douglas County would be Brunswick

Canyon, which would be an additional cost for trucking material into the valley. Additionally, the allottee would not receive the lease income and the BIA would not be meeting its fiduciary responsibility to assist the allottee in achieving the highest and best use of the land. The No Action Alternative would have long-term impacts as it would not provide a low-cost aggregate source for Douglas County customers.

3.11 Transportation and Travel Management

3.11.1 Affected Environment

The Project area is generally accessed via a system of roadways, including US 395, Johnson Lane, Sunrise Pass Road, Fremont Street, and an unnamed section of dirt road on BLM land that extends east from Johnson Lane to intersect with Sunrise Pass Road proper (**Figure 1-3**). US 395 is a controlled intersection managed by NDOT. Johnson Lane between US 395 and Fremont Street is classified as a Major Collector and is maintained by Douglas County. Johnson Lane is a four-mile-long, two-lane, paved road constructed to handle heavy vehicle traffic (**Figure 2-4**). Prior to 1978, Johnson Lane was originally a FAS209 (Federal Aid Secondary) route. In 1978, Johnson Lane changed to State Route 209 and NDOT engineered and paved the road before relinquishing it to Douglas County. Johnson Lane is classified as a Major Collector, with a 20-foot easement on either side of the roadway centerline, maintained by Douglas County to provide service to any central business district not on an arterial route and to the larger towns not directly served by higher systems. A future arterial road is included in the Douglas County Transportation Plan (2017 Figure 4.1) east of Johnson Lane linking Carson City County to US 395 at an intersection south of Gardnerville. In 1978 Johnson Lane changed to State Route (SR) 209 and NDOT engineered and paved the road in order to access the existing NDOT material pits before relinquishing it to Douglas County. Johnson Lane was used as the haul route between the NDOT material pits and US 395 and is presumed sufficient to handle trucks for material hauling purposes based on NDOT's construction plans (NDOT 2020) and its classification as a Major Collector[2] (Douglas County 2017). In 2017, a traffic analysis was completed to evaluate potential impacts of the Starbucks Warehouse to the adjacent street network (Solaegui 2017). The Starbucks Warehouse is located south of Johnson Lane and east of Heybourne Road on the site of where the Starbucks Roasting Plant is located. This traffic analysis included projections for 2040 conditions by applying a 1.39 percent average annual growth rate to the existing traffic volumes. The growth rate was obtained from the Draft 2016 Douglas County Transportation Plan. No improvements to the intersection of Heybourne Road and Johnson Lane or at the intersection of US 395 and Johnson Lane were recommended because they did not rise to the level of needing improvements or were already planned by Douglas County.

Major Collector roads provide service to traffic generators (e.g., Starbucks warehouse, Painted Rock Mine) of equivalent intra-county importance (Douglas County 2017). The quarter-mile section of Johnson Lane between Fremont Street and the BLM boundary is also operated and maintained by Douglas County but is not part of the Major Collector classification afforded to the rest of Johnson Lane and Fremont Street. This quarter mile section of Johnson Lane was built a part of the Skyline Ranch Phase 2 development to access the newly built homes in

[2] The NDOT Johnson Lane 90% construction Plans dated 2020 detail the existing structural section as 7.0 inches of asphaltic concrete over 12.0 inches of aggregate base course. Per AASHTO roadway design guidelines, that structural section is more than adequate to support the proposed truck weight and ADT. Additionally, Douglas County's definition of a Major Collector includes a minimum structural section of 4.0 inches over 8.0 inches. It is presumed for the purposes of this EA that Johnson Lane structural section is minimally 4.0 inches over 8.0 inches, if not the NDOT detailed section.

2003 (Western Engineering 2003)[3]. The most recent traffic count on Johnson Lane in fall of 2020 was 5,300 ADT (NDOT 2020). **Table 3-12** provides the NDOT annual average daily traffic (AADT) counts in the Project Area between 2017 and 2020.

Table 3-12. NDOT Annual Average Daily Traffic (AADT) Count Stations in the Project Area

Route/Location	2017	2018	2019	2020
US 395, 0.5 miles north of Johnson Lane	28,000	29,100	30,500	29,300
Johnson Lane, 700 feet east of US 395	5,900	6,150	5,800	5,300
Fremont Street, 530 feet south of Toni Court	1,600	2,000	1,900	1,700

Table Acronyms: US - United States

Level of service (LOS) is a qualitative measure used to evaluate traffic congestion and delays. Level of service describes operational conditions within a traffic stream, service measures as speed and travel time, freedom to maneuver, traffic interruptions, and comfort and convenience. LOS designations range from A (little congestion or free-flow conditions) to F (severe congestion). Major collector roads provide service to traffic generators of equivalent intra-county importance such as consolidated schools, county parks, important mining areas, etc. (2017 Douglas County Transportation Plan). According to the Douglas County Transportation Plan, a two-lane collector with 10,500 average daily traffic would be operating at a LOS C (2017 Douglas County Transportation Plan). The most recent traffic count on Johnson Lane is 5,300 average daily trips between US 395 and Vicky Lane and an average of 3,400 average daily trips between Vicky Lane and Fremont Street (NDOT 2022). Johnson Lane is currently operating at a LOS A. the intersection of US 395 and Johnson Lane as of 2017 was operating at a LOS C.

During peak production, the Proponent anticipates mine operations could generate 30 to 85 haul truck trips per day and a small number of miscellaneous round trips for fuel, water, supplies, and personnel transport (refer to **Section 2.1.1**). The 85 haul truck trips are the theoretical maximum based on the estimated cubic yards of material available on the mine site. Based on haul truck trip data from the Proponent, the project estimates that a realistic average daily maximum haul truck trips would not exceed 62. The BIA has chosen to carry forward the theoretic maximum for analysis in the unlikely event that those production numbers are met.

Off-Highway Vehicle Staging Area

There is a user-created OHV staging area at the end of Johnson Lane between the pavement and the dirt road. Vehicles routinely park along the side of the dirt road causing traffic conflict. Existing trails do not provide adequate access for OHVs.

The BLM's Comprehensive Travel and Transportation Management program aims to provide reasonable and varied transportation routes for access to the public lands and provide areas for a wide variety of both motorized and non-motorized recreational activities. Currently there is no travel management plan within the Project area.

[3] The As-Builts for the Skyline Ranch Phase 2 dated 2003 identify the roadway structural section for this segment to be minimally 4.0 inches of asphaltic concrete over 8.0 inches of aggregate base course.

3.11.2 Environmental Consequences

Effect of the Proposed Action Alternative

The Proposed Action would have an incremental impact associated with increased traffic on Johnson Lane (170 vehicle trips, equaling 3.2 to 5.0 percent, depending on the location). The current and projected traffic would still be below the defined maximum 10,500 ADT for a major collector. In addition, daily traffic would increase along Johnson Lane, Sunrise Pass Road, and Fremont Street, although this increase would be minor and not alter the current LOS for any of the roadways.

The mine site would post speed limits and maximum vehicle weights at the entrance/exit. Haul truck and operator vehicle speed within the mine site and along the Haul Route would be restricted for speed, safety, and dust control. Appropriate signage would be placed to direct drivers where to park to avoid blocking Access/Haul traffic and where the new OHV staging area is located. While the change in LOS at the US 395 intersection with Johnson Lane was indeterminable, the Proposed Action is not anticipated to change the LOS because haul trucks would travel down Johnson Lane in intervals. Haul trucks would leave the mine site at staggered intervals (average every five minutes at maximum efficiency and demand) due to the time required for loading each of the haul trucks.

Both Segments A and B would require a layer of gravel road base material to create a durable driving surface. The thickness of gravel would increase as haul trips increase. The Proponent would work with the BLM to follow appropriate road improvement standards, such as providing turnouts as needed in areas of traffic congestions. Additionally, there would be the establishment of access roads to a larger open area and a BLM-managed designated OHV staging area. The staging area would be modified to separate through traffic from OHV users parking in the area. The edges of the road through the staging area would be defined by raising the driving surface above the rest of the open area to distinguish it from parking areas. An authorized OHV staging area would relieve congestion at the end of Johnson Lane and reduce conflict between OHV parked vehicles and through traffic.

The Proposed Action would not change the current LOS for any associated roadways in the Project area and creating a more durable driving surface for some of the BLM roads and establishing a dedicated OHV parking area would provide better accessibility to recreational resources. The new OHV staging area would have long-term, beneficial impacts to traffic patterns and transportation for recreational users. The increase in mining related traffic would have a minor impact on traffic volumes due to the limited vehicle count being proposed and a moderate adverse impact on vehicle mix due to the introduction of additional truck trips. Impacts to residential areas from any increase in traffic or truck trips are discussed in **Section 3.8**.

Additional Measures to Avoid and/or Minimize Impacts

With the implementation of the BMPs and other design features in **Appendix C**, no additional measures to minimize impacts are recommended.

Effect of the No Action Alternative

Under the No Action Alternative, no mining operation would occur, and associated ROWs would not be issued. There would be no haul trucks traveling along Johnson Lane. Additionally, the designated OHV staging area

would not be created. The current user-created OHV staging area would remain and continue to have limited parking. The access road to the staging area would not be repaired or improved and continue to be degraded.

3.12 Visual Resources

The term “visual resources” refers to the composite of basic terrain, geologic, and hydrologic features; vegetative patterns; and built features that influence the visual appeal of a landscape. Visual impacts are defined as the change to the visual environment resulting from the introduction of modifications to the landscape. This section describes the existing context of the visual environment and assesses the potential impacts from the Proposed Action and the No Action Alternative within the visual resource impact analysis area. The analysis area for direct and indirect impacts is a five-mile radius (foreground distance zone) around the Project area, which is the maximum distance from which a casual observer could distinguish the elements of the Proposed Action from the surrounding landscape.

3.12.1 Affected Environment

The visual resource impact analysis area lies within the Basin and Range physiographic province, which is characterized by steep, narrow, isolated mountain ranges—generally on a north-south axis—separated by wide, flat, sediment-filled valleys or basins (EPA 2013). Vegetation in this province is characterized by Great Basin sagebrush or saltbush-greasewood vegetation (USFWS 2014). The analysis area is located on the edge of the Carson Valley to the west—a wide, flat, river basin with rural and agricultural development—and the Pine Nut Mountains to the east—nearly 10,000-foot-tall, rugged mountains. The ground surface in the analysis area is covered in tan- and khaki-colored sands on flat to hilly and erosion-dissected landforms. The natural vegetation primarily consists of dense to patchy mid-height, light-green sagebrush, dotted taller dark-green piñon-juniper trees, and large, geometric tracts of bright green agricultural vegetation. Notable natural features beyond the analysis area include the Carson Range to the West and the Pine Nut Mountains to the East, with the Carson River meandering between the two mountain ranges in the valley bottom.

The built environment of the visual resource impact analysis area is predominantly rural and consists of the communities of Johnson Lane, Genoa, Gardnerville, Minden, and Fish Springs; agricultural developments; the US 395 and several smaller state highway corridors; and the Minden-Tahoe Airport, located approximately four miles to the southwest of the Project area. Views of the Project area from nearby communities and travel routes are minimal due to the existing topography and vegetation. Primary viewers are motorists who travel through the analysis area or residents of the nearby communities.

The existing landscape character and condition of the visual resource impact analysis area are identified in terms of general landforms, vegetation, built features, and land use by Visual Analysis Units (VAUs). The VAU delineations are based on areas with common landform patterns and features, vegetation communities and patterns, built features, land use patterns, scarcity, and/or surface water resources in relation to the Basin and Range physiographic province. Three VAUs were identified within the visual analysis area:

- VAU 1 is a rolling to hilly and semi-mountainous unit composed of tan and khaki sands which contrasts with the dense to patchy mid-height sagebrush and taller pinyon-juniper trees that dot the landscape and has little to no development.
- VAU 2 is a flatter unit with similar ground cover as VAU 1 but includes rural development and residential communities consisting of geometric and blocky structures in a variety of contrasting colors.
- VAU 3 is similarly flat and expansive, but includes low, bright green agricultural vegetation in geometric tracts and built features related to agricultural activities and residences composed of geometric forms.

Bureau of Indian Affairs

There are no regulations or policies for Visual Resources on land administered by the BIA, and as such are not subject to visual resource management standards.

Bureau of Land Management

The proposed ROW from the BLM for the use of an existing roadway (Sunrise Pass Road and Segment A Haul Route) for access to the mine site and material hauling intersects BLM-administered lands. The BLM uses the Visual Resource Management (VRM) System to classify and manage visual resources on lands under its jurisdiction. The VRM System involves inventorying scenic values, establishing management objectives for those values through the resource management planning process, and then evaluating proposed activities to determine whether they conform to the management objectives (BLM 1984). In its resource management planning process, the BLM weighs visual and competing resource values to allocate the VRM classes with associated management class objectives for a given area's visual setting. The requested 2.8-mile (17.5 acre) ROW on BLM-administered lands and the approximate 2.1 acres of land disturbed for the development of the OHV parking area is currently managed as VRM Class IV. The objective of VRM Class IV is to provide for management activities that require major modifications of the existing character of the landscape. The level of change to the characteristic landscape can be high. These management activities may dominate the view and be the major focus of viewer attention. However, every attempt should be made to minimize the impact of these activities through careful location, minimal disturbance, and repetition of the basic elements.

3.12.2 Environmental Consequences

An analysis of visual dominance, scale, and contrast was used to determine the degree that the Proposed Action would attract attention and to assess the relative change in character as compared to the existing characteristic landscape and its inherent scenic quality. The amount of visual contrast created is directly related to the amount of attention that is drawn to a feature in the landscape. Changes in the viewsheds from surrounding roadways and communities were also evaluated and characterized.

Effect of the Proposed Action Alternative

Bureau of Indian Affairs

Under the Proposed Action, impacts would occur to the existing landscape character and scenic quality as a result of the proposed mine and mining operations. The Proposed Action would introduce elements (e.g., exposed soils, material piles, excavated material) currently present, but not common, within the visual resource study area. The proposed mine introduce color, line, form, and texture contrast with the existing landscape character within the project area; would appear to alter the landscape; would be visually prominent. The mine would increase the scale of cultural modifications that would reduce the overall scenic quality of the landscape because it would be visually discordant and contrast with other elements and patterns in the landscape within the visual resource study area.



Photograph 1. View facing southeast from Johnson Lane

The mine site would not be visible from the housing areas at the end of Johnson Lane (**Photograph 1** and **Figure 3-5**) or within the housing areas. The mine would be blocked from view by the north-south trending ridge of the bowl area where mining would occur. A viewshed analysis was completed and is depicted in **Figure 3-5**, there is intervening topography that blocks the mine area and the BLM access beyond the immediate vicinity of Johnson Lane. Views shown from the populated area on Sunrise Pass Road are also blocked by existing topography and vegetation. Additionally, all the houses both north and south of Johnson Lane are directed to look west toward the Carson Range. These neighborhoods have matured landscaping, including tall trees and bushes, which block the views of both the neighbors and the hills behind them (in the direction of the Proposed Action).

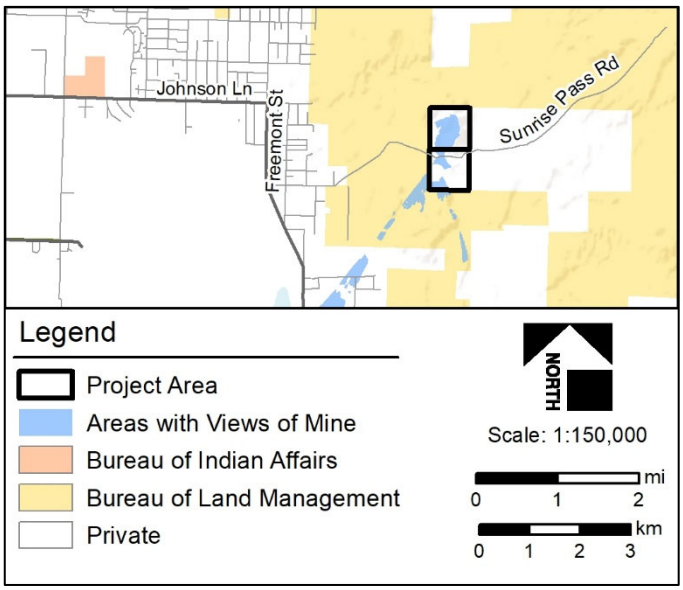


Figure 3-5. Line of Sight

The mine area would be visible from the sparsely populated area along West Valley Road in the vicinity of Eldon Way and Stockyard Road (**Figure 3-5**). Blue illustrates where the mine would be visible on East Valley Road. The Proposed Action would constitute a moderate degree of impact to the existing landscape character and scenic quality of the Project area for Eldon Way and Stockyard Road and a negligible degree of impact to the casual observer.

Bureau of Land Management

Under the Proposed Action, impacts would occur to the existing landscape character and scenic quality during the initial roadway construction by the generation of fugitive dust; movement of equipment and vehicles in and out of the Project area; and the presence of construction equipment and potential material stockpiles. The initial roadway improvement would introduce forms, lines, colors, and textures that would temporarily attract attention and create a noticeable contrast with the existing setting of the Project area. The roadway improvement impacts would create a minor degree of change in the characteristic landscape, where visible in the foreground distance zone (within five miles from the project area), from the surrounding roadways and communities, depending on the viewing distance, type of construction activity taking place, and time of day.

The proposed roadway widening would repeat elements already common in the Project area. Project components would not be visually discernible to the casual observer and would create a negligible visual contrast as compared to other features in the landscape. The scenic quality of the BLM ROW area would not be reduced as a result of the widening because the improvements would mimic the existing line, form, color, and texture of the existing roadway. The widening of the existing 2.0-mile-long roadway by an additional 30 feet (7.3 acres of new disturbance) would constitute a negligible degree of impact to the existing landscape character and scenic quality of the BLM ROW area.

Proposed Action Conformance with BLM VRM Objectives

The BLM has developed measurable standards for managing the visual resources of its administered lands. As previously noted, the proposed 2.8-mile (17.5 acres) of BLM ROW and new OHV area is managed as VRM Class IV with established objectives. The Proposed Action would be in conformance with the VRM Class IV objectives because the widening and improvement of an existing unpaved roadway would not attract the

attention of the casual observer within the foreground distance zone, would not dominate their view, and would largely retain the existing landscape character.

Additional Measures to Avoid and/or Minimize Impacts

With the implementation of the BMPs and other design features in **Appendix C**, no additional measures to minimize impacts are recommended.

Effect of the No Action Alternative

Under the No Action Alternative, the Painted Rock Mine would not be approved. Therefore, the BLM ROW would not be needed. As such, no new disturbance to the characteristic landscape would occur, no new elements or patterns would be introduced to the visual resource study area, and there would be no impact on the casual observer. No impacts to visual resources would occur.

3.13 Water Resources

3.13.1 Affected Environment

To help determine nearby existing wells or water uses that may be affected by the proposed gravel pit well, a search of the State of Nevada's water rights and driller log databases was conducted. A one-mile radius search around the allotment was reviewed due to the expected low pumping rate (17 gallons per minute) (gmp) of the proposed well. In addition, Nevada regulations (NRS 533.360 (3)) sets a 2,500-foot radius where water right applicants proposing at least 224 gpm (0.5 cfs) must notify all domestic well owners.

Water Rights

Although the federal government has authority to regulate water, it typically defers water-resource allocation to the states. The federal government owns certain federal water rights which exist separate from state law. In particular, federal reserved water rights often arise in questions of water allocation related to federal lands, including Indian reservations and public domain allotments. Indian reserved water rights were first recognized by the U.S. Supreme Court in *Winters v. United States* in 1908. The measure of the reserved right was addressed by the U.S. Supreme Court in *Arizona v. California* in 1963. Under the *Winters* doctrine, when there is a federal reservation of land, either by Treaty; EO; or federal statute, water is reserved sufficient to fulfill the purposes of the reservation. The purposes of a reservation might be agriculture, subsistence, permanent homeland, fisheries, or a combination of purposes. In *Arizona v. California*, the U.S. Supreme Court established "practicably irrigable acres" as a measure for quantifying the reserved right. In 2001, in the Gila River general stream adjudication, the Arizona Supreme Court articulated a homeland standard for the measure of reserved water rights based on tribal economic development plans, cultural needs, and historic water uses. Federal reserved water rights can exist and be used without being quantified or adjudicated. In addition to being a Trust Asset, subsurface water at Allotment CC-346 has a reserved right with an 1895 priority date, stemming from the 1895 land patent conferring ownership to the original Indian Owner and his heirs and successors. The 1895 reserved right on the Allotment has not been adjudicated but is senior in priority to potential, competing water rights in and around the Project area.

A search of the NDWR water rights database found no active water right located within a one-mile area around the Project area. Several inactive water right applications were found, but they were withdrawn, cancelled, or denied; therefore, are not valid water rights.

Domestic Wells

Domestic wells are defined as wells not exceeding two-acre feet per year (1,800 gallons per day) and used for domestic purposes associated with a single-family dwelling. Domestic wells are not subject to water right permitting regulations under state law (NRS 534.180 (1)) and therefore, do not show up in the water rights database. However, drillers are required to file drilling logs with the State Engineer within 30 days after the drilling of any well, including domestic wells. NDWR maintains this online drillers' log database for the State of Nevada. For Douglas County, this driller log database seems the only way to track well locations, but the information is limited to the well construction. There is no ownership information provided in the well log database.

A search of the well log database found five domestic wells located within a one-mile area around the Project area. The accuracy of three of the wells is uncertain since they were only plotted to the middle of a section (36). The total depths of the five domestic wells ranged from 112 feet to 215 feet below land surface. The static water level ranged from 30 feet to 172 feet below land surface.

Other types of wells besides domestic wells were not found within the one-mile radius. However, there are numerous domestic and irrigation wells located further west in the Carson River floodplain beyond the one-mile radius.

Hydrogeology

The Project area is in the Carson Valley Hydrographic Area. Carson Valley is a north-trending valley located between the Carson Range on the west and the Pine Nut Mountains on the east. The Project area is located in the hills just east of the valley floor. The groundwater that occurs beneath the Project area is likely from the Tertiary semi-consolidated sediments that underlie the younger unconsolidated alluvial sediments beneath the Carson River floodplain. The unconsolidated alluvial aquifer is the primary source of the groundwater in the valley. Groundwater primarily flows from the surrounding ranges towards the Carson River and valley floor then northward along the river. The depth to water is greater near the Project area than along the valley floor and at the mine site, is expected to be at least 450 feet below pit.

3.13.2 Environmental Consequences

Effect of the Proposed Action Alternative

Five domestic wells were found to be within a one-mile radius of the proposed well. It is very difficult to identify impacts associated with a single pumping well. However, it is very unlikely that impacts (if any) from the proposed well would be seen at the five domestic wells due to the distance and the expected low pumping rate (17 gpm). The 224 gpm pumping rate notification requirement is not triggered and there were no domestic wells located within the 2,500-foot notification radius.

During the first three-to-six months of mine operations, water would be obtained from the Heybourne Fill Station, a Douglas County metered facility. Douglas County maintains and manages the water withdrawal from this location and monitors the quantity. The daily volume required would not exceed the withdrawal limits established by Douglas County. The Proponent would install a water well on the mine site, close to the entrance using existing water rights to provide water for the operation. Approximately 12,000-24,000 gallons of water per day would be used during times of peak production, principally for dust suppression on access/haul road and for

the screener-stacker. The expected pumping volume would be within the allowable confines of a commercial well.

The temporary water sale by Douglas County to the Proponent would not exceed the amount available for commercial use as approved by the County and thus would not impact water well availability and use by Johnson Lane residential water users. A low-volume commercial well installed at the mine site to use available subsurface water for the Project is a lawful beneficial use of water under federal law, and by definition this use also is legal under state statute (NRS 534.020[1]). Examination of existing water wells, the aquifer, and intervening soil stratigraphy also suggested that a 17 gpm well at the mine site would be unlikely to affect nearby well production or the aquifer level.

The mine site would be approximately 450 feet above the groundwater level; therefore, water quality would not be affected by the physical act of routine mining or minor spills, should they occur.

Therefore, there would be no impact on water availability or quality of wells or the aquifer that provide water to the Johnson Lane residents.

Additional Measures to Avoid and/or Minimize Impacts

With the implementation of the BMPs and other design features in **Appendix C**, no additional measures to minimize impacts are recommended.

Effect of the No Action Alternative

Under the No Action Alternative, the BIA and BLM would not approve the requested leases and ROWs and the Painted Rock Mine would not be operational, the new OHV area would not be created, and the BLM roads would not be improved. Under the No Action Alternative, no impacts to water resources would occur.

3.14 Cumulative Impacts

The determination of what past, present, and reasonably foreseeable future actions (RFFAs) to consider in the impact analysis is based on the resources being affected by the Proposed Action. Past, present, and RFFAs that incrementally add to the potential cumulative impacts of the Proposed Action, and No Action Alternative are considered in this EA. The intent of this analysis is to capture the total effects of multiple actions over time that would be missed by evaluating each action individually.

3.14.1 Cumulative Effects Analysis Area and Time Frame of Effects

Each resource being analyzed has a defined cumulative effects analysis area (CEAA) for the Proposed Action and No Action Alternative. **Table** 3-13 provides the geographic area of the CEAAs by resource. In terms of time frame, the cumulative effects analysis is considered over a 35-year period. The Proposed Action has a life expectancy of 35 years based on material supply and the expected life of the project facilities and major components.

Table 3-13. Cumulative Effects Analysis Areas (CEAAs)

Resource	CEAA and Rationale for CEAA	Acres of Proposed Action CEAA	Proposed Area Percent of Total CEAA
General Wildlife	Carson Valley	141,572	0.14
Public Health and Safety	Johnson Lane Community	17,181	1.13
Recreation	Carson Valley	141,572	0.14
Transportation and Travel Management	Douglas County	472,128	0.04

Table Acronyms: CEAA – cumulative effects area analysis

3.14.2 Past and Present Actions

The CEAAs do not attempt to quantify the effects of past human actions by adding up all prior actions on an action-by-action basis. Existing conditions reflect the aggregate impact of prior human actions and natural events that have affected the environment and could contribute to cumulative effects. By looking at current conditions, the residual effects of past human actions and natural events are captured, regardless of which particular action or event contributed those effects. The CEQ issued an interpretive memorandum on June 24, 2005, regarding analysis of past actions, which states, "agencies can conduct an adequate cumulative effects analysis by focusing on the current aggregate effects of past actions without delving into the historical details of individual past actions."

3.14.3 Reasonably Foreseeable Future Actions

Reasonably foreseeable future actions are actions that have existing decisions, funding, or formal proposals or that are highly probable. These actions are not connected to the Proposed Action or the No Action Alternative. They are projections being made so that future effects, cumulative and otherwise, can be estimated, as required by NEPA. Specific projects within the resource CEAAs have been reviewed by land managers, including NDOT and Douglas County. **Table 3-14** identifies the name and provides a brief description of each project within the CEAAs.

In addition to the projects identified in **Table 3-14**, other RFFAs and management activities occurring in the CEAAs that are highly probable include recreation (e.g., OHV use), road improvements, transmission lines, telephone lines, fuel management, and community development. Other ongoing disturbances include wildland fire and noxious weeds and invasive plant species.

Table 3-14. Projects in the Cumulative Effects Analysis Areas

Project Name	Project Summary	Relevant Resource
Emergency On-Call Bid Solicitation (Douglas County)	Douglas County needs contractors to provide on-call emergency support for the Water Utility. Douglas County Utilities owns and operates groundwater and surface water systems within Carson Valley and the Lake Tahoe Basin. The Contractor will support the Water Utility to perform unanticipated repairs such as water leak repairs, emergency valve replacements, and other emergency services.	Public Health and Safety; Recreation; and Transportation and Travel Management
Bella Vista Farm (private)	Upgrade to existing facilities at Hydroponic Greenhouse Facility at Bella Vista Farm located at 2685 Billy's Road in Minden, Nevada. Upgrade and remodel of the farm including the houses, greenhouses, fields, and produce store.	General Wildlife and Special Status Species and Transportation and Travel Management
Marson Foods (private)	31-acre parcel along Heybourne Road, next door to VIP Rubber and Plastics with 292,805 square feet of commercial bakery space, 195,426 square feet of industrial warehouse, and 465 parking spaces. Marson Foods would occupy 11 acres of the site, or roughly 488,000 square feet, according to the project application, with the rest devoted to parking, access, landscaping and loading areas.	General Wildlife and Special Status Species; Public Health and Safety; and Transportation and Travel Management
Heybourne Road Extension (Douglas County*)	Construct an extension of Heybourne Road from Stephanie Way to Johnson Lane	General Wildlife and Special Status Species; Public Health and Safety; and Transportation and Travel Management
East Valley Road Improvements (Douglas County*)	Construct to 2-lane major collector, per Master Plan along East Valley Road from Stockyard Road north to Johnson Lane; Approximate length: 19,600 feet. Anticipated between 2016-2017.	General Wildlife and Special Status Species; Public Health and Safety; and Transportation and Travel Management
Johnson Lane Widening (Douglas County*)	Widen Johnson Lane to four-lane between US 395 and Vicky Lane.	General Wildlife and Special Status Species; Public Health and Safety; and Transportation and Travel Management
Johnson Lane Area Drainage Master Plan Implementation Project	Douglas County submitted an application to the BLM for a ROW grant on federal lands to construct, operate, and maintain 11 detention/sedimentation basins, associated interceptor and conveyance channels, and other necessary infrastructure such as swales and access roads. Douglas County was granted access to public lands managed by the BLM to construct regional flood mitigation improvements (11 basins and associated channels, swales, and access roads).	Soils, General Wildlife and Special Status Species, and Recreation
East Valley Road connection (Douglas County*)	East Valley Road connection would be constructed after completion of East Valley Road through to Johnson Lane. The East Valley Road Connection would be along Vicky Lane from Johnson Lane south to intersection with East Valley Road. Anticipated between 2018-2030.	General Wildlife and Special Status Species; Public Health and Safety; and Transportation and Travel Management
East Valley Road Improvements	Replace existing dip section along East Valley Road at Johnson Lane Wash with either bridge or ConSpan arch culvert structure.	Public Health and Safety and Transportation and Travel Management

Project Name	Project Summary	Relevant Resource
(Douglas County*)	Construct bridge before East Valley Road extension. Drainage analysis completed	
Carson Valley Bypass (Douglas County*)	Construction of the Carson Valley Bypass would be a new roadway east of the Carson Valley. The new alignment would be largely through public lands from south of Pinenut Road to Carson Freeway.	General Wildlife and Special Status Species; Public Health and Safety; and Transportation and Travel Management

Table Acronyms: BLM – Bureau of Land Management; ROW – right-of-way
* Douglas County Transportation Plan

3.14.4 Cumulative Impacts to Resources

For this analysis, CEAAs cumulative resource impacts are the combined direct and indirect effects of the present and RFFAs, in addition to the direct and indirect impacts of the Proposed Action and No Action Alternative. The levels of cumulative impacts are categorized as major, moderate, or minor based on the same thresholds defined in **Section 3.1**. If the results of the analysis of direct or indirect impacts were considered to be none or negligible as a result of the Proposed Action and/or No Action Alternative, there would be no measurable contribution to a cumulative effect; therefore, no cumulative effects analysis for the respective resource has been completed. Additionally, analysis that resulted in a beneficial impact to the resource has also not been carried forward.

Based on the analysis of direct and indirect impacts, there would be only short-term impacts from the initial roadway improvements of the Proposed Action. It is unlikely that all of the RFFAs and management activities in the CEAAs would be built at the same time as the Proposed Action, therefore there would be no measurable contribution of the short-term impacts to a given resource's cumulative impacts, and no cumulative short-term effects analysis for the respective resource has been completed.

Based on the analysis of direct and indirect impacts provided in previous resource evaluation sections, neither the Proposed Action nor No Action Alternative would have long-term, minor, moderate, or major direct or indirect effects to air quality; climate change and greenhouse gas emissions; ACECs; BLM Sensitive Species; cultural resources; environmental justice; prime and unique farmland; fire management; floodplains; forest resources; geology and minerals; hunting, fishing, and gathering; ITAs; invasive species and noxious weed species; land ownership and land use; livestock grazing; migratory birds; Native American religious concerns; noise; paleontological resources; recreation; socioeconomic conditions; soils; vegetation; visual resources; hazardous wastes; water resources; wetlands and riparian zones; and Wild and Scenic Rivers within the Project area. There would be no measurable contribution to the resource's respective cumulative impacts; therefore, there is no cumulative effects analysis for these resources.

At the end of the description of the cumulative impacts for each resource below, concluding statements of impacts are provided. The alternative's magnitude, duration, and intensity of direct and indirect impacts are restated, followed by a similar summary of total cumulative impacts that includes consideration of the direct and indirect alternative's effects. A statement on the contribution of the alternatives' impacts to the cumulative impacts is made as well.

GENERAL WILDLIFE AND SPECIAL STATUS SPECIES

The types of projects or actions that could contribute to impacts to general wildlife and special status species include livestock grazing, community development, OHV use, transmission line development, roads, and vegetation management. Livestock grazing, as well as wildlife movement, may spread invasive plants and alter the cover and composition of plant communities used by wildlife. Community development, roads, and infrastructure development would potentially consume useable habitat and fragment large blocks of habitats into smaller isolated ones. Future planning efforts such as restoration projects would help to implement measures to reduce impacts since their purpose is to protect and conserve wildlife habitat. Some of the RFFAs, such as fuels and vegetation management found within the Special Status Species CEAA would have beneficial impacts to special status species and suitable habitats on federally managed lands. Future projects, including the upgrade of Bella Vista Farms, roadway improvements, and the Marson Food development would also potentially impact general wildlife from the removal of vegetation and increase in development. In combination, past, present, and RFFAs would result in long-term, direct and indirect, minor, impacts to general wildlife and special status species because the majority of the CEAA would have measures implemented by the Douglas County, BLM, and/or the State of Nevada to minimize potential effects to general wildlife and special status species and their respective habitats.

Proposed Action Contribution to Cumulative Impacts

The Proposed Action would have a negligible impact contribution to the cumulative effects to general wildlife because of the limited vegetation removal. The loss of potential habitat would not contribute to a loss of viability for any wildlife species because extensive similar habitat is available adjacent to the Project area and throughout the Carson Valley. Wildlife resource impacts created by the Proposed Action would be largely reversible at the end of its use life for the mine.

No Action Alternative Contribution to Cumulative Impacts

There would be no contribution to cumulative impacts to general wildlife and special status species because the No Action Alternative would not result in any impacts. As such, the No Action Alternative is not analyzed for cumulative impacts to general wildlife and special status species.

PUBLIC HEALTH AND SAFETY

The types of projects or actions that could contribute to impacts to public health and safety include roadway improvement and construction projects, vegetation management, off-highway recreation, agricultural uses, and community development projects. There are a number of roadway improvement projects proposed by Douglas County in the CEAA, though at this time there is not sufficient documentation to evaluate the level of impact associated with these identified projects. Ground-disturbance associated with many of these actions could lead to removal of native vegetation, soil disturbance, and the creation of dust emission. Chemicals associated with treating vegetation and agricultural fields could also pose an impact to human health and safety. A majority of the construction projects would have short-term impacts human health and safety typically during the construction phase and then be reduced at the completion of the project. The proposed projects within the CEAA are unlikely to be constructed at the same time and would have appropriate design features, BMPs, or mitigation measures to reduce short- and long-term impacts as much as practical.

In combination, past, present, and RFFAs would result in moderate, short-term, direct and indirect, adverse impacts to public health and safety. There would be long-terms minor beneficial impacts to public health and

safety by improving accessibility to local infrastructure, improving roadway conditions, reducing emissions from traffic delays, and creating all-weather roadways and wash crossings.

Proposed Action Contribution to Cumulative Impacts

Potential health and safety impacts could result from improper handling and storage or inadvertent spills of hazardous materials, ground disturbance in sites with known or unknown contaminants, electrical hazards, and fire hazards. The mine and associated facilities would be designed and constructed in accordance with all relevant federal and industrial standards, as well as State, and local codes, as applicable. With the implementation of design features and BMPs (**Appendix C**), the potential risk to worker and public health would be minimal. However, the mining activities would be constructed in an area where *Coccidioides immitis*, the fungus that causes Valley Fever, may be present in the soil (Centers for Disease Control and Prevention 2020). Fugitive dust generated by the Proposed Action may increase the risk to workers and the public from exposure to the fungus. Dust-control and other measures would be implemented to minimize the risk of exposure. The introduction of the mine and haul activities would increase vehicles and haul trucks along Johnson Lane and associated BLM roads; however, the vehicles would follow all existing rules, regulations, and laws regarding speed and haul requirements. Additionally, establishing a dedicated OHV parking area would reduce the conflict between OHV users and through traffic.

With the implementation of design features and BMPs (**Appendix C**) such as the use of personal protection equipment and implementation of dust suppressant techniques during construction and maintenance, the Proposed Action would have negligible to minor, short- and long-term, adverse impacts on public health and safety.

The Proposed Action would have a negligible contribution to the cumulative effects to public health and safety because of the introduction of haul truck traffic, removal of traffic conflict, and the reduction of dust from placing material on existing dirt road. Public health and safety impacts created by the Proposed Action would be largely reversible at the end of its use life.

No Action Alternative Contribution to Cumulative Impacts

There would be no contribution to cumulative impacts to public health and safety because the No Action Alternative would not result in any impacts. As such, the No Action Alternative is not analyzed for cumulative impacts to public health and safety.

TRANSPORTATION AND TRAVEL MANAGEMENT

The types of projects or actions that could contribute to impacts to traffic/transportation resources include roadway improvement projects and community development projects. There are a number of roadway improvement projects proposed by Douglas County in the CEAA, though at this time there is not sufficient documentation to evaluate the level of impact associated with these identified projects. The projects proposed within and adjacent to the Project area are at varying stages of the development and environmental review process, and it is unlikely that they would all be constructed at the same time. Projects proposed throughout the CEAA for traffic/transportation are widely spread throughout the CEAA and over time, therefore it is unlikely that their development would lead to measurable impacts on any one roadway or other route. The roadway improvement projects would have a beneficial effect on traffic/transportation within the CEAA.

In combination, past, present, and RFFAs would result in minor to moderate, short-term, direct and indirect, adverse impacts to traffic/transportation. There would also be moderate long-term beneficial impacts from the

roadway improvement projects and enhancing the transportation network. Overall, there is the potential for increased traffic volume on some routes, while reducing congestion and delays on others.

Proposed Action Contribution to Cumulative Impacts

Construction of the mine and associated OHV improvements would lead to a short-term increase in traffic Johnson Lane. The existing vehicle traffic on these routes is well below their engineered capacity and they are capable of accommodating the expected increase in traffic. Design features and BMPs (**Appendix C**) would be implemented to minimize potential effects on traffic/transportation. Therefore, the Proposed Action would result in minor adverse impacts on traffic/transportation resources.

Cumulatively, effects of the Proposed Action, when combined with past, present, and RFFAs, would have a minor contribution to the cumulative effects to transportation and travel management within the CEAA. The Proposed Action would have a minor contribution to the cumulative effects to traffic/transportation due to the relatively small volume of traffic that would be generated.

No Action Alternative Contribution to Cumulative Impacts

There would be no contribution to cumulative impacts to recreation resources because the No Action Alternative would not result in any impacts. As such, the No Action Alternative is not analyzed for cumulative impacts to transportation and travel management.

CHAPTER 4 LIST OF PREPARERS AND CONSULTATION/COORDINATION

Below is a list of the individuals who contributed to the development of this EA.

Name	Title/Responsibility	Agency
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Christina Varela	Realty Specialist	BIA, Western Regional Office
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Amy Roberts	Acting Realty Officer	BIA, Western Nevada Agency
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Hugo Hoffman	Environmental Review	U.S. Environmental Protection Agency
Lisa Beckham	Air Program	U.S. Environmental Protection Agency
Opal Adams	Environmental Planner, NEPA preparation/Cumulative Impacts	McGinley and Associates, Inc., EA Consultant
Gareth Blakemore	Lead Biologist, Biology	McGinley and Associates, Inc., EA Consultant
Benjamin Peterson	Project Manager, GIS Geology	McGinley and Associates, Inc., EA Consultant
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Travis Hansen	Field Supervisor, Cultural Resources	Kautz Environmental Consultants, Inc.

Table Acronyms: BIA – Bureau of Indian Affairs; BLM – Bureau of Land Management; DOI – Department of the Interior; EA – Environmental Assessment

4.1 Consultation and Coordination

The BIA informed the public, landowners, government agencies, tribes, and interested stakeholders about the proposed Project and solicited their comments.

Public Scoping

External public scoping was not initially undertaken based on the mistaken belief that the approval of a routine sand and gravel lease on a rural, uninhabited Indian-owned allotment was of no particular concern to the public and that impacts would be limited to the "private" allotted land. This conclusion was further supported by the fact that BLM had already issued a temporary access easement (which has since been revoked) and that Douglas County, and the Project proponent had reached an agreement regarding roadway maintenance and that that agreement was approved by the Douglas County Board of Commissioners. The public release of the Draft EA in August 2020 via notice in a local newspaper (Record Courier), the County's website and the Project's website, proved these suppositions to be incorrect, garnering some 600 mostly negative comments from members of the public.

The BIA decided to pause the EA preparation process and instead, allow the issuance of that initial Draft EA to serve as the official public scoping component of the NEPA process. The comments received then, would serve to inform the preparation of a new, updated EA reflective of the concerns raised and the new information garnered from BLM, the County, the Project proponent, and others. Comments received are on file at the BIA WRO Phoenix office as a part of the Administrative Record. The summary of scoping comments has been included in Appendix I.

Consultation with Others

The following federal, state, and local agencies were contacted for information, consulted with, or provided an opportunity to consult during preparation of the Draft EA:

- Bureau of Land Management (cooperating agency)
- Douglas County (cooperating agency)
- Douglas County Department of Air Quality
- Nevada Department of Conservation and Natural Resources
- Nevada Department of Transportation
- Nevada Department of Wildlife
- Nevada Division of Environmental Protection
- Nevada Division of Environmental Protection - Bureaus of Air Pollution Control and Air Quality Planning
- Nevada Natural Heritage Program
- Nevada State Historic Preservation Office
- U.S. Environmental Protection Agency, Region 9
- U.S. Fish and Wildlife Service
- Washoe Tribe

Non-Governmental Organizations

Non-governmental organizations, private citizens and state and federal agencies provided comments during the public scoping period. See **Appendix I** for details on the comments received during scoping.

Native American Tribes

Under consultation provisions of the NHPA, BIA approached the following tribes if they attached religious or cultural significance to any historic properties in the project area:

- Reno-Sparks Indian Colony
- Washoe Tribe of Nevada and California
- Yerington Paiute Tribe

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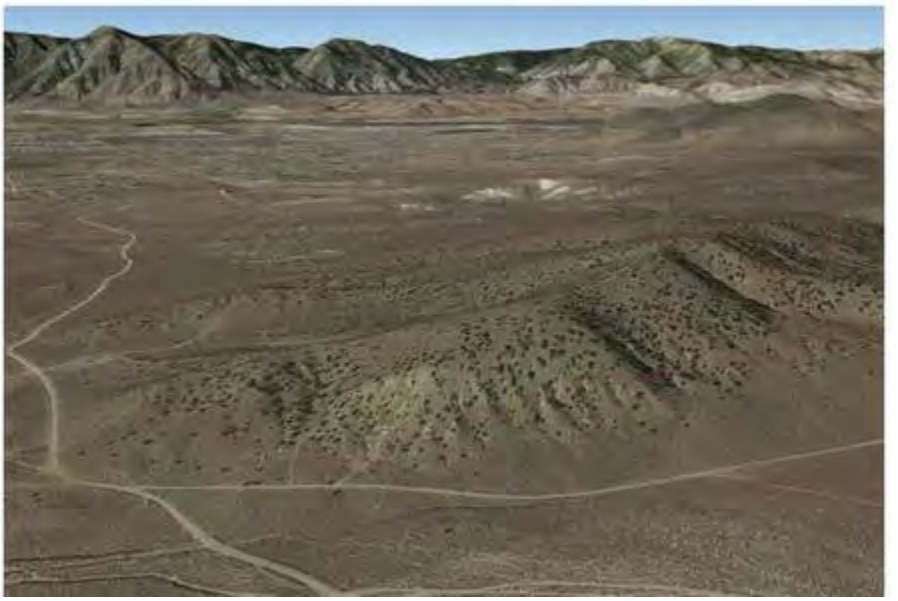
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Appendix A. Mining and Reclamation Plan of Operations



MINING AND RECLAMATION PLAN OF OPERATIONS PAINTED ROCK MINE

Prepared by:

KNOX EXCAVATING

1165 Sawmill Road
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Limit $7,500,000

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1. OPERATOR INFORMATION

Painted Rock Mine will be operated by:

Knox Excavating Inc.
1165 Sawmill Road
Gardnerville, NV 89410

Mine Property Address:

A.P.N. 1321-00-001-001
Land Area: 672
Land Area Name: Washoe
Tract Number: CC 346

Taxpayer ID:

The activities described in this Mining and Reclamation Plan of Operations (Plan) occur on land held by the United States of America in trust for the land owners as listed in **Exhibit 1** within a portion of Section 6 of Township 13 North, Range 21 East, Douglas County, Nevada, Meridian Mount Diablo with a total acreage of 148.8 acres.

EXHIBIT 1

DATE: 1/30/2019 **UNITED STATES DEPARTMENT OF THE INTERIOR** PAGE: 1
TIME: 11:20:52 CST **BUREAU OF INDIAN AFFAIRS** REQUESTOR: AROBERTS
TRACT/OWNER/ADDRESS/INTEREST
Effective Date: 02/25/2015

Tract ID: 672 CC 346
Agency: WESTERN NEVADA AGENCY

Section	Township	Range	County	ST	Meridian	Acres
6	013.00N	021.00E	DOUGLAS	NV	Mount Diablo	148.800

FRY, CHARLOTTE M
25 MORNING DAWN LN
SPARKS, NV 89441-8813
TTL Interest: .1666666667
Ben Interest: .1666666667
Ownership Type: T - Trust

GARDIPE, DARRELL J
514 1/2 N 18TH ST
BISMARCK, ND 58501-4701
TTL Interest: .0416666667
Ben Interest: .0416666667
Ownership Type: T - Trust

GARDIPE, KIMBERLY R
408 W WINNIE LN APT 17
CARSON CITY, NV 89703-2126
TTL Interest: .0416666666
Ben Interest: .0416666666
Ownership Type: T - Trust

GARDIPE, DARYL D
145 MORNING DAWN LN
SPARKS, NV 89441-8814
TTL Interest: .0416666666
Ben Interest: .0416666666
Ownership Type: T - Trust

MCCLOUD, SYLVIA J
250 FANCY DANCE DR
SPARKS, NV 89441-8806
TTL Interest: .1666666666
Ben Interest: .1666666666
Ownership Type: T - Trust

MOODY, STEVEN E
49 RESERVATION RD
RENO, NV 89502-1582
TTL Interest: .0416666667
Ben Interest: .0416666667
Ownership Type: T - Trust

SANTIAGO, MICHAEL ANTHONY
5234 SNYDER AVE
CARSON CITY, NV 89701-6751
TTL Interest: .0555555556
Ben Interest: .0555555556
Ownership Type: T - Trust

SMITH, JUSTIN EARLE
5234 SNYDER AVE
CARSON CITY, NV 89701-6751
TTL Interest: .0555555556
Ben Interest: .0555555556
Ownership Type: T - Trust

SMITH, JOSEPH LAWRENCE HENRY
1040 PAIUTE DR
FALLON, NV 89406-9407
TTL Interest: .0555555555
Ben Interest: .0555555555
Ownership Type: T - Trust

TOBEY, CARLON W
PO BOX 332
WADSWORTH, NV 89442-0332
TTL Interest: .0833333334
Ben Interest: .0833333334
Ownership Type: T - Trust

TOBEY, HENRIETTA A
49 RESERVATION RD
RENO, NV 89502-1582
TTL Interest: .1666666667
Ben Interest: .1666666667
Ownership Type: T - Trust

TOBEY ESTATE, TAMMY A
185 MORNING DAWN LANE
SPARKS, NV 89436
TTL Interest: .0833333333
Ben Interest: .0833333333
Ownership Type: T - Trust

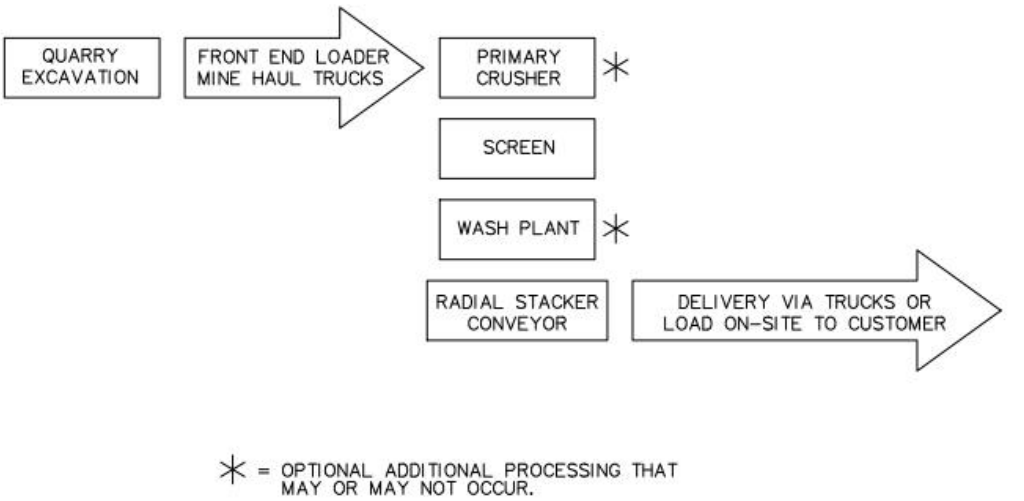
*** * * * End of Report * * * ***

2. DESCRIPTION OF OPERATIONS

Knox Excavating Inc. is proposing to mine the property to produce structural fill, decomposed granite (DG), construction aggregates and any other construction material that the site may reasonably produce. Operations will be conducted in accordance with BIA regulations published in the Code of Federal Regulations (CFR) at 25 CFR part 216 – Surface Exploration, Mining, and Reclamation of Lands. Because of unknown factors which cannot be determined except during the progress of the operations this plan can only be partial and will need to be supplemented from time to time in order to maintain efficiencies and maximize material production and sales.

The land proposed for utilization has been subject to years of recreational shooting, off road vehicles and evidence of camping or bon fires with debris of such activities littering the entire area. The south side of the property can be accessed via an existing maintained road, Sunrise Pass Road. As part of the mining activities Knox Excavating Inc. proposes ancillary activities and facilities associated with access, project water needs, fueling, servicing, storage of equipment; and necessary facilities for identifying, quantifying and sale of material to customers. **Exhibit 2** provides a process flow chart illustrating the operations proposed under this plan.

EXHIBIT 2



Trucks would enter the mine through the entrance gate and specify the material and amount they are there to purchase at the office trailer. They would then be directed by mine personnel to the specific material stockpile to be loaded; after loading they would return to the office trailer to quantify material loaded and receive a bill of sale. During the initial mine operation phase (**Figure 4** – *Initial Mine Operations*) trucks will be loaded and quantified per **Exhibit 3** and sold in cubic yards (CY). After the initial mine operation has been completed the material will be quantified by truck scale and sold in tons.

EXHIBIT 3

Bob Tail	6 CY
10-Wheeler	10 CY
10-Wheeler with Pup	14 CY
Quad Axle	12 CY
End Dump	18 CY
Belly Dump	18 CY
Belly Dump Train	25 CY
Transfer	18 CY
Triple Transfer	25 CY

Knox Excavating Inc. has analyzed available information and utilized the available information to design this proposed mining and reclamation plan. Every effort was made to incorporate best management practices and environmental protection measures to prevent unnecessary or undue degradation of the property as well as any and all adjacent properties.

2.1. SITE OVERVIEW

2.1.1. Previous Activities Conducted on the Site

Portions of the site have been heavily disturbed by heavy off-road vehicle use, recreational shooting as well as camping and/or bonfires. The Site is littered with debris of such activities as well as very well established and worn off-road tracks traverse the property in every direction. By the looks of the site, the general public believes it to be public land and as such treat it with little regard; leaving garbage, spent shells and shot up targets as well as fire rings behind.

2.1.2. Physical Setting

2.1.2.1. Topography and Geology

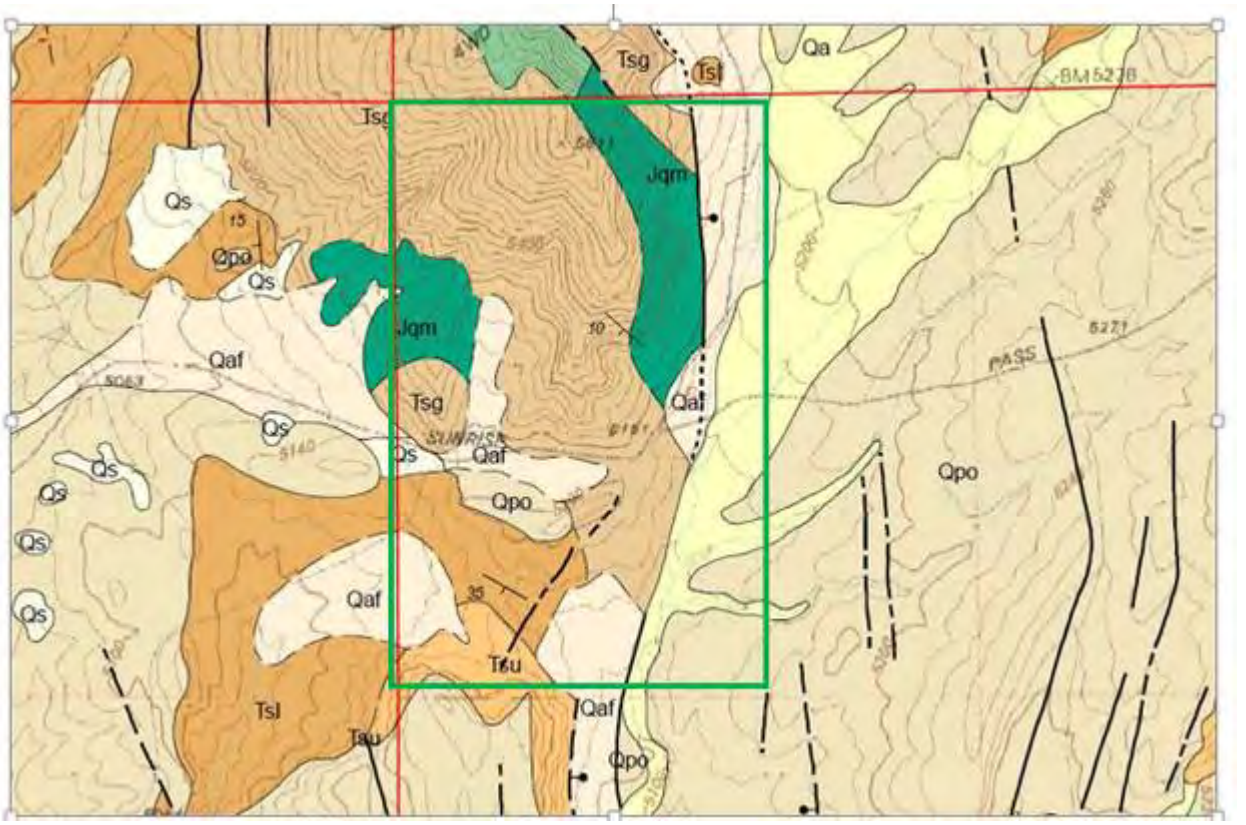
The site is located east of the Minden community in Douglas County Nevada. The parcel is assigned Assessor's Parcel Number 1321-00-001-001 and is located approximately 2 miles past the eastern terminus of Johnson Lane. The site is entirely contained in Section 6, Township 13 North, Range 21 East, Mount Diablo Meridian. The elevation of the site ranges from approximately 5,220 feet above mean sea level (amsl) to 5,600 feet amsl, with the highest elevation occurring near the mid-point of the northern property line. The parcel is bordered to the north, east, south and west by undeveloped land. The Bureau of Land Management (BLM)

owns the parcels north and west of the site, and the parcels east and south are privately held. Access to the site is obtained off of Sunrise Pass Road east of Johnson Lane (see **Figure 1** – *Location Map* and **Figure 2** – *Vicinity Map*).

The site consists of undeveloped land in a semi-mountainous terrain. Topography throughout the site generally rises to the north with high hills within the northern portion and a south facing bowl located in the southern portion of the site. The bowl area is bordered by north-south oriented ridges rising to the north and joining the northern high hills area of the site. The vertical relief within the site is approximately 290-feet, with approximately 60 to 80 feet locally within the bowl area. Gradient within the bowl area is approximately 8 percent to the south and up to 25 percent within the side slopes of the north-south ridges.

The site lies east of Minden in the western foothills of the Pinenut Mountains in an area mapped by the Nevada Bureau of Mines and Geology as Tertiary age Sunrise Pass Formation; sand, gravel, sandstone and conglomerate overlying Jurassic age Quartz Monzodiorite (Garside and Rigby, 2009). The majority of the site is mapped as Sunrise Pass Formation Underlain by Quartz Monzodiorite. Quartz Monzodiorite is an intrusive igneous rock similar to granite and will be referred to as granitic rock. Granitic rock is mapped within the western ridge of the bowl area and along the eastern portion of the site, outside of the bowl area. The majority of the bowl displays surficial alluvial sand and gravel. Site shows sand and gravel alluvium within the central bowl area, decomposed granitic rock within a portion of the western ridge, and sandstone along the northern and eastern ridge of the bowl; see **Exhibit 4**.

EXHIBIT 4



2.1.2.2. Surface and Ground Water

The site is located in a portion of Williams Canyon Subwatershed (U.S. Geological Survey [USGS] Hydrological Unit HUC 12-160502010502) with the western ridge of the bowl being the western watershed boundary and a portion of Saratoga Hot Spring-Carson River Subwatershed (USGS Hydrological Unit HUC 12-160502010504) both being within the Carson Basin (USGS Hydrological Unit HUC 6-16502); see **Exhibit 5**. The property sits on high ground and because the site itself is a bowl it is isolated to rainfall that falls directly onto the parcel. Because it has no streams or upstream watershed contributing to it there is no chance of flash flooding or having to deal with stream beds with the potential to inundate the site during heavy rainfall.

Ground water in the adjacent single-family homes in the area is 120 feet or more per well logs for the area; therefore it is not anticipated that it will be encountered during operations.

EXHIBIT 5



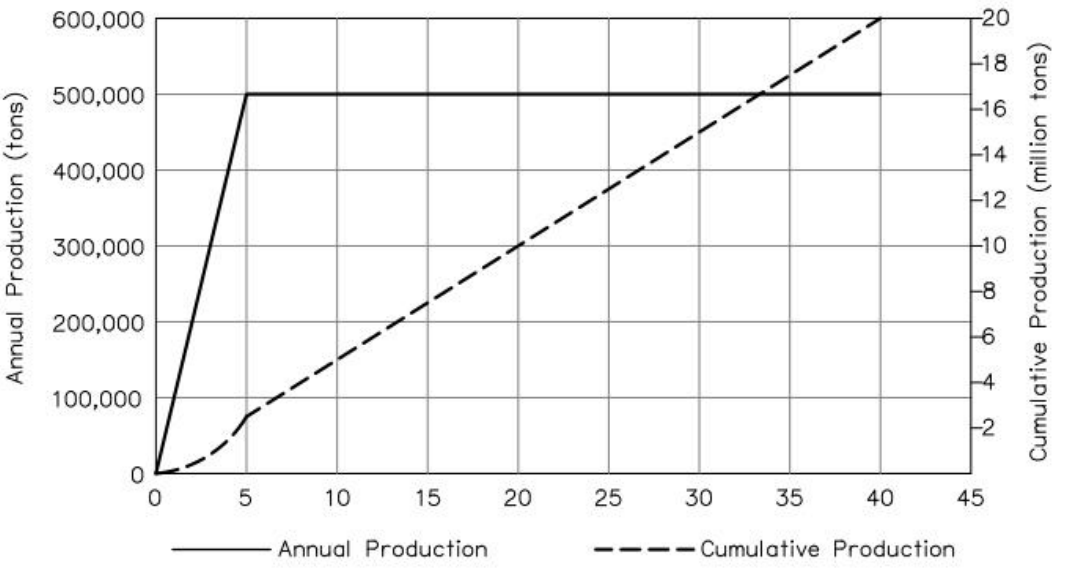
2.2. MINING ACTIVITIES

The total mine and reclamation area are approximately 145 acres (**Figure 3**). This constitutes the area of potential material. The total expected output of the mine if this area proves out would be roughly 29.9 million cubic yard or 44.9 million tons.

2.2.1. Mine Production

The mine production would grow to average approximately 500,000 tons per year over the next several years (based on full production; **Figure 3**). This ramp-up is shown in **Exhibit 6.** Greater detail of expected mining activities within these phases is described in **Sections 2.2.1.1.** and **2.2.1.2.**

EXHIBIT 6



2.2.1.1. Initial Mining Operations

The initial mine activities would begin with the removal of the existing debris and the clearing of vegetation in the bottom of the bowl for the area show in **Figure 4** – *Initial Mining Operation* and will generally consist of the following activities.

1. Removal and piling of vegetation;
2. Excavating bottom of bowl as show in **Figure 4**;
3. Screening and/or stockpiling material for sale;
4. Loading into trucks for sale and off-haul.

The mine excavation is anticipated to extend from the south to the north expanding east and west as it progresses until the initial mining operation has been completed as shown in **Figure 4**. The excavated material will be stockpiled in the mine disturbed area as a pit run (non-screened) structural fill, screened orange book pre-qualified structural fill, Class A backfill, and possibly a drain rock or pea-gravel depending on the material excavated; this material will be loaded from the stockpiles into trucks for sale to customers. During operations

the site water will be supplied by water truck as needed to maintain dust control. Material will be quantified per cubic yard as shown in **Exhibit 3** or by the cubic yards requested by the customer.

The layout of major initial mine feature and facilities are shown in **Figure 4**.

2.2.1.2. Full Production Activities

At full production expected by year five (5) of operations, the expected output from the Painted Rock Mine is approximately 500,000 tons per year with a range of between 1,000 to 2,000 tons per day based upon economic demand. Material would be mined within the boundaries shown in **Figure 3**. Knox Excavating Inc. anticipates mining the material by pushing the cut slopes back as we progress north, east and west. Based on the local condition and customer preference, different portions of the developing mine would be opened through time. As portions of the mine area exhausted, mining would continue in other areas of the mine.

Knox Excavating Inc. would maintain slope stability on all active faces including those where persons work or travel. Loose or unconsolidated material would be sloped to the angle of repose or stripped back for at least 10 (10) feet from the top of the slope. More detailed geotechnical information will be gathered during operations to ensure slope stability and will monitor slope stability in accordance with the requirements of the U.S. Mine Safety and Health Administration (MSHA).

As mining activities expand into undisturbed areas, the following activities would occur:

1. Removal and stockpiling of growth-media and vegetation;
2. Push material down the cut slope and expand bottom of bowl area using rippers, dozer and loader;
3. Load material into screen-stacker or stockpile raw material for sale;
4. Load into trucks for sale.

The excavation of material is anticipated to be suitable for excavation using a bulldozer with rippers, although harder areas may require the use of an excavator. Blasting is not anticipated for any excavation activities. Screening will be implemented to produce different products as well as an unscreened material for a pitrun structural fill.

After the material has been excavated and screened onsite using a portable screen and stacker(s), it would be placed into an onsite stockpile and sold directly to customers. The material (screened or unscreened) would be loaded using a front-end loader into trucks that would be covered and suitable for use on public streets. Material excavation, screening and/or loading would normally occur 40 to 80 hours per week during daylight hours.

No chemicals would be used in the mining process. Water would be routinely sprayed from a water truck onto mine roadways and active stockpiles.

2.2.3. Roads

The access road from end of pavement to the site is Sunrise Pass Road and is an existing unpaved BLM roadway that will be used for daily access with the main entrance leaving Sunrise Pass Road approximately at the midpoint of the southern property line, See **Figure 3.** The entrance road would be unpaved, 30’ wide and gated at the property line; the gate would remain locked outside of operating hours.

Temporary roads would be constructed and maintained within the overall mine disturbance area as needed to perform mining activities. These roads would be designed and constructed to meet the BLM road standards described in Chapter 3 of BLM Manual 9113-Roads but would not be open to the public. These roads are anticipated to be classified as “Resource” or “Local” roads, with a maximum grade of 14 percent. With the

exception of the main entrance road which would be a minimum of 30 feet in width, temporary road width would vary by classification and the expected average daily traffic, but would generally be between 14 and 25 feet in width, not including any potential berms.

Geometric design and construction will follow the guidelines set by U.S. Bureau of Mines Information Circular 8758 "The Design of Surface Mine Haulage Roads – A manual". Roads would be bermed as necessary to meet MSHA specifications.

2.2.3. Utilities

The site has no access to utilities and as such no utility connections are anticipated. Electricity will be provided to the office by a diesel generator with the potential to add solar power to help reduce long term operating costs. Sewer service would be provided by portable toilets, and potable water needs would be met using bottled water. Water needs for dust suppression would be trucked to the site from existing fire hydrants along Johnson Lane approximately 2 miles from the planned mining operations. A contingency plan for additional water, if needed, is being developed where Knox would explor for a potential well onsite to provide water for the operation. The screener and stacker units are self-contained with their own power-generation motor. This and other mine equipment used for the operation would require diesel fuel only and no electrical power sources are required.

2.2.4. Support Facilities

Knox Excavating Inc. plans to operate the mine utilizing temporary structures and facilities, which would be removed when mining operations are completed. These include one or more portable crusher-screen-stacker located in the mine, a staging area within the mine for stockpiles and other material handling, and a mine facilities area.

Anticipated facilities would include the following:

- One (1) portable toilet during initial mining operations and up to three (3) portable toilets during full production activities; and
- One double-walled diesel fuel tank (approximately 10,000 gallons);
- A designated parking area to accommodate mine and support staff vehicles, idle mine equipment, and trucks awaiting loads;
- Modular office building on either concrete foundation or blocks approximately, but not limited to 44 feet by 12 feet.
- Miscellaneous equipment and materials including portable waste receptacles, and other facilities.

The Fuel Tank would be an above-ground, fire-resistant (meeting requirements of the Uniform Fire Code), double-walled storage tank with built-in secondary containment and interstitial monitoring. Double wall design can be monitored for leak detection. The tank would be secured and locked during times when Knox personnel are not on-site. It would be placarded to identify the nature of the fuel, emergency procedures, and emergency phone numbers. Fuel would be off-road diesel. The tank would be secured with protective barriers and berms placed around the fuel tank to prevent accidental or malicious damage by vehicles or equipment.

2.2.4. Equipment

The major pieces of mining equipment generally required to fulfill the production schedule are summarized in **Table 1**. This table reflects potential equipment that may or may not be needed at different stages of the operation and is in no way intended to be viewed as absolute. The specific manufacturer or vender selection and model numbers may vary and fleet size may vary for future mine optimization, but the range of types of equipment and equipment sizes and capacities would be similar to the equipment shown in the table.

TABLE 1

Equipment	Phase	Fleet Size
Bulldozers		
Caterpillar D8, with rippers	Both	1
Grader		
Caterpillar 140M	Both	1
Excavator		
John Deere 350	Both	1
Haul Truck		
Caterpillar 725 to 740 Articulated Dump Truck	Full Production	1
Front End Loader		
John Deere 624 to 844	Initial	1
John Deere 624 to 844	Full Production	2
Water Truck		
Peterbilt 4,000 Gallon	Both	1
Service Truck		
Ford F350 with Compressor, tool cribs, and welding machine	Both	1
Screen Plant		
Powerscreen Warrior 1800 Tracked Screening Plant	Both	1
Radial Stacker		
Powerscreen CT75R Radial Stacker Conveyor	Initial	1
Powerscreen CT75R Radial Stacker Conveyor	Full Production	2

2.3. OPERATING PLANS

Operating plans for proposed activities would include a Water management Plan, Overburden Management Plan, Hazardous and Solid Waste Management Plan, Spill Contingency Plan, Transportation Plan, and a Fire Prevention Plan.

2.3.1. Water Management Plan

Except for dust control, the proposed and anticipated operation is a dry process and does not consume water. Water for dust control would be obtained from existing fire hydrant(s) along Johnson Lane approximately 2 miles from the planned operation. A contingency plan for additional water, if needed, is being developed where Knox would explore for a potential well onsite to provide water for the operation. Because Knox would use clean water either through existing fire hydrants or clean groundwater from an onsite well and processes inert material in its operations, it would not release pollutants into the area or groundwater.

Knox Excavating Inc. will develop and implement through the Nevada Division of Environmental Protection (NDEP) a Stormwater Pollution Prevention Plan (SWPPP) for the site, as described in **Section 4.2**. Proposed activities are not located within active drainage channels or floodplains. All mining activities are a minimum of

50 feet from any potential water of the U.S. Stormwater controls would include construction of drainage swales and berms to limit erosion and transport of fine materials while allowing natural flow of stormwater.

The operation's water needs are principally dust control on the access roads and screener-stacker, but may periodically include water for washing equipment.

2.3.2. Overburden Management Plan

The entire site area appears to be the same material; sandstone and granitic stone. Because of what the nature of the site appears to be, we do not anticipate much, if any, overburden. If areas prove to have overburden that needs removal, it would be removed with a ripper and a loader. Overburden would be stockpiled no more than 50 feet high in various locations along the mine boundary as replacement for site grading and re-contouring during reclamation efforts.

Management of overburden includes estimating the amount to be excavated, evaluating the potential reclamation uses for the material, and designing storage areas for the material.

The removal of overburden, if needed, would be performed periodically throughout the life of the mine and used for reclamation purposes. The overburden would be handled by a rubber tire front-end loader and transported by truck to stockpiles or reclamation areas along the outer edge of the proposed operations.

2.3.3. Hazardous and Solid Waste Management Plan

No hazardous waste would be produced at Painted Rock Mine. The material is biologically and chemically inert. Chemical analysis to show that the material is inert could be provided upon the request of BIA. Any materials such as contaminated grease, unused chemicals, paint related materials, spend batteries, and reagents that may be classified as hazardous waste would be shipped offsite for disposal as necessary. If disposal of the aforementioned items is required, Knox plans to dispose of these materials using the most permanent, legal, and practicable disposal method available.

In general, waste would be managed in dumpsters or other appropriate containers. All containers would be covered or weighted to prevent blowing trash. Trash from the office area would be bagged. A waste disposal company would be contracted as necessary to manage wastes other than debris or construction wastes.

Grease associated with the mining, milling, and other operational equipment would be placed into drums or other bulk containers suitable for recycling. If the grease is not suitable for recycling, the contained waste would be sent offsite for disposal. While on-site, the containers would be managed in an area that would provide secondary containment.

On-site fueling of the off-road equipment and portable plant would be done form a portable diesel tank. All other vehicles would be fueled either offsite or at the fueling station located onsite. In the event that hazardous or regulated material, such as diesel, is spilled, measures would be taken to control the spill and the appropriate agencies would be notified. Mine employees and contractors would maintain spill kits onsite for use in the event of a spill.

Used oil from maintenance activities would be managed in bulk containers with secondary containment to ensure there is no release to the environment. Only oil acceptable for recycling would be placed in the bulk containers. Used oil not acceptable for recycling would be placed in a contained used oil tank for proper disposal.

Waste tires would not be stored onsite and would be removed as soon as they are taken off the equipment and/or vehicle.

Portable restroom facilities would be maintained by outside contractors and accumulated human waste would periodically be collected and transported to an approved disposal site. No waste would be buried onsite.

2.3.4. Transportation Plan

Temporary access routes within the ultimate disturbance area would be planned for minimum width needed (14 to 25 feet in width) for safe operations and would follow natural contours where practicable to minimize cut and fill. The main haul road within the mine footprint would be approximately 50 feet wide. A grader would perform maintenance on the access roads as needed. Roads would be maintained for safe passage. Maintenance would include smoothing ruts, bumps, and washouts created by seasonal storms. No new access routes into the site are anticipated.

Public access to the site would be controlled by the entrance gate as well as fencing and/or signage to prevent unauthorized site access. The gate would be locked after working hours. Traffic and no trespassing signs would also be affixed to the gate consistent with requirements of the inspector. Vehicle speed would be restricted to 5 miles per hour (mph) for safety and dust control. Speed limits and maximum vehicle weight would be posted at the entrance/exit.

During peak production, Knox anticipates that Painted Rock Mine operations would add 30 to 85 truck trips per day, depending on the size of the truck. It would also add a small number of miscellaneous round trips for fuel, supplies and personnel. No road modifications or improvements are anticipated to be required to support haulage of material on existing BLM , County, State or Federal roadways.

It is anticipated that the mining operation would use about 12,000 to 24,000 gallons of water per day during time of peak production for dust suppression. Depending on the size of the truck that is in use (Between 2,000 and 4,000 gallons), this would entail between 6 and 12 trips per day.

2.3.5. Fire Prevention Plan

The site is located within the Carson City District, administered by the BLM Carson City Office. The site contains a variety of fuel types from weeds to sagebrush to pine.

Knox Excavating Inc. would comply with all applicable local, state and federal fire laws and regulations and would maintain all reasonable measures to prevent and suppress fires at the site. Knox would identify and maintain policies that apply best management practices for fire prevention, including prohibiting parking of vehicles on top of vegetation, prohibiting smoking on site unless in designated areas, proper removal of vegetation cleared from the site and proper storage and containment of fuels and other ignitable materials.

Handheld and large equipment (e.g. saws, tractors) used for vegetation clearing would be maintained in proper working condition. Planning and prevention of fires is also managed through the appropriate handling and storage of fuels, inspections and record keeping, spill prevention and response procedures and proper use of safety equipment.

To protect individuals from initial developing fires, Knox would have water that would be available to assist in firefighting operations. Knox would ensure that all mobile equipment be equipped with fire extinguishers, hand tools, and first aid kits. During extended periods of time of non-operation or seasonal closure, all equipment and supplies would be removed from the site.

The National Fire Protection Association (NFPA) established NFPA 10, which is the Standard for Portable Fire Extinguishers. NFPA 10 mandates the type, size, placement, and minimum number of extinguishers required for each building and vehicle. Fire extinguishers would be installed in accordance with this standard during operation.

In the event of an initial, small fire that does not create enough smoke, flame and heat to prevent fighting the fire using a hand-held fire extinguisher or a small water hose, and providing workers would not be endangered, Knox personnel would use hand-held fire extinguishers and water hoses to make a reasonable effort to extinguish the fire. If two or more people are present, one would fight the fire while one reports the size, type, and location in the event the fire grows out of control to the Douglas County Dispatch Center. Personnel would not directly engage any fire which is beyond the incipient stage, i.e., a fire which has progressed to the point it has substantially involved any structure/equipment.

Knox Excavating Inc. will coordinate with local law enforcement and fire departments to provide 24-hour access as needed for emergency response.

2.4. SCHEDULE OF OPERATIONS

For the foreseeable future, mining operations would depend heavily on demand and generally occur year-round weather pending with 40 to 80 hours a week during daylight hours. The overall life of the mine is anticipated to be a minimum of 40 years.

3. RECLAMATION PLAN

This chapter describes a proposed approach for reclaiming land disturbed on the site.

3.1. Purpose, Approach, and Schedule

This Reclamation Plan discusses the proposed reclamation approach, general reclamation schedule, potential cover material sources, revegetation plan, and conceptual plan for reclaiming the site.

The purpose of the reclamation plan is to return the site to pre-mining land uses. To the extent practicable and in accordance with the applicable regulations and guidelines, the site would be reclaimed to condition similar to the surrounding area. Naturally steep slopes would be left intact.

Generally, the proposed reclamation and closure activities are intended to promote the establishment of self-sustaining ecosystem consistent with the biotic communities of the surrounding area, with consideration of the specific conditions that exist at the site. Post-closure monitoring and maintenance would follow reclamation to ensure the success of the program and compliance with performance criteria. Concurrent reclamation is planned throughout the life of the operation.

According to 43 CFR part 3809, reclamation means taking measures (Following disturbance of land caused by mining operations) to meet applicable performance standards and achieve closure conditions required by BLM. Components of reclamation include, where applicable:

- Regrading and reshaping land where needed to a 3H:1V slope;
- Placing growth medium and establishing self-sustaining vegetation;
- Removing buildings, structures, or other support facilities;
- Removing all equipment and other infrastructure;
- Providing for post-mining monitoring, maintenance, or treatment.

Reclamation and closure of the mine area would include:

- Ensuring 3H:1V slopes and regrading as needed to ensure stable slopes that would reduce erosion;
- Regrading and revegetating the reclaimed surfaces; and
- Maintaining and constructing drains, swales and berms as practicable for stormwater management.

To facilitate long-term stability, revegetation, and erosion protection, slopes would be graded and/or re-graded where possible to achieve the desired slope that would provide for a structurally and erosionally stable surface. Recontouring would enhance natural drainage in selected areas, as needed. Supplemental erosion protection may be applied where necessary.

3.2. Revegetation

Reclaimed areas on the site would be revegetated with a BIA-approved seed mix. These areas would be revegetated at the appropriate time of the year for optimum seed germination and plant growth.

3.2.1. Growth Media

Generally, initial seedbed preparation on flatter surfaces would include ripping or discing the surface along contours. Conventional seeding techniques would be used as appropriate depending on soil/cover characteristics and landform. Hydroseed and tackifier may be used on slopes that are not suitable for conventional seeding.

3.2.2. Seed Mix

Revegetation would require site-appropriate, BIA-approved native seed mixtures. A diverse native plant community would be targeted through the definition of seed mixtures and application rates. The seed mix list would be reviewed before revegetation activities are initiated to confirm the availability of the seeds, and the list would be adjusted as needed. The seed mix and mulch materials would be certified by the revegetation contractor to be weed free.

The seed mix would be designed to meet the following criteria:

- Native non-invasive species that have a high compatibility with the existing surroundings;
- Species and plant type diversity to promote a sustainable vegetative cover throughout the seasonal changes and other climate related variances; and,
- Species and plant type diversity to promote a variety of germination periods and seasonal growth.

3.3. Removal of Equipment and Facilities

Generally, the strategy for reclamation and closure of equipment and facilities would include:

- Removing temporary instrumentation and equipment, utilities, and unneeded access roads; and,
- Reclaiming disturbed surfaces by ripping and/or covering and reseeding.

3.4. Road Closure

The main entrance road would remain in use during the post-closure period to provide access for post-closure land uses.

Closure of roads that are not needed for post-closure access would involve demolishing fill while maintaining satisfactory drainage. The abandoned road surface would be scarified by ripping, if necessary. Where needed, rock or earthen berms would be placed to prevent vehicular access. The road corridors would be reclaimed by treatment with seed mix to promote revegetation.

4. ENVIRONMENTAL PROTECTION MEASURES

4.1. Prevention of Unnecessary or Undue Degradation

Knox Excavating Inc. would prevent unnecessary or undue degradation of the land by complying with BIA's terms and conditions related to the specific mining and reclamation activities and with other federal and state laws related to environmental protection and protection of cultural resources.

Knox Excavating Inc. would commit to the following environmental protection measures to prevent unnecessary or undue degradation during project activities. The measures are derived from the general requirements established in 43 CFR 3809.420, as applicable, as well as other state and federal regulations.

4.2. Surface Water and Groundwater

Surface water within the site consists of stormwater runoff. A SWPPP would be developed in accordance with NDEP and implemented to control sedimentation from disturbance associated with mine activities. BMPs would be installed to manage stockpile areas and other disturbed surfaces. Sediment control structures would include, but not be limited to fabric and/or hay bale filter fences, siltation or filter berms, and downgradient drainage channels in order to prevent unnecessary or undue degradation.

Direct runoff of water used for dust control shall be limited to the extent practicable and shall not cause downstream erosion or flooding nor cause an exceedance of applicable water quality standards.

4.3. Spill Containment

As discussed in **Section 2.3.3.** Knox will manage storage and usage of oil-based production during operations. Only minor servicing of mobile equipment would be conducted at the Painted Rock Mine, limiting the potential for diesel fuel spills. Spill response kits shall be maintained to ensure that pollutants are prevented from entering into washes. Any pollutants generated by mining or transportation activities shall be properly disposed of in accordance with applicable regulations. Knox would handle and store all hazardous materials according to local, state, and federal regulations and standard operating procedures. Any spills of hazardous materials would be reported and remediated in accordance with local, state, and federal regulations

4.4. Erosion and Sediment Control

Knox Excavating Inc. would implement BMPs for erosion and sediment control measures identified in the SWPPP. The effectiveness of erosion control measures would be monitored during the mining operation.

4.5. Air Quality

Air quality impacts associated with the Painted Rock Mine would be primarily from fugitive dust generation by vehicles and equipment during operations. Mining activities that have the potential to release regulated pollutants include the following:

- Road dust emissions at the mine site and from haulage and occasional support vehicle travel along the access roads.

- Additional wind-blown dust erosion emissions from the disturbed stockpile or disturbed mine area.

Emissions of fugitive dust from disturbed areas and operations would be minimized by utilizing appropriate control measures including but not limited to the following:

- Surface application of water to roadways and process areas, speed limit controls for operating equipment, and using covered trucks.
- Concurrent reclamation would be completed where possible to reduce the amount of disturbed area at any given time as much as practicable
- Overburden Stockpiles (if any) would be seeded to reduce erosion and decrease fugitive dust.
- Vehicle speed would be restricted to 5 mph for safety and dust control. Speed limits and maximum vehicle wight would be posted at the entrance/exit.

4.6. Solid and Hazardous Wastes

Knox Excavating Inc. has a Hazardous and Solid Waste Management Plan that includes the following practices:

- Knox Excavating Inc. would properly dispose of waste oil, other related fluids, filters, oily rags, etc. in appropriate disposal locations. Operational litter would be collected in appropriate containers and removed as required from the site. Project-related refuse would be hauled to the authorized landfill for disposal. No refuse would be disposed onsite. If a hazardous or regulated material, such as diesel fuel is spilled, the area would be cleaned, and the appropriate agency notified.
- In general, waste would be managed in dumpsters or other appropriate containers. All containers would be covered or weighted to prevent blowing trash. Trash from the office area would be bagged. A waste disposal company would be contracted as necessary to manage wastes other than debris or construction waste.
- Grease associated with the mining, milling, and other operational equipment would be placed into drums or other bulk containers suitable for recycling. If the grease is not suitable for recycling, the contained waste would be sent offsite for disposal. While on site, the containers would be managed in an area that would provide secondary containment.
- On-site fueling of the off-road equipment and portable plant would be done from a portable diesel tank. All other vehicles would be fueled offsite or at the fueling station located on the site. In the event that hazardous or regulated material, such as diesel, is spilled, measures would be taken to control the spill and the appropriate agencies would be notified. Mine employees and contractors would maintain spill kits onsite for use in the event of a spill.
- Used oil from maintenance activities would be managed in bulk containers with secondary containment to ensure there is no release to the environment. Only oil acceptable for recycling would be placed in bulk containers. Used oil not acceptable for recycling would be placed in a contained used oil tank for proper disposal.
- Waste ties would not be stored on site and would be removed as soon as they are taken off the equipment and/or vehicle.

- Portable toilet facilities would be maintained by outside contractors and accumulated human waste would be periodically collected and transported to an approved disposal site. No waste would be buried onsite.

4.7. Fire Safety and General Safety

Knox Excavating Inc. would implement the following:

- Fire Prevention Plan described in **Section 2.3.5.** Approved Fire extinguishers would be located on all pieces of mobile equipment and heavy equipment and stored water would be available onsite to assist in firefighting. Knox will coordinate with local law enforcement and fire departments to provide 24-hour access as needed for emergency response.
- There would be no parking of vehicles on top of vegetation.
- Smoking would be prohibited on site unless in designated areas.
- Vegetation cleared from the site would be properly stockpiled or removed.
- All fuels and other ignitable material would be contained and stored properly.
- Cellular telephone service is available at the project site for emergency and other communications. Knox employees would be trained in proper emergency response, incident reporting, and general health and safety issues as part of the initial and annual refresher MSHA-required training.
- Mine access will be gated and signed. Active mining operations will be conducted in accordance with MSHA and/or OSHA regulations.
- Vehicle speed would be restricted to 5 mph within the project area.

4.8. Maintenance and Public Safety

Knox Excavating Inc. would maintain public safety throughout the life of the mine. All equipment and other facilities would be maintained in a safe and orderly manner. The Painted Rock Mine would be inspected periodically and would operate under applicable MSHA and/or OSHA safety regulations. All employees would receive MSHA-required initial and annual refresher safety training.

Mine access will be gated and signed with the site being fenced and/or signed to prevent unauthorized site access.

4.9. Migratory Birds

Surface disturbing activities that occur during the migratory bird nesting season from March 1st to August 31st, annually would have pre-construction avian surveys conducted in appropriate habitats by qualified, BIA-approved biologists not more than seven days prior to surface disturbing activities commencing. The specific area to be surveyed would be based on the scope of the surface disturbing activities, as determined by the qualified biologist, in coordination with the authorized officer's representative. If ground disturbing activities do not take place within 7 days of surveys, the areas would be resurveyed. If nesting migratory birds are detected during surveys, appropriate buffers determined by the BIA, in coordination with other state and federal wildlife agencies, would be applied. Buffers would remain in effect until the qualified biologist determines the young have fledged or the nest has failed; this determination would be communicated to the authorized officer's representative for review and approval.

Any infrastructure for the project would be designed and constructed in a manner that does not allow open pipes that birds or other wildlife could be trapped. This includes fencing, gates, or other materials with open holes. All open pipes would be capped or secured so that wildlife cannot access.

4.10. Noxious Weeds, Invasive and Non-native Species

To prevent the establishment of noxious weeds, Knox would conduct spring and fall surveys, performed by a qualified individual, of the project area, including stockpiles to determine the presence of noxious weeds. Noxious weeds would be controlled through implementation of preventive BMPs and eradication measures if noxious weeds were found. The applicable BMPs and eradication measure would be coordinated with the BIA prior to implementation.

To eliminate the transport of vehicle-borne noxious weed seeds, roots, or rhizomes, all vehicles and heavy equipment used for the completion, maintenance, inspection, or monitoring of ground disturbing activities, for emergency fire suppression, or for authorized off-road driving within the project area would be free of soil and debris capable of transporting weeds. All such vehicles and equipment would be cleaned with high power or high-pressure equipment prior to entering the project area. Vehicles used for emergency fire suppression would be cleaned as part of a check-in and demobilization procedures. Cleaning efforts would concentrate on tracks, feet, and tires on the undercarriage. Special emphasis would be applied to axles, frames, cross members, motor mounts, on and underneath the steps, running boards, and front bumper/brush guard assemblies. Vehicle cabs would be swept out and refuse would be disposed of in waste receptables.

4.11. Cultural Resources

In the event of an unanticipated discovery of cultural resources, the proponent would stop all work at the discovery site and contact BIA to determine next appropriate steps under 36CFR800.13(b).

4.12. Paleontological Resources

Knox would not knowingly disturb, alter, injure, or destroy any scientifically important paleontological deposits. Any paleontological resources discovered during construction activities would be administered in accordance with the principles and recommendations found in the Assessment of Fossil management of Federal and Indian Lands (DOI 2000).

5. MONITORING PLAN

Slope stability would be monitored daily in accordance with MSHA.

The closed facilities would be monitored to ensure that vegetation is established, review the integrity of surface water control structures, and evaluate cover erosion and geotechnical stability. Upon the implementation of the final reclamation, annual monitoring and reporting of the reestablishment of vegetation would be conducted for a period of 5 years.

The Painted Rock Mine operations consist of excavating and transporting geologically inert materials. The mined materials are not chemically-treated; therefore, mining operations do not require storage and maintenance of chemical treatment processes. The mine is not expected to require individual permits for impacts to any air quality resources, surface water resources, or groundwater resources. The Painted Rock Mine poses relatively low risks of environmental impacts and therefore would not require extensive monitoring at closure.

6. INTERIM MANAGEMENT PLAN

An interim management plan, required under 43 CFR 3809.424, outlines and establishes actions required during periods of temporary or seasonal closure to avoid causing unnecessary or undue degradation. Knox Excavating Inc. does not anticipate any planned periods of non-operation; however, in the event of a temporary closure exceeding one (1) year, Knox would commit to the following actions outlined within the Interim Management Plan.

Knox Excavating Inc. would notify BIA in the event of any unplanned, temporary closure lasting for more than one year.

6.1. Measures to Stabilize Excavations and Workings

Following the excavation of material, the exposed soil would be recontoured, scarified and reseeded or stabilized until revegetation is appropriate. If necessary, filter fabric, straw or mulch would be used to stabilize exposed soils. Knox would only complete final reclamation on an area when no further disturbance is planned in that area, but temporary stabilization measures would be applied during periods of non-operation to prevent erosion. A SWPPP would be prepared for the site that would detail temporary and permanent BMPs that would be followed throughout the life of the mine.

6.2. Provisions for the Storage or Removal of Equipment, Supplies and Structures

Equipment and Supplies would be removed from the site both for liability reasons and to ensure environmental protection.

6.3. Measures to Maintain Safe and Clean Conditions

During unanticipated periods of non-operation, Knox would conduct regular periodic inspections of the mine area. During periods of non-operation greater than one (1) year, know would remove trash and unneeded mobile equipment from the site.

FIGURES



FIGURE 1
LOCATION MAP
LAND ALLOTMENT C-346

APN 1321-00-001-001 (148.8 ACRES)

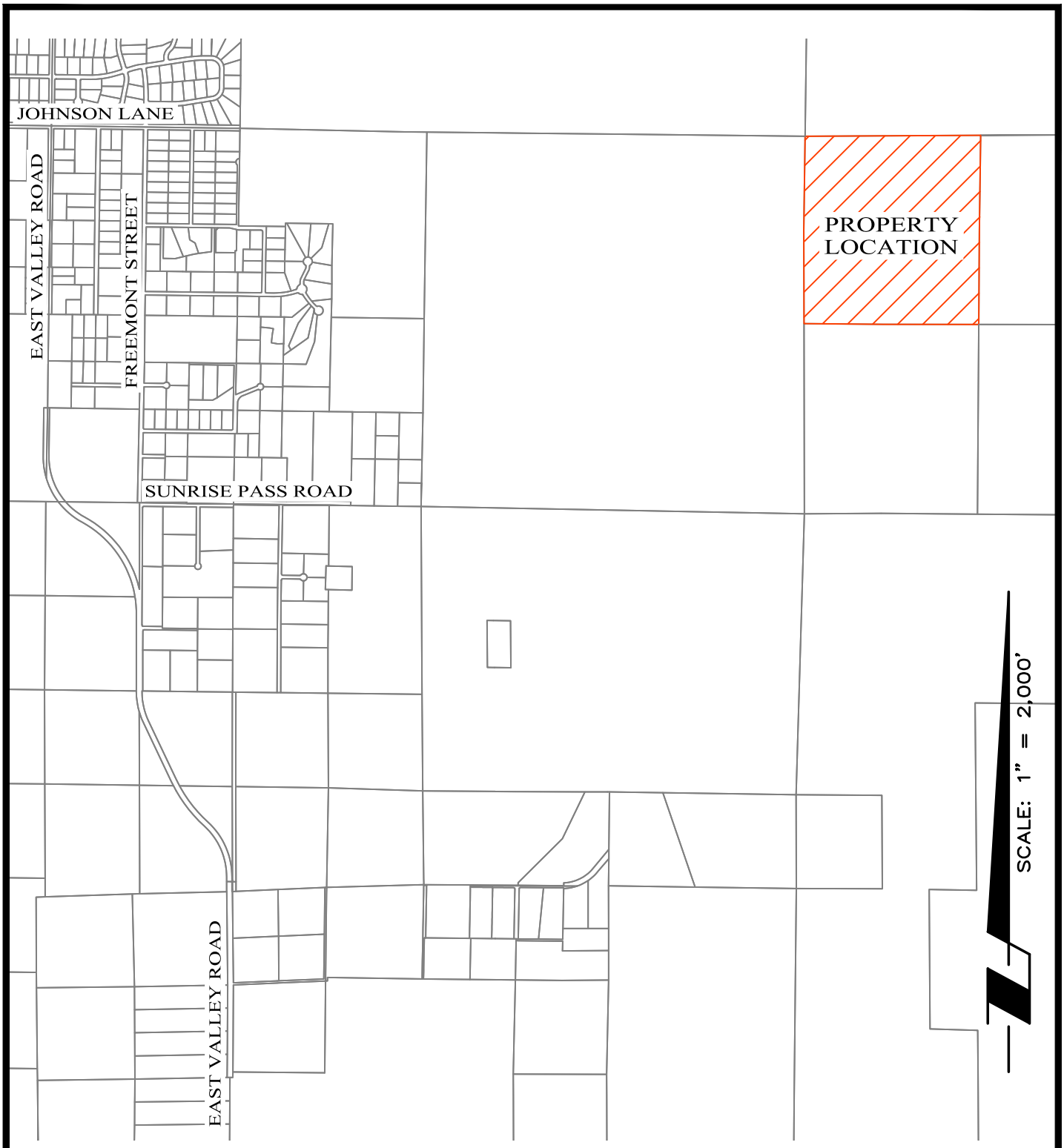


FIGURE 2
VICINITY MAP
LAND ALLOTMENT C-346

APN 1321-00-001-001 (148.8 ACRES)

APN 1420-00-002-013
BLM
4,588.29 ACRES

APN 1421-00-002-001
BLM
5,611.17 ACRES

PROPERTY BOUNDARY

APPROXIMATE DAYLIGHT

3:1 SLOPE (TYP.)

APN 1320-01-000-001
BLM
647.85 ACRES

PROJECT LOCATION
APN 1321-00-001-001
BIA DICK, TOUCHE CC346
160 ACRES

APN 1321-00-001-002
BIA DICK, MARY CC347
160 ACRES

PROPERTY BOUNDARY

OFFICE TRAILER

ENTRANCE GATE

PARKING AND PORTABLE TOILET(S)

PROPERTY BOUNDARY

SUNRISE PASS ROAD

JOIN EX. ROAD

EX. ROAD

APN 1321-00-001-006
BIA CHARLEY, LITTLE CC378
160 ACRES

APN 1321-00-001-007
BIA CHARLEY, SUSIE CC379
160 ACRES

SCALE: 1" = 200'

1 0 1 2
200 0 200 400
SCALE: 1" = 200'

KNOX EXCAVATING

KNOX EXCAVATING PAINTED ROCK MINE

FIGURE 3
CONCEPTUAL MINE PLAN

SCALE: 1"=200'
DATE: 04/08/2019
JOB: SUNRISE PASS
SHEET: 1
OF: 1 SHEETS

APN 1420-00-002-013
BLM
4,588.29 ACRES

APN 1421-00-002-001
BLM
5,611.17 ACRES

PROJECT LOCATION
APN 1321-00-001-001
BIA DICK, TOUCHE CC346
160 ACRES

APN 1320-01-000-001
BLM
647.85 ACRES

APN 1321-00-001-002
BIA DICK, MARY CC347
160 ACRES

APPROXIMATE DAYLIGHT

3:1 SLOPE (TYP.)

2%

INITIAL SCREEN LOCATION. SCREEN WILL BE MOBILE AND MOVE WITHIN THE MINE AREA.

OFFICE TRAILER

ENTRANCE GATE

PARKING AND PORTABLE TOILET(S)

JOIN EX. ROAD

EX. ROAD

SUNRISE PASS ROAD

APN 1321-00-001-006
BIA CHARLEY, LITTLE CC378
160 ACRES

APN 1321-00-001-007
BIA CHARLEY, SUSIE CC379
160 ACRES

SCALE: 1" = 200'

1 0 1 2
200 0 200 400
SCALE: 1" = 200'

KNOX EXCAVATING

KNOX EXCAVATING
PAINTED ROCK MINE

FIGURE 4
INITIAL MINE OPERATIONS

SCALE: 1"=200'
DATE: 06/03/2019
JOB: PAINTED ROCK MINE
SHEET: 1
OF: 1 SHEETS

Appendix B. Plan of Development

Bureau of Land Management
Plan of Development (POD)
Sunrise Pass Road and Johnson Lane
Douglas County
Nevada

POD Document
Right of Way

Prepared By:
Knox Excavating
1165 Sawmill Road
Gardnerville, NV 89410

Submitted to
Bureau of Land Management

April 2019

Bureau of Land Management
Plan of Development Document

1.0 Purpose and Need

Knox Excavating is requesting a 60 foot right away for access and maintenance along the existing Sunrise Pass Road from the end of pavement for approximately 1.5 miles at which point it enters BIA Land Allotment CC-378 as well as the BLM road that begins at the end of Johnson Lane pavement for approximately 1.3 miles until it meets Sunrise Pass Road. The purpose and need of this request for access and maintenance of the existing roads are:

- Access to BIA Land Allotment CC-346 with equipment and tractor trailers
- Improve Safety
- Improve Accessibility
- Maintain on a more regular basis
- Eliminate roadway closure due to washout conditions

A. Type of system or facility?

Nothing new will be built and no new disturbed area is being proposed. The existing road(s) will be re-graded to remove ruts and washout areas in order allow for the travel of tractor trailers from pavement to BIA Land Allotment CC-346 and back to pavement at either Sunrise Pass Road or Johnson Lane. In addition to the road itself being cleaned up and fixed the water bars will also be cleaned out so they can work as intended. No new areas will be disturbed during these operations, only the improvement and maintenance of the existing road(s) is proposed.

B. What is the use?

The existing roadway will continue to serve its existing use only in a more regularly maintained condition. The existing use being to allow public access as well as fire access into the pine nuts as well as a number of private parcels the only addition to existing use being the more regular access to BIA Land Allotment CC-346.

C. What is the Size?

The existing roadway access and maintenance project is a combined 2.8 miles (1.5 miles of existing Sunrise Pass Road and 1.3 miles of BLM Road from Johnson Lane to Sunrise Pass Road). The existing roadway(s) varies from 35' (45' disturbed) to 24' (30' disturbed) with water bars. The proposed roadway(s) will remain in the exact footprint with regular maintenance of the existing roadway(s) and water bars.

D. Does the proposal involve new construction, reconstruction or improvement on an existing road?

The proposal involves the improvement and regular maintenance on two existing roads.

E. Is the use temporary or permanent?

The two BLM dirt roads are existing, and the use of the roads is permanent.

F. Type and volume of traffic that is anticipated.

It is anticipated that an increase in daily traffic volumes to be 25 average truck trip ends per day with an estimated average daily truck trips of 51 per day. These volumes will be

roughly split between the two existing roads; Sunrise Pass Road and BLM Road to Johnson Lane. The existing road varying width for both roads of 24' to 30' (12'-15' Lanes) meets and/or exceed the minimum design standard two-way traffic of 20' width (10' Lanes) per NDOT "Road Design Guide" section **1.3 Low Speed Facilities (50mph and below)**.

Notes:

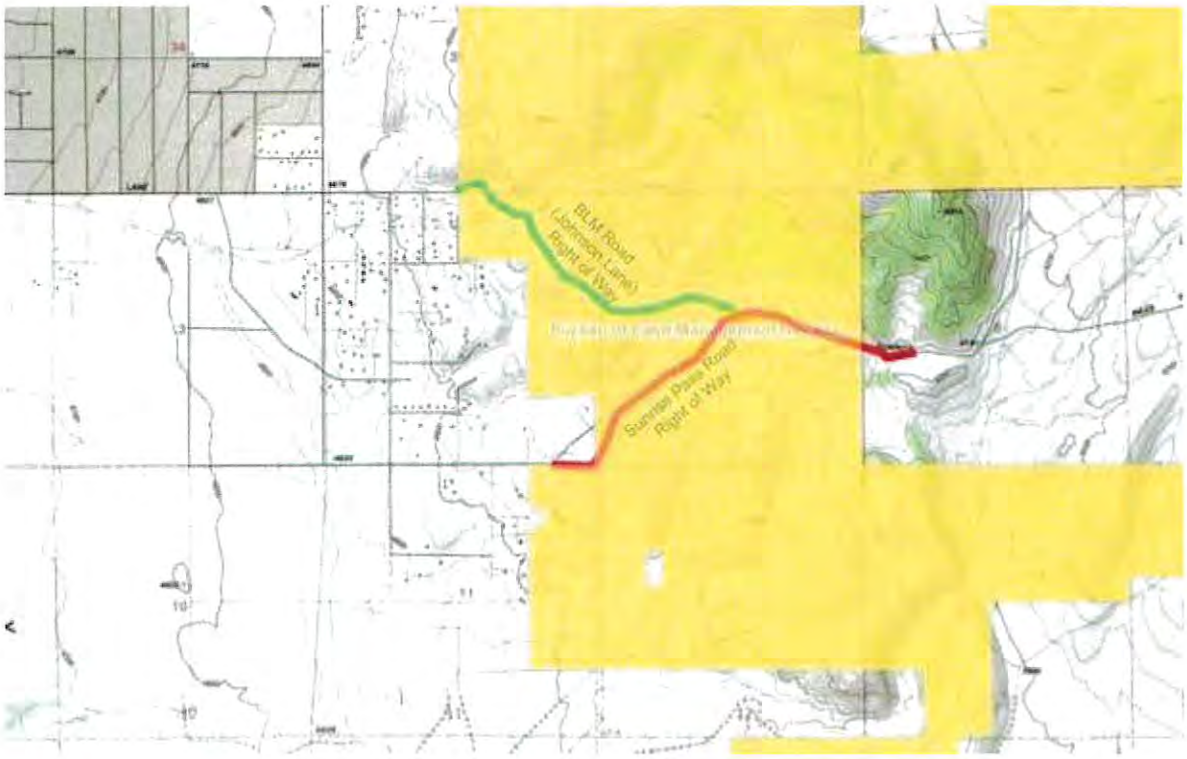
1. Assumes truck & trailer haul average of 16 cubic yards per truck.
2. Assumes truck, trailer with pup haul average of 26 cubic yards per truck.
3. Assumes material haul is accomplished using 70% truck & trailer; 30% truck, trailer & pup.

G. Season of use

Portions of both existing roads may at times be impassable after severe storms until the current maintenance schedule is due, this project will alleviate that issue and provide a roadway that is passable with maintenance beginning immediately after the storm has passed.

2.0 Right of Way Location

The location of the requested 60 foot right of way will be centered on the existing BLM roads as described above, shown on the attached Exhibit and generally shown in the location map presented below.



3.0 Maintenance Intensities

Level 5: Route for high (maximum) maintenance due to year-round needs; to be maintained open on a year-round basis. Maintenance Objectives:

- High (Maximum) maintenance intensity
- The entire route will be maintained at least monthly. Problems will be repaired immediately as discovered.
- Generally maintained for year-round traffic
- Perform preventative maintenance as required to generally keep the rout in acceptable condition.
- Features such as the existing ditches and water bars will be maintained to generally keep them in good and functional condition.

4.0 Maintenance Methods

The purpose of the maintenance is to avoid the deterioration of the road surface, which may impair traffic flow and traffic safety, among other things. Proper, timely and selective surface maintenance, which includes the ditches and water bars prevents and minimizes erosion problems, thereby lengthening the life of the road surface and is the goal of this program. All work shall at all times be confined to the existing disturbed area of the proposed right of way. The material needed for maintenance will be stored on BIA Land Allotment CC-346. Maintenance will be done as follows:

- Do **NOT** disturb roadway sections which *do not* need maintenance while repairing, blading, or grading those section which do.
- When routine maintenance is being performed, limit the amount of disturbed areas to that which can be re-established to the desired condition by the end of the work day.
- The roadway shall be moisture conditioned and re-compacted immediately after grading/repair work has been completed.
- Periodically clean ditches and water bars of sediment to allow for proper function and avoid potential "washout".
- If material is to be added to the road surface; lightly scarify the existing surface before adding new material to blend the soils and improve cohesion.
- The entire width of the roadway disturbed by grading shall be moisture conditioned and compacted by the end of the day.
- Positive drainage to road ditches and water bars must be established throughout the entire finished road surface.
- During expected heavy traffic periods a water truck shall be available to moisture condition the road during use and for general dust control.
- Rutting shall be corrected by adding suitable material, grading, crowning, moisture conditioning and rolling the road surface.
- Washboarding shall be corrected by lightly scarifying the road surface while damp, regrading, re-establishing the crown and compacting the surface.
- Potholes shall be corrected by patching with well-graded material, moisture conditioning and compacting.

- Inspect all ditches and water bars after major storm events for obstructions, erosion or bank collapse.
- Clean out ditches and water bars when they become clogged with sediment or debris, to prevent ponding, bank overflows and road washouts.
- Re-grade ditches only when absolutely necessary and line with stone as necessary. Re-grading of ditches shall be limited to late spring or summer, after spring rains have diminished and drier weather has set in.

5.0 Maintenance Equipment

Standard construction equipment will be utilized for the maintenance procedures listed above. Equipment typical for a construction/maintenance project of this type will include but not be limited to the following.

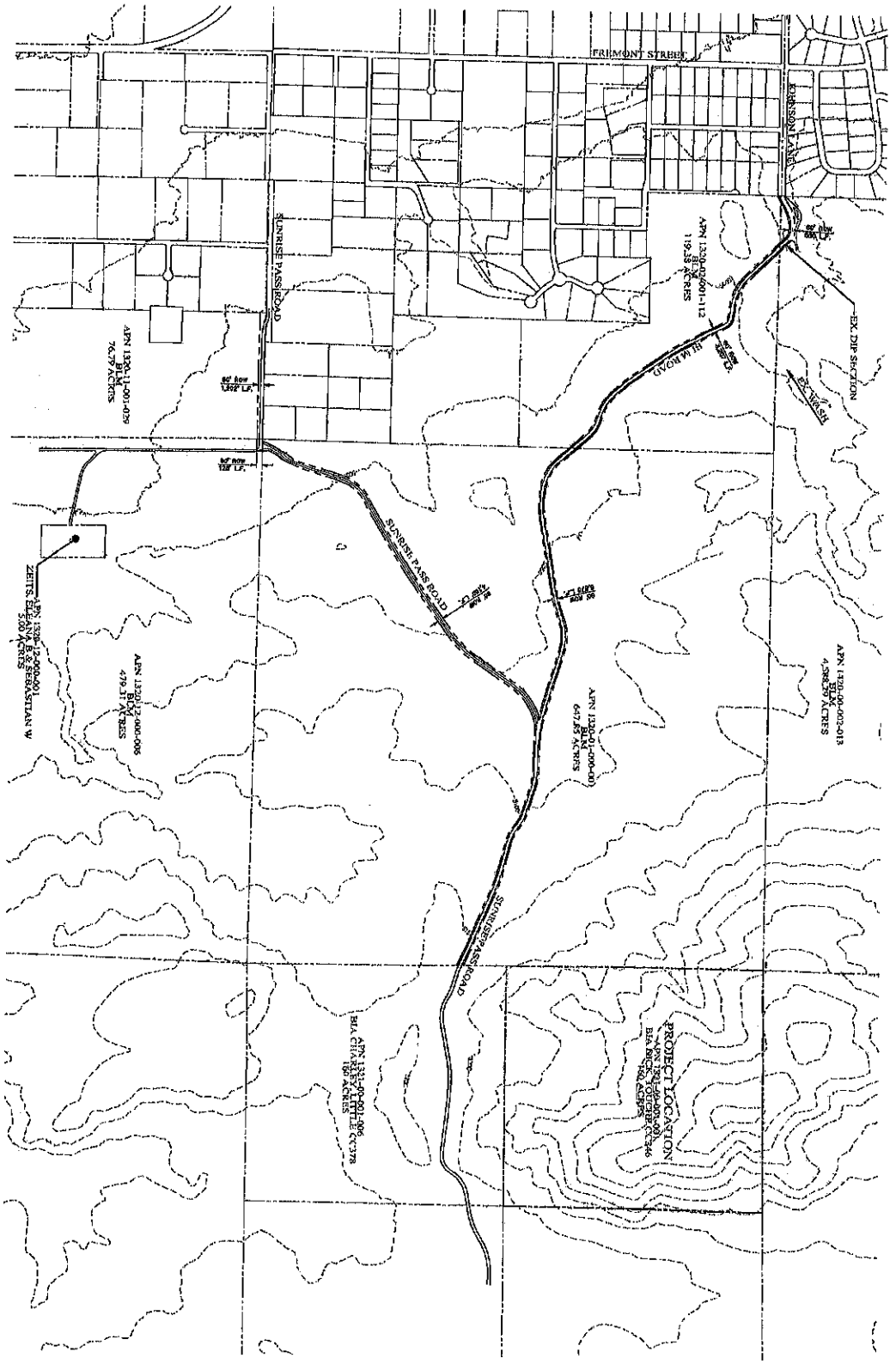
- Bulldozer
- Motor Grader
- Loader
- Excavating Equipment
- Water Truck
- Roller
- Truck and Trailer

Standard methods of construction and the appropriate construction equipment and number of personnel for roadway construction will be utilized. The exact methods of construction, sequencing and types of equipment and personnel to be used will be determined once the nature of the maintenance and/or repair is identified.

6.0 Access During Maintenance Operations

Access thru the work area will be maintained at all times using the appropriate traffic control devices as determined by the type and extent of the work being done. The following will determine the type and extent of traffic control:

- Safety of Personnel doing the work.
- Safety of the general public going thru the work area.
- NDOT traffic control standards for Lane closures.
- NDOT traffic control standards for detours, if possible.



SCALE: 1"=500'	SUNRISE PASS ROAD RIGHT-OF-WAY MAP	KNOX EXCAVATING APPLICATION EXHIBIT	KNOX EXCAVATING
DATE: 04/08/2019			
JOB: SUNRISE PASS			
SHEET: 1 OF: 1 SHEETS			

Appendix C. Environmental Protection Measures, Design Features, and Best Management Practices

ENVIRONMENTAL PROTECTION MEASURES, PROJECT DESIGN FEATURES, AND BEST MANAGEMENT PRACTICES

Proponent committed Environmental Protection measures (EPMs) are described below.

Air Quality

- Knox would comply with Section I General Provisions and Section II Surface Area Disturbance Conditions of the Class II Air Quality Operating Permit Surface Area Disturbance permit.
- Knox would comply with Section I Specific Operating Conditions and Section II General Provisions of the Class II General Air Quality Operating Permit for Temporary Construction Sources Change of Location Approval #2949.
- The area of grading and vegetation removal will be limited to only that area required for initial roadway improvements and mining operations.
- Emissions of fugitive dust from disturbed areas and operations would be minimized by utilizing appropriate control measures including surface application of water to roadways and process areas, speed limit controls for operating equipment, and using covered trucks.
- Dust Abatement Plans will be implemented, as applicable, to minimize fugitive dust emissions during ground-disturbing activities.
- Concurrent reclamation would be completed where possible to reduce the amount of disturbed area at any given time as much as practicable.
- Overburden stockpiles would have interim seeding to reduce erosion and decrease fugitive dust.
- Vehicle speed would be restricted to under 15 mph for safety and dust control throughout the mine Project Area. Speed limits and maximum vehicle weight would be posted at the entrance/exit.
- Unnecessary idling of equipment will be limited.
- The Projects will incorporate the following measures to reduce potential worker exposure to the Coccidioides immitis fungus that can cause Valley Fever:
    - Include training for workers and supervisors on the potential presence of Valley Fever spores, methods to minimize exposure, and how to recognize symptoms.
    - Limit workers' exposure to outdoor dust in disease-endemic areas by (1) providing air-conditioned cabs for vehicles that generate dust and making sure workers keep windows and vents closed, (2) suspending work during heavy winds, and (3) directing workers to remove dusty clothing after fieldwork and store in closed plastic bags until washed.
    - When exposure to dust is unavoidable, provide approved respiratory protection to filter particles.

Cultural Resources

- In the event of an unanticipated discovery of cultural resources, the proponent would stop all work at the discovery site and contact BIA to determine next appropriate steps under 36CFR800.13(b).

Erosion Control

- Knox would prevent unnecessary degradation of the land by complying with terms and conditions related to the lease and ROWs and with other federal and state laws related to environmental protection. Knox would implement BMPs for erosion and sediment control measures identified in the stormwater pollution prevention plans. The effectiveness of erosion control measures would be monitored during the mining operation.
- A diverse native plant community would be targeted through the definition of seed mixtures and application rates. The seed mix list would be reviewed by the BIA before revegetation activities were initiated to confirm the availability of the seeds, and the list would be adjusted as needed. The seed mix would be certified by the revegetation contractor to be weed free. The seed mix would be designed to meet the following criteria: 1) native non-invasive species that have a high compatibility with the existing surroundings; 2) species and plant type diversity to promote a sustainable vegetative cover throughout the seasonal changes and other climate related variances; and 3) species and plant type diversity to promote a variety of germination periods and seasonal growth.

Surface Water

- Construction and operational activities will be conducted in compliance with a Stormwater Pollution Prevention Plan (SWPPP) that will include best management practices (BMPs) and other erosion-control measures designed to minimize soil erosion and limit sheet flow and downstream sedimentation. The SWPPP will also incorporate adaptive management actions if erosion and sedimentation control measures are found to be insufficient to control surface water at the site.
- Surface water within the site consists of stormwater runoff. A SWPPP would be developed in accordance with NDEP regulations and implemented to control sedimentation from disturbance associated with the activities of the mine. BMPs would be utilized to manage stockpile areas and other disturbed surfaces. Sediment control structures would include, but would not be limited to, fabric and/or weed-free straw bale filter fences, siltation or filter berms, and downgradient drainage channels in order to prevent unnecessary or undue degradation.
- Direct runoff of water used for dust control would be limited to the extent practicable and would not cause downstream erosion or flooding nor cause an exceedance of applicable water quality standards.

Spill Containment

- Spill Prevention and Emergency Response Plans will be developed and implemented during construction, O&M, and decommissioning of the proposed Projects. Adequately sized secondary spill containment will be incorporated around transformers to provide proper capture and control measures for potential leaks. The plans will also describe procedures for hazardous material spill prevention and clean-up measures, in the event of a spill.
- Knox would manage storage and usage of oil-based production during operations. Only minor servicing of mobile equipment would be conducted at the Project Area, limiting the potential for diesel fuel spills. Spill response kits would be maintained to ensure that pollutants are prevented from entering into washes. Any pollutants generated by mining or transportation activities would be properly disposed of in accordance with applicable regulations. Knox would handle and store all hazardous materials according to local, state, and federal regulations and standard operating procedures. Any spills of hazardous materials would be reported and remediated in accordance with local, state, and federal regulations.

Solid and Hazardous Wastes

- Knox has a Hazardous and Solid Waste Management Plan that includes the following practices:
    - Knox would properly dispose of waste oil, other related fluids, filters, oily rags, etc. in appropriate disposal locations. Operational litter would be collected in appropriate containers and removed as required from the site. Project-related refuse would be hauled to an authorized landfill for disposal. No refuse would be disposed on site. If a hazardous or regulated material, such as diesel fuel is spilled, the area would be cleaned, and the appropriate agency notified.
    - In general, waste would be managed in dumpsters or other appropriate containers. All containers would be covered or weighted to prevent blowing trash. Trash from the office area would be bagged. A waste disposal company would be contracted as necessary to manage wastes other than debris or construction wastes.
    - Grease associated with the mining, milling, and other operational equipment would be placed into drums or other bulk containers suitable for recycling. If the grease is not suitable for recycling, the contained waste would be sent off site for disposal. While on site, the containers would be managed in an area that would provide secondary containment.
    - On-site fueling of the off-road equipment and portable plant would be done form a portable diesel tank. All other vehicles would be fueled either offsite or at the fueling station located on site. In the event that hazardous or regulated material, such as diesel, is spilled, measures would be taken to control the spill and the appropriate agencies would be notified. Mine employees and contractors would maintain spill kits onsite for use in the event of a spill.
    - Used oil from maintenance activities would be managed in bulk containers with secondary containment to ensure there is no release to the environment. Only oil acceptable for recycling would be placed in the bulk containers. Used oil not acceptable for recycling would be placed in a contained used oil tank for proper disposal.
    - Waste tires would not be stored on site and would be removed as soon as they are taken off the equipment and/or vehicle.
    - Portable toilet facilities would be maintained by outside contractors and accumulated human waste would be periodically collected and transported to an approved disposal site. No waste would be buried on site.

Fire Safety and General Safety

- Knox would implement the Fire Prevention Plan described in the Plan and discussed in Section 2.2. Approved fire extinguishers would be located on all pieces of mobile equipment and heavy equipment and stored water would be available on site to assist in firefighting. Knox would coordinate with local law enforcement and fire departments to provide 24-hour access as needed for emergency response.
- There would be no parking of vehicles on top of vegetation.
- Smoking would be prohibited on site.
- Vegetation cleared from the site would be properly stockpiled or removed.
- All fuels and other ignitable material would be contained and stored properly.
- Cellular telephone service is available at the Project for emergency and other communications. Knox employees would be trained in proper emergency response, incident reporting, and general health and safety issues as part of the initial and annual refresher Mine Safety and Health Administration (MSHA) required training.

- Mine access would be gated and signed. Active mining operations would be conducted in accordance with MSHA and/or Occupational Safety and Health Administration (OSHA) regulations.
- Vehicle speed would be restricted within the mine site and on the BLM ROW.
- All employees and contractors will be required to adhere to appropriate Health and Safety Program and Spill Prevention and Emergency Response Plans. All contractors will be required to maintain and carry health and safety materials including the Safety Data Sheets (SDSs) for hazardous materials used onsite.

Maintenance and Public Safety

- Knox would maintain public safety throughout the life of the mine. All equipment and other facilities would be maintained in a safe and orderly manner. The Project would be inspected periodically and would operate under applicable MSHA safety regulations. All employees would receive MSHA-required initial and annual refresher safety training.

Migratory Birds

- Surface disturbing activities that occur during the migratory bird nesting season from March 1st to August 31st, annually would have pre-construction avian surveys conducted in appropriate habitats by qualified, BIA-approved biologists not more than seven days prior to surface disturbing activities commencing. The specific areas to be surveyed would be based on the scope of the surface disturbing activities, as determined by the qualified biologist, in coordination with the BIA's authorized officer's representative. If ground disturbing activities do not take place within seven days of surveys, the areas would be resurveyed. If nesting migratory birds are detected during surveys, appropriate buffers determined by the BIA, in coordination with other state and federal wildlife agencies, would be applied. Buffers would remain in effect until the qualified biologist determines the young have fledged or the nest has failed; this determination would be communicated to the authorized officer's representative for review and approval.
- Any infrastructure for the project would be designed and constructed in a manner that does not allow open pipes that birds or other wildlife could be trapped. This includes fencing, gates, or other materials with open holes. All open pipes would be capped or secured so that wildlife cannot access.

Noise

- Signs will be posted at the mine exit discouraging the use of engine braking (jake-braking) on Johnson Lane and reminding drivers to follow the posted speed limits.

Noxious Weeds, Invasive and Nonnative Species

- To prevent the establishment of noxious weeds, Knox would conduct spring and fall surveys, performed by a qualified individual, of the Project Area, including stockpiles to determine the presence of noxious weeds. Noxious weeds would be controlled through implementation of preventive BMPs and eradication measures if noxious weeds were found. The applicable BMPs and eradication measures would be coordinated with the BIA prior to implementation.
- To eliminate the transport of vehicle-borne noxious weed seeds, roots, or rhizomes, all vehicles and heavy equipment used for the completion, maintenance, inspection, or monitoring of ground disturbing activities, for emergency fire suppression, or for authorized off-road driving within the Project Area, would be free of soil and debris capable of transporting weeds. All such vehicles and

equipment would be cleaned with high power or high-pressure equipment prior to entering the Project Area. Vehicles used for emergency fire suppression would be cleaned as part of check-in and demobilization procedures. Cleaning efforts would concentrate on tracks, feet, and tires on the undercarriage. Special emphasis would be applied to the axles, frames, cross members, motor mounts, on and underneath the steps, running boards, and front bumper/brush guard assemblies. Vehicle cabs would be swept out and refuse would be disposed of in waste receptacles.

Paleontological Resources

- Knox would not knowingly disturb, alter, injure, or destroy any scientifically important paleontological deposits. Any paleontological resources discovered during construction activities would be administered in accordance with the principles and recommendations found in the Assessment of Fossil Management of Federal and Indian Lands (DOI 2000).

Visual Resources

- Colors for paints, stains, coatings, and other surface color treatments to be used on structures should be selected to be compatible with the local environment.
- Materials and surface treatments for roads should repeat and/or blend with the existing form, line, color, and texture of the surrounding landscape. For example, if the Projects will be viewed against an earthen or other non-sky background, appropriately colored materials should be selected to help blend structures with the Projects' backdrop. Where appropriate, roads should be surfaced with material compatible in color with the local environment.
- Construction and permanent lighting should be mounted and directed to focus light only on the intended area, and to avoid light spill and offsite light trespass. Lights pointing upward or horizontally should be avoided.
- Where feasible, non-reflective paints and coatings should be used on visible ancillary structures and other equipment to reduce reflection and glare. Visible ancillary structures and other equipment should be painted before or immediately after installation. Uncoated galvanized metallic surfaces should be avoided because they may create a stronger visual contrast.

Appendix D. Noxious Weed Management Plan

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- Litigation Support & Expert Witness
- Mining Plans of Operations
- Mining Exploration Notices
- Abandoned Mine Lands

NOXIOUS WEED MANAGEMENT PLAN

Painted Rock Mine Project, Douglas County, Nevada

Prepared for

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APPENDICES

Appendix A Noxious Weeds of Nevada

LIST OF ACRONYMS AND ABBREVIATIONS

APN	Assessor's Parcel Number
BIA	Bureau of Indian Affairs
BLM	Bureau of Land Management
BMPs	Best management practices
CCD	Carson City District
CFR	Code of Federal Regulations
EA	Environmental Assessment
EPA	Environmental Protection Agency
ft	Foot or feet
GPS	Global Positioning System
Knox	Knox Excavating, Inc.
McGinley	McGinley and Associates, Inc.
NAC	Nevada Administrative Code
NDA	Nevada Department of Agriculture
NEPA	National Environmental Policy Act
NRS	Nevada Revised Statutes
OHV	Off Highway Vehicles
Project	Painted Rock Mine Project
PUP	Pesticide Use Proposal
ROW	Right-of-Way
sp.	Specie (singular)
spp.	Species (plural)
State	State of Nevada
UTM	Universal Transverse Mercator

1. INTRODUCTION

On behalf of Knox Excavating, Inc. (Knox), McGinley and Associates, Inc. (McGinley) has prepared this Noxious Weed Management Plan (Plan) for the proposed Painted Rock Gravel Pit Mine (Project). The proposed Project is located on tribal allotment land managed by the Bureau of Indian Affairs (BIA) and public land managed by the Bureau of Land Management (BLM), Carson City District (CCD). The Proposed Action consists of an approximately 40-year phased development of an aggregate operation on two Pine Nut allotments (CC-378 and CC-346) administered by the BIA, a ROW authorization on 2.8 miles of road administered by the BLM, and use of Johnson Lane (Douglas County road). The location of the Project is indicated on Figure 1.

Invasive plant species are recognized as key drivers of ecological change and can have significant impacts on ecosystem functioning and biodiversity (Vila et al. 2011). The Federal Invasive Species Executive Order 13122 defines an invasive plant as a non-native species whose introduction causes or is likely to cause economic or environmental damage or harm to human health (U.S. Federal Register 1999). Noxious weeds are a particularly harmful subset of invasive plant species and are defined as "any plant designated by a federal, state or county government as injurious to public health, agriculture, recreation, wildlife or property" (Sheley et al. 1999).

Ground-disturbing activities associated with the Project may allow noxious weed species to establish or to increase in their extent and density. This Plan was developed to guide the Project proponent on how to prevent, identify and control noxious weeds during construction of the mine and ROW to produce structural fill, decomposed granite, and other construction aggregates and, reclamation activities so that all federal, state, county and other local requirements are satisfied.

1.1 Noxious Weed Regulations

The BLM has identified the management of noxious weeds as a priority problem affecting public lands given their detrimental nature. As such, in 1992 the BLM developed a policy relating to the management and coordination of noxious weed activities, as set forth in BLM Manual 9015 – Integrated Weed Management (BLM 1992). BLM Nevada has active Noxious Weed Management Programs in each of its six districts, with the same yearly directives of preventing, monitoring and controlling new infestations. More specific to the Project, BLM noxious weed directives are outlined in the CCD Integrated Weed Management Plan and draft programmatic environmental assessment (EA) with the dual purpose of managing current and future infestations of noxious weeds to promote land health within the CCD, while addressing the potential environmental impacts associated with these management practices (BLM 2015).

The Nevada Department of Agriculture (NDA) is charged with the management and enforcement of the State of Nevada's (State) noxious weed law, which pertains to both private and public lands. The State defines a noxious weed as "any species of plant which is, or is likely to be, a public nuisance, detrimental or destructive and difficult to control" (Nevada Revised Statutes [NRS] 555.005). As outlined in NRS 555.130, the NDA designates the weeds of the state that are considered noxious and maintains a list of such weeds under the Nevada Administrative Code (NAC) 555.010. There are currently 54 species divided into three categories. These include 31 Category A species, 12 Category B species, and 11 Category C species.

Category A species are not found or are limited in distribution throughout Nevada and must be actively eradicated wherever found. Category B species are established in scattered populations in some counties of Nevada and must be actively excluded where possible and where populations are not well established or are previously unknown to occur. Category C species are established and

widespread in many counties of Nevada and must be actively eradicated from nursery stock dealer premises. Appendix A shows a list of all 54 noxious weed species.

This Plan adheres to the policies and best management practices as outlined in the above regulations.

1.2 Plan Purpose and Objectives

Noxious weeds are opportunistic and aggressive plant species that readily colonize disturbed areas. Therefore, the purpose of this Plan is to develop a Noxious Weed Management Program for the Project area that prescribes methods for preventing and controlling new infestations, both during and following Project activities. This weed management plan discusses:

- Measures to control the introduction and spread of noxious weeds in the Project area;
- Worker training; and,
- Monitoring and control methods.

Overall objectives for this Plan include long and short-term objectives. Long-term objectives are to provide Knox with a systematic program for preventing, identifying and managing noxious weeds within the Project area with the goal of maintaining a productive and sustainable ecological community that meets post-exploration/production land use objectives. Post-exploration/production land use objectives include habitat for wildlife and dispersed recreation. Short-term objectives of this Plan are to facilitate compliance with the following:

- The Code of Federal Regulations (CFR) 3809 regarding the prevention of unnecessary or undue degradation of public lands;
- Chapter 555 of the NRS and the NAC;
- Stipulations in National Environmental Protection Act (NEPA) decisions; and,
- Reclamation of land disturbed by Project activities.

2. PROJECT DESCRIPTION

2.1 Project Area

The proposed mine and mine access are located in Section 6, Township 13 North, Range 21 East (T13N, R21E), Mt. Diablo Baseline and Meridian (Project Area), approximately 11 miles southwest of Carson City, Nevada (Figure 1). The Project Area consists of trust lands managed by the BIA and public lands managed by the BLM CCD. The Applicant is requesting BIA approval of a Sand and Gravel Mineral Lease (Lease) totaling 150.5 acres on Allotment CC-346 and a total of 0.07 acre on a permanent access ROW on Allotment CC-378. The permanent access ROW across Allotment CC-378 would be 455 feet long by 60 feet wide (0.07 acre) and would require minor improvements including widening and placement of a gravel surface. The Applicant is also requesting a ROW from the BLM for the use of an existing roadway (Sunrise Pass Road and Bypass Road) for access to the site and material hauling. The Haul Route is a combination of the Bypass Road and a portion of Sunrise Pass Road (Segment A). The alternate non-haul Access Route is Sunrise Pass Road (Segment B) which traverses from East Valley Road and intersects the Bypass Road on BLM-administered land in Sections 1 and 2, T14N, R21E. The total ROW would be 2.8 miles long (Segment A = 1.5 miles and Segment B = 1.3 miles) by 60 feet wide. The road is existing but will need to be widened for two lane traffic. The new disturbance associated with the ROW would be 2.8 miles long by 30 feet for a total of 9.2 acres of new disturbance. Use of the road would require improvements including widening to two lanes, placement of a gavel surface, and

incorporation of an off-highway vehicle (OHV) designated parking area.

The Project is situated in the Sierra Nevada-Influenced Semiarid Hills and Basins ecoregion (EPA Level IV; Bryce et al. 2003). This ecoregion includes the basins and lower mountain slopes immediately east of the Sierra Nevada where the climate is affected by their proximity. Plant species with higher moisture requirements, such as antelope bitterbrush (*Purshia tridentata*) and desert peach (*Prunus andersonii*) are associated with semiarid shrub communities found in adjacent and drier ecoregions. The ecoregion receives between 8 and 12 inches of precipitation annually, primarily in the form of winter snow.

2.2 Project Activities

Knox is proposing to mine the property to produce structural fill, decomposed granite, and other construction aggregates. The mine would replace the Bing Aggregate pit, which is near the end of its mine life. The south side of the property can be accessed via a bypass road starting at Johnson Lane and Sunrise Pass Road, an existing BLM managed road (Figure 2). The bypass road at the end of Johnson Lane is heavily used by OHVs and forms a large user made staging area, which is highly disturbed. As part of the mining activities, Knox proposes ancillary activities and facilities associated with access, Project water needs, fueling, servicing, storage of equipment; and necessary facilities for identifying, quantifying and sale of material to customers.

Phase 1 would include the removal of existing illegally dumped trash, debris and clearing vegetation within the bowl area. Overburden, a mixture of soil, vegetation, and other uneconomic material (growth media) would be removed with a ripper and loader. The growth media would be stacked in berms up to 50 feet high around the perimeter of the proposed mine area and seeded with a certified weed-free seed mix to reduce erosion, prevent establishment of non-native noxious weeds, and decrease fugitive dust. The stockpiled material would be used for reclamation purposes when the Project is complete. The overburden would be handled by a rubber tired front-end loader and transported by truck to stockpiles or reclamation areas along the outer edge of the proposed operations.

Mining would advance from south to north and would expand laterally toward the east and west as the mine progresses. A bulldozer would traverse the side slopes and push material downward along the slopes into the bowl area for pit run (non-screened material) or processing. Based on the local conditions and customer preference, different portions of the developing mine would be opened over time. The material would generally be excavated using a bulldozer with rippers, although harder areas may require the use of an excavator. Blasting is not anticipated for any excavation activities. The excavated sale material would be temporarily stockpiled in the mine disturbance area as pit run, screened structural fill, Class A backfill, and possibly as drain rock or pea gravel depending on the characteristics of the material excavated. This material would be loaded from the stockpiles into trucks for sale to customers. Subsequent phases would occur in approximate 4- to 5-acre intervals until the end of mining.

As portions of the mine becomes exhausted, mining would continue in other resource areas of the Project boundary. Interim reclamation would occur as practicable. Knox would maintain slope stability on all active faces, including those where personnel work or travel. Loose or unconsolidated material would be sloped to a maximum grade of 3 Horizontal to 1 Vertical (3H:1V) or stripped back for at least 10 feet from the top of the slope. Additional detailed geotechnical information would be acquired during operations to ensure and monitor slope stability.

Reclamation of disturbed areas will consist of interim and final reclamation activities. The purpose of the reclamation plan is to return the site to pre-mining land uses and to conditions similar to the surrounding area. Naturally steep slopes would be left intact. The proposed reclamation and closure

activities are intended to promote the establishment of a self-sustaining ecosystem consistent with the biotic communities of the surrounding area, with consideration of the specific conditions that exist at the site. Post-closure monitoring and maintenance would follow reclamation to ensure the success of the program. Concurrent reclamation is planned throughout the life of the operation. Components of reclamation include, where practicable: 1) regrade and reshape land where needed to a 3H:1V slope and enhance natural drainage in selected areas, as needed; 2) placement of available growth media and establishment of self-sustaining native vegetation (hydroseed and tackifier may be used on slopes not suitable for conventional seeding); 3) remove all equipment and other infrastructure; 5) abandon water well unless the Allotee requests leaving the well for future use; and, 5) provide post-mining monitoring, maintenance, or treatment. The Allottee ROW would remain in use during the post-closure period to provide access for post closure land uses. BLM ROW reclamation may require reclamation of the road to original dimensions; however, this decision would be made by the BLM at the end of mining.

3. NOXIOUS WEED MANAGEMENT COMPONENTS

Management of noxious weeds requires a multi-pronged approach, including the prevention and management of new or established infestations, and subsequent monitoring of management success (BLM 2015). This Plan is geared towards prevention and management of new infestations through: 1) training of onsite employees in the identification of noxious weed species; 2) implementation of techniques for minimizing the spread of weed propagules; 3) treatment of new infestations following best practices; and, 4) monitoring to identify new infestations and evaluate the effectiveness of treatment activities. The implementation of this Plan will be managed by Project staff in conjunction with the BLM.

3.1 Prevention

The prevention of noxious weed infestations is the most cost-effective means of their control. Prevention, or more accurately, reduction in the potential for noxious weeds to become established as a result of project activities involves several approaches.

3.1.1 Education

The ability of onsite Project staff to identify and report new noxious weed infestations will be an invaluable means of quickly and effectively managing weeds. Training that provides Project personnel with an understanding of noxious weed life history and identification will be provided by the Project biologist. This training will also educate Project personnel in the environmental and economic concerns associated with the spread of noxious weeds. The NDA also offers an electronic Nevada Noxious Weed Field Guide that includes color pictures of all 54 species, and describes their life history and means of control. The field guide can be accessed online at: http://agri.nv.gov/NoxiousWeeds/. If noxious weeds are detected, Project staff will contact a certified weed control specialist contractor, and the BLM to develop a plan for control.

3.1.2 Best Management Practices

Best management practices (BMPs) are those that minimize the creation of favorable conditions for noxious weed establishment and reduce the potential for their spread throughout the Project area.

The following BMPs will reduce the potential for seed entering the Project area and becoming established:

<u>Minimize the introduction of noxious weed plant propagules</u>

Vehicles are effective vectors of seed dispersal (Gelbard and Belnap 2003). Therefore, to prevent the transport of weed propagules into the Project area, Knox should implement an equipment cleaning program in which project vehicles and equipment are free of soil and debris capable of transporting weed propagules before entering the Project area. Knox should follow these measures in implementing such a plan: 1) cleaning of vehicles and equipment should take place at an approved off-site cleaning station; 2) an initial cleaning of all Project vehicles and equipment should occur prior to entering the Project area; 3) cleaning should be done using a high-pressure wash (water in muddy conditions, compressed air in dry conditions) to remove all debris, particularly from tracks/tires, and the undercarriage; and, 4) vehicles remaining on-site would only require an initial cleaning, whereas vehicles that leave the project area and travel through weed infested areas should require an additional cleaning (as described above) prior to re-entering the Project area.

Minimize soil disturbance and spread of weed infestations (if established)

Disturbed areas are especially susceptible to weed establishment. During Project activities, soil disturbance should be minimized, where feasible. Furthermore, all vehicles should be confined to the ROW, and not permitted to travel cross-country. In the event that noxious weeds become established in the Project area, vehicles should avoid travel through the infested area. If travel through infested areas is absolutely necessary, vehicles should be thoroughly inspected for plant propagules (including the undercarriage), and washed before leaving the site or advancing to another location. Noxious weed propagules found on or washed from vehicles should be bagged and incinerated at an appropriate location.

Use of effective reclamation

Topsoil will be stripped from the surface and stockpiled adjacent to the area from which it is removed, to be used later for reclamation. Interim and final reclamation of disturbed areas will be performed as described above. If noxious weeds establish in topsoil stockpiles they should be promptly treated (prior to seed set), clearly marked and construction equipment not permitted to operate in these areas until complete eradication to avoid the spread of propagules. Care should be taken when redistributing stockpiles previously infested with noxious weeds so as to avoid creating additional infestations. If a seed bank has been established, the stockpile should be treated with pre-emergent herbicide known to be effective for controlling that particular species.

Use of certified weed-free materials

Any hay bales used for as sediment barriers, should come from sources that are certified weed-free.

3.2 Treatment of infestations

In the event of their establishment, noxious weeds should be handled in a manner that prevents their spread, and controls or eliminates the population. The goal of weed treatment is to reduce the infestation below the level at which it causes the failure of achieving a productive and sustainable ecological community that meets post-exploration/production land use objectives. To be most effective, the treatment method used should be determined on a species-specific basis. The general treatment types most applicable to the Project area fall into two categories (mechanical and chemical) and are described in the following subsections.

3.2.1 Mechanical

Mechanical treatments are those methods in which the target plant, or parts thereof, are physically destroyed. Mechanical treatments include hand-pulling, mowing, cutting, and root-plowing, among others. The selection of a particular mechanical method should be determined by the life history of the target weed species and the terrain in which they have established. For all methods employed, the removal of plants before seed set or during the growing season is of vital importance to minimize the

further spread of noxious weed species. Mechanical treatments may cause favorable conditions for the propagation of some weed species and should therefore be considered prior to initiation.

Manual treatments, such as hand-pulling and hoeing, are most effective when the weed infestation is small in size or in areas inaccessible to equipment. Manual removal is well-suited for the management of annual and biennial weed species, shallow-rooted species that do not resprout from residual roots, and weeds growing in loose soil types.

The use of equipment, such as tractors or vehicles with attached implements designed to cut or chop vegetation are used to separate plants from their roots. These methods are effective for managing perennial weed species, where the repeated removal of surface vegetation weakens plants by depleting carbohydrate reserves. These methods work best for managing large stands of weeds in relatively flat areas, such as along roads, and are generally used in combination with chemical treatments and reseeding.

3.2.2 Chemical

Chemical treatment involves the use of herbicides (chemical compounds) to kill or suppress noxious weed species. Herbicides are often used following (or concurrently) with mechanical treatments, where complete eradication is the land management goal. There are a variety of herbicides in use and are classified in terms of their mode of action and can include growth regulators, grass meristem destroyers, cell membrane destroyers, root and shoot inhibitors, and amino acid derivatives that interfere with plant metabolism in a variety of ways. The selection of an herbicide should depend on its chemical effectiveness on the target weed species, habitat types present, proximity to water, and the presence of sensitive species.

Herbicides are most effective on pure stands of a single noxious weed species, where desirable non-target plants are scarce or absent, and on rhizomatous species that require repeated cutting or pulling for control. Application of herbicides is achieved using several methods, including backpack sprayers, ATV or truck-mounted sprayers, wiping or brushing onto plants that have been cut, and by injection into the roots or trunks of weeds. Application rates depend on the target species, time of year, and soil texture. Monitoring of herbicide applied via spray methods may be done by adding dye to the herbicide. Dyes reduce the chances of over or under application and minimize the risk of negatively impacting non-target species.

When using herbicides to manage an infestation, an integrated management approach to weed control will reduce the amount of herbicide needed and discourage haphazard and wasteful herbicide use. Furthermore, considerations should be given to the safety of the environment and of the individuals applying the herbicide. Control projects using chemicals on BLM lands must be conducted by licensed or certified applicators.

4. NOXIOUS WEEDS

There are 17 noxious weed species that are known to occur on lands managed by the BLM CCD. Generally, infestations are found in large to small patches, primarily in riparian areas, ephemeral drainages, playa lake margins, burned areas, and along roadsides. Below is a brief description of the 10 noxious weed species that have a high likelihood of occurring in and around the Project area based on habitat preferences of these species.

African rue (*Peganum harmala*)

A perennial weed that has a woody, branched taproot with creeping roots and reproduces by seeds and roots. All plant parts are poisonous to livestock and humans. Grows in dry, disturbed sites and deserts, often infesting roadsides and waste areas. Can be mechanically controlled by digging or

pulling individual plants, or chemically by applying glyphosate, imazapyr or metsulfuron to actively growing plants.

Dalmation toadflax (*Linaria dalmatica*)

A perennial weed that has a deep, extensive creeping root system, and reproduces by both roots and seeds. This weed grows best in dry, well drained soils, often in rangelands and roadsides. Mechanical control is an ineffective means of control; however, this species can be controlled chemically by applying aminocyclopyrachlor, chlorsulfuron, imazapic or picloram during pre-emergence through bloom or to fall rosettes, or by repeated applications of 2, 4-D, dicamba or glyphosate to actively growing plants.

Hoary cress (*Cardaria* spp.)

A perennial weed that has a deep, spreading root system and reproduces by roots and seeds. This weed grows best in disturbed, alkaline soils, often along pastures, fields, roadside, rangelands, waste areas and along waterways. Mechanical treatment may be effective for small infestations but requires frequent tillage or mowing for several years to reduce plant density. Chemical treatments include applying 2,4-D to actively growing plants prior to bud stage, applying chlorsulfuron or metsulfuron from bud to early bloom stage, or imazapic from full bloom until necrosis.

Mediterranean sage (*Salvia aethiopis*)

A biennial weed with a stout, deep taproot that reproduces by seed and disperses them when plants dry out and tumble across the ground. Small infestations may be mechanically controlled by hand removal. For larger infestations, chemical control includes applying 2, 4-D, chlorsulfuron, clopyralid, dicamba, glyphosate, or metsulfuron to actively growing plants prior to seed production or aminocyclopyrachlor, aminopyralid, or picloram during pre- or post-emergence.

Medusahead (*Taeniatherum caput-medusae*)

An annual weed that reproduces by seed and matures 2-4 weeks later than other annual grasses. It is unpalatable to grazing animals. This weed grows best in clay soils, primarily on rangeland. Mechanical control measures include tillage, mowing or grazing prior to seed setting. Burning has mixed results, but may be effective in reducing the thatch layer. Chemical treatment includes applying imazapic, indaziflam, or sulfometuron during preemergence or to small, actively growing plants, or applying glyphosate to larger actively growing plants.

Puncturevine (*Tribulus terrestris*)

An annual weed that has a slender, deep taproot that reproduces by seed. Spines on its fruit can cause injury to grazing animals, humans, and mechanical damages to tires. It grows best in dry, sandy soils and often infests roadsides. Can be controlled mechanically by frequent hand-removal or tillage prior to seed production. Chemical treatments includes applying 2,4-D, dicamba, glyphosate, imazapic, or picloram to young, actively growing plants or chlorsulfuron or imazapyr during preemergence or early post emergence.

Russian knapweed (*Acroptilon repens*)

A perennial weed with a creeping root system that reproduces by roots and seed. Grows well on a wide range of sites, but is often found in rangeland, waste areas, roadsides and along waterways. Mechanical treatment is not effective. Can be controlled chemically by applying aminocyclopyrachlor, chlorsulfuron or clopyralid from the bud to flower stage, aminopyralid or picloram from bud through dormancy stage, or imazapic to dormant plants.

Scotch thistle (*Onopordum acanthium*)

A biennial weed that reproduces by seed and can form dense stands that are difficult to control. This weed has a fleshy taproot and often infests pastures, rangeland, roadsides and waste areas. Small

infestations can be mechanically treated by hand-removal, digging or mowing. Chemical treatments include applying 2,4-D, chlorsulfuron, dicamba, metsulfuron or picloram to actively growing rosettes, aminopyralid, chlorsulfuron, clopyralid or dicamba + 2,4-D between rosette and late-bolt stage or aminocyclopyrachlor during pre- and post-emergence.

Spotted knapweed (*Centaurea biebersteinii*)

A biennial weed that has a deep, stout taproot and reproduces by seed and lateral roots. Grows best on dry, well-drained soils and often infests rangelands, waste areas and roadsides. Mechanical treatments include mowing plants during their bud or flowering stage to reduce seed production, and/or repeated hand removal. Chemical treatment includes applying 2,4-D or glyphosate during the rosette to bolt stage, aminocyclopyrachlor, or aminopyralid, clopyralid or picloram during the preemergence to bolt stage.

Yellow star-thistle (*Centaurea solstitialis*)

An annual weed that has a deep taproot and reproduces by seed. Grows in rangelands, pastures, croplands, waste areas and roadsides. This weed is toxic to grazing animals. Mechanical treatments include grazing, mowing, burning, pulling, digging and cultivation if done prior to seed production. Chemical treatment includes applying 2, 4-D, dicamba or triclopyr during rosette or bolt stage, aminocyclopyrachlor, aminopyralid or picloram during preemergence to rosette stage, or chlorsulfuron during preemergence.

5. MONITORING

Noxious weed monitoring in the Project area has two objectives:

- To identify new infestations; and,
- In the event of a noxious weed infestation, to evaluate the effectiveness of any treatment programs.

Two types of weed surveys should be performed within the Project area to meet the above objectives. Informal surveys should periodically be carried out by trained Project personnel to identify any infestations of noxious weed species within disturbed areas of the Project. Formal monitoring by a biologist should be conducted annually in areas along the ROW.

Formal monitoring is best completed in the spring to early-summer when noxious weeds are easily identifiable, but before seed set. This allows sufficient time to implement a treatment program before seeds are released (making future management more difficult) and when the plants are susceptible to treatment. Formal monitoring should begin the first growing season after ground-disturbing activities, and continue each year thereafter. Should an infestation be found during monitoring, plants should be identified to species and mapped with a GPS. A species-specific management plan that outlines the treatment plan of action should then be developed with Project staff, a certified weed control applicator, and the Project biologist.

The treatment objective for any noxious weed infestation will be for total eradication. Post-treatment monitoring would focus on a visual inspection of the treatment area for the presence or absence of the noxious weed species, and should only be considered successful when the target species is absent. If monitoring indicates that a treatment has not been effective in eradicating the infestation, corrective actions (such as retreatment, or the application of a different method) should be identified and implemented.

5.1 Coordination

Any weed control efforts on public lands should be coordinated with and approved by the BLM

CCD. Not all herbicides have been approved for use on public lands; therefore, the choice of treatments on public lands may be limited. Application of herbicides will be done by a certified weed specialist contractor and will be coordinated with the BLM. If chemicals are to be used to treat noxious weed infestations, a Pesticide Use Proposal (PUP) will be submitted to the BLM CCD for approval prior to the use of such chemicals.

Knox will also maintain coordination with the BIA to aid in effective monitoring and control efforts.

6. CONCLUSIONS

Knox should utilize the prevention techniques described in this Plan to minimize the risk of introducing noxious weeds into the Project area and the creation of conditions favorable for their establishment and spread. In the event that monitoring identifies an infestation of a noxious weed, the treatments outlined herein should be implemented, as necessary. This Plan may be updated as needed for suitability and adequacy as the Project progresses.

7. REFERENCES

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8. CLOSING

McGinley trusts the information provided herein satisfies the requirements of the Bureau of Land Management - Carson City District at this time. Should you have any questions regarding this report or the recommendations provided herein please contact Gareth Blakemore at (775) 432-4792 or Biology@mcgin.com.

Respectfully submitted,

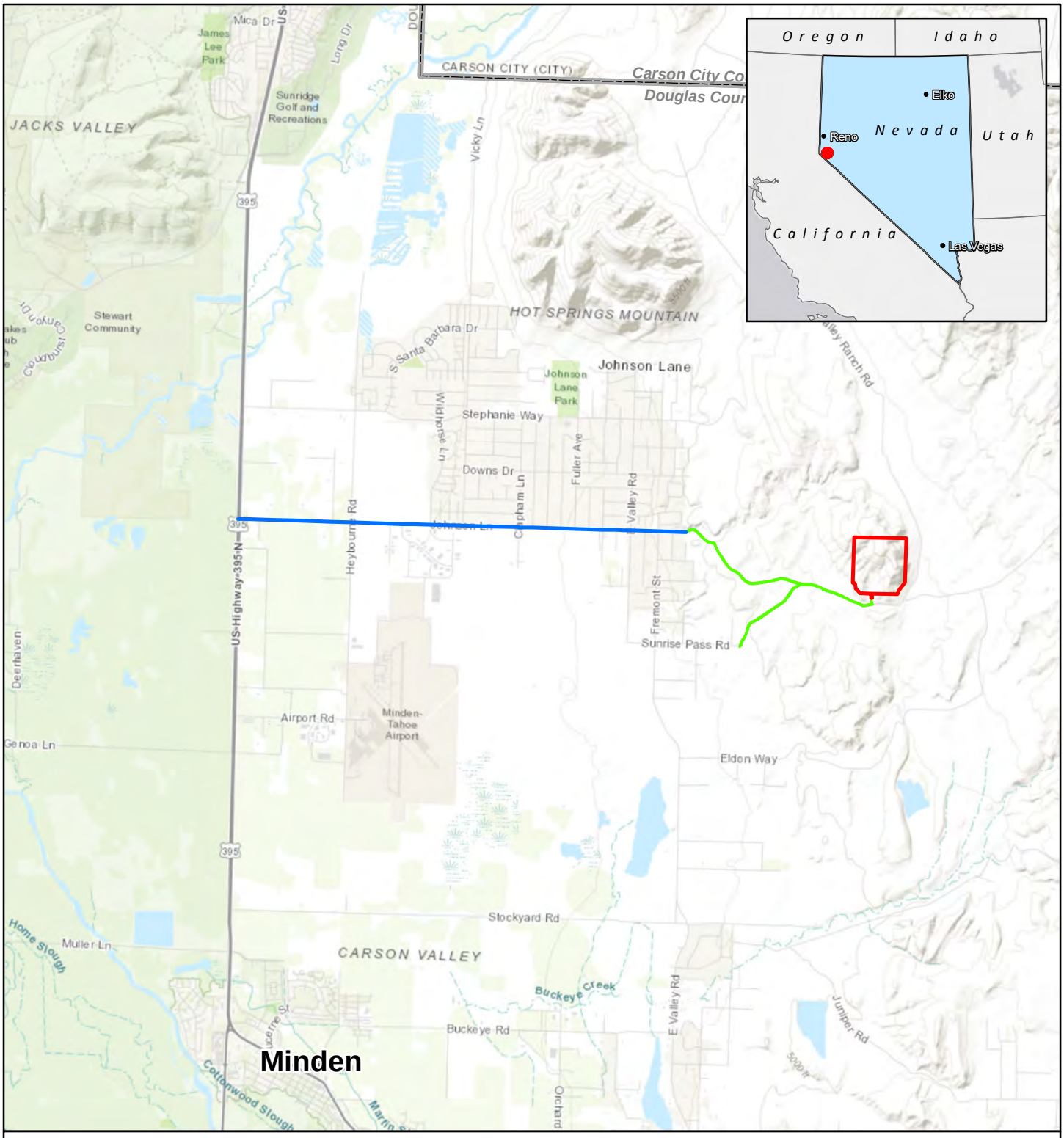
McGinley and Associates, Inc.



Gareth Blakemore, MS

Lead Biologist

FIGURES



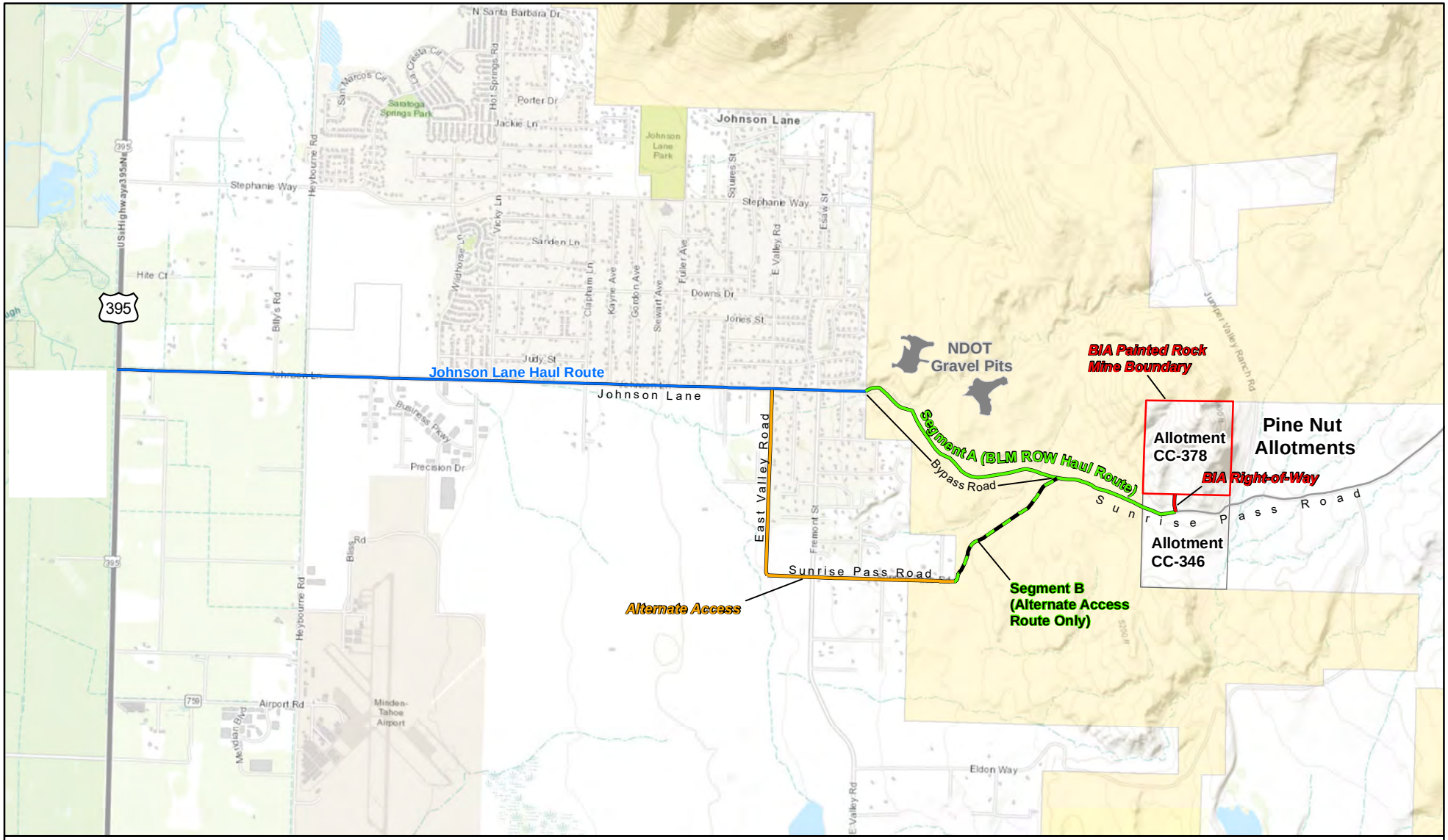
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No warranty is made by the BIA as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data.

JOHNSON LN
County Boundary
Mine Area
ROW

PROJECT LOCATION
PAINTED ROCK MINE
KNOX EXCAVATING
DOUGLAS COUNTY, NEVADA
FIGURE 1



No warranty is made by the BIA as to the accuracy,reliability, or completeness of these data for individual use or aggregate use with other data.

No warranty is made by the BLM as to the accuracy,reliability, or completeness of these data for individual use or aggregate use with other data.
BLM Carson City District Office
5665 Morgan Mill Rd.
Carson City, NV, 89701
(775) 885-6000

0 4,000
Feet

Surface Management Status

- Bureau of Land Management
- Private Property
- Allotment Boundary
- Painted Rock Mine Boundary

Proposed Project

- Johnson Lane Haul Route
- Segment A (BLM ROW Haul Route)
- Segment B (Alternative Access Route Only)
- Alternative Access
- BIA ROW
- Sunrise Pass Road

BUREAU OF INDIAN AFFAIRS
PROPOSED PROJECT
PAINTED ROCK MINE
KNOX EXCAVATING
DOUGLAS COUNTY, NEVADA
FIGURE 2

APPENDIX A

Noxious Weeds of Nevada

Borage family (*Boraginaceae*)
Houndstongue (*Cynoglossum officinale*)
African rue (*Peganum harmala*
Puncture vine (*Tribulus terrestris*)
Syrian beancaper (*Zygophyllum fabago*)

Figwort family (*Scrophulariaceae*)
Dalmatian toadflax (*Linaria dalmatica*)
Yellow toadflax (*Linaria vulgaris*)

Flowering-rush family (*Butomaceae*)
Flowering rush (*Butomus umbellatus*)

Grass family (*Poaceae*)
Jointed goatgrass (*Aegilops cylindrical*)
Barbed goatgrass (*Aegilops triuncialis*)
Buffelgrass (*Pennisetum ciliare*)
Crimson fountaingrass (*Pennisetum setaceum*)
Giant reed (*Arundo donax*)
Johnsongrass (*Sorghum halepense*)
Medusahead (*Taeniatherum caput-medusae*)
Ventenata (*Ventenata dubia*)

Loosestrife family (*Lythraceae*)
Purple loosestrife (*Lythrum salicaria*)

Mint family (*Lamiaceae*)
Mediterranean sage (*Salvia aethiopis*)

Mustard family (*Brassicaceae*)
African mustard (*Brassica tournefortii*)
Austrian fieldcress (*Rorippa austriaca*)
Dyer's woad (*Isatis tinctorial*)
Hoary cress (*Cardaria* spp.)
Perennial pepperweed (*Lepidium latifolium*)

Nightshade family (*Solanaceae*)
Black henbane (*Hyoscyamus niger*)
Horsenettle (*Solanum carolinense*)
Silverleaf nightshade (*Solanum elaeagnifolium*)

Parsley family (*Apiaceae*)
Poison-hemlock (*Conium maculatum*)
Waterhemlock (*Cicuta* spp.)

Pea family (*Fabaceae*)
Camelthorn (*Alhagi maurorum*)
Goatsrue (*Galega officinalis*)
Swainsonpea (*Sphaerophysa salsula*)

Pondweed family (*Potamogetonaceae*)
Curly-leaf pondweed (*Potamogton crispus*)

Rose family (*Rosaceae*)
Sulfur cinquefoil (*Potentilla recta*)

Salvinia family (*Salviniaceae*)
Giant salvinia (*Salvinia molesta*)

Spurge family *(Euphorbiaceae)*
Leafy spurge (*Euphorbia esula*)

Sunflower family (*Asteraceae*)
Canada thisle (*Cirsium arvense*)
Common crupina (*Crupina vulgaris*)
Common St. Johnswort (*Hypericum perforatum*)
Desert knapweed (*Volutaria tubuliflora*)
Diffuse knapweed (*Centaurea diffusa*)
Iberian starthistle (*Centaurea iberica*)
Malta starthistle (*Centaurea melitensis*)
Mayweed chamomile (*Anthemis cotula*)
Musk thistle (*Carduus nutans*)
Perennial sowthistle (*Sonchus arvensis*)
Purple starthistle (*Centaurea calcitrapa*)
Rush skeletonweed (*Chondrilla juncea*)
Russian knapweed (*Acroptilon repens*)
Scotch thistle (*Onopordum acanthium*)
Spotted knapweed (*Centaurea biebersteinii*)
Squarrose knapweed (*Centaurea virgata* var. *squarrosa*)
Yellow starthistle (*Centaurea solstitialis*)

Tamarisk family (*Tamaricaceae*)
Salt cedar (*Tamarix ramosissima*)

Watermilfoil family (*Halorgaceae*)
Eurasian watermilfoil (*Myriophyllum spicatum*)

Waterweed family (*Hydrocharitaceae*)
Hydrilla (*Hydrilla verticillata*)

Appendix E. Air Permits

NEVADA DIVISION OF
ENVIRONMENTAL
PROTECTION

STATE OF NEVADA
Department of Conservation & Natural Resources
Steve Sisolak, *Governor*
Bradley Crowell, *Director*
Greg Lovato, *Administrator*

June 22, 2021

Jon Maxwell
Owner/General Manager
Knox Excavating
1165 Sawmill Road, Unit A
Gardnerville, NV 89410

RE: Notification of Issuance of Surface Area Disturbance Permit AP1629-4375, FIN A2342, Air Case 10821 – Painted Rock Mine

Dear Mr. Maxwell:

The Nevada Division of Environmental Protection – Bureau of Air Pollution Control (BAPC) has reviewed the application submitted by Knox Excavating on May 21, 2021 for the above-referenced operating permit under legal authority from Nevada Revised Statutes (NRS) 445B.100 through 445B.640, inclusive, and pursuant to regulations in Nevada Administrative Code (NAC) 445B.001 through 445B.3689, inclusive. Based upon technical review and recommendation, I hereby issue the operating permit with appropriate restrictions. Enclosed is your copy of the operating permit which must be posted conspicuously at the facility.

In accordance with NRS 445B.340 and NAC 445B.890, you may appeal the Department's issuance of the operating permit within 10 days after you receive the operating permit. Appeals may be filed with the State Environmental Commission located at 901 S. Stewart Street, Carson City, Nevada 89701. For questions regarding appeals, call (775) 687-9374.

Please review the operating permit carefully and ensure you understand all conditions, restrictions, monitoring, recordkeeping, and other requirements. If you have any questions, contact Ryan Clark at (775) 687-9536 or rjclark@ndep.nv.gov.

Sincerely,

Ryan Clark

Ryan Clark
Supervisor, Permitting Branch
Bureau of Air Pollution Control

RC
Enclosure: Surface Area Disturbance Permit AP1629-4375

9171 9690 0935 0255 6527 47

Nevada Department of Conservation and Natural Resources • Division of Environmental Protection
Bureau of Air Pollution Control
901 SOUTH STEWART STREET SUITE 4001
CARSON CITY, NEVADA 89701-5249
p: 775-687-9349 • ndep.nv.gov/air

***Facility ID No.* A2342** ***Permit No.* AP1629-4375**

CLASS II AIR QUALITY OPERATING PERMIT
SURFACE AREA DISTURBANCE

Issued to: KNOX EXCAVATING
Mailing Address: 1165 SAWMILL ROAD, UNIT A, GARDNERVILLE, NV 89410
Project Address: 6 MILES EAST OF US 395 ON JOHNSON LANE, GARDNERVILLE, NV 89423
Driving Directions: FROM THE INTERSECTION OF US 395 AND HWY 209/JOHNSON LANE NORTH OF GARDNERVILLE, TAKE HWY 209/JOHNSON LANE EAST FOR APPROXIMATELY 4 MILES TO THE JOHNSON LANE OHV AREA. KEEP RIGHT TO STAY ON JOHNSON LANE AND CONTINUE FOR APPROXIMATELY 1.27 MILES TO SUNRISE PASS ROAD. CONTINUE EAST ON SUNRISE PASS ROAD FOR APPROXIMATELY 0.7 MILES. THE FACILITY WILL BE ON THE LEFT.
General Facility Location:

SECTION 6, T 13 N, R 21 E, MDB&M
HA 105 - CARSON VALLEY / DOUGLAS COUNTY
NORTH 4,322,437 M, EAST 268,530 M, UTM ZONE 11 S, NAD 83

Section I. General Provisions

A. Prohibited acts; penalty; establishment of violation; request for prosecution (NRS 445B.470) (*State Only Requirement)*

1. A person shall not knowingly:
   a. Violate any applicable provision, the terms or conditions of any permit or any provision for the filing of information;
   b. Fail to pay any fee;
   c. Falsify any material statement, representation or certification in any notice or report; or
   d. Render inaccurate any monitoring device or method, required pursuant to the provisions of NRS 445B.100 to 445B.450, inclusive, or 445B.470 to 445B.640, inclusive, or any regulation adopted pursuant to those provisions.
2. Any person who violates any provision of subsection 1 shall be punished by a fine of not more than $10,000 for each day of the violation.
3. The burden of proof and degree of knowledge required to establish a violation of subsection 1 are the same as those required by 42 U.S.C. § 7413(c), as that section existed on October 1, 1993.
4. If, in the judgment of the Director of the Department or the Director's designee, any person is engaged in any act or practice which constitutes a criminal offense pursuant to NRS 445B.100 to 445B.640, inclusive, the Director of the Department or the designee may request that the Attorney General or the district attorney of the county in which the criminal offense is alleged to have occurred institute by indictment or information a criminal prosecution of the person.
5. If, in the judgment of the control officer of a local air pollution control board, any person is engaged in such an act or practice, the control officer may request that the district attorney of the county in which the criminal offense is alleged to have occurred institute by indictment or information a criminal prosecution of the person.

B. Contents of operating permits: Exception for operating permits to construct; required conditions (NAC 445B.315)
(Federally Enforceable SIP Requirement)

1. Notwithstanding any provision of this section to the contrary, the provisions of this section do not apply to operating permits to construct.
2. The Director shall cite the legal authority for each condition contained in an operating permit.
3. An operating permit must contain the following conditions:
   a. The term of the operating permit is 5 years.
   b. The holder of the operating permit shall retain records of all required monitoring data and supporting information for 5 years after the date of the sample collection, measurement, report or analysis. Supporting information includes all records regarding calibration and maintenance of the monitoring equipment and all original strip-chart recordings for continuous monitoring instrumentation.
   c. Each of the conditions and requirements of the operating permit is severable, and if any are held invalid, the remaining conditions and requirements continue in effect.

Issued to: KNOX EXCAVATING

Section I. General Provisions (continued)

B. Contents of operating permits: Exception for operating permits to construct; required conditions (NAC 445B.315) (*Federally Enforceable SIP Requirement)* (continued)

3. An operating permit must contain the following conditions (continued):

d. The holder of the operating permit shall comply with all conditions of the operating permit. Any noncompliance constitutes a violation and is a ground for:
   (1) An action for noncompliance;
   (2) Revising, revoking, reopening and revising, or terminating the operating permit by the Director; or
   (3) Denial of an application for a renewal of the operating permit by the Director.

e. The need to halt or reduce activity to maintain compliance with the conditions of the operating permit is not a defense to noncompliance with any condition of the operating permit.

f. The Director may revise, revoke and reissue, reopen and revise, or terminate the operating permit for cause.

g. The operating permit does not convey any property rights or any exclusive privilege.

h. The holder of the operating permit shall provide the Director, in writing and within a reasonable time, with any information that the Director requests to determine whether cause exists for revising, revoking and reissuing, reopening and revising, or terminating the operating permit, or to determine compliance with the conditions of the operating permit.

i. The holder of the operating permit shall pay fees to the Director in accordance with the provisions set forth in NAC 445B.327 and 445B.331.

j. The holder of the operating permit shall allow the Director or any authorized representative, upon presentation of credentials, to:
   (1) Enter upon the premises of the holder of the operating permit where:
      (a) The stationary source is located;
      (b) Activity related to emissions is conducted; or
      (c) Records are kept pursuant to the conditions of the operating permit;
   (2) Have access to and copy, during normal business hours, any records that are kept pursuant to the conditions of the operating permit;
   (3) Inspect, at reasonable times, any facilities, practices, operations or equipment, including any equipment for monitoring or controlling air pollution, that are regulated or required pursuant to the operating permit; and
   (4) Sample or monitor, at reasonable times, substances or parameters to determine compliance with the conditions of the operating permit or applicable requirements.

k. A responsible official of the stationary source shall certify that, based on information and belief formed after a reasonable inquiry, the statements made in any document required to be submitted by any condition of the operating permit are true, accurate and complete.

******End of General Provisions******

Issued to: KNOX EXCAVATING

Section II. Surface Area Disturbance Conditions

Surface area disturbance – 100 acres for Painted Rock Mine.

A. Fugitive Dust (NAC 445B.22037) (*Federally Enforceable SIP Requirement)*

1. No person may cause or permit the handling, transporting, or storing of any material in a manner which allows or may allow controllable particulate matter to become airborne.
2. Except as otherwise provided in subsection 3, no person may cause or permit the construction, repair, demolition, or use of unpaved or untreated areas without first putting into effect an ongoing program using the best practical methods to prevent particulate matter from becoming airborne. As used in this subsection, "best practical methods" includes, but is not limited to, paving, chemical stabilization, watering, phased construction, and revegetation.
3. The provisions of subsection 2 do not apply to:
   a. Agricultural activities occurring on agricultural land; or
   b. Surface disturbances authorized by a permit issued pursuant to NRS 519A.180 which occur on land which is not less than 5 acres or more than 20 acres.

B. Posting

1. The holder of the operating permit shall install a sign constructed and labeled with materials capable of withstanding the strong winds, intense sunlight, and other conditions characteristic of Nevada's outdoors. The sign must be erected along the major street bordering the property, or at the main entrance to the site, within 50 feet of the border of the property. The sign must be clearly legible from the road and not be obstructed by signs, vehicles, vegetation, or any materials. The sign shall be replaced or repaired should it become damaged or difficult to read.
2. A sign that meets the following criteria will generally meet the requirements of subsection 1:
   a. Grade A/C plywood ¾" thick, a minimum of 4 feet by 4 feet in dimension;
   b. Two 4"x 4" posts with the base of the sign a minimum of 2 feet above ground level;
   c. A minimum of two (2) carriage bolts for each post to secure the plywood sign to the posts.
3. The front of the sign must be labeled with dark lettering on a contrasting background. The sign shall clearly identify the name of the project, the name of the person responsible for dust control, and provide the telephone number of the person responsible for dust control (valid during daylight hours, seven days a week), the project's street address (or physical location), and the air quality operating permit number. The sign must remain posted for the life of the permit. A sign labeled in block letters or numerals at least 4" high, in lines spaced 3" apart, in accordance with the following layout will generally meet the requirements of this section:

Painted Rock Mine – 100 Acres
Name of person responsible for dust control
In case of dust complaints, please call: (Your Number) **-OR-** **Nevada Division of Environmental Protection: (775) 687-9349**
Project street address
BAPC Permit AP1629-4375

******End of Surface Area Disturbance Conditions******

Facility ID No. **A2342** *Permit No.* **AP1629-4375**

CLASS II AIR QUALITY OPERATING PERMIT

Issued to: KNOX EXCAVATING

Section III. Amendments

N/A

This permit:

1. **Is non-transferable. (NAC 445B.287(3)) (*Federally Enforceable SIP Requirement)***
2. **Will be posted conspicuously at or near the stationary source. (NAC 445B.318(5)) (*Federally Enforceable SIP Requirement)***
3. **Will expire and be subject to renewal five (5) years from: June 22, 2021 (NAC 445B.315) (*Federally Enforceable SIP Requirement)***
4. **A completed application for renewal of an operating permit must be submitted to the director on the form provided by him with the appropriate fee at least 70 calendar days before the expiration date of this operation permit. (NAC 445B.3473(2)) (*Federally Enforceable SIP Requirement)***
5. **Any person aggrieved by a final decision of the Department may, not later than 10 days after notice of the action of the Department, appeal the decision by filing a request for a hearing before the Commission on a form 3* with the State Environmental Commission, 901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249. *(See adopting agency for form.) (NAC 445B.890) *(State Only Requirement)***

THIS PERMIT EXPIRES ON: June 22, 2026

Signature Ryan Clark

Issued by: Ryan Clark
Supervisor, Permitting Branch
Bureau of Air Pollution Control

Phone: (775) 687-9536 **Date:** June 22, 2021

RC
06/21

NEVADA DIVISION OF
ENVIRONMENTAL
PROTECTION

STATE OF NEVADA
Department of Conservation & Natural Resources
Steve Sisolak, *Governor*
Bradley Crowell, *Director*
Greg Lovato, *Administrator*

June 22, 2021

Jon Maxwell
Owner/General Manager
Knox Excavating
1165 Sawmill Road, Unit A
Gardnerville, NV 89410

RE: Notification of Issuance of the Class II Change of Location Approval #2949, FIN A2341, AP1442-4374.04, Air Case 10820 – Painted Rock Mine

Dear Mr. Maxwell:

The Nevada Division of Environmental Protection – Bureau of Air Pollution Control (BAPC) has reviewed the application submitted by Knox Excavating on May 21, 2021 for the above-referenced operating permit under legal authority from Nevada Revised Statutes (NRS) 445B.100 through 445B.640, inclusive, and pursuant to regulations in Nevada Administrative Code (NAC) 445B.001 through 445B.3689, inclusive. I hereby issue the Change of Location Approval (COLA) with appropriate restrictions. Enclosed is your copy of the COLA.

Additionally, enclosed is a copy of a report entitled "Class II Change of Location Approval (COLA) Actual Start of Operations Reporting Form" that is required to be completed and submitted to the BAPC Compliance and Enforcement Branch **within 15 days of initial startup** of the equipment for which the COLA has been issued, as well as a report entitled "Class II Change of Location Approval (COLA) Completion of Operations Reporting Form" required to be completed and submitted to the BAPC Compliance and Enforcement Branch **within 30 days of completion of the project** for which the COLA has been issued. Verification of compliance of the applicable opacity standard is required for each emission unit at each new location as stated in General Permit Section V (A) and COLA Section I (F). Submittal of verification is due not later than 15 days after initial startup.

In accordance with NRS 445B.340 and NAC 445B.890, you may appeal the Department's issuance of the operating permit within 10 days after you receive the operating permit. Appeals may be filed with the State Environmental Commission located at 901 S. Stewart Street, Carson City, Nevada 89701. For questions regarding appeals, call (775) 687-9374. Please review the COLA and ensure you understand all conditions, restrictions, monitoring, recordkeeping, and other requirements. If you have any questions, contact Ryan Clark at (775) 687-9536 or rjclark@ndep.nv.gov.

Sincerely,

Ryan Clark

Ryan Clark
Supervisor, Permitting Branch
Bureau of Air Pollution Control

9171 9690 0935 0255 6527 30

RC
Enclosure: COLA #2949; Start of Operations Reporting Form; Completion of Operations Reporting Form

Nevada Department of Conservation and Natural Resources • Division of Environmental Protection

Bureau of Air Pollution Control

901 SOUTH STEWART STREET, SUITE 4001
CARSON CITY, NEVADA 89701-5249
p: 775-687-9349 • www.ndep.nv.gov/bapc

Facility ID No. A2341 *Permit No.* AP1442-4374.04

CLASS II GENERAL AIR QUALITY OPERATING PERMIT FOR TEMPORARY CONSTRUCTION SOURCES CHANGE OF LOCATION APPROVAL #2949

Issued to: KNOX EXCAVATING
Mailing Address: 1165 SAWMILL ROAD, UNIT A, GARDNERVILLE, NV 89410
Driving Directions: FROM THE INTERSECTION OF US 395 AND HWY 209/JOHNSON LANE NORTH OF GARDNERVILLE, TAKE HWY 209/JOHNSON LANE EAST FOR APPROXIMATELY 4 MILES TO THE JOHNSON LANE OHV AREA. KEEP RIGHT TO STAY ON JOHNSON LANE AND CONTINUE FOR APPROXIMATELY 1.27 MILES TO SUNRISE PASS ROAD. CONTINUE EAST ON SUNRISE PASS ROAD FOR APPROXIMATELY 0.7 MILES. THE FACILITY WILL BE ON THE LEFT.
General Facility Location:

SECTION 6, T 13 N, R 21 E, MDB&M
HA 105 – CARSON VALLEY / DOUGLAS COUNTY
NORTH 4,322,463 M, EAST 268,475 M, UTM ZONE 11 S, NAD 83

Section I. Specific Operating Conditions

A. The owner or operator is granted approval to operate the emission units specified in Table 1, at the location specified above, as submitted in the Change of Location Approval Request For Temporary Sources.

B. The maximum throughput specified in Table 1 for each emission unit shall not be exceeded at any time during operation under this Change of Location Approval (COLA).

C. The maximum daily hours of operation specified in Table 1 for each emission unit shall not be exceeded at any time during operation under this COLA.

D. The emission limits specified in Table 1 for each emission unit shall not be exceeded at any time during operation under this COLA.

E. The air pollution control equipment specified in Table 1 for each emission unit shall be utilized at all times when the emission units are in operation under this COLA.

F. Initial Opacity Compliance Demonstration (NAC 445B.22017, NAC 445B.252)(*Federally Enforceable SIP Requirement*)
(40 CFR Part 60)
Under the authority of NAC 445B.22017, NAC 445B.252, and 40 CFR Part 60, the holder of the operating permit shall conduct an Initial Opacity Compliance Demonstration for all emission units at every change of location that is approved by the Director within 15 days of startup of each emission unit as described below:
1. For all emission units, Method 9 in Appendix A of 40 CFR Part 60 shall be used to determine opacity. The minimum total time of observations shall be six minutes (24 consecutive observations recorded at 15 second intervals), unless otherwise specified by an applicable subpart.

G. Monitoring and Recordkeeping (NAC 445B.346)(*Federally Enforceable SIP Requirement*)
Under the authority of NAC 445B.346, the holder of the operating permit, upon the actual date of startup of the emission units specified in Table 1 shall:
1. Monitoring
   (a) Monitor the throughput, in tons, on a daily basis.
   (b) Monitor the hours of operation for on a daily basis.

Facility ID No. A2341 *Permit No.* AP1442-4374.04
CLASS II GENERAL AIR QUALITY OPERATING PERMIT FOR TEMPORARY CONSTRUCTION SOURCES CHANGE OF LOCATION APPROVAL #2949

Issued to: KNOX EXCAVATING

Section I. Specific Operating Conditions (continued)

G. Monitoring and Recordkeeping (NAC 445B.346)*(Federally Enforceable SIP Requirement)* (continued)
Under the authority of NAC 445B.346, the holder of the operating permit, upon the actual date of startup of the emission units specified in Table 1 shall (continued):

2. Recordkeeping
The required monitoring established in this section, shall be maintained in a contemporaneous log containing, at a minimum, the following recordkeeping:
   (a) The calendar date of the required monitoring.
   (b) The total daily throughput in tons, for the corresponding date.
   (c) The total daily hours of operation for the corresponding date.
   (d) The corresponding average hourly throughput rate in tons per hour. The average hourly throughput rate shall be determined from the total daily throughput and the total daily hours of operation.

H. Reporting (NAC 445B.250 and NAC 445B.315(3)(h))(*Federally Enforceable SIP Requirement*)
Under the authority of NAC 445B.250 and NAC 445B.315(3)(h), the holder of the operating permit shall provide the Director, in writing, the following reports:

1. A report of the actual date of initial startup for all emission units, postmarked not more than 15 days after such date, on the form provided by the Director. Failure to provide the required initial startup report(s) shall result in disapproval of future change of location requests until the report(s) are received, and may subject the holder of the operating permit to a Notice of Alleged Violation in accordance with NAC 445B.275.
2. A report of the Initial Opacity Compliance Demonstration for all emission units as required in **Section V.A.**, postmarked not more than 15 days after completion of the Initial Opacity Compliance Demonstration. Failure to provide the required Initial Opacity Compliance Demonstration report(s) shall result in disapproval of future change of location requests until the report(s) are received, and may subject the holder of the operating permit to a Notice of Alleged Violation in accordance with NAC 445B.275.
3. A report of the actual production and hours of operation within 30 days of the completion of the job, on the form provided by the Director. The report(s) shall be compiled based on each approved location. Failure to provide the required production report(s) shall result in disapproval of future change of location requests until the report(s) are received, and may subject the holder of the operating permit to a Notice of Alleged Violation in accordance with NAC 445B.275.

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Issued to: KNOX EXCAVATING

Section I. Specific Operating Conditions (continued)

TABLE 1 – Operating and Emission Limits

Knox Excavating, Air Case 10820, AP1442-4374.04, A2341, COLA 2949

Source #	Source Description	Material Process Rate		Operating Hours	Emissions Control	Calculated PM Emissions		Calculated PM_{10} Emissions		Calculated $PM_{2.5}$ Emissions		Applicable 40 CFR Part 60 Subpart	Opacity Limit
		tons/hr	tons/job	hrs/day	Technology	lbs/day	tons/job	lbs/day	tons/job	lbs/day	tons/job		
System 1 - Crushing and Screening													
PF1 001	Triple Deck Screen and Associated Transfers (IN - Loader, OUT - Screen Conveyors 1, 2, 3, and 4)	600	3,494,400	16	WDS	21.120	3.844	7.104	1.293	0.480	0.087	N/A	20%
PF1 002	Screen Conveyor 1 transfer to Stockpile	600	3,494,400	16	WDS	1.344	0.245	0.442	0.080	0.125	0.023	N/A	20%
PF1 003	Screen Conveyor 2 transfer to Stockpile	600	3,494,400	16	WDS	1.344	0.245	0.442	0.080	0.125	0.023	N/A	20%
PF1 004	Screen Conveyor 3 transfer to Stockpile	600	3,494,400	16	WDS	1.344	0.245	0.442	0.080	0.125	0.023	N/A	20%
PF1 005	Screen Conveyor 4 transfer to Stockpile	600	3,494,400	16	WDS	1.344	0.245	0.442	0.080	0.125	0.023	N/A	20%
PF1 006	Material Transfer to Stacker Conveyor 1	600	3,494,400	16	WDS	1.344	0.245	0.442	0.080	0.125	0.023	N/A	20%
PF1 007	Stacker Conveyor 1 transfer to Stacker Conveyor 2	600	3,494,400	16	WDS	1.344	0.245	0.442	0.080	0.125	0.023	N/A	20%
PF1 008	Stacker Conveyor 2 transfer to Radial Stacker	600	3,494,400	16	WDS	1.344	0.245	0.442	0.080	0.125	0.023	N/A	20%
PF1 009	Radial Stacker transfer to Stockpile	600	3,494,400	16	WDS	1.344	0.245	0.442	0.080	0.125	0.023	N/A	20%

Systems Emission Limits (lb/day)							
Pollutant	**PM**	**PM_{10}**	**$PM_{2.5}$**	**NO_X**	**SO_2**	**CO**	**VOC**
System 1 - Crushing and Screening	31.9	10.6	1.5	0.0	0.0	0.0	0.0
Calculated Emissions	**31.9**	**10.6**	**1.5**	**0.0**	**0.0**	**0.0**	**0.0**
General Limit	**88.4**	**32.4**	**4.6**	**0.0**	**0.0**	**0.0**	**0.0**
Result	**MEETS**	**MEETS**	**MEETS**	**MEETS**	**MEETS**	**MEETS**	**MEETS**

******End of Specific Operating Conditions******

Facility ID No. A2341 *Permit No.* AP1442-4374.04
CLASS II GENERAL AIR QUALITY OPERATING PERMIT FOR TEMPORARY CONSTRUCTION SOURCES CHANGE OF LOCATION APPROVAL #2949

Issued to: KNOX EXCAVATING

Section II. General Provisions

A. Visible emissions: Maximum opacity; determination and monitoring of opacity (NAC 445B.22017)(*Federally Enforceable SIP Requirement)*

1. Except as otherwise provided in this section and NAC 445B.2202, no owner or operator may cause or permit the discharge into the atmosphere from any emission unit which is of an opacity equal to or greater than 20 percent. Opacity must be determined by one of the following methods:
   a. If opacity is determined by a visual measurement, it must be determined as set forth in Reference Method 9 in Appendix A of 40 C.F.R. Part 60.
   b. If a source uses a continuous monitoring system for the measurement of opacity, the data must be reduced to 6-minute averages as set forth in 40 C.F.R. § 60.13(h).
2. The provisions of this section and NAC 445B.2202 do not apply to that part of the opacity that consists of uncombined water. The burden of proof to establish the application of this exemption is upon the person seeking to come within the exemption.

B. Visible emissions: Exceptions for stationary sources (NAC 445B.2202)(*Federally Enforceable SIP Requirement)*

The provisions of NAC 445B.22017 do not apply to:

1. Smoke from the open burning described in NAC 445B.22067;
2. Smoke discharged in the course of training air pollution control inspectors to observe visible emissions, if the facility has written approval of the Commission;
3. Emissions from an incinerator as set forth in NAC 445B.2207; or
4. Emissions of stationary diesel-powered engines during warm-up for not longer than 15 minutes to achieve operating temperatures.

C. Emissions of particulate matter: Fugitive dust (NAC 445B.22037)(*Federally Enforceable SIP Requirement)*

1. No person may cause or permit the handling, transporting or storing of any material in a manner which allows or may allow controllable particulate matter to become airborne.
2. Except as otherwise provided in subsection 4, no person may cause or permit the construction, repair, demolition, or use of unpaved or untreated areas without first putting into effect an ongoing program using the best practical methods to prevent particulate matter from becoming airborne. As used in this subsection, "best practical methods" includes, but is not limited to, paving, chemical stabilization, watering, phased construction and revegetation.
3. Except as otherwise provided in subsection 4, no person may disturb or cover 5 acres or more of land or its topsoil until the person has obtained an operating permit for surface area disturbance to clear, excavate, or level the land or to deposit any foreign material to fill or cover the land.
4. The provisions of subsections 2 and 3 do not apply to:
   a. Agricultural activities occurring on agricultural land; or
   b. Surface disturbances authorized by a permit issued pursuant to NRS 519A.180 which occur on land which is not less than 5 acres or more than 20 acres.

D. Odors (NAC 445B.22087)(*State Only Requirement)*

1. No person may discharge or cause to be discharged, from any stationary source, any material or regulated air pollutant which is or tends to be offensive to the senses, injurious or detrimental to health and safety, or which in any way interferes with or prevents the comfortable enjoyment of life or property.
2. The Director shall investigate an odor when 30 percent or more of a sample of the people exposed to it believe it to be objectionable in usual places of occupancy. The sample must be at least 20 people or 75 percent of those exposed if fewer than 20 people are exposed.
3. The Director shall deem the odor to be a violation if he or she is able to make two odor measurements within a period of 1 hour. These measurements must be separated by at least 15 minutes. An odor measurement consists of a detectable odor after the odorous air has been diluted with eight or more volumes of odor-free air.

NDEP

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CLASS II GENERAL AIR QUALITY OPERATING PERMIT FOR TEMPORARY CONSTRUCTION SOURCES CHANGE OF LOCATION APPROVAL #2949

Issued to: KNOX EXCAVATING

Section II. General Provisions (continued)

E. Prohibited Conduct: Concealment of emissions (NAC 445B.225)(*Federally Enforceable SIP Requirement)*

1. No person may install, construct or use any device which conceals any emission without reducing the total release of regulated air pollutants to the atmosphere.

F. Prohibited conduct: Operation of source without required equipment; removal or modification of required equipment; modification of required procedure (NAC 445B.227)(*Federally Enforceable SIP Requirement)*

Except as otherwise provided in NAC 445B.001 to 445B.3497, inclusive, [NAC adopted as of October 2016 includes NAC 445B.001 to 445B.390, inclusive], no person may:

1. Operate a stationary source of air pollution unless the control equipment for air pollution which is required by applicable requirements or conditions of the permit is installed and operating.
2. Disconnect, alter, modify or remove any of the control equipment for air pollution or modify any procedure required by an applicable requirement or condition of the permit.

G. Excess emissions: Scheduled maintenance, testing or repairs; notification of Director; malfunction, upset, start-up, shutdown or human error (NAC 445B.232)(*State Only Requirement)*

1. Scheduled maintenance or testing or scheduled repairs which may result in excess emissions of regulated air pollutants prohibited by NAC 445B.001 to 445B.390, inclusive, must be approved in advance by the Director and performed during a time designated by the Director as being favorable for atmospheric ventilation.
2. Each owner or operator shall notify the Director of the proposed time and expected duration at least 30 days before any scheduled maintenance or testing which may result in excess emissions of regulated air pollutants prohibited by NAC 445B.001 to 445B.390, inclusive. The scheduled maintenance or testing must not be conducted unless the scheduled maintenance or testing is approved pursuant to subsection 1.
3. Each owner or operator shall notify the Director of the proposed time and expected duration at least 24 hours before any scheduled repairs which may result in excess emissions of regulated air pollutants prohibited by NAC 445B.001 to 445B.390, inclusive. The scheduled repairs must not be conducted unless the scheduled repairs are approved pursuant to subsection 1.
4. Each owner or operator shall notify the Director of any excess emissions within 24 hours after any malfunction or upset of the process equipment or equipment for controlling pollution or during start-up or shutdown of that equipment.
5. Each owner or operator shall provide the Director, within 15 days after any malfunction, upset, start-up, shutdown or human error which results in excess emissions, sufficient information to enable the Director to determine the seriousness of the excess emissions. The information must include at least the following:
   a. The identity of the stack or other point of emission, or both, where the excess emissions occurred.
   b. The estimated magnitude of the excess emissions expressed in opacity or in the units of the applicable limitation on emission and the operating data and methods used in estimating the magnitude of the excess emissions.
   c. The time and duration of the excess emissions.
   d. The identity of the equipment causing the excess emissions.
   e. If the excess emissions were the result of a malfunction, the steps taken to remedy the malfunction and the steps taken or planned to prevent the recurrence of the malfunction.
   f. The steps taken to limit the excess emissions.
   g. Documentation that the equipment for controlling air pollution, process equipment or processes were at all times maintained and operated, to a maximum extent practicable, in a manner consistent with good practice for minimizing emissions.
6. Each owner or operator shall ensure that any notification or related information submitted to the Director pursuant to this section is provided in a format specified by the Director.

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Issued to: KNOX EXCAVATING

Section II. General Provisions (continued)

H. Prohibited acts; penalty; establishment of violation; request for prosecution (NRS 445B.470)(*State Only Requirement)*

1. A person shall not knowingly:
   a. Violate any applicable provision, the terms or conditions of any permit or any provision for the filing of information;
   b. Fail to pay any fee;
   c. Falsify any material statement, representation or certification in any notice or report; or
   d. Render inaccurate any monitoring device or method, required pursuant to the provisions of NRS 445B.100 to 445B.450, inclusive, or 445B.470 to 445B.640, inclusive, or any regulation adopted pursuant to those provisions.
2. Any person who violates any provision of subsection 1 shall be punished by a fine of not more than $10,000 for each day of the violation.
3. The burden of proof and degree of knowledge required to establish a violation of subsection 1 are the same as those required by 42 U.S.C. § 7413(c), as that section existed on October 1, 1993.
4. If, in the judgment of the Director of the Department or the Director's designee, any person is engaged in any act or practice which constitutes a criminal offense pursuant to NRS 445B.100 to 445B.640, inclusive, the Director of the Department or the designee may request that the Attorney General or the district attorney of the county in which the criminal offense is alleged to have occurred institute by indictment or information a criminal prosecution of the person.
5. If, in the judgment of the control officer of a local air pollution control board, any person is engaged in such an act or practice, the control officer may request that the district attorney of the county in which the criminal offense is alleged to have occurred institute by indictment or information a criminal prosecution of the person.

I. Violations: Acts constituting; notice (NAC 445B.275)(*Federally Enforceable SIP Requirement)*

1. Failure to comply with any requirement of NAC 445B.001 to 445B.3791, inclusive, [NAC adopted as of October 2016 includes NAC 445B.001 to 445B.390, inclusive] any applicable requirement or any condition of an operating permit constitutes a violation. As required by NRS 445B.450, the Director shall issue a written notice of an alleged violation to any owner or operator for any violation, including, but not limited to:
   a. Failure to apply for and obtain an operating permit;
   b. Failure to construct a stationary source in accordance with the application for an operating permit as approved by the Director;
   c. Failure to construct or operate a stationary source in accordance with any condition of an operating permit;
   d. Commencing construction or modification of a stationary source without applying for and receiving an operating permit or a modification of an operating permit as required by NAC 445B.001 to 445B.3497, inclusive, [NAC adopted as of October 2016 includes NAC 445B.001 to 445B.3477, inclusive], or a mercury operating permit to construct as required by NAC 445B.3611 to 445B.3689, inclusive;
   e. Failure to comply with any requirement for recordkeeping, monitoring, reporting or compliance certification contained in an operating permit; or
   f. Failure to pay fees as required by NAC 445B.327 or 445B.3689.
2. The written notice must specify the provision of NAC 445B.001 to 445B.3791, inclusive, [NAC adopted as of October 2016 includes NAC 445B.001 to 445B.390, inclusive], the condition of the operating permit or the applicable requirement that is being violated.
3. Written notice shall be deemed to have been served if delivered to the person to whom addressed or if sent by registered or certified mail to the last known address of the person.

NDEP

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CLASS II GENERAL AIR QUALITY OPERATING PERMIT FOR TEMPORARY CONSTRUCTION SOURCES CHANGE OF LOCATION APPROVAL #2949

Issued to: KNOX EXCAVATING

Section II. General Provisions (continued)

J. Posting

1. Permittee shall install a sign constructed and labeled with materials capable of withstanding the strong winds, intense sunlight, and other conditions characteristic of Nevada's outdoors. The sign must be erected along the major street bordering the property, or at the main entrance to the site, within 50 feet of the border of the property. The sign must be clearly legible from the road and not be obstructed by signs, vehicles, vegetation, or any materials. The sign shall be replaced or repaired should it become damaged or difficult to read.
2. A sign that meets the following criteria will generally meet the requirements of subsection 1:
   a. Grade A/C plywood ¾" thick, a minimum of 4 feet by 4 feet in dimension;
   b. Two 4"x 4" posts with the base of the sign a minimum of 2 feet above ground level;
   c. A minimum of two (2) carriage bolts for each post to secure the plywood sign to the posts.
3. The front of the sign must be labeled with dark lettering on a contrasting background. The sign shall clearly identify the name of the project, the name of the person (permittee, operator, or contractor) responsible for dust control, and provide the telephone number of the person responsible for dust control (valid during daylight hours, seven days a week), the project's street address (or physical location), and the air quality operating permit number. The sign must remain posted for the life of the permit. A sign labeled in block letters or numerals at least 4" high, in lines spaced 3" apart, in accordance with the following layout will generally meet the requirements of this section:

Project Name
Name of person responsible for dust control
In case of dust complaints, please call: (Your Number) **-OR-** **Nevada Division Of Environmental Protection: (775) 687-9349**
Project street address
BAPC Permit AP1442-4374.04 COLA #2949

******End of General Provisions******

Facility ID No. A2341 *Permit No.* AP1442-4374.04

CLASS II GENERAL AIR QUALITY OPERATING PERMIT FOR TEMPORARY CONSTRUCTION SOURCES CHANGE OF LOCATION APPROVAL #2949

Issued to: KNOX EXCAVATING

Section III. Amendments

This COLA issued under Class II General Air Quality Operating Permit AP1442-4374.04:

1. **Is non-transferable and supersedes all other COLAs issued for this location. (NAC 445B.287(3)) (*Federally Enforceable SIP Requirement)***
2. **Will be posted conspicuously at or near the stationary source. (NAC 445B.318(5)) (*Federally Enforceable SIP Requirement)***
3. **Will expire twelve (12) months from the date of original issuance, or when operational limitations are reached, whichever occurs first. (NAC 445B.315) (*Federally Enforceable SIP Requirement)***
4. **Upon completion of the project approved under this COLA, Permittee may not operate at this location for a period of at least 90 days. (NAC 445B.305) (*Federally Enforceable SIP Requirement)***
5. **Any party aggrieved by the Department's decision to issue this COLA may appeal to the State Environmental Commission (SEC) within ten days after the date of notice of the Department's action. (NRS 445B.3477(9)) (*Federally Enforceable SIP Requirement)***

THIS PERMIT EXPIRES ON: **June 22, 2022**

Signature: Ryan Clark

Issued by: Ryan Clark
Supervisor, Permitting Branch
Bureau of Air Pollution Control

Phone: (775) 687-9536 **Date:** June 22, 2021

RC
06/21

Appendix F. Cultural Resources Coordination and Consultation

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Western Regional Office
2600 North Central Avenue
Phoenix, Arizona 85004-3008

IN REPLY REFER TO:
Environmental Quality Services
MS620-EQS

Ms. Rebecca L. Palmer
State Historic Preservation Officer
Nevada State Historic Preservation Office
901 South Stewart Street, Suite 5004
Carson City, Nevada 89701-5246

Dear Ms. Palmer:

As Agency Official for purposes of Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), the Bureau of Indian Affairs (BIA) wishes to re-consult with you regarding the proposed undertaking: **approval of a lease for a construction materials source mine (Project No. 2019-159)**. This letter identifies an amendment to the Area of Potential Effects (APE) to include two existing roads that require approval of right-of-way (ROW) from the Bureau of Land Management (BLM).

Area of Potential Effects (APE)

The newly expanded APE for the proposed undertaking is located northeast of Minden, Douglas County, Nevada. The original direct APE contained 146 acres for the mine itself and is situated in Section 6 of Township 13 North, Range 21 East (Mount Diablo Baseline and Meridian), as depicted on U.S. Geological Survey topographic map (7.5-minute series) of the McTarnahan Hill (NV) quadrangle. The mine is located on allotted land held in trust by the BIA.

The proposed expanded APE includes two existing access roads that cross land under jurisdiction of the Carson City District of the BLM. Both access roads require BLM approval of a 60-foot-wide ROW. Road Segment A is approximately two miles long and Road Segment B is approximately one mile in length. The direct APE for the roads includes the 60-foot ROW, which covers any necessary improvements. The proposed road improvements include adding gravel to road surfaces, re-grading the road segments, and repairing existing drainage structures. In consultation with the BLM, we concluded that the indirect APE is contained in the direct APE because any visual or other indirect effects caused by this project are anticipated to be minimal and would be in keeping with the existing characteristics of the landscape. Dirt, graded, and graveled roads are ubiquitous in the area.

The BLM also requested a cultural resource survey for two existing short access roads leading to a staging area for Off-Highway Motor Vehicles (OHV). The staging area is an abandoned Nevada Department of Transportation (NDOT) materials pit. Some improvements may be necessary for these roads. One or two informational kiosks for the OHV users would be placed by BLM inside

the staging area. Kiosks already exist in this area. BLM would also place signs for the OHV users to clarify traffic and parking.

Project Description

The original undertaking included the installation of a modular office building, a parking and stockpiling area, a diesel fuel tank, portable utilities (e.g., toilets, trash dumpsters), and mineral resource extraction via bulldozers and other mechanical extractors.

The undertaking as presently modified entails BLM approval of ROW for two access roads to the mine. The two access roads are existing, but minor improvements would be necessary, including some blading and gravelling. Road Segment A would be the primary haul road and would require adding a layer of gravel road base, improving ditches and culverts, installing new turn-outs for traffic congestion, and providing new parking areas (for OHV parking, as needed by BLM). Road Segment A was used by NDOT in the past for access to a materials pit. Road Segment B would require some blading and a layer of gravel road base; this road would receive significantly less traffic. All work would be within the 60-foot ROW. All of Road Segment B and part of Road Segment A have been maintained by BLM. Warning signs for heavy mine traffic would be installed at the entrance to the road from the subdivision on Johnson Road, and on the east end of the entrance to the mine (see enclosed map).

In addition, two half-mile access roads to an OHV staging area have been included, at the request of BLM. The roads and staging area are in existence, and the roads may need some blading and gravel. The staging area is an existing abandoned NDOT materials pit that is currently used for OHV parking. BLM would maintain these roads and install one or two OHV kiosks and some signs designating roads for OHV travel.

Efforts to Identify Historic Properties

Direct Effects:
In connection with this undertaking, Kautz Environmental Consultants, Inc. (Kautz) conducted a cultural resources investigation of the mine and associated buildings, as reported in *An Archaeological Inventory of 146 Acres for the Painted Rock Mine, Douglas County, Nevada* (Hansen et al. 2019) which was previously submitted to your office. Two sites were recorded, one was an isolated find and the other consisted of four historic cans (26DO1477). Both were determined not eligible and your office concurred on this determination.

To address the APE change, Kautz conducted an additional cultural resource inventory of 104 acres which is attached (*Addendum Number 2: Additional Cultural Resource Inventory for the Painted Rock Mine Project, Douglas County, Nevada (*Hansen et al.) *2021*) (CRR 3-2884). No previously recorded sites were found in the road APE during the Class I. The new field survey recorded three dirt roads and one transmission line.

Site 26DO1501 (CrNV-03-12116) is a historic dirt road that is a connector road to subdivisions. It was recorded in three segments. Segment A is graded and maintained with water control features. Segment B is an unused two-track that ends in a subdivision. Segment C is a re-route of Segment B and is graded and maintained. Based on historic maps, it appears to date between 1956

and 1968. Although the road is labeled on current maps as Sunrise Hill Road, it is not the historic road, which is located to the northeast and has a site number of 26DO1030.

Site 26DO1502 is a historic road that first appears on 1956 maps. It connects Minden to the historic Sunrise Pass Road. It was recorded in two segments. Segment A is graded and maintained. Segment B is an unimproved dirt road. Segment A would be used as one of the access roads for this undertaking.

Site 26DO1503 (CrNV-03-12117) is a historic dirt road that appears on a 1956 map. It was recorded in two discontinuous segments. Both roads are not maintained and connect other dirt roads in the area.

Site S2767 (CrNV-03-12118) is a 120kV transmission line constructed in 1961. It is a standard H-frame wood pole style built to move power between substations.

Indirect Effects:
These are defined as being contained with the direct APE. Any visual change will be within the direct APE, including blading, adding gravel, replacing culverts, and cleaning out erosion control features. The new turnouts for traffic congestion are in an area which is currently being used for OHV parking and use; these will just allow for a safer way to control traffic. This OHV area is an abandoned NDOT materials pit, designated by BLM for OHV parking.

We were able to directly communicate with the Tribal Historic Preservation Officer (THPO) of the Washoe Tribe of Nevada and California about any possible traditional cultural properties (TCP) that might be affected by the undertaking. The THPO responded that no TCPs are known to be in the area. We have not received any response from other Tribes regarding TCPs in the project area.

Determinations of Eligibility for the Addendum Report

26DO1501:
This site is a dirt road which is not associated with events, developments, or trends of importance in state, regional, or national history, nor is it associated with an important historic figure. The road is not unique, nor does it display characteristics of a particular method or style of road construction. The road does not contain features or artifacts that could provide information to address research questions or themes developed for the region. For these reasons, this road segment is recommended not eligible for inclusion on the National Register of Historic Places (NRHP) under any of the criteria of eligibility (A, B, C, or D), and non-contributing to the overall road. Unrecorded segments remain unevaluated.

26DO1502:
This site is a segment of dirt road which is not associated with events, developments, or trends of importance in state, regional, or national history, nor is it associated with an important historic figure. The road is not unique, nor does it display characteristics of a particular method or style of road construction. The road does not contain features or artifacts that could provide information to address research questions or themes developed for the region. For these reasons, this road segment is recommended not eligible for inclusion on the NRHP under any of the criteria of

eligibility (A, B, C, or D), and non-contributing to the overall road. Unrecorded segments remain unevaluated.

26DO1503:
This site is comprised of two segments of a dirt road. This road is not associated with events, developments, or trends of importance in state, regional, or national history, nor is it associated with an important historic figure. The road is not unique, nor does it display characteristics of a particular method or style of road construction. The road does not contain features or artifacts that could provide information to address research questions or themes developed for the region. For these reasons, the road segments documented herein are recommended not eligible for inclusion on the NRHP under any of the criteria of eligibility (A, B, C, or D), and non-contributing to the overall road. Unrecorded segments remain unevaluated.

S2767:
This is a segment of a 120kV wood pole transmission line. The segment recorded for the current undertaking comprises a portion of the overall powerline, which traverses south from the Brunswick Substation near Empire, Nevada to the Buckeye Substation east of Minden, Nevada. Sierra Pacific Power Company constructed the line in 1961. This segment of the powerline retains integrity of location, setting, association, and feeling. However, as a secondary transmission corridor built in the early 1960s, it does not possess the level of significance for individual listing under Criterion A, nor does it contribute to the overall line under this criterion. The transmission line segment cannot be definitively associated with any person of historical significance at the local, state, or national levels and is recommended individually not eligible and not contributing to the overall corridor under Criterion B.

The transmission line segment itself possesses good integrity of design, materials, and workmanship. However, neither the line segment, nor its individual towers, are the work of a master, possess high artistic values, or represent a particular period or method of construction. In addition, the line is a ubiquitous resource class on the landscape. As such, this line does not warrant individual eligibility to the NRHP under Criterion C, nor does it contribute to the overall line under this criterion. As a purely architectural resource, the line does not contain any substantive data potential and is therefore recommended not eligible and not contributing under Criterion D.

The BIA consulted with the BLM and they concurred with the APE definitions for direct and indirect, as well as the recommendations for eligibility and effect. The BLM noted that during a site visit, the entire area is affected by numerous dirt roads, NDOT materials pits, dirt bikes, and OHVs.

Finding of Effect

We have arrived at a determination of **No Historic Properties Affected** pursuant to 36 CFR 800.5(b). The APE includes no NRHP-eligible resources. This determination will be included as part of the National Environmental Policy Act (NEPA) documentation associated with the proposed undertaking, which is anticipated to be an Environmental Assessment. As part of the NEPA review process, we will employ corresponding BIA and BLM notification procedures for addressing our responsibilities as defined at 36 CFR 800.2(d).

As required at 36 CFR 800.4(d), we are submitting documentation of this finding and await your response within 30 days of receipt. We trust you will agree with the adequacy of the enclosed report, our determinations of eligibility, and the finding of effect. We seek your concurrence with these and the satisfactory completion of the Section 106 consultation process for the current undertaking.

If there are any questions, please contact Mr. Garry J. Cantley, Regional Archeologist, at (602) 379-6750 extension 1256 or by email at Garry.Cantley@bia.gov.

Sincerely,

Rodney McVey
Deputy Regional Director - Trust Services

Enclosure

cc: Superintendent, Western Nevada Agency
Attn: Environmental Coordinator
Manager, Carson City District Office, BLM
Attn: Archeologist

United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
Western Regional Office
2600 North Central Avenue
Phoenix, Arizona 85004-3008

IN REPLY REFER TO:
Environmental Quality Services
MS620-EQS

Honorable Serrell Smokey
Chairman, Washoe Tribal Council
919 Hwy. 395 South
Gardnerville, Nevada 89410

Dear Chairman Smokey:

As Agency Official for purposes of Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), the Western Regional Office of the Bureau of Indian Affairs (BIA) wishes to consult with the Washoe Tribe of Nevada and California regarding the proposed undertaking: **approval of right-of-way (ROW) for two roads leading to a materials source mine (Project No. 2019-159)**. The mine is located on allotted lands in an area referred to as Painted Rocks in Douglas County, Nevada. The proposed ROW is on land under jurisdiction of the Bureau of Land Management (BLM). The BIA is serving as the Lead Federal Agency because of its approval of the lease for the proposed mine.

The undertaking entails BLM approval of a ROW for two existing access roads to the mine (see enclosed map). The ROW would be 60-feet wide along both roads. The maximum length of the combined ROWs is 3 miles (15,840 feet), covering 21.8 acres of BLM-managed public lands. Minor improvements to both roads would be necessary, including some blading and gravelling. Road Segment A would be the primary haul road and would require adding a layer of gravel road base, improving ditches and culverts, and installing new turn-outs for traffic congestion. Road Segment A was used by the Nevada Department of Transportation (NDOT) in the past for access to a materials pit. Road Segment B would require some blading and a layer of gravel road base; this road would receive significantly less traffic. All work would be within the 60-foot ROW. All of Road Segment B and part of Road Segment A have been maintained by BLM. Warning signs for heavy mine traffic would be installed at the entrance to the road from the subdivision on Johnson Road, and on the east end of the entrance to the mine.

In addition, two half-mile access roads to an off-highway vehicle (OHV) staging area have been included, at the request of BLM. The roads and staging area are in existence, and the roads may need some blading and gravel. The staging area is an existing abandoned NDOT materials pit that is currently used for OHV parking. BLM would maintain these roads and install one or two OHV kiosks and some signs designating roads for OHV travel.

The Area of Potential Effects (APE) for direct and indirect effects is 21.8 acres, which encompasses the maximum disturbance expected from the proposed ROW and the OHV

modifications described in this letter. Following provisions of the NHPA, we are seeking counsel with your office regarding the proposed undertaking to identify any concerns about historic properties; advice on our identification efforts and evaluation of historic properties; articulate views on the undertaking's effects; and participate in the resolution of any adverse effects. We specifically are asking to be advised if your community attaches religious and cultural significance to any historic properties in the APE. We have recently completed a Class III archeological survey of the APE and identified three historic road segments and a historic transmission line.

We look forward to your views on this project and other efforts we may employ to satisfy our responsibilities as prescribed by the NHPA.

If there are any questions, please contact Mr. Garry J. Cantley, Regional Archeologist, at (602) 379-6750 extension 1256 or by email at Garry.Cantley@bia.gov.

Sincerely,

Rodney McVey
Deputy Regional Director - Trust Services

Enclosure

cc: Superintendent, Western Nevada Agency
Attn: Environmental Coordinator
Tribal Historic Preservation Officer, Washoe Tribe (w/enc)
Manager, Carson City District Office, BLM
Attn: Archeologist

Washoe Tribe of Nevada and California
Tribal Historic Preservation Office/Cultural Resources Office
Protect, Preserve and Promote Washoe Heritage and Culture

Rodney McVey, Deputy Regional Director - Trust Services
BUREAU OF INDIAN AFFAIRS
Western Regional Office
2600 North Central Avenue
Phoenix, Arizona 85004-3008

April 22, 2021

Re: Project No. 2019-159

Dear Mr. McVey,

Thank you for consulting with the Washoe Tribe of Nevada and California for the Project Number 2019-159. I have reviewed your letter of the project. At this time I do not have immediate knowledge of any Washoe cultural resources in the project area that may be affected.

In the event of inadvertent discoveries we ask to be kept informed of the findings and continue consultation.

Please provide us with the archaeological report for our files, preferably electronic format.

If you have any questions you can reach me at (775) 265-8600.

Respectfully,

Darrel Cruz, THPO Officer

919 Highway 395, Gardnerville, Nevada 89410
Work (775) 265-8600 • Cell (775) 546-3421

NEVADA
STATE HISTORIC PRESERVATION OFFICE

Department of Conservation and Natural Resources

Steve Sisolak, Governor
Bradley Crowell, Director
Rebecca L. Palmer, Administrator, SHPO

May 19, 2021



Rodney McVey
Deputy Regional Director
Bureau of Indian Affairs
Western Regional Office
2600 North Central Avenue
Phoenix, AZ 85004-3008

RE: *Addendum Number 2: Additional Cultural Resource Inventory for the Painted Rock Mine, Douglas County, Nevada*; BIA Project Number 2019-159; Environmental Quality Services MS620-EQS; BLM Report Number CRR3-2884; SHPO UT 2020-6266; 28144

Dear Mr. McVey:

The Nevada State Historic Preservation Office (SHPO) has reviewed the subject documents received April 20, 2021 (hard copy of agency letter and Inventory Report) and April 23, 2021 (electronic copy of Appendices and Shapefiles) in accordance with Section 106 of the National Historic Preservation Act (NRHP) of 1966, as amended.

The SHPO has accepted the electronic submission of the Appendices and the Shapefiles due to the COVID-19 Pandemic, however our office requires a hard copy of these documents to be mailed to our office as soon as regular hours and conditions resume. Our office looks forward to receipt of the Appendices and Shapefiles for our administrative record.

Project Description
The Bureau of Indian Affairs (BIA) proposes to utilize to existing road segments located on land administered by the Bureau of Land Management – Carson City District Office (BLM-CCDO). As such, the BIA is requesting approval for use of the right-of-way (ROW) for these road segments. The BIA is the lead federal agency for the purposes of this undertaking. For additional project description and project elements, please refer to SHPO correspondence dated March 13 and July 14, 2020.

The current submission includes the access roads used for the Painted Rock Mine and the access roads for an OHV staging area only. The staging area is an abandoned Nevada Department of Transportation materials pit that is already currently used for OHV parking. Road Segment A will be the primary access road for the mine and improvements will include placement of gravel, improving ditches and culverts, construction of turnouts for traffic congestion, and new parking areas. Segment B improvements include blading and placement of gravel. Two additional ½-mile road segments will be used to access an OHV staging area. Improvements to these segments include blading and placement of gravel. All construction

activities will occur within the ROWs. The submission also notes that the BLM will maintain these roads and install one or two OHV kiosks and some signs designating roads for OHV travel.

Area of Potential Effect (APE)
The SHPO has previously agreed with the adequacy of the APE in correspondence dated July 14, 2020. However, as new elements have been included for the proposed project, the physical APE has been revised. The BIA has determined the revised physical APE to include the 60-ft. wide ROW corridor for Road Segments A and B and the two ½-mile road segments. The revised physical APE includes approximately 104-acres. The SHPO **agrees** with the adequacy of the revised physical APE.

The revised physical APE remains inside the visual, auditory, atmospheric, and cumulative APE that was previously agreed upon in SHPO correspondence dated July 14, 2020.

Identification and Evaluation of Historic Properties
Additional inventory of 104-acres was conducted for the revised physical APE. Survey efforts identified four new resources.

The SHPO **concurs** with the BIA's determination that the recorded segments only of 26DO1501/CrNV-03-12116, 26DO1502, and 26DO1503/CrNV-03-12117 are individually **not eligible** for listing in the National Register of Historic Places (NRHP) under any of the Secretary of the Interior's Significance Criteria (A-D) inclusive and are **non-contributing** to the overall unrecorded and unevaluated road resources.

The SHPO **concurs** with the BIA's determination that the recorded segments only of S2767/CrNV-03-12118 are individually **not eligible** for listing in the National Register of Historic Places (NRHP) under any of the Secretary of the Interior's Significance Criteria (A-D) inclusive and are **non-contributing** to the overall unrecorded and unevaluated utility line resource.

Native American Consultation
The SHPO notes that consultation with the affected Native American tribes has been concluded per 36 CFR §800.4(c)(2)(i)(B). This consultation did not result in the identification of properties of religious and/or cultural significance that could be affected by this undertaking.

Consultation with Interested Parties
The SHPO notes that the BIA will be utilizing the National Environmental Policy Act (NEPA) public scoping process to satisfy Section 106 requirements. Please note that the Section 106 review process is separate from the NEPA review process. For Section 106 public notification, please refer to 36 CFR §800.2(d) and §800.8. Additional information regarding the regulations are available at https://www.achp.gov/integrating_nepa_106 and https://www.achp.gov/digital-library-section-106-landing/nepa-and-nhpa-handbook-integrating-nepa-and-section-106.

Please provide our office the results of this consultation when available to ensure the SHPO administrative record is complete for this undertaking.

Finding of Effect
The SHPO previously concurred with BIA's initial finding of No Adverse Effect as the access roads were unevaluated in correspondence dated July 14, 2020. The BIA has since inventoried and evaluated the access roads and have subsequently revised the finding to **No Historic Properties Affected**. The SHPO **concurs.**

Should you have questions concerning this correspondence, please contact SHPO staff archaeologist Ashley Wiley at (775) 684-3450 or email awiley@shpo.nv.gov or SHPO staff architectural historian Deqah Hussein-Wetzel at (775) 684-3436 or email dhwetzel@shpo.nv.gov. Please refer to SHPO Undertaking Number 2020-6266; 28144.

Sincerely,

Robin K. Reed
Deputy State Historic Preservation Officer

Appendix G. Habitat Assessment

McGinley & Associates

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Reno, Nevada 89511
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- Site Remediation
- Soil & Groundwater Investigations
- Geochemistry
- Hydrogeology
- Groundwater Modeling
- Biological Services
- Closure Optimization
- Air Quality Permitting & Modeling
- Brownfields Redevelopment
- Permitting & Compliance
- NEPA Studies
- Phase I Assessments
- Indoor Air Quality
- Storm Water & Spill Plans
- Underground Tank Services
- Geographic Information Systems
- Litigation Support & Expert Witness
- Mining Plans of Operations
- Mining Exploration Notices
- Abandoned Mine Lands

HABITAT EVALUATION REPORT

Painted Rock Mine Project, Douglas County, Nevada

Prepared for

Knox Excavating Inc.
1165 Sawmill Rd.
Unit A
Gardnerville, NV 89410

February 5, 2020

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FIGURES

Figure 1 Site Map

APPENDICES

Appendix A USDA NRCS Web Soil Survey
Appendix B Agency Data Requests
Appendix C SWReGAP Land Cover Descriptions

LIST OF ACRONYMS AND ABBREVIATIONS

AML	Abandoned Mine Lands
BIA	Bureau of Indian Affairs
BLM	Bureau of Land Management
EA	Environmental Assessment
EPA	Environmental Protection Agency
Knox	Knox Excavating, Inc.
McGinley	McGinley and Associates, Inc.
NDOW	Nevada Department of Wildlife
NEPA	National Environmental Policy Act
NHD	National Hydrography Dataset
NNHP	Nevada Natural Heritage Program
NRCS	National Resources Conservation Service
NWI	National Wetland Inventory
Project	Painted Rock Mine Project
Sp.	Species
SWReGAP	Southwest Regional GAP Analysis Project
USDA	U.S. Department of Agriculture
USFWS	U.S. Fish and Wildlife Service

1. INTRODUCTION

Knox Excavating Inc. (Knox), has proposed the Painted Rock Mine Project (Project) located in northwestern Nevada, approximately 11 miles southeast of Carson City, NV. The Project is located on tribal allotment land managed by the Bureau of Indian Affairs (BIA). Proposed activities include the extraction of structural fill, decomposed granite, construction aggregates, and any other construction material that the site may reasonably produce from approximately 145 acres of land. Primary access to the Project area is via Sunrise Pass Road. Access to the Project area will occur from the south along an existing access road.

McGinley and Associates, Inc. (McGinley) was contracted by Knox to perform a Habitat Evaluation (comprised of a desktop analysis and site visit), in support of an Environmental Assessment (EA), pursuant to the National Environmental Policy Act (NEPA).

The site is located entirely in Section 6, Township 13 North, Range 21 East, Mount Diablo Baseline Meridian.

2. DESKTOP ASSESSMENT

2.1 Ecoregions and Climate

The Project is situated in the Sierra Nevada-Influenced Semiarid Hills and Basins ecoregion (EPA Level IV; Bryce et al. 2003). This ecoregion includes the basins and lower mountain slopes immediately east of the Sierra Nevada and is affected by its climate. Plant species with higher moisture requirements, such as antelope bitterbrush (*Purshia tridentata*) and desert peach (*Prunus andersonii*) are associated with semiarid shrub communities found in adjacent and drier ecoregions. The ecoregion receives between 8 and 12 inches of precipitation annually, primarily in the form of winter snow.

2.2 Soils

Detailed information on soils occurring in the Project area was obtained from the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey. Two soil associations were identified within the Project area and are composed of colluvium and alluvium derived from granite (NRCS 2019). Appendix A contains the NRCS soil data request. A map of the soil associations can be found in Figure 1. No hydric soils occur in the Project area.

2.3 Vegetation

Data from the Southwest Regional Gap Analysis Project (SWReGAP; Lowry et al. 2007) was used to describe the vegetation communities occurring within the Project area. Six community types were identified (Figure 1), including Inter-Mountain Basins Big Sagebrush Shrubland (128 acres), Great Basin Xeric Mixed Sagebrush Shrubland (11 acres), Great Basin Pinyon-Juniper Woodland (five acres), Inter-Mountain Basins Semi-Desert Shrub Steppe (one acre), Inter-Mountain Basins Montane Sagebrush Steppe (one acre), and Inter-Mountain Basins Mixed Salt Desert Scrub (< one acre). A brief description of each community type is provided below.

Inter-Mountain Basins Big Sagebrush Shrubland

Occurs in basins between mountain ranges, or on plains and foothills between 4,900 and 7,500 feet in elevation. Soils are generally deep, well-drained and non-saline. The plant community is dominated by *Artemisia* species. Scattered *Juniperus* sp., *Sarcobatus vermiculatus*, and *Atriplex* sp. are present in some stands. Disturbed stands may be co-dominated by *Ericameria nauseosa*, *Chrysothamnus viscidiflorus*, *Purshia tridentata*, or *Symphoricarpos oreophilus*. Perennial herbaceous cover

contributes less than 25% of vegetative cover, with common species including *Achnatherum hymenoides*, *Bouteloua gracilis*, *Elymus lanceolatus*, *Festuca idahoensis*, *Hesperostipa comata*, *Leymus cinereus*, *Pleuraphis jamesii*, *Pascopyrum smithii*, *Poa secunda*, or *Pseudoroegneria spicata*.

Great Basin Xeric Mixed Sagebrush Shrubland

Occurs on dry flats, rolling hills, rocky hillslopes and ridges between 3,300 and 8,500 feet in elevation. Soils are generally shallow, rocky, and non-saline. The plant community is dominated by *Artemisia* species. Other shrubs that may be present include *Atriplex confertifolia*, *Ephedra* sp., *Ericameria* sp., *Grayia spinosa*, *Lycium shockleyi*, *Picrothamnus desertorum*, *Sarcobatus vermiculatus*, and *Tetradymia* sp. The sparse herbaceous layer is composed of perennial bunchgrasses such as *Achnatherum hymenoides*, *Achnatherum speciosum*, *Achnatherum thurberianum*, *Elymus elymoides*, or *Poa secunda*.

Great Basin Pinyon-Juniper Woodland

Occurs on dry mountain ranges of the Great Basin region and eastern foothills of the Sierra Nevada. These woodlands occur on warm, dry sites on mountain slopes, mesas, and ridges. Woodlands are dominated by a mix of *Pinus monophyla* and *Juniperus osteosperma* or dominated by pure stands of *J. osteosperma*. Associated shrub species include *Artemisia arbuscula*, *A. tridentata*, *Cercocarpus ledifolius*, and *Coleogyne ramosissima*. Characteristic bunchgrasses include *Hesperostipa comata*, *Festuca idahoensis*, *Pseudoroegneria spicata*, *Leymus cinereus*, and *Poa secunda*.

Inter-Mountain Basins Semi-Desert Shrub Steppe

Occurs at lower elevations on alluvial fans and flats with moderate to deep soils. The plant community is dominated by graminoids (>25% cover), with an open shrub layer. Characteristic grasses include *Achnatherum hymenoides*, *Bouteloua gracilis*, *Distichlis spicata*, *Hesperostipa comata*, *Pleuraphis jamesii*, *Poa secunda*, and *Sporobolus airoides*. Characteristic shrub species include *Atriplex canescens*, *Artemisia tridentata*, *Chrysothamnus greenei*, *Chrysothamnus viscidiflorus*, *Ephedra* sp., *Ericameria nauseosa*, *Gutierrezia sarothrae*, and *Krascheninnikovia lanata*.

Inter-Mountain Basins Montane Sagebrush Steppe

Occurs at montane and subalpine elevations on deep-soiled to stony flats, ridges, and mountain slopes. The plant community is dominated by *Artemisia tridentata* ssp. *vaseyana* and *A. tridentata* ssp. *spiciformis*. *Purshia tridentata* may codominate or even dominate some stands. Other common shrubs include *Ericameria nauseosa*, *Peraphyllum ramosissimum*, and *Chrysothamnus viscidiflorus*. Most stands have an abundant perennial herbaceous layer (over 25% cover) comprised of *Festuca idahoensis*, *Hesperostipa comata*, *Elymus trachycaulus*, *Poa secunda*, *Leucopoa kingii*, and *Pseudoroegneria spicata*. In many areas, frequent wildfires maintain an open herbaceous-rich steppe condition, although at most sites, shrub cover can be unusually high for a steppe system (>40%).

Inter-Mountain Basins Mixed Salt Desert Scrub

Occurs in saline basins, alluvial slopes and plains. Soils are generally saline, calcareous, alkaline, and medium- to fine-textured. The plant community is characterized as an open to moderately dense shrubland composed of *Atriplex* species. Other shrubs present to codominant may include *Artemisia tridentata ssp. wyomingensis*, *Chrysothamnus viscidiflorus*, *Ericameria nauseosa*, *Ephedra nevadensis*, *Grayia spinosa*, *Krascheninnikovia lanata*, *Lycium* sp., *Picrothamnus desertorum*, or *Tetradymia* sp. The sparse to moderately dense herbaceous layer is dominated by perennial graminoids such as *Achnatherum hymenoides*, *Bouteloua gracilis*, *Elymus lanceolatus ssp. lanceolatus*, *Pascopyrum smithii*, *Pleuraphis jamesii*, *Pleuraphis rigida*, *Poa secunda*, or *Sporobolus airoides*.

2.4 Wildlife

McGinley biologists requested and reviewed several wildlife data resources for special status wildlife species with potential to occur in the Project. Appendix B contains agency responses to these data requests and a summary is provided below.

U.S. Fish and Wildlife Service (USFWS 2019):

No listed or proposed species are known to occur in the Project. Lahontan cutthroat trout (*Oncorhynchus clarkii henshawi*) occur in the vicinity of the Project (Carson River). The Carson wandering skipper (*Pseudocopaeodes eunus obscurus*) occurs in the vicinity of the Project in lowland grassland habitats on alkaline substrates near springs or water. No critical habitat has been designated for these species.

Nevada Department of Wildlife (NDOW 2019):

Occupied mule deer (*Odocoileus hemionus*) distribution exists within portions of the Project and a four-mile buffer. No known bighorn sheep (*Ovis canadensis*), pronghorn antelope (*Antilocapra americana*), or elk (*Cervus canadensis*) distributions occur within the Project. Habitat for the greater sage grouse (*Centrocercus urophasianus*) Bi-state distinct population segment exists outside of the Project area, within portions of the four-mile buffer. There are no known sage grouse leks in the vicinity of the Project. Various raptor species have the potential to occur within a ten-mile buffer of the Project, and outside of a four-mile buffer. NDOW provided section, township, and range for 26 known raptor nests that occur within ten miles of the Project and characterized as belonging to the following species: *Buteo* (species unknown), northern goshawk (*Accipiter gentilis*), owl (species unknown), and eagle (species unknown).

The following species have been observed in the vicinity of the Project: American coot (*Fulica americana*) and western mosquitofish (*Gambusia affinis*).

Nevada Natural Heritage Program (NNHP 2019):

No at risk taxa have been recorded within the Project. Habitat may be available for, the Lavin eggvetch (*Astragalus oophorus var. lavinii*), a Nevada Bureau of Land Management (BLM) Sensitive Species and the Carson Valley silverspot (*Speyeria nokomis carsonensis*), a Nevada BLM Sensitive Species.

2.5 Additional Resources Reviewed

The National Hydrography Dataset (NHD) and National Wetland Inventory (NWI) datasets were reviewed for water features and delineated wetlands occurring in the vicinity of the Project. The Abandoned Mine Lands (AML) dataset was reviewed for abandoned shafts and adits pits occurring in the vicinity of the Project. No wetlands or AML features occur in or near the project area.

3. SITE VISIT

A McGinley biologist conducted a site visit of the Project area on November 26, 2019. The purpose of the site visit was to ground-truth conditions as described during the desktop assessment and determine whether habitat for special status species occurs within the Project area.

The biologist navigated throughout the entire Project area and to each of the six SWReGAP community types. Vegetation community types were described in accordance with SWReGAP Land Cover Descriptions (Appendix C). As each ground-truth point represents a $30m^2$ pixel within the SWReGAP raster shapefile, vegetation was described within a $30m^2$ plot.

3.1 Findings

Great Basin Pinyon-Juniper Woodlands have encroached into the shrub community types and now dominate most of the Project area. Inter-mountain Basins Big Sagebrush Shrubland occurs in the more open areas within the Project area, particularly at the lower elevations. The other four SWReGAP community types do not occur in the Project area.

Habitat for Lahontan cutthroat trout, the Carson wandering skipper, and the Carson Valley silverspot (riparian, wetland, and meadow habitats) was verified as not occurring within the Project area. The preferred habitat and soil types of the Lavin eggvetch (open, barren, gravelly clay slopes, badlands, or outcrops, derived from volcanic ash or carbonate) was verified as not occurring in the Project area.

Several locations within the Project area are heavily degraded due to recreational shooting and off-road driving activities. Invasive annual grasses (e.g. cheatgrass [*Bromus tectorum*]) occur at high densities in these disturbed areas. The presence of cheatgrass and encroachment of Pinyon-Juniper woodlands into the Project area provides poor habitat for sage grouse.

Wildlife species observed during the site visit included black-tailed jack rabbit (*Lepus californicus*), white-tailed antelope squirrel (*Ammospermophilus leucurus*), common raven (*Corvus corax*), horned lark (*Eremophila alpestris*), and American crow (*Corvus brachyrhynchos*). A red-tailed hawk (*Buteo jamaicensis*) and rough-legged hawk (*Buteo lagopus*) were observed foraging within two-miles of the Project area. No nests were observed.

4. REFERENCES

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CLOSING

McGinley trusts the information provided herein satisfies the requirements of the BIA at this time. Should you have any questions regarding this report, or the recommendations provided herein please contact Gareth Blakemore at (775) 432-4792.

Respectfully submitted,
McGinley and Associates, Inc.

Gareth Blakemore, MS
Lead Biologist

and

Benjamin Peterson, PG, CEM
Project Manager

FIGURES

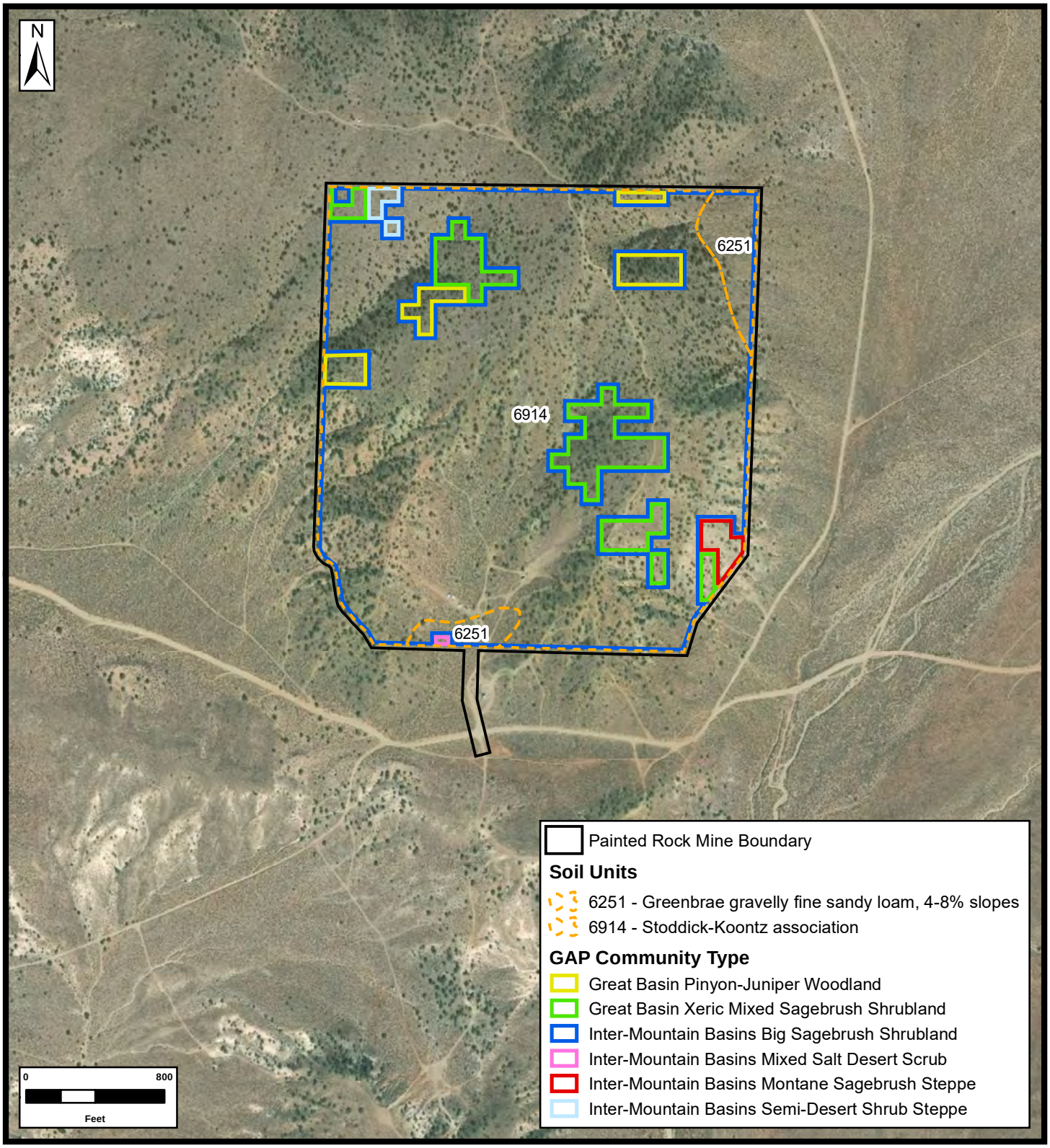




FIGURE 1

TITLE:

SITE MAP
-SHOWING-
HABITAT EVALUATION
PAINTED ROCK MINE PROJECT
KNOX EXCAVATING
DOUGLAS COUNTY, NV

JOB NO.: **KNOX001**

DATE: **2/6/2020**

McGinley & Associates
Environmental Engineering and Science
RENO | LAS VEGAS | www.mcgin.com

FILE: **Habitat Evaluation**

COORDINATE SYSTEM: **NAD 1983 UTM Zone 11N**

REF.					REVISION:
	DESIGNED	GB	CHECKED	BP	-
	DRAWN	GB	APPROVED	BP	

R:\Projects\GIS Data\KNOX\001\Habitat Evaluation.mxd

APPENDIX A

USDA NRCS Web Soil Survey

United States Department of Agriculture

NRCS

Natural Resources Conservation Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Douglas County Area, Nevada



November 18, 2019

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (https://offices.sc.egov.usda.gov/locator/app?agency=nrcs) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

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How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

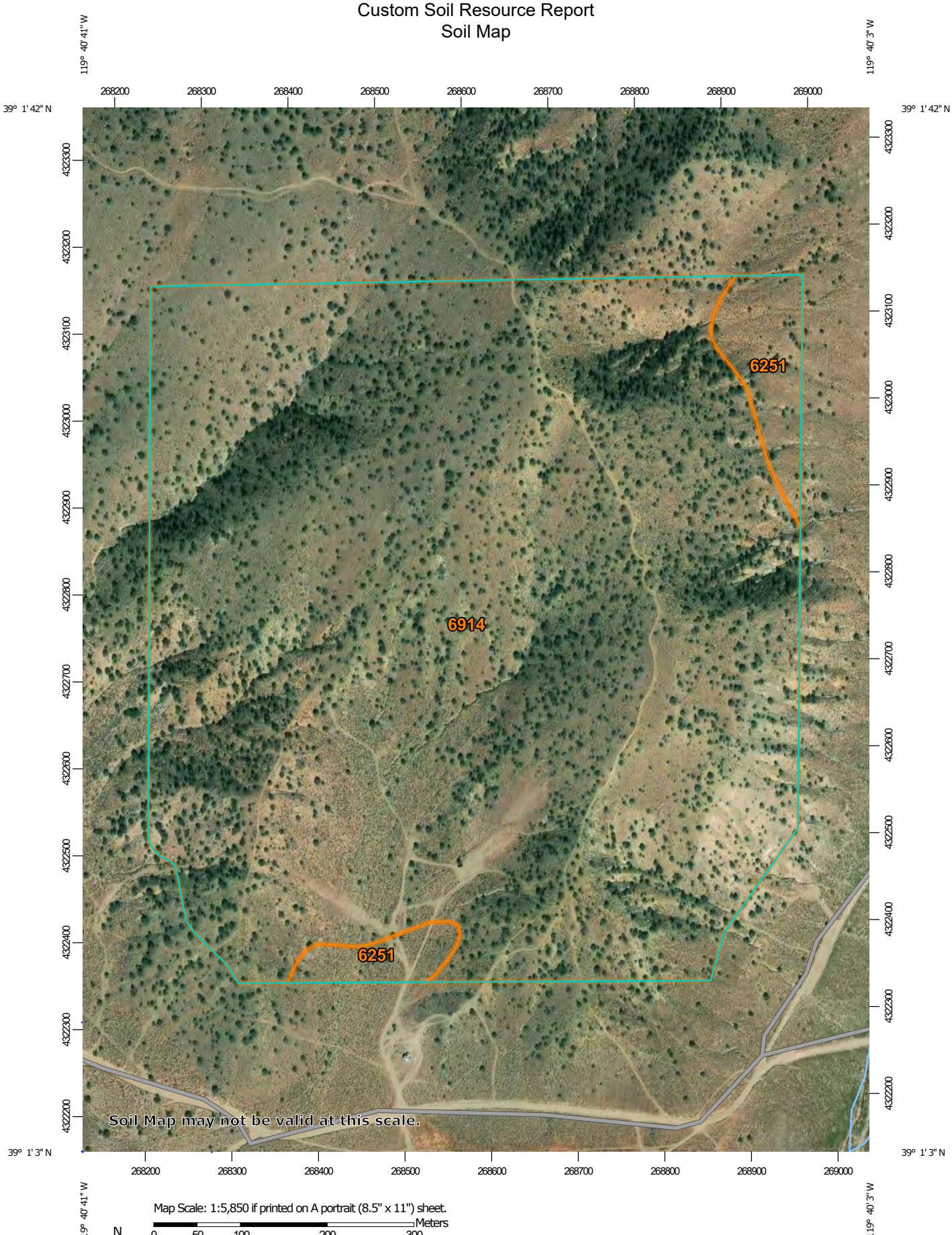
After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report
Soil Map



Map Scale: 1:5,850 if printed on A portrait (8.5" x 11") sheet.

N

Meters
0 50 100 200 300

Feet
0 250 500 1000 1500

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 11N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Douglas County Area, Nevada
Survey Area Data: Version 12, Sep 16, 2019

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Mar 26, 2015—Oct 26, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
6251	Greenbrae gravelly fine sandy loam, 4 to 8 percent slopes	6.6	4.5%
6914	Stodick-Koontz association	139.1	95.5%
Totals for Area of Interest		**145.7**	**100.0%**

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however,

onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Douglas County Area, Nevada

6251—Greenbrae gravelly fine sandy loam, 4 to 8 percent slopes

Map Unit Setting

National map unit symbol: pmmw
Elevation: 4,500 to 5,500 feet
Mean annual precipitation: 8 to 12 inches
Mean annual air temperature: 48 to 52 degrees F
Frost-free period: 90 to 110 days
Farmland classification: Prime farmland if irrigated

Map Unit Composition

Greenbrae and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Greenbrae

Setting

Landform: Fan remnants
Down-slope shape: Linear
Across-slope shape: Convex
Parent material: Alluvium derived from granite

Typical profile

A1 - 0 to 2 inches: gravelly fine sandy loam
A2 - 2 to 10 inches: gravelly fine sandy loam
Bt1 - 10 to 30 inches: sandy clay loam
Bt2 - 30 to 41 inches: sandy loam
C - 41 to 70 inches: gravelly sandy loam

Properties and qualities

Slope: 4 to 8 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Well drained
Runoff class: Very high
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water storage in profile: Moderate (about 8.2 inches)

Interpretive groups

Land capability classification (irrigated): 3e
Land capability classification (nonirrigated): 6s
Hydrologic Soil Group: C
Ecological site: LOAMY 8-10 P.Z. (R026XY016NV)
Other vegetative classification: GRAVELLY LOAM 8-10 P.Z. (026XY098NV_2)
Hydric soil rating: No

Minor Components

Haybourne

Percent of map unit: 5 percent

Landform: Inset fans
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: SANDY 8-10 P.Z. (R026XY020NV)
Hydric soil rating: No

Toll

Percent of map unit: 5 percent
Landform: Fan piedmonts
Down-slope shape: Convex
Across-slope shape: Convex
Ecological site: SANDY 8-10 P.Z. (R026XY020NV)
Hydric soil rating: No

Indian creek

Percent of map unit: 5 percent
Landform: Fan remnants
Down-slope shape: Linear
Across-slope shape: Convex
Ecological site: CLAYPAN 8-10 P.Z. (R026XY025NV)
Hydric soil rating: No

6914—Stodick-Koontz association

Map Unit Setting

National map unit symbol: pmr0
Elevation: 4,900 to 5,500 feet
Mean annual precipitation: 8 to 12 inches
Mean annual air temperature: 45 to 50 degrees F
Frost-free period: 80 to 110 days
Farmland classification: Not prime farmland

Map Unit Composition

Stodick and similar soils: 70 percent
Koontz and similar soils: 20 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Stodick

Setting

Landform: Hillsides
Down-slope shape: Convex
Across-slope shape: Convex
Parent material: Colluvium and/or residuum

Typical profile

A - 0 to 3 inches: stony fine sandy loam
Bt1 - 3 to 10 inches: clay loam
Bt2 - 10 to 18 inches: very gravelly loam
Cr - 18 to 60 inches: bedrock

Properties and qualities

Slope: 8 to 30 percent
Percent of area covered with surface fragments: 5.0 percent
Depth to restrictive feature: 14 to 20 inches to paralithic bedrock
Natural drainage class: Well drained
Runoff class: Very high
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water storage in profile: Very low (about 3.0 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 7s
Hydrologic Soil Group: D
Ecological site: CLAYPAN 8-10 P.Z. (R026XY025NV)
Hydric soil rating: No

Description of Koontz

Setting

Landform: Mountain slopes
Down-slope shape: Linear
Across-slope shape: Convex
Parent material: Colluvium and/or residuum

Typical profile

A1 - 0 to 2 inches: gravelly loam
A2 - 2 to 5 inches: very gravelly loam
Bt - 5 to 14 inches: very gravelly clay loam
Cr - 14 to 60 inches: bedrock

Properties and qualities

Slope: 30 to 50 percent
Percent of area covered with surface fragments: 2.0 percent
Depth to restrictive feature: 8 to 20 inches to paralithic bedrock
Natural drainage class: Well drained
Runoff class: Very high
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water storage in profile: Very low (about 1.4 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 7s
Hydrologic Soil Group: D
Ecological site: SHALLOW LOAM 10-12 P.Z. (R026XY015NV)
Hydric soil rating: No

Minor Components

Boondock

Percent of map unit: 5 percent
Landform: Hillsides
Down-slope shape: Convex
Across-slope shape: Convex
Ecological site: ERODED SLOPE 10-12 P.Z. (R026XY029NV)
Hydric soil rating: No

Indiano

Percent of map unit: 3 percent
Landform: Hillsides
Down-slope shape: Convex
Across-slope shape: Convex
Ecological site: LOAMY 10-12 P.Z. (R026XY010NV)
Hydric soil rating: No

Rock outcrop

Percent of map unit: 2 percent
Landform: Ridges
Down-slope shape: Convex
Across-slope shape: Convex
Hydric soil rating: No

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APPENDIX B

Agency Data Requests

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Reno Fish And Wildlife Office
1340 Financial Boulevard, Suite 234
Reno, NV 89502-7147
Phone: (775) 861-6300 Fax: (775) 861-6301
http://www.fws.gov/nevada/

In Reply Refer To:
Consultation Code: 08ENVD00-2020-SLI-0043
Event Code: 08ENVD00-2020-E-00095
Project Name: Painted Rock Mine

October 23, 2019

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The attached species list indicates threatened, endangered, proposed, and candidate species and designated or proposed critical habitat that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act of 1973, as amended (ESA, 16 U.S.C. 1531 *et seq*.), for projects that are authorized, funded, or carried out by a Federal agency. Candidate species have no protection under the ESA but are included for consideration because they could be listed prior to the completion of your project. Consideration of these species during project planning may assist species conservation efforts and may prevent the need for future listing actions. For additional information regarding species that may be found in the proposed project area, visit http://www.fws.gov/nevada/es/ipac.html.

The purpose of the ESA is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the ESA and its implementing regulations (50 CFR 402 *et seq*.), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or

designated or proposed critical habitat. Guidelines for preparing a Biological Assessment can be found at: http://www.fws.gov/midwest/endangered/section7/ba_guide.html.

If a Federal action agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species, and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at: http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF.

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this species list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally listed, proposed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally, as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation, for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the attached list.

The Nevada Fish and Wildlife Office (NFWO) no longer provides species of concern lists. Most of these species for which we have concern are also on the Animal and Plant At-Risk Tracking List for Nevada (At-Risk list) maintained by the State of Nevada's Natural Heritage Program (Heritage). Instead of maintaining our own list, we adopted Heritage's At-Risk list and are partnering with them to provide distribution data and information on the conservation needs for at-risk species to agencies or project proponents. The mission of Heritage is to continually evaluate the conservation priorities of native plants, animals, and their habitats, particularly those most vulnerable to extinction or in serious decline. In addition, in order to avoid future conflicts, we ask that you consider these at-risk species early in your project planning and explore management alternatives that provide for their long-term conservation.

For a list of at-risk species by county, visit Heritage's website (http://heritage.nv.gov). For a specific list of at-risk species that may occur in the project area, you can obtain a data request form from the website (http://heritage.nv.gov/get_data) or by contacting the Administrator of Heritage at 901 South Stewart Street, Suite 5002, Carson City, Nevada 89701-5245, (775) 684-2900. Please indicate on the form that your request is being obtained as part of your coordination with the Service under the ESA. During your project analysis, if you obtain new information or data for any Nevada sensitive species, we request that you provide the information to Heritage at the above address.

Furthermore, certain species of fish and wildlife are classified as protected by the State of Nevada (http://www.leg.state.nv.us/NAC/NAC-503.html). You must first obtain the appropriate license, permit, or written authorization from the Nevada Department of Wildlife (NDOW) to take, or possess any parts of protected fish and wildlife species. Please visit http://www.ndow.org or contact NDOW in northern Nevada (775) 688-1500, in southern Nevada (702) 486-5127, or in eastern Nevada (775) 777-2300.

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq*.), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the Service's wind energy guidelines (http://www.fws.gov/windenergy/) for minimizing impacts to migratory birds and bats.

The Service's Pacific Southwest Region developed the *Interim Guidelines for the Development of a Project Specific Avian and Bat Protection Plan for Wind Energy Facilities* (Interim Guidelines). This document provides energy facility developers with a tool for assessing the risk of potential impacts to wildlife resources and delineates how best to design and operate a bird- and bat-friendly wind facility. These Interim Guidelines are available upon request from the NFWO. The intent of a Bird and Bat Conservation Strategy is to conserve wildlife resources while supporting project developers through: (1) establishing project development in an adaptive management framework; (2) identifying proper siting and project design strategies; (3) designing and implementing pre-construction surveys; (4) implementing appropriate conservation measures for each development phase; (5) designing and implementing appropriate post-construction monitoring strategies; (6) using post-construction studies to better understand the dynamics of mortality reduction (*e.g.*, changes in blade cut-in speed, assessments of blade “feathering” success, and studies on the effects of visual and acoustic deterrents) including efforts tied into Before-After/Control-Impact analysis; and (7) conducting a thorough risk assessment and validation leading to adjustments in management and mitigation actions.

The template and recommendations set forth in the Interim Guidelines were based upon the Avian Powerline Interaction Committee's Avian Protection Plan template (http://www.aplic.org/) developed for electric utilities and modified accordingly to address the unique concerns of wind energy facilities. These recommendations are also consistent with the Service's wind energy guidelines. We recommend contacting us as early as possible in the planning process to discuss the need and process for developing a site-specific Bird and Bat Conservation Strategy.

The Service has also developed guidance regarding wind power development in relation to prairie grouse leks (sage-grouse are included in this). This document can be found at: http://www.fws.gov/southwest/es/Oklahoma/documents/te_species/wind%20power/prairie%20grouse%20lek%205%20mile%20public.pdf.

Migratory Birds are a Service Trust Resource. Based on the Service's conservation responsibilities and management authority for migratory birds under the Migratory Bird Treaty Act of 1918, as amended (MBTA; 16 U.S.C. 703 *et seq*.), we recommend that any land clearing or other surface disturbance associated with proposed actions within the project area be timed to

avoid potential destruction of bird nests or young, or birds that breed in the area. Such destruction may be in violation of the MBTA. Under the MBTA, nests with eggs or young of migratory birds may not be harmed, nor may migratory birds be killed. Therefore, we recommend land clearing be conducted outside the avian breeding season. If this is not feasible, we recommend a qualified biologist survey the area prior to land clearing. If nests are located, or if other evidence of nesting (*i.e.*, mated pairs, territorial defense, carrying nesting material, transporting food) is observed, a protective buffer (the size depending on the habitat requirements of the species) should be delineated and the entire area avoided to prevent destruction or disturbance to nests until they are no longer active.

Guidance for minimizing impacts to migratory birds for projects involving communications towers (*e.g.*, cellular, digital television, radio, and emergency broadcast) can be found at: http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm; http://www.towerkill.com; and http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

If wetlands, springs, or streams are are known to occur in the project area or are present in the vicinity of the project area, we ask that you be aware of potential impacts project activities may have on these habitats. Discharge of fill material into wetlands or waters of the United States is regulated by the U.S. Army Corps of Engineers (ACOE) pursuant to section 404 of the Clean Water Act of 1972, as amended. We recommend you contact the ACOE's Regulatory Section regarding the possible need for a permit. For projects located in northern Nevada (Carson City, Churchill, Douglas, Elko, Esmeralda, Eureka, Humboldt, Lander, Lyon, Mineral, Pershing, Storey, and Washoe Counties) contact the Reno Regulatory Office at 300 Booth Street, Room 3060, Reno, Nevada 89509, (775) 784-5304; in southern Nevada (Clark, Lincoln, Nye, and White Pine Counties) contact the St. George Regulatory Office at 321 North Mall Drive, Suite L-101, St. George, Utah 84790-7314, (435) 986-3979; or in California along the eastern Sierra contact the Sacramento Regulatory Office at 650 Capitol Mall, Suite 5-200, Sacramento, California 95814, (916) 557-5250.

We appreciate your concern for threatened and endangered species. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

The table below outlines lead FWS field offices by county and land ownership/project type. Please refer to this table when you are ready to coordinate (including requests for section 7 consultation) with the field office corresponding to your project, and send any documentation regarding your project to that corresponding office. Therefore, the lead FWS field office may not be the office listed above in the letterhead.

Lead FWS offices by County and Ownership/Program

County	Ownership/Program	Species	Office Lead*

Alameda	Tidal wetlands/marsh adjacent to Bays	Salt marsh species, delta smelt	BDFWO
Alameda	All ownerships but tidal/estuarine	All	SFWO
Alpine	Humboldt Toiyabe National Forest	All	RFWO
Alpine	Lake Tahoe Basin Management Unit	All	RFWO
Alpine	Stanislaus National Forest	All	SFWO
Alpine	El Dorado National Forest	All	SFWO
Colusa	Mendocino National Forest	All	AFWO
Colusa	Other	All	By jurisdiction (see map)
Contra Costa	Legal Delta (Excluding ECCHCP)	All	BDFWO
Contra Costa	Antioch Dunes NWR	All	BDFWO
Contra Costa	Tidal wetlands/marsh adjacent to Bays	Salt marsh species, delta smelt	BDFWO
Contra Costa	All ownerships but tidal/estuarine	All	SFWO
Del Norte	All	All	AFWO
El Dorado	El Dorado National Forest	All	SFWO
El Dorado	LakeTahoe Basin Management Unit		RFWO
Glenn	Mendocino National Forest	All	AFWO
Glenn	Other	All	By jurisdiction (see map)
Humboldt	All except Shasta Trinity National Forest	All	AFWO

Humboldt	Shasta Trinity National Forest	All	YFWO
Lake	Mendocino National Forest	All	AFWO
Lake	Other	All	By jurisdiction (see map)
Lassen	Modoc National Forest	All	KFWO
Lassen	Lassen National Forest	All	SFWO
Lassen	Toiyabe National Forest	All	RFWO
Lassen	BLM Surprise and Eagle Lake Resource Areas	All	RFWO
Lassen	BLM Alturas Resource Area	All	KFWO
Lassen	Lassen Volcanic National Park	All (includes Eagle Lake trout on all ownerships)	SFWO
Lassen	All other ownerships	All	By jurisdiction (see map)
Marin	Tidal wetlands/marsh adjacent to Bays	Salt marsh species, delta smelt	BDFWO
Marin	All ownerships but tidal/estuarine	All	SFWO
Mendocino	Russian River watershed	All	SFWO
Mendocino	All except Russian River watershed	All	AFWO
Modoc	Modoc National Forest	All	KFWO
Modoc	BLM Alturas Resource Area	All	KFWO
Modoc	Klamath Basin National Wildlife Refuge Complex	All	KFWO
Modoc	BLM Surprise and Eagle Lake Resource Areas	All	RFWO

Modoc	All other ownerships	All	By jurisdiction (See map)
Mono	Inyo National Forest	All	RFWO
Mono	Humboldt Toiyabe National Forest	All	RFWO
Napa	All ownerships but tidal/estuarine	All	SFWO
Napa	Tidal wetlands/marsh adjacent to San Pablo Bay	Salt marsh species, delta smelt	BDFWO
Nevada	Humboldt Toiyabe National Forest	All	RFWO
Nevada	All other ownerships	All	By jurisdiction (See map)
Placer	Lake Tahoe Basin Management Unit	All	RFWO
Placer	All other ownerships	All	SFWO
Sacramento	Legal Delta	Delta Smelt	BDFWO
Sacramento	Other	All	By jurisdiction (see map)
San Francisco	Tidal wetlands/marsh adjacent to San Francisco Bay	Salt marsh species, delta smelt	BDFWO
San Francisco	All ownerships but tidal/estuarine	All	SFWO
San Mateo	Tidal wetlands/marsh adjacent to San Francisco Bay	Salt marsh species, delta smelt	BDFWO
San Mateo	All ownerships but tidal/estuarine	All	SFWO
San Joaquin	Legal Delta excluding San Joaquin HCP	All	BDFWO

San Joaquin	Other	All	SFWO
Santa Clara	Tidal wetlands/marsh adjacent to San Francisco Bay	Salt marsh species, delta smelt	BDFWO
Santa Clara	All ownerships but tidal/estuarine	All	SFWO
Shasta	Shasta Trinity National Forest except Hat Creek Ranger District (administered by Lassen National Forest)	All	YFWO
Shasta	Hat Creek Ranger District	All	SFWO
Shasta	Bureau of Reclamation (Central Valley Project)	All	BDFWO
Shasta	Whiskeytown National Recreation Area	All	YFWO
Shasta	BLM Alturas Resource Area	All	KFWO
Shasta	Caltrans	By jurisdiction	SFWO/AFWO
Shasta	Ahjumawi Lava Springs State Park	Shasta crayfish	SFWO
Shasta	All other ownerships	All	By jurisdiction (see map)
Shasta	Natural Resource Damage Assessment, all lands	All	SFWO/BDFWO
Sierra	Humboldt Toiyabe National Forest	All	RFWO
Sierra	All other ownerships	All	SFWO
Siskiyou	Klamath National Forest (except Ukonom District)	All	YFWO
Siskiyou	Six Rivers National Forest and Ukonom District	All	AFWO
Siskiyou	Shasta Trinity National Forest	All	YFWO

Siskiyou	Lassen National Forest	All	SFWO
Siskiyou	Modoc National Forest	All	KFWO
Siskiyou	Lava Beds National Volcanic Monument	All	KFWO
Siskiyou	BLM Alturas Resource Area	All	KFWO
Siskiyou	Klamath Basin National Wildlife Refuge Complex	All	KFWO
Siskiyou	All other ownerships	All	By jurisdiction (see map)
Solano	Suisun Marsh	All	BDFWO
Solano	Tidal wetlands/marsh adjacent to San Pablo Bay	Salt marsh species, delta smelt	BDFWO
Solano	All ownerships but tidal/estuarine	All	SFWO
Solano	Other	All	By jurisdiction (see map)
Sonoma	Tidal wetlands/marsh adjacent to San Pablo Bay	Salt marsh species, delta smelt	BDFWO
Sonoma	All ownerships but tidal/estuarine	All	SFWO
Tehama	Mendocino National Forest	All	AFWO
Tehama	Shasta Trinity National Forest except Hat Creek Ranger District (administered by Lassen National Forest)	All	YFWO
Tehama	All other ownerships	All	By jurisdiction (see map)
Trinity	BLM	All	AFWO
Trinity	Six Rivers National Forest	All	AFWO
Trinity	Shasta Trinity National Forest	All	YFWO

Trinity	Mendocino National Forest	All	AFWO
Trinity	BIA (Tribal Trust Lands)	All	AFWO
Trinity	County Government	All	AFWO
Trinity	All other ownerships	All	By jurisdiction (See map)
Yolo	Yolo Bypass	All	BDFWO
Yolo	Other	All	By jurisdiction (see map)
All	FERC-ESA	All	By jurisdiction (see map)
All	FERC-ESA	Shasta crayfish	SFWO
All	FERC-Relicensing (non-ESA)	All	BDFWO

***Office Leads:**

AFWO=Arcata Fish and Wildlife Office

BDFWO=Bay Delta Fish and Wildlife Office

KFWO=Klamath Falls Fish and Wildlife Office

RFWO=Reno Fish and Wildlife Office

YFWO=Yreka Fish and Wildlife Office

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Migratory Birds
- Wetlands

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Reno Fish And Wildlife Office
1340 Financial Boulevard, Suite 234
Reno, NV 89502-7147
(775) 861-6300

Project Summary

Consultation Code: 08ENVD00-2020-SLI-0043

Event Code: 08ENVD00-2020-E-00095

Project Name: Painted Rock Mine

Project Type: MINING

Project Description: Gravel pit

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/place/39.02316477599692N119.6729971557582W



Counties: Douglas, NV

Endangered Species Act Species

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Fishes

NAME	STATUS
Lahontan Cutthroat Trout *Oncorhynchus clarkii henshawi* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/3964 Species survey guidelines: https://ecos.fws.gov/ipac/guideline/survey/population/233/office/14320.pdf	Threatened

Insects

NAME	STATUS
Carson Wandering Skipper *Pseudocopaeodes eunus obscurus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/674	Endangered

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act[1] and the Bald and Golden Eagle Protection Act[2].

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

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1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are birds of particular concern either because they occur on the USFWS Birds of Conservation Concern (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ below. This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the E-bird data mapping tool (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found below.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle *Haliaeetus leucocephalus* This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Dec 1 to Aug 31
Brewer's Sparrow *Spizella breweri* This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9291	Breeds May 15 to Aug 10

NAME	BREEDING SEASON
Golden Eagle *Aquila chrysaetos* This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/1680	Breeds Dec 1 to Aug 31
Sage Thrasher *Oreoscoptes montanus* This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9433	Breeds Apr 15 to Aug 10
Willet *Tringa semipalmata* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Apr 20 to Aug 5
Willow Flycatcher *Empidonax traillii* This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/3482	Breeds May 20 to Aug 31

Probability Of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ “Proper Interpretation and Use of Your Migratory Bird Report” before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence

in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.

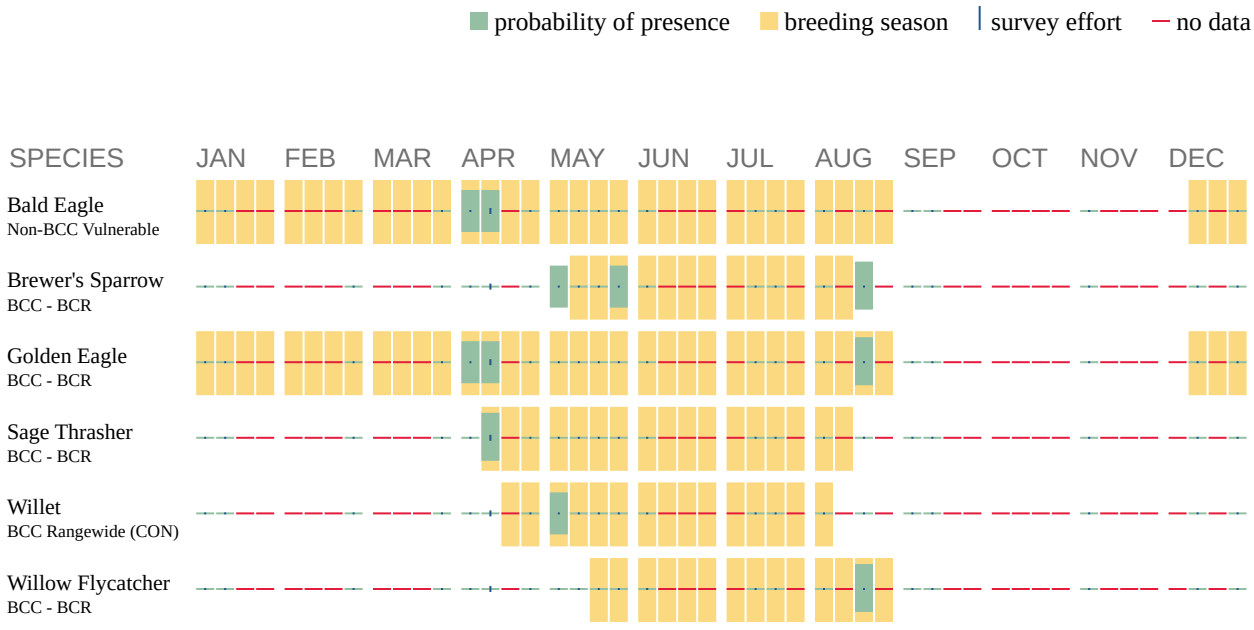
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season (▪)
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

No Data (–)
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



Additional information can be found using the following links:

- Birds of Conservation Concern http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php
- Measures for avoiding and minimizing impacts to birds http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php
- Nationwide conservation measures for birds http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf

Migratory Birds FAQ

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.
Nationwide Conservation Measures describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. Additional measures and/or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?
The Migratory Bird Resource List is comprised of USFWS Birds of Conservation Concern (BCC) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle (Eagle Act requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the AKN Phenology Tool.

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the Avian Knowledge Network (AKN). This data is derived from a growing collection of survey, banding, and citizen science datasets .

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?
To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: The Cornell Lab of Ornithology All About Birds Bird Guide, or (if you are unsuccessful in locating the bird of interest there), the Cornell Lab of Ornithology Neotropical Birds guide. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?
Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are Birds of Conservation Concern (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the Eagle Act requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects
For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the Northeast Ocean Data Portal. The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the NOAA NCCOS Integrative Statistical

Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the Diving Bird Study and the nanotag studies or contact Caleb Spiegel or Pam Loring.

What if I have eagles on my list?
If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report
The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ “What does IPaC use to generate the migratory birds potentially occurring in my specified location”. Please be aware this report provides the “probability of presence” of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the “no data” indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ “Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds” at the bottom of your migratory bird trust resources page.

Wetlands

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.

Steve Sisolak
Governor

STATE OF NEVADA

DEPARTMENT OF WILDLIFE

6980 Sierra Center Parkway, Suite 120
Reno, Nevada 89511
Phone (775) 688-1500 • Fax (775) 688-1495

TONY WASLEY
Director

LIZ O'BRIEN
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JACK ROBB
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Gareth Blakemore
Biologist
McGinley and Associates, Inc - Reno Office
815 Maestro Drive
Reno, Nevada 89511

October 29, 2019

Re: Painted Rock Mine

Dear Gareth Blakemore:

I am responding to your request for information from the Nevada Department of Wildlife (NDOW) on the known or potential occurrence of wildlife resources in the vicinity of the Painted Rock Mine located in Douglas County, Nevada. In order to fulfill your request an analysis was performed using the best available data from the NDOW's wildlife occurrences, raptor nest sites and ranges, greater sage-grouse leks and habitat, and big game distributions databases. No warranty is made by the NDOW as to the accuracy, reliability, or completeness of the data for individual use or aggregate use with other data. These data should be considered **sensitive** and may contain information regarding the location of sensitive wildlife species or resources. All appropriate measures should be taken to ensure that the use of this data is strictly limited to serve the needs of the project described on your GIS Data Request Form. Abuse of this information has the potential to adversely affect the existing ecological status of Nevada's wildlife resources and could be cause for the denial of future data requests.

To adequately provide wildlife resource information in the vicinity of the proposed project the NDOW delineated an area of interest that included a four-mile buffer around the project area provided by you on Wednesday, October 23, 2019. Wildlife resource data was queried from the NDOW databases based on this area of interest. The results of this analysis are summarized below.

Big Game - Occupied mule deer distribution exists throughout the entire project area and four-mile buffer area. No known occupied bighorn sheep, elk, or pronghorn antelope distributions exist in the vicinity of the project area.

Greater Sage-Grouse - Habitat for the greater sage-grouse Bi-State distinct population segment exists outside of the project area within portions of the four-mile buffer area. Please refer to the attached map for details regarding greater sage-grouse habitat relative to the proposed project area. There are no known radio-marked greater sage-grouse tracking locations in the vicinity of the project area. There are no known greater sage-grouse lek sites in the vicinity of the project area.

Raptors - Various species of raptors, which use diverse habitat types, may reside in the vicinity of the project area. American kestrel, bald eagle, barn owl, burrowing owl, Cooper's hawk, ferruginous hawk, flammulated owl, golden eagle, great horned owl, long-eared owl, merlin, northern goshawk, northern harrier, northern saw-whet owl, osprey, peregrine falcon, red-tailed hawk, rough-legged hawk, sharp-shinned hawk, short-eared owl, Swainson's hawk, turkey vulture, and western screech owl have distribution ranges that include the project area and four-mile buffer area. Furthermore, bald eagle, Cooper's hawk, golden eagle, and red-tailed hawk have been directly observed in the vicinity of the project area.

Raptor species are protected by State and Federal laws. In addition, bald eagle, burrowing owl, California spotted owl, ferruginous hawk, flammulated owl, golden eagle, northern goshawk, peregrine falcon,

prairie falcon, and short-eared owl are NDOW species of special concern and are target species for conservation as outlined by the Nevada Wildlife Action Plan. Per the *Interim Golden Eagle Technical Guidance: Inventory and Monitoring Protocols; and Other Recommendations in Support of Golden Eagle Management and Permit Issuance* (United States Fish and Wildlife Service 2010) we have queried our raptor nest database to include raptor nest sites within ten miles of the proposed project area. There are 26 known raptor nest sites within ten miles of the project area:

Probable Use	Last Check	Last Active	Township/Range/Section
Buteo	3/2/1975		21 0140N 0200E 019
Buteo	1/1/1977	1/1/1977	21 0130N 0200E 006
Buteo	1/1/1980	1/1/1980	21 0130N 0200E 034
Buteo	5/22/1981	5/22/1981	21 0130N 0200E 034
Buteo	1/1/1986	1/1/1986	21 0130N 0200E 017
Buteo	1/1/1986	1/1/1986	21 0130N 0200E 018
Buteo	1/1/1986	1/1/1986	21 0130N 0200E 028
Buteo	1/1/1986	1/1/1986	21 0130N 0200E 034
Buteo	1/1/1986	1/1/1986	21 0140N 0200E 030
Buteo	5/23/1986	5/23/1986	21 0130N 0200E 005
Buteo	5/23/1986	5/23/1986	21 0130N 0200E 018
Buteo	5/23/1986	5/23/1986	21 0130N 0200E 033
Buteo	6/27/1986	1/1/1977	21 0140N 0200E 031
Buteo	6/9/1987		21 0130N 0200E 020
Buteo	6/9/1987		21 0130N 0200E 021
Buteo	6/9/1987		21 0130N 0200E 021
Buteo	6/9/1987		21 0130N 0200E 027
Buteo	6/9/1987		21 0130N 0200E 034
Buteo	6/11/1987		21 0130N 0190E 027
Buteo	6/11/1987		21 0140N 0200E 032
Buteo/Corvid	5/5/2011	5/5/2011	21 0140N 0190E 002
Eagle	3/2/1975		21 0140N 0200E 019
Eagle	5/6/2011	5/6/2011	21 0150N 0210E 018
Eagle	3/2/2013	3/2/2013	21 0130N 0190E 015
Northern Goshawk	6/20/1978	6/20/1978	21 0130N 0220E 010
Owl	5/1/1975		21 0140N 0200E 019

Other Wildlife Resources

There are no water developments in the vicinity of the project area. The following species have also been observed in the vicinity of the project area:

Common Name	ESA	State	SWAP SoCP
American coot			
western mosquitofish			

ESA: Endangered Species Act Status
State: State of Nevada Special Status
SWAP SoCP: Nevada State Wildlife Action Plan (2012) Species of Conservation Priority

The proposed project area may also be in the vicinity of abandoned mine workings, which often provide habitat for state and federally protected wildlife, especially bat species, many of which are protected

under NAC 503.030. To request data regarding known abandoned mine workings in the vicinity of the project area please contact the Nevada Division of Minerals (http://minerals.state.nv.us/).

The above information is based on data stored at our Reno Headquarters Office, and does not necessarily incorporate the most up to date wildlife resource information collected in the field. Please contact the Habitat Division Supervising Biologist at our Western Region Reno Office (775.688.1500) to discuss the current environmental conditions for your project area and the interpretation of our analysis. Furthermore, it should be noted that the information detailed above is preliminary in nature and not necessarily an identification of every wildlife resource concern associated with the proposed project. Consultation with the Supervising Habitat biologist will facilitate the development of appropriate survey protocols and avoidance or mitigation measures that may be required to address potential impacts to wildlife resources.

Mark Freese - Western Region Supervising Habitat Biologist (775.688.1145)

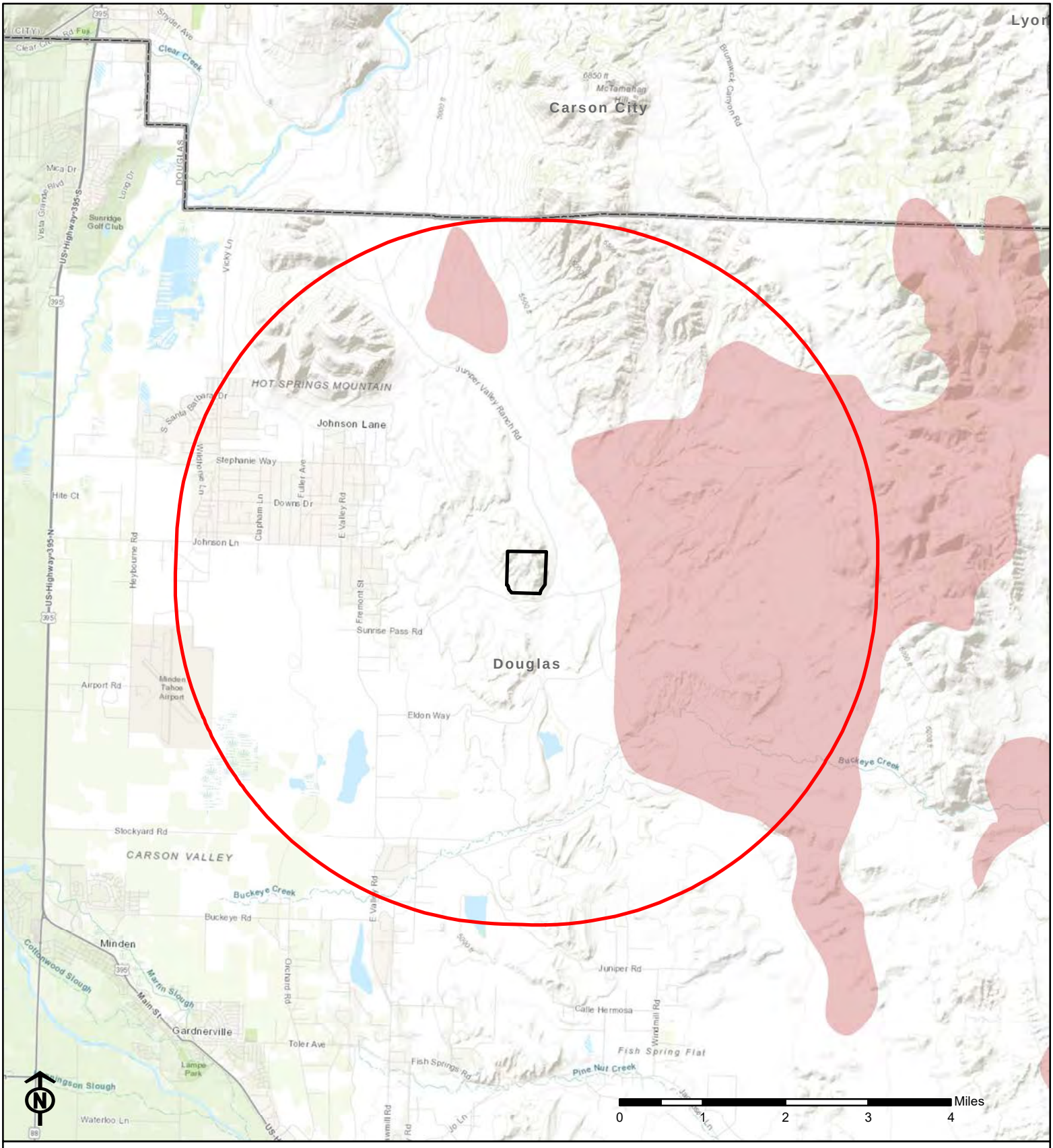
Federally listed Threatened and Endangered species are also under the jurisdiction of the United States Fish and Wildlife Service. Please contact them for more information regarding these species.

If you have any questions regarding the results or methodology of this analysis please do not hesitate to contact our GIS office at (775) 688-1439.

Sincerely,

Bonnie Weller

Bonnie Weller, GIS Analyst
Data and Technology Services
Nevada Department of Wildlife
6980 Sierra Center Parkway, Ste. 120
Reno, Nevada 89511
(775) 688-1439
bweller@ndow.org



- Project Area
- Four Mile Buffer Area Boundary
- Priority Habitat
- General Habitat
- Other Habitat
- Bi-State Habitat

Painted Rock Mine
Greater Sage-Grouse Habitat

October 29, 2019

Projection: UTM Zone 11 North, NAD83

No warranty is made by the Nevada Department of Wildlife as to the accuracy, reliability, or completeness of the data for individual use or aggregate use with other data.

V:\ActiveProjects\DataRequests\Template\Data Request - Response Template.mxd

Nevada Natural Heritage Program

STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
Nevada Natural Heritage Program

Steve Sisolak
Governor

Bradley Crowell
Director

Kristin Szabo
Administrator

28 October 2019

Gareth Blakemore
McGinley and Associates, Inc.
815 Maestro Dr.
Reno, NV 89511

RE: Data request received 22 October 2019

Dear Mr. Blakemore:

We are pleased to provide the information you requested on endangered, threatened, candidate, and/or At Risk plant and animal taxa recorded within or near the Painted Rock Mine Project area in Douglas County. We searched our database and maps for the following, a 5 kilometer radius around shapefiles provided, including:

Township 13N Range 20E Section 01
Township 13N Range 21E Section 06

There are no at risk taxa recorded within the given area. However, habitat may be available for, the Lavin eggvetch, *Astragalus oophorus* var. *lavinii*, a Nevada Bureau of Land Management (BLM) Sensitive Species and the Carson Valley silverspot, *Speyeria nokomis carsonensis*, a Nevada BLM Sensitive Species. The Nevada Department of Wildlife (NDOW) manages, protects, and restores Nevada's wildlife resources and associated habitat. Please contact Bonnie Weller, NDOW GIS biologist (775) 688-1439 to obtain further information regarding wildlife resources within and near your area of interest. Removal or destruction of state protected flora species requires a special permit from Nevada Division of Forestry (NRS 527.270).

Please note that our data are dependent on the research and observations of many individuals and organizations and in most cases are not the result of comprehensive or site-specific field surveys. Natural Heritage reports should never be regarded as final statements on the taxa or areas being considered, nor should they be substituted for on-site surveys required for environmental assessments.

Thank you for checking with our program. Please contact us for additional information or further assistance.

Sincerely,

Eric S. Miskow
Biologist/Data Manager

APPENDIX C

SWReGAP Land Cover Descriptions

S040 Great Basin Pinyon-Juniper Woodland

NLCD Class Evergreen Forest

Spatial Scale / Pattern Matrix

Concept Summary This ecological system occurs on dry mountain ranges of the Great Basin region and eastern foothills of the Sierra Nevada. It is typically found at lower elevations ranging from 1600-2600 m. These woodlands occur on warm, dry sites on mountain slopes, mesas, plateaus, and ridges. Severe climatic events occurring during the growing season, such as frosts and drought, are thought to limit the distribution of pinyon-juniper woodlands to relatively narrow altitudinal belts on mountainsides. Woodlands dominated by a mix of Pinus monophylla and Juniperus osteosperma, pure or nearly pure occurrences of Pinus monophylla, or woodlands dominated solely by Juniperus osteosperma comprise this system. Cercocarpus ledifolius is a common associate. Understory layers are variable. Associated species include shrubs such as Arctostaphylos patula, Artemisia arbuscula, Artemisia nova, Artemisia tridentata, Cercocarpus ledifolius, Cercocarpus intricatus, Coleogyne ramosissima, Quercus gambelii, Quercus turbinella, and bunch grasses Hesperostipa comata, Festuca idahoensis, Pseudoroegneria spicata, Leymus cinereus (= Elymus cinereus), and Poa fendleriana. This system occurs at lower elevations than Colorado Plateau Pinyon-Juniper Woodland (CES304.767) where sympatric.

Range Occurs on dry mountain ranges of the Great Basin region and eastern foothills of the Sierra Nevada, typically at lower elevations ranging from 1600-2600 m.

Additional Information

Southwest ReGAP Analysis Project Land Cover Datasets:	http://earth.gis.usu.edu/swgap/
NatureServe Explorer (for Ecological System and Alliance information):	http://www.natureserve.org/explorer/
USDA Natural Resources Conservation Service Plants Database:	http://plants.usda.gov/

Field Photos



PhotoID : UT101702MD09_1.JPG



PhotoID : UT060502GM18_1.JPG



PhotoID : UT051002MD04_1.JPG

S055 Great Basin Xeric Mixed Sagebrush Shrubland

NLCD Class Scrub/Scrub

Spatial Scale / Pattern Large patch

Concept Summary This ecological system occurs in the Great Basin on dry flats and plains, alluvial fans, rolling hills, rocky hillslopes, saddles and ridges at elevations between 1000 and 2600 m. Sites are dry, often exposed to desiccating winds, with typically shallow, rocky, non-saline soils. Shrublands are dominated by Artemisia nova (mid and low elevations), Artemisia arbuscula (higher elevation) and may be codominated by Artemisia tridentata ssp. wyomingensis or Chrysothamnus viscidiflorus. Other shrubs that may be present include Atriplex confertifolia, Ephedra spp., Ericameria spp., Grayia spinosa, Lycium shockleyi, Picrothamnus desertorum, Sarcobatus vermiculatus, and Tetradymia spp. The herbaceous layer is likely sparse and composed of perennial bunch grasses such as Achnatherum hymenoides, Achnatherum speciosum, Achnatherum thurberianum, Elymus elymoides, or Poa secunda.

Range Occurs in the Great Basin on dry flats and plains, alluvial fans, rolling hills, rocky hill slopes, saddles and ridges at elevations between 1000-2600 m.

Additional Information

Southwest ReGAP Analysis Project Land Cover Datasets:	http://earth.gis.usu.edu/swgap/
NatureServe Explorer (for Ecological System and Alliance information):	http://www.natureserve.org/explorer/
USDA Natural Resources Conservation Service Plants Database:	http://plants.usda.gov/

Field Photos



PhotoID : UT061202JD11_1.JPG



PhotoID : UT100802JD15_1.JPG



PhotoID : UT101702MD23_2.JPG

S054 Inter-Mountain Basins Big Sagebrush Shrubland

NLCD Class Scrub/Scrub

Spatial Scale / Pattern Matrix

Concept Summary This ecological system occurs throughout much of the western U.S., typically in broad basins between mountain ranges, plains and foothills between 1500 and 2300 m elevation. Soils are typically deep, well-drained and non-saline. These shrublands are dominated by Artemisia tridentata ssp. tridentata and/or Artemisia tridentata ssp. wyomingensis. Scattered Juniperus spp., Sarcobatus vermiculatus, and Atriplex spp. may be present in some stands. Ericameria nauseosa, Chrysothamnus viscidiflorus, Purshia tridentata, or Symphoricarpos oreophilus may codominate disturbed stands. Perennial herbaceous components typically contribute less than 25% vegetative cover. Common graminoid species include Achnatherum hymenoides, Bouteloua gracilis, Elymus lanceolatus, Festuca idahoensis, Hesperostipa comata, Leymus cinereus, Pleuraphis jamesii, Pascopyrum smithii, Poa secunda, or Pseudoroegneria spicata.

Range Occurs throughout much of the western U.S., typically in broad basins between mountain ranges, plains and foothills between 1500-2300 m elevation.

Additional Information

Southwest ReGAP Analysis Project Land Cover Datasets:	http://earth.gis.usu.edu/swgap/
NatureServe Explorer (for Ecological System and Alliance information):	http://www.natureserve.org/explorer/
USDA Natural Resources Conservation Service Plants Database:	http://plants.usda.gov/

Field Photos



PhotoID : UT070501LL05_1.JPG



PhotoID : UT043003JD17_1.JPG



PhotoID : UT091202JD02_1.JPG

S065 Inter-Mountain Basins Mixed Salt Desert Scrub

NLCD Class Scrub/Scrub

Spatial Scale / Pattern Large patch

Concept Summary This extensive ecological system includes open-canopied shrublands of typically saline basins, alluvial slopes and plains across the Intermountain western U.S. This type also extends in limited distribution into the southern Great Plains. Substrates are often saline and calcareous, medium- to fine-textured, alkaline soils, but include some coarser-textured soils. The vegetation is characterized by a typically open to moderately dense shrubland composed of one or more Atriplex species such as Atriplex confertifolia, Atriplex canescens, Atriplex polycarpa, or Atriplex spinifera. Other shrubs present to codominate may include Artemisia tridentata ssp. wyomingensis, Chrysothamnus viscidiflorus, Ericameria nauseosa, Ephedra nevadensis, Grayia spinosa, Krascheninnikovia lanata, Lycium spp., Picrothamnus desertorum, or Tetradymia spp. Sarcobatus vermiculatus is generally absent, but if present does not codominate. The herbaceous layer varies from sparse to moderately dense and is dominated by perennial graminoids such as Achnatherum hymenoides, Bouteloua gracilis, Elymus lanceolatus ssp. lanceolatus, Pascopyrum smithii, Pleuraphis jamesii, Pleuraphis rigida, Poa secunda, or Sporobolus airoides. Various forbs are also present.

Range Intermountain western U.S., extending in limited distribution into the southern Great Plains.

Additional Information

Southwest ReGAP Analysis Project Land Cover Datasets:	http://earth.gis.usu.edu/swgap/
NatureServe Explorer (for Ecological System and Alliance information):	http://www.natureserve.org/explorer/
USDA Natural Resources Conservation Service Plants Database:	http://plants.usda.gov/

Field Photos



PhotoID : UT061202JD03_1.JPG



PhotoID : UT061202JD16_2.JPG



PhotoID : UT061302JD22_2.JPG

S071 Inter-Mountain Basins Montane Sagebrush Steppe

NLCD Class Grassland/Herbaceous

Spatial Scale / Pattern Matrix

Concept Summary

This ecological system includes sagebrush communities occurring at montane and subalpine elevations across the western U.S. from 1000 m in eastern Oregon and Washington to over 3000 m in the southern Rockies. In British Columbia, it occurs between 450 and 1650 m in the southern Fraser Plateau and the Thompson and Okanagan basins. Climate is cool, semi-arid to subhumid. This system primarily occurs on deep-soiled to stony flats, ridges, nearly flat ridgetops, and mountain slopes. In general this system shows an affinity for mild topography, fine soils, and some source of subsurface moisture. It is composed primarily of Artemisia tridentata ssp. vaseyana (mountain sagebrush) and related taxa such as Artemisia tridentata ssp. spiciformis (= Artemisia spiciformis). Purshia tridentata may codominate or even dominate some stands. Other common shrubs include Symphoricarpos spp., Amelanchier spp., Ericameria nauseosa, Peraphyllum ramosissimum, Ribes cereum, and Chrysothamnus viscidiflorus. Most stands have an abundant perennial herbaceous layer (over 25% cover), but this system also includes Artemisia tridentata ssp. vaseyana shrublands. Common graminoids include Festuca arizonica, Festuca idahoensis, Hesperostipa comata, Poa fendleriana, Elymus trachycaulus, Bromus carinatus, Poa secunda, Leucopoa kingii, Deschampsia caespitosa, Calamagrostis rubescens, and Pseudoroegneria spicata. In many areas, frequent wildfires maintain an open herbaceous-rich steppe condition, although at most sites, shrub cover can be unusually high for a steppe system (>40%), with the moisture providing equally high grass and forb cover.

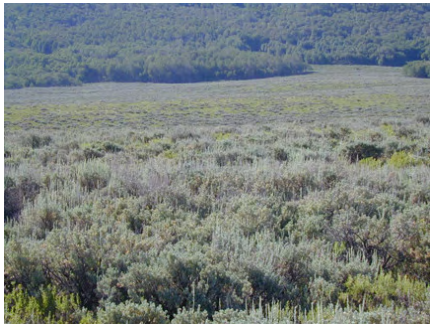
Range

This system is found at montane and subalpine elevations across the western U.S. from 1000 m in eastern Oregon and Washington to over 3000 m in the southern Rockies. In British Columbia, it occurs in the southern Fraser Plateau and the Thompson and Okanagan basins.

Additional Information

Southwest ReGAP Analysis Project Land Cover Datasets:	http://earth.gis.usu.edu/swgap/
NatureServe Explorer (for Ecological System and Alliance information):	http://www.natureserve.org/explorer/
USDA Natural Resources Conservation Service Plants Database:	http://plants.usda.gov/

Field Photos



PhotoID : UT071002MD01_1.JPG



PhotoID : UT070701GM16_1.JPG



PhotoID : UT062603JK03_2.JPG

S079 Inter-Mountain Basins Semi-Desert Shrub-Steppe

NLCD Class Grassland/Herbaceous

Spatial Scale / Pattern Large patch

Concept Summary This ecological system occurs throughout the intermountain western U.S., typically at lower elevations on alluvial fans and flats with moderate to deep soils. This semi-arid shrub-steppe is typically dominated by graminoids (>25% cover) with an open shrub layer. Characteristic grasses include Achnatherum hymenoides, Bouteloua gracilis, Distichlis spicata, Hesperostipa comata, Pleuraphis jamesii, Poa secunda, and Sporobolus airoides. The woody layer is often a mixture of shrubs and dwarf-shrubs. Characteristic species include Atriplex canescens, Artemisia tridentata, Chrysothamnus greenei, Chrysothamnus viscidiflorus, Ephedra spp., Ericameria nauseosa, Gutierrezia sarothrae, and Krascheninnikovia lanata. Artemisia tridentata may be present but does not dominate. The general aspect of occurrences may be either open shrubland with patchy grasses or patchy open herbaceous layer. Disturbance may be important in maintaining the woody component. Microphytic crust is very important in some stands.

Range Occurs throughout the Intermountain western U.S., typically at lower elevations.

Additional Information

Southwest ReGAP Analysis Project Land Cover Datasets:	http://earth.gis.usu.edu/swgap/
NatureServe Explorer (for Ecological System and Alliance information):	http://www.natureserve.org/explorer/
USDA Natural Resources Conservation Service Plants Database:	http://plants.usda.gov/

Field Photos



PhotoID : UT080100GM17_1.JPG



PhotoID : UT100902JD24_1.JPG



PhotoID : UT061402MD15_2.JPG

Appendix H. Noise Technical Memorandum

Noise Technical Memorandum
Knox Painted Rock
November 12, 2021

Executive Summary

Knox Painted Rock is a mining project located in Douglas County, Nevada (**Appendix A**). The project area consists of undeveloped land located 1.1 to 1.6 miles west of the nearest residences along Johnson Lane. The proposed project is to develop a gravel pit and reclamation plan to extract mineral materials within the Project Area to meet domestic needs for construction.

The FHWA-approved Traffic Noise Model version 2.5 (TNM 2.5) is the computer noise model used for the prediction of highway and roadway traffic noise levels. The table below shows the TNM 2.5 noise modeling results of various noise levels comparing existing noise levels without mining operations to future noise levels with mining operations. The first column identifies the noise receiver identification number for the homes closest to Johnson Lane. The second column shows the existing modeled noise levels without mining operation traffic. The third column shows the future modeled noise levels with normal mining traffic operations (10% of daily traffic in the peak hour). The fourth column shows the increase in noise levels from existing to future normal mining traffic operations. The fifth column shows the future modeled noise levels with worst-case mining traffic operations (50% of daily traffic in the peak hour). The sixth column shows the increase in noise levels from existing to future worst-case mining traffic operations. Noise receiver locations are shown in **Appendix B**.

TNM 2.5 Modeled Roadway Noise Level Results
Johnson Lane

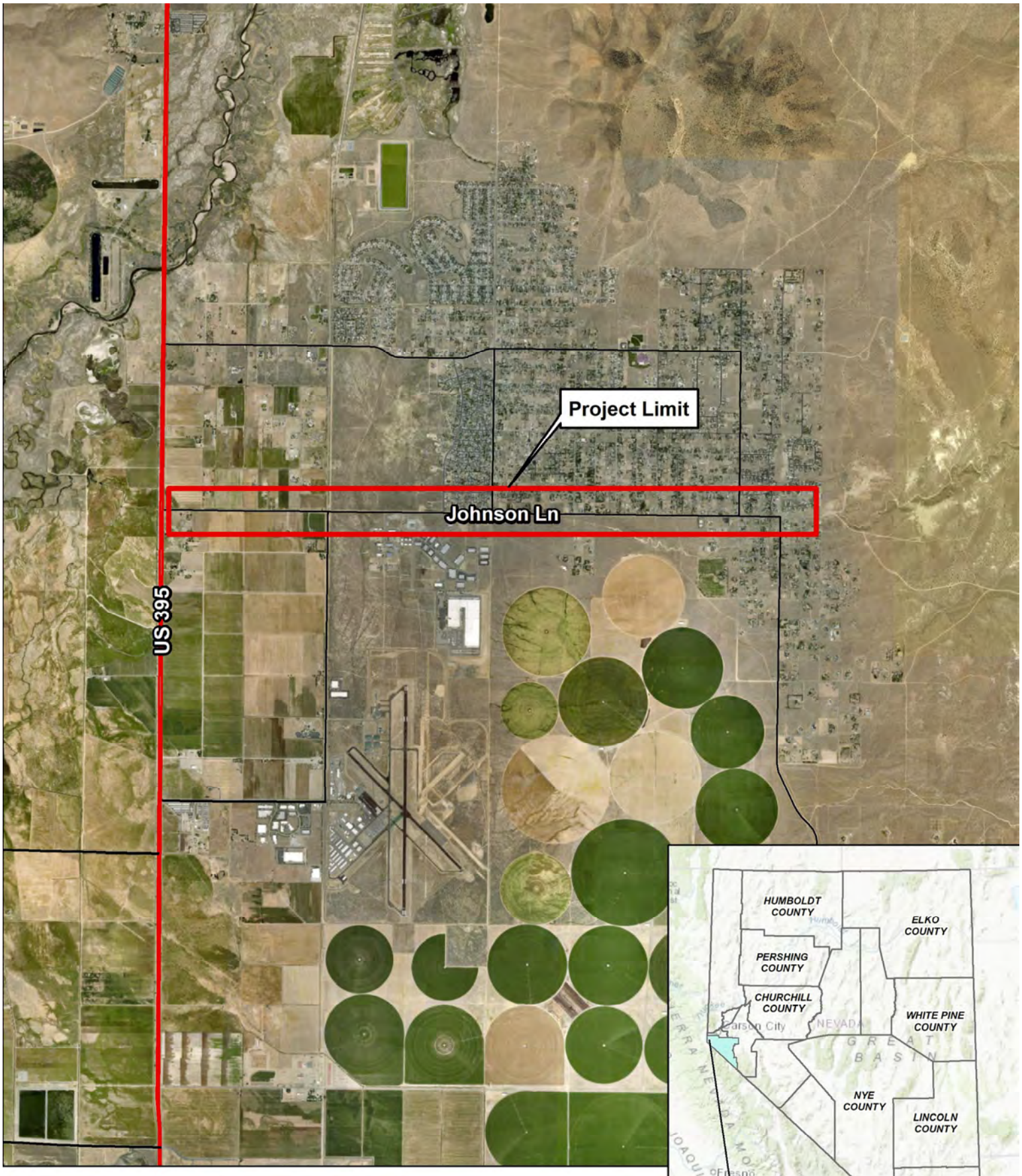
Rec ID	Existing Noise Levels without Mining Operations, dBA	Future Noise Levels with Mining Operations, dBA			
		Noise Levels, dBA (Normal Scenario)	Noise Level Increase (Normal Scenario)	Noise levels, dBA (Worst Case Scenario)	Noise Level Increase (Worst Case Scenario)
R1	53.2	55.1	2.0	59.0	5.9
R2	55.8	57.7	1.9	61.5	5.7
R3	58.4	60.3	1.9	64.1	5.7
R4	60.7	62.6	1.9	66.4	5.7
R5	58.8	60.7	1.9	64.4	5.6
R6	58.5	60.4	1.9	64.1	5.6
R7	61.3	63.2	1.9	66.9	5.7
R8	60.2	62.1	1.9	65.9	5.7
R9	60.3	62.2	1.9	65.9	5.7
R10	61.8	63.7	1.9	67.5	5.7
R11	61.8	63.7	1.9	67.5	5.7
R12	61.8	63.7	1.9	67.5	5.7
R13	61.6	63.5	1.9	67.2	5.7
R14	55.8	57.7	1.9	61.6	5.8
R15	61.9	63.8	1.9	67.6	5.7
R16	60.9	62.8	1.9	66.5	5.6
R17	61.0	62.8	1.9	66.6	5.6
R18	63.6	65.4	1.8	69.1	5.6

TNM 2.5 Modeled Roadway Noise Level Results Johnson Lane					
Rec ID	**Existing Noise Levels without Mining Operations, dBA**	**Future Noise Levels with Mining Operations, dBA**			
		Noise Levels, dBA (Normal Scenario)	**Noise Level Increase (Normal Scenario)**	**Noise levels, dBA (Worst Case Scenario)**	**Noise Level Increase (Worst Case Scenario)**
R19	61.6	62.9	1.3	66.0	4.4
R20	61.7	63.0	1.3	66.1	4.4
R21	60.6	61.9	1.3	64.9	4.3
R22	58.1	59.5	1.3	62.6	4.4
R23	51.0	52.5	1.5	55.8	4.8
R24	57.3	58.6	1.4	61.8	4.5
R25	51.4	52.9	1.5	56.2	4.8
R26	52.9	54.4	1.5	57.7	4.7
R27	59.3	60.6	1.3	63.6	4.3
R28	51.5	53.0	1.5	56.3	4.8
R29	52.5	54.0	1.5	57.3	4.8
R30	57.1	59.0	1.9	62.8	5.7
R31	58.9	60.7	1.9	64.5	5.6
R32	58.7	60.5	1.9	64.3	5.6
R33	58.1	59.9	1.9	63.7	5.6
R34	59.8	61.7	1.9	65.4	5.6
R35	62.0	63.9	1.9	67.6	5.7
R36	60.1	62.0	1.9	65.8	5.6
Note: **Bolded** values are equal to or greater than the noise impact threshold of 66 dBA for residential homes.					

According to the Nevada *Traffic and Construction Noise Analysis and Abatement Policy (2018)*, residential noise receivers are considered impacted at noise levels of 66 dBA Leq(h). Thirty-six receivers were modeled to represent 36 residential dwelling units along Johnson Lane. Existing noise levels range from 51 to 64 dBA. For the future normal mining traffic operations, noise levels range from 53 to 65 dBA, which is an increase of 1-2 dBA over existing noise levels. For the future worse-case mining traffic operations, noise levels range from 56 to 69 dBA, which is an increase of 4-6 dBA over existing noise levels. For the future normal scenario, there are no impacted receivers. For the future worst-case scenario, 17 of the 36 receivers are impacted with noise levels of 66 dBA or more. The smallest change in noise level that can be detected by the human ear is approximately 3 dBA. A 5-dBA change in noise levels is considered perceivable.

The following Appendices are included in this Memorandum:
Appendix A – Project Location Map
Appendix B – Noise Receiver Locations
Appendix C – TNM 2.5 Traffic Volumes

APPENDIX A – Project Location Map


Project Limit
Johnson Ln
US-395
HUMBOLDT COUNTY
ELKO COUNTY
PERSHING COUNTY
CHURCHILL COUNTY
WHITE PINE COUNTY
NYE COUNTY
LINCOLN COUNTY
CLARK COUNTY
Project Location
Carson City
NEVADA
GREAT BASIN
Fresno
Las Vegas
MOJAVE DESERT
CALIFORNIA
N
Miles
newton
Environmental Consulting, LLC

APPENDIX A – Noise Receiver Locations



Revised: 10/22/2021

0 120 240
FEET

LEGEND

Modeled Noise Receivers

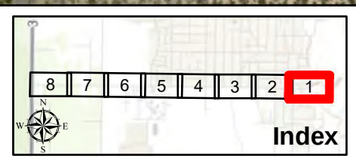


Figure 1

Knox Painted Rock Noise Study



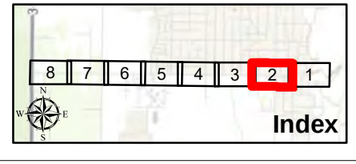
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LEGEND

Modeled Noise Receivers



newton
Environmental Consulting, LLC

Figure 2

Knox Painted Rock Noise Study



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Modeled Noise Receivers

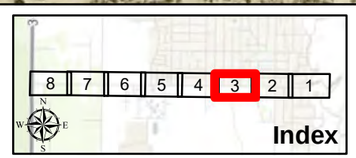


Figure 3

Knox Painted Rock Noise Study

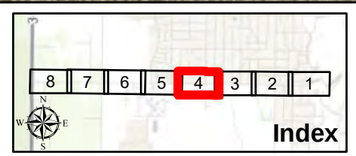


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Modeled Noise Receivers



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Figure 4

Knox Painted Rock Noise Study

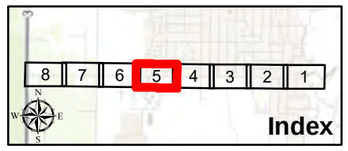


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Modeled Noise Receivers



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Figure 5

Knox Painted Rock Noise Study



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Modeled Noise Receivers

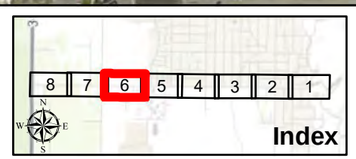
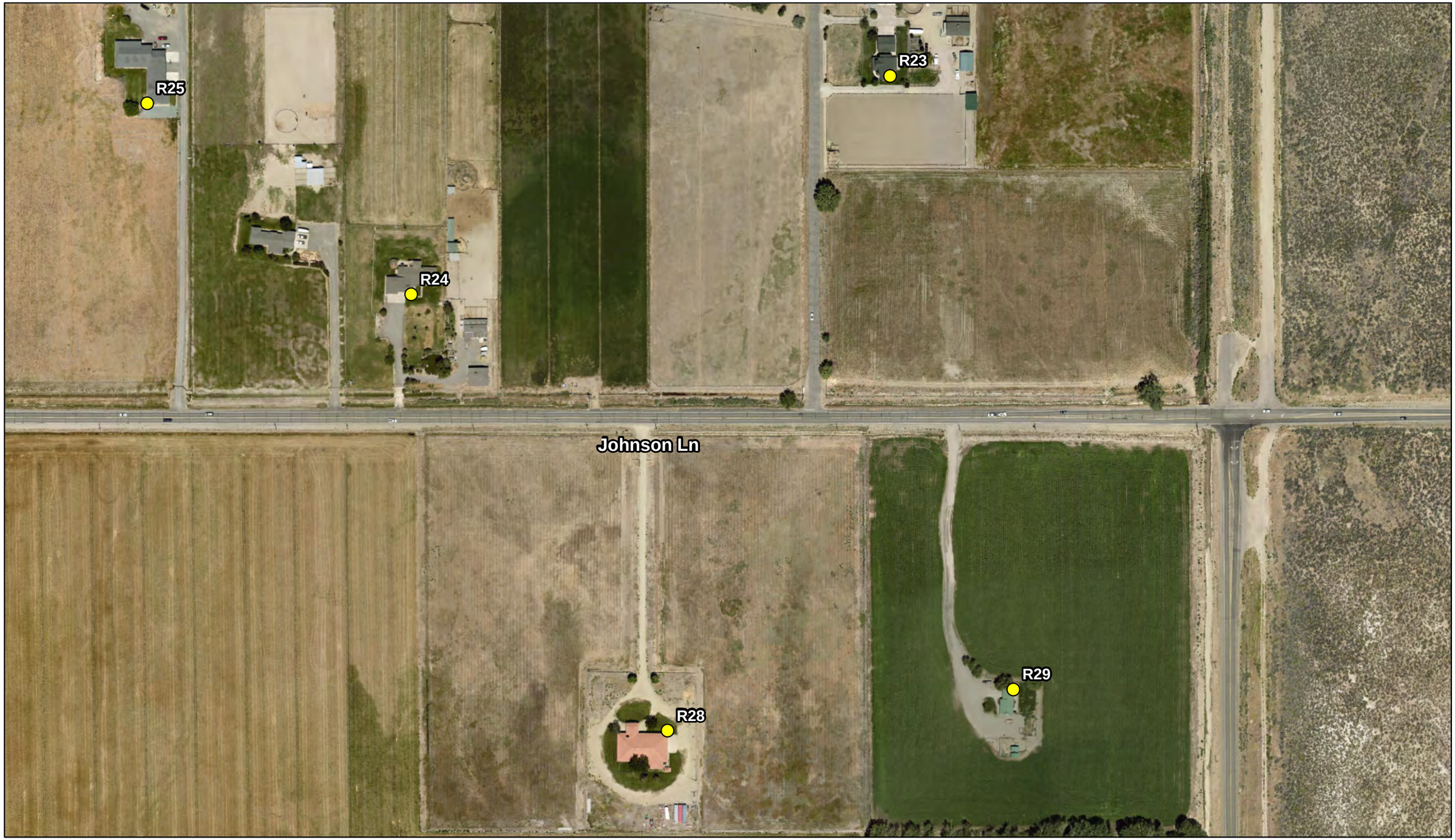


Figure 6

Knox Painted Rock Noise Study



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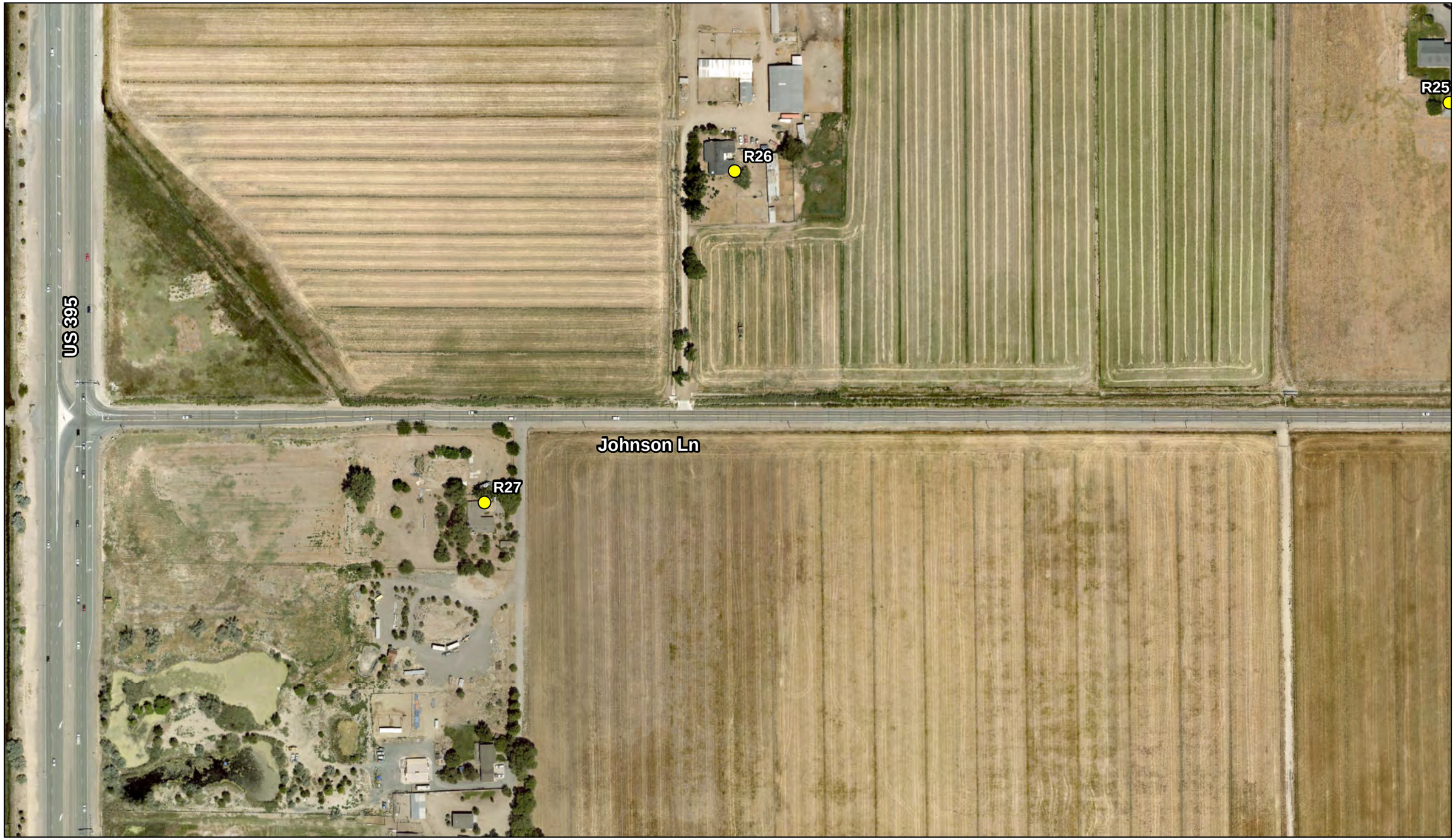
Modeled Noise Receivers



newton
Environmental Consulting, LLC

Figure 7

Knox Painted Rock Noise Study

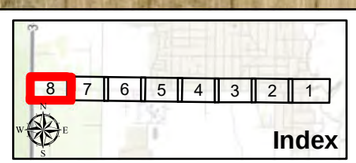


Revised: 10/22/2021

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LEGEND

Modeled Noise Receivers



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Figure 8

Knox Painted Rock Noise Study

APPENDIX B – TNM 2.5 TRAFFIC VOLUMES

Knox Painted Rock TNM Traffic Volumes

Existing Condition W/O Mining Traffic

Roadway Segment	AADT	Peak Hour	Modeled Auto Volume	Modeled Medium Truck Volume	Modeled Heavy Truck Volume
Johnson Ln (East of Vicki Ln)	3400	340	323	17	0
Johnson Ln (West of Vicki Ln)	5300	530	504	27	0

Future Condition W/ Mining Traffic (Normal Scenario)

Roadway Segment	AADT	Peak Hour	Modeled Auto Volume	Modeled Medium Truck Volume	Modeled Heavy Truck Volume
Johnson Ln (East of Vicki Ln)	3634	363	323	21	19
Johnson Ln (West of Vicki Ln)	5534	553	504	31	19

Future Condition W/ Mining Traffic (Worst Case Scenario)

Roadway Segment	AADT	Peak Hour	Modeled Auto Volume	Modeled Medium Truck Volume	Modeled Heavy Truck Volume
Johnson Ln (East of Vicki Ln)	3634	457	323	37	97
Johnson Ln (West of Vicki Ln)	5534	647	504	47	97

Speed limit on Johnson Ln 45 mph
2020 traffic volumes were used for Johnson Ln, source: https://ndot.maps.arcgis.com/apps/webappviewer/index.html?id=278339b4605e4dda8da9bddd2fd9f1e9
For normal sceanrio, it is assumed that 10% of daily mining operation traffic is used for peak hour volume.
For worst case sceanrio, it is assumed that 50% of the daily mining operation traffic is used for peak hour volume.

Appendix I. Scoping Comment Matrix

Comment No.	Comment
A-1	We are residents of Skyline Ranch at the end of Johnson Lane. We are surprised and upset that the Knox Mining operation has progressed in approval this far without our knowledge or consideration. This is happening within yards of our houses! Nevada has so much open land. Is this the only place this mining can be done? Would you approve this to happen in your backyard? Is there a chance to stop this? We hate for this to happen in any neighborhood in our little town. We love Minden. Please don't let this happen!!
B-1	I'm in favor of this operation for the following reasons. 1. As a Douglas County based general building contractor since 1984, I've definitely seen the need for a local source gravel pit operation. It has been the last few years that availability of these materials has been getting harder and harder to find for local building projects in the Carson Valley.
B-2	2. The geology of Carson Valley is most typically a lens of expansive clay type soils that need to be removed for good construction building practices. This results in the need for good "structural fill" to complete these projects.
B-3	3. As a result of the decline of available structural fill materials locally in the Carson Valley, costs for the development of local projects goes up due to the increased trucking costs to bring the materials in from other jurisdictions, typically North Cason City or Moundhouse. This will affect costs for any modern construction project performed in the Carson Valley.
B-4	There is a real need for this operation in the Carson Valley.
C-1	I am writing this because, while I am pro-business, I have issues when business causes a negative impact to the community and causes undue safety and financial issues. These are but not limited to the large increase in traffic with large heavily loaded trucks. Johnson lane is the artery into our community and there will be a significant increase in vehicle accidents due to this mining operation taking place. Johnson lane is just a 2 lane road that only has turn lanes in the commercial area. That means when a loaded truck is headed down Johnson Lane and a vehicle decides it is going to turn on to a small residential side street the loaded truck will either have to slam on their brakes hoping they will be able to avoid hitting the vehicle in front of them or swerve into oncoming traffic. Turning onto side streets is a slow transition due to decreased speed limit & narrower roads causing the vehicle turning to use Johnson lane to slow substantially before making any turn.
C-2	Johnson lane is also a designated bus route. Multiple school buses make multiple stops on Johnson lane as this has and always should be considered part of our residential street infrastructure. The safety concern for this is unmeasurable.
C-3	It will be inevitable that there will be an increase of rock, gravel and debris on the road caused by this mining operation. There is several issues with this, increased braking distances, lack of control in an evasive maneuver and increased vehicle damage to all of our personally owned vehicles.
C-4	With increased large truck traffic that is be discussed also comes with increased noise. Increased dust and disturbance to our great community.
C-5	If this mining operation was operational prior to our purchase of our home I could not consciously complain, because I would have been made aware prior to and would have either chose to or decided against purchasing my home. Now it is being imposed on me possibly affecting my property value at an expense to me while others are making money at our communities expense, which is never acceptable.
C-6	I sincerely hope that you reconsider this mining operation because of all of the negative affects it will have on our small community.
D-1	The community is very upset about Johnson Lane being used by the trucks in a residential neighborhood. The loose gravel and rocks is a big concern, and with children waiting for the school bus. The traffic will be awful and the destruction of the road. Douglas County is awful with road maintenance now and the way they repaired the roads in the area is terrible. To many loose rocks now. I've already had to repair my windshield and $500.00 is to much to keeping paying to replace.
D-2	We already have a problem with flash flooding in Skyline Ranch. What is this going to do in the future when we have a flash flood come through?
D-3	This will have a impact on our home values here in the neighborhood especially on Johnson Lane with these trucks going up and down the road.
D-4	The road down by the business section is bad now and the County can't even get that done. How bad will the road have to be before Douglas County fixes them? I see this as a big failure for our community and home values. What will it take a big rally protest? People blocking the road coming out of the BLM. Because we can make that happen.
D-5	I'm sure the off road vehicles don't like having these trucks out there either. They will take a stand on this in a big way, plan on a big stand off.
D-6	Your turning our nice neighborhood into a busy commercial road. We will not stand for this. You will have a problem from all the homeowners. You can ask Tom Dallaire just how much trouble I can be with the community fighting this.
E-1	I understand public comment on this project is open until 9/22. and final approval for the project has not yet been given. I don't understand why work was allowed to start before final approval has been given.

Comment No.	Comment
E-2	I live just south of the end of Johnson Lane and am one of the last homes next to the BLM. I bought my property because of its location and access to BLM. I ride my horse out there on a regular basis. The area around this project is heavily used by hikers, ATVers as well as horseback riders. It's been a peaceful area with much wildlife. This project will destroy the area for all these users. Truck traffic on Sunrise Pass will create dust and noise.
E-3	I am also concerned about the amount of truck traffic that will be going down Johnson Lane to the highway. This will have a negative impact on all that live in the Johnson Lane area.
E-4	I am against approval of this project.
F-1	I am writing to oppose the use of Johnson Lane for the heavy trucks hauling out of the gravel pit. It appears as though they not only will use Johnson Lane but Sunrise Pass to East Valley then to Johnson. Sunrise pass and East Valley roads Are completely residential with houses on either side the commercial area doesn't begin until lower on Johnson Lane. How can they justify traveling through a residential area for miles everyday, multiple times a day on single lane roads with school bus stops along the route with huge trucks? I wanted to register my opposition.
G-1	Knox should commit to no batch plant operation at the site for the life of the mine. A batch plant would change the entire impact of this project, dramatically increasing truck traffic, dust and noise.
G-2	Home owners on or near Johnson Lane will experience significant property value loss due to this project. The residential character of the area will be changed forever, for the worse. This project should be denied due to the negative impact on the community.
H-1	I live in the Skyline area on Nye Drive and we have enjoyed the peaceful neighborhood environment for over 11 years. If this is approved our property values will most definitely plummet. We are a community of mostly elderly people and these homes are our nest eggs, if you will.
H-2	The noise and dust plus the rocks that will be kicked up to break our windshields driving down Johnson Lane are not acceptable in my point of view. There are also many children that stand along the road waiting for the school bus. All these trucks would definitely pose a danger to the kids. Could you tell me who would be liable for the damage? I'm not against growth, just growth at any cost.
H-3	I would propose, at the least, that the trucks travel down one of the several dirt roads which parallel East Valley to the east (not down East Valley) and just cross it around Stockyard road. I realize this is probably owned by Bentley and an easement would have to be acquired, but driving Johnson lane is a disaster for all of the residents.
H-4	I have contacted Mark Amodei's man in Elko, Martin Paris, and I would appreciate it if you could let me know of anyone else who might be involved in relocating/abandoning this rock pit that I might write to.
I-1	I want to go on record as OPPOSING the proposed gravel mine activity. As a resident of the Johnson Lane area, I am opposed because it seems that there has been no attempt to seek input from residents. No advertising, announcements etc.
I-2	More so, I have witnessed heavy trucks on Johnson Lane and they not only destroyed the road but are reckless and unsafe. What about rocks flying off of your trucks at 50 mph? All of those will fly off before they get to 395. Adding to the traffic would jeopardize safety. Can you show traffic studies done? Safety assessments, specific road improvements planned? Maybe use the area in Carson City where cement trucks share the roads with residents as a gauge of impact. What would the residents there have to say?
I-3	I will be on record as fighting this if it moves fwd as it will negatively impact our property values also.
I-4	Also maybe you should take care of the residents here by fast tracking the flood abatement measures that seem stalled?? Show some goodwill..
J-1	BIA, I wanted to add to my EA review, I have completed a freedom of information request for Douglas County Nevada and after reviewing their notes it seems they have the same issues as a government body as I do. It seems Knox violated some requirements and we all share a concern on traffic demands on Johnson Lane. In a open meeting Mr. Maxwell with Knox stated Johnson lane could take a extra 3000 truck trips daily. But, I don't see any reports showing this type of data. As a home owner in Johnson lane I'm looking at protecting our way of life and want to make sure this proposed project doesn't create a issue for future generations. I hope you will review the information below and apply logic to the approval process. I also hope you understand the local community doesn't want this mining operation as its currently been presented to the community and the board. I also wanted to state Mr. Maxwell with Knox stated they are looking at growing this mining operation past the current EA study and to grow it into a "Bing" replacement AKA batch plant etc. He stated this in a open meeting on 9/3/2020. I understand we as a county need this type of operation but, after reviewing all the information it seems all parties have the same issues as I do and it seems Knox's may not have been truthful about permitting and use till they have been called out. I also wanted to state I'm not a road engineer and I really don't know the impact of all these trucks on Sunrises pass and Johnson lane. This is why I'm trying to complete the research on this matter. Below are two emails one from Douglas County DA's office and one from BLM. I feel these emails should be added to the record.

Comment No.	Comment
J-2	I hope this email finds you well. I wanted to send over my concerns about this project per the EA. It seems Knox is looking at around 1000-2000 tons of material to be mined out of this area. If I run simple math of 15 ton per truck at 2000 we would be at 133 truck loads driving down a small county road of Johnson lane and east valley. I understand they stated only Johnson but I know for a fact trucks will start traveling east valley as well. They stated a max of 80 trips I don't know how they came up with that number as they are also looking at allowing customers to drive to them for pickup and may take smaller loads then 15 ton. Then you have the increase of work cars and trucks. These roads are not designed to handle this increase, also has anyone completed a traffic study for long term use? What is the impact of these trucks in rush hour and what about future grow? Also Johnson lane has a down grade and with these trucks coming down this road and cars coming out from 25 mph residential street, I would feel a increase of car crash could happen. As for dust and air quality, had a study been completed? These trucks are driving on dirt roads and I'm not sure I understood but, they stated 5mph on these roads if so who is going to enforce that? I'm all for growth but I feel the road issue and harm to human life with trucks driving down a two lane road should be reviewed and studied. I would think the main road should be increased from a two lane to a four lane or have a middle turn lane as cars stop all the time. I understand a number is being talked about with Douglas County for road improvements but I feel this is lacking and should be reviewed. Also, from my understanding the only other mine in the valley is looking at running out of material and this mine would be the only one within the area so I'm questioning the numbers they are providing now, I feel this operation will be much larger then the numbers provided. Once again, I wouldn't have a issue with a mine but I feel the local public has no say on the matter and we should be able to be part of this process and come to a agreement that protects our local community members from poor planning.
K-1	I find a draft EA for the Painted Rock Mine at http://paintedrockmineea.com/ but no date given for comment period. I was unable to find "Painted Rock" in the recent federal register. Is this document in fact out for comment, and what is the deadline?
L-1	I'm writing you in concern with the Painted Rock excavation project. I'm concerned with this project contaminating my well and heavy equipment used for transporting the rock down Johnson Lane.
L-2	I have young children that go to school in the immediate area and safety is a huge concern.
L-3	I'll be having my well tested multiple times a year out of fear of contamination. The depth of well described in the report is at or near the depth of my well. I live on Hyde street. Please email me back to confirm that you have received my written concern.
M-1	Flyer to Residents with Bullet Points Concerning the Project.
N-1	I moved here from Southern California two years ago for the peace of Northern Nevada. It saddens me that my dream will be gone with this mine. Please reconsider your decision.
O-1	We are concerned regarding the proposal for the quarry. Our home is one of the closest homes to the quarry directly off Sunrise Pass. The trucks will come right up to our property and house. This proposal will affect our way of life drastically. One of the reasons we purchased this property and have enjoyed living here is the peace, quiet and beauty of the area. This is a residential area with homes not an industrial area.
O-2	The Douglas County Land use polices for rural communities goal #6 is to identify particular areas within Douglas County where residents desire to preserve or develop distinctly rural communities. This area of Sunrise Pass is used daily by local residents. We see individuals riding horses, walking, running, camping, walking their dogs and using recreational vehicles daily. We have wild horses, coyotes, snakes, rabbits, beautiful birds including killdeer, barn swallows, doves, finches, quail, hawks and eagles here on Sunrise Pass. This is the beauty that attracts individuals to the Sunrise Pass area. This quarry and the additional traffic will destroy this area of our rural community.
O-3	Douglas County Land Use Policies Policy 2.4 states Douglas County shall protect residential neighborhoods from encroachment of incompatible activities or land uses which may have a negative impact on the residential living environment.
O-4	There are not enough funds proposed to care for the roads of Johnson Lane, East Valley, Fremont, the paved portion of Sunrise Pass and the dirt road section of Sunrise Pass. This road has not been graded or cared for by Douglas County even though we have requested for road improvements. The road is often full of potholes, mud and at times are impassable by cars. The trucks will destroy the road and the beauty of the area. The additional dust, noise and traffic will change our beautiful high desert rural community and ruin the beauty of it. I fear for the animals in the area.
O-5	The increased traffic will be a danger to us and to our children and cause a safety hazard.
O-6	Please do not destroy our homes and neighborhood. We don't want the traffic, trucks, dust and noise in our neighborhood. Please consider preserving the beauty of our homes and rural neighborhood.

Comment No.	Comment
O-7	Please build the quarry and a seperate road in an area that will not destroy our rural neighborhood and community. Build a road elsewhere in an industrial area not in a neighborhood. We have lived here for 19 years. Please do not destroy our home.
P-1	[1] as you may or may not know, a large rock quarry is being planned just east of the Fremont street homes on Sunrise Pass road. (1.2 miles from us!!) [2] this project is on Indian land, inside the BLM. [3] i just completed my review of the environmental assessment (EA) and sent it in to the contact person at the BIA. Bureau of Indian Affairs. [4] the contact's email address is: Robert.eben@bia.gov <<<<----
P-2	[5] i've attached my EA review to this email. please make any use of it that you wish.
P-3	[6] WE MUST HAVE OUR COMMENTS IN BY TOMORROW, THE 20TH. BE SURE YOUR SUBJECT LINE SEZ: PAINTED ROCK EA [7] the announcement to us and the county was very late in the comment period. [8] at the meeting of the county commissioners, yesterday, there was some question re the deadline being 20th or 22nd.(due to the 20th being a sunday) [9] our DA didn't know if the 30-day notice included weekends or not... (hard to believe). the date in the Record Courier may not be correct. THE OFFICIAL DATE WAS 20th. YOUR COMMENT LETTER CAN BE LONG OR SHORT. WHAT'S IMPORTANT IS THAT WE ALL SEND ONE.
P-4	Basic information: [1] the quarry will operate six days a week. early morning to 7:00 ish. FOR 40 YEARS!! [2] they plan to have 85 large dirt trucks traveling on Johnson Lane... EACH DAY. (that's 170 when you consider the empty trucks returning) [3] 85 heavy trucks per day = about one truck every six minutes!!! counting the returning trucks it's worse.
P-5	[4] they don't "anticipate" any blasting. right.
P-6	[5] consider 80,000 lbs coming downhill from the top of Johnson Lane, in the winter, at 45 mph? and needing to stop. [6] that's lots of problems for routine cars, children, school busses, residences along Johnson Lane...think about it.
P-7	JUST TO BE SAFE, I'M SUGGESTING THAT YOU SEND IN YOUR COMMENTS TOMORROW. I'M GOING TO PREPARE A SEPARATE COMMENT SHEET TONIGHT. I'LL SEND IT OUT TO EVERYONE SO YOU CAN USE IT.. ADD TO IT.. EDIT IT.. ANYTHING YOU WANT. WE JUST NEED TO FLOOD MR. EBEN'S EMAIL BOX. although the agreement between our commissioners and Knox excavating, has been done to give us some money for repairing Johnson Lane, we can still contact our government officials after the deadline. i've seen this type of thing reversed in the past. my contact list includes, Mr. Trump, our repulican senator, and assemblyman. if you want their contact info, just let me know. the more letters we send, the better. THANKS TO EVERYONE WHO GETS A COMMENT LETTER IN... WE HAVE ONLY ONE SHOT AT THIS.. THEN IT'S: JUST DEAL WITH IT FOR 40 YEARS. OR MORE. thanks, and be well, ~A.J. ps: tell everyone you know to send in letters as well.
Q-1	We are officially providing comments on the draft Environmental Assessment EA issued for the proposed gravel pit at the upper end of Johnson Lane. The placement of this proposed gravel pit on Indian Allotment land removes any and all oversight by the County. A calculated decision to minimize any oversight and review of what will be a very negative impact to the County. The published EA completely ignores and glosses over many of the impacts from this proposed gravel pit. Douglas County has previously addressed several areas of concern for any proposed gravel pit in this county. At a minimum, the applicant should address these concerns and more importantly provide concrete actionable items for how they intend to meet these requirements. This EA does not meet the minimum requirements that need to be addressed and fails to properly identify all anticipated impacts and provide for alternatives to this proposal, including a potential finding of no support for this project. Some of the items that need to be addressed are as follows:
Q-2	The BIA/Knox Excavating EA is in direct violation of both the intent and the language of Douglas County's Land Use Goals and Policies. Specifically: LU Policy 2.4 Protect residential neighborhoods from encroachment of incompatible activities or land uses which may have a negative impact on the residential living environment.
Q-3	LU Policy 2.7 Douglas County shall consider issues of community character, environmental impact, resident security and safety, aesthetics, and efficient service provision.
Q-4	LU Goal 4 To recognize the distinct character of individual communities and encourage land uses consistent with this character.
Q-5	LU Goal 6 To identify areas within Douglas County where the residents desire to preserve or develop distinct rural communities. These were all worthy goals when the original Master Plan was developed and adopted and I believe they are even more important today.

Comment No.	Comment
Q-6	When you strip away all the extraneous issues with this proposal, I believe that two key factors should be considered: 1. Developing a major gravel pit a. Lowered property values in the Johnson Lane area, b. A decline in residence's quality of life, c. Increased noise, light, and dust pollution due to inadequate controls, d. Increased truck traffic with its associated noise and degrading of Johnson Lane and East Valley roads (East Valley road is not built to handle heavy truck traffic) as well as many broken windshields from flying gravel, e. Direct negative impact on water quantity, and f. Direct conflict with an intrusive industrial operation about one mile from the major rural community of Johnson Lane.
Q-7	2. Approval of a large, long term open pit is completely inconsistent with the existing rural character of this part of the valley. All of this is far too close to existing homes. In addition, coming off of Kingsbury grade your view across the valley will be marred with a major mining operation. Allowing an open pit mine, with a stated life span of 40 years, very near to existing homes would be a blatant disregard to property owners in the Johnson Lane area. It would also run contrary to the above provisions of the Master Plan
Q-8	Any proper analysis of this EA would conclude with a denial of this project or at least some level of remediation for the dust and noise pollution that will affect the residents of Johnson Lane and the East Valley communities from the pit itself and the much increased truck traffic coming and going from this operation. Noise carries huge distances out in this open country and the trucks and operation will be above the 65 decibels that the County would normally allow for this type of operation.
Q-9	Without a large aggregate or thick organic mulch applied to the overburden piles, the piles will become airborne. Seeding without organic mulch,is rarely successful at this elevation. The EA states that the site has little top soil, but the aerial photos of the site show significant cover over most of the parcel. Removal of this cover will allow the soil to become airborne without at least 2 tons/acre of organic mulch crimped in over the seed mix. Large diameter aggregate covering the surface can also help hold the soil, but is much less appropriate as a growth medium. It actually make the site droughtier and less hospitable for seedling germination and growth. The site is a sandy soil which by its very nature is droughty and not conducive to seed germination and establishment without an organic mulch and supplemental water.
R-1	I am a retired homeowner living next to Johnson Lane and have many concerns regarding this project. I fear it will devalue our property greatly. Also the blasting will probably crack our walls, concrete, etc. I'm certain our taxes will be raised because the payments offered by Knox will not cover repairs/replacement of Johnson Lane surface. Being retired on a limited income, is just another hardship on the residents. We moved to this beautiful Carson Valley and feel the air quality will become hazzardess with all the truck diesel exhaust filling the air.
R-2	I am very concerned about the water it will take for this project. And wonder if there was a wildland fire in our neighborhood, would the fire hydrants have enough water and pressure to be able to extinguish the fire.
R-3	Johnson Lane is a major school bus route for Douglas County Schools. When the buses put on their "Red Stop Lights" how fast will the trucks be able to stop without crashing into the buses or children loading and disembarking? Would you want your children put into this risk? And there will undoubtedly be accidents. We recently had a bad accident at the intersecion of Vicky and Johnson Lane blocking Johnson Lane for hours. How far will the trucks be backed up and how long to clear the area? I feel every resident will have to purchase the Air Flight Insurance to protect themselves.
R-4	Also I have done a fair amount of vehicle vacation travel across the United States. I see how gravel trucks drop small rocks and gravel when they cross an depression in the roads. Then cars and truck tires pick up these rocks which are thrown against any other vehicle on the road resulting in cracked/broken windshields, lights or just chips in the paint, (which we have experienced first hand). Would be no point in ever purchasing a new vehicle to have it ruined right away.
R-5	What studies have been performed with regard to Fire Prevention and Suppression, Public Safety, Air Quality, Impacts on Water Supply, Traffic and Impacts on Residential Neighborhoods?
R-6	I just cannot imagine a constant stream of these gravel trucks traveling both directions from 7 am to 5:30 pm Monday through Saturday. Would you want this going by your house? Is there not some other street/road that does not traverse residential neighborhoods that could be used? Or perhaps a new road built?
R-7	Lastly, I hear this project has been in the works for nearly a year with no notification to Douglas County residents and Board of Commissioners. Rather seems like it was trying to be a backhand, sneaky undertaking.
S-1	Please see attached document covering safety issues and low cost solutions for the proposed gravel mine in the Pine Nut Mountains and the commercial vehicles passing through the designated OHV Staging area.

Comment No.	Comment
T-1	I oppose this project because the EA did not adequately address the following issues: Schedule of Operations, Hauling and Work Force There is no definition of "Truck trips" if it is inclusive of out and back, that would be approximately one truck passing on Johnson Lane every three minutes. If it includes each segment it would be a truck passing every six minutes. Though this section indicates that it includes hauling and workforce it would not appear to include enough individuals to do the hauling.
T-2	Table 2.1: Equipment List The equipment list does not appear to include the number of trucks used for hauling. One hauling truck cannot accommodate a trip every six minutes.
T-3	Transportation Networks Johnson Lane is already showing signs of significant thermal cracking, block cracking, and alligator cracking. There are surface defects to include reveling and surface deformation to include rutting. This EA does not address these existing conditions that show the roadway does not meet the design criteria and therefore cannot accommodate additional truck traffic. This EA should address Pavement type, structural and operational conditions.
U-1	My wife and I opposed the painted rock mine for the following reasons. Traffic will increase and also road damage on Johnson lane, unsafe for children and school buses, bicyclist, joggers. Health concerns from toxins from diesel exhaust .
U-2	Property value will decline overall in the Johnson lane area.
U-3	Water will be taken from local sources.
U-4	The noise in our area will increase from diesel trucks labor as constant site operation of crushers, shakers and loaders.This is a rural residential community and should stay that way.
V-1	I am writing to let you know that I am opposed to the Painted Rock Mine. The impact of noise, dust, and truck traffic for all residents of Johnson Lane and East Valley Rd. would be substantial. Neither of these roads are built for constant truck traffic and adding at least 100 large truck trips one way (200+ round trips) is not only going to endanger the residents that travel these narrow roads, but the impact to a relatively peaceful community will be immense. The impact to Hwy 395 will also be impacted adversely. Traffic volume on 395 is already heavy and a loaded gravel truck pulling into the fast lane of south bound traffic is going to cause accidents and the west end of Johnson Lane has irrigation ditches on both sides. There is no room for escape from a wayward truck.
V-2	Has an environmental impact study been completed? If so, where can it be viewed?
V-3	For the financial benefit of a few the entire community will suffer, noise pollution, loss of home value, and the fumes, dust, and dangers of large truck traffic. None of the residents that are impacted stand to gain anything from this venture. We only lose... a lot! If Douglas county has banned mining in the East Valley for these very reasons, I would hope the BIA/BLM would be as considerate.
V-4	At a minimum, due to COVID19, public hearings regarding this issue don't appear to be an option, so this decision needs to be delayed until they can be held, or please deny this request and let the proponents of this venture find an area that does not impact the existing residents. If you haven't been here to view what the impact of this decision is, please do, and consider what you would want if you lived here.
W-1	I would like to point out several misstatements made in the Knox Environmental Impact Statement. ..
W-2	On page 15 the report states that there are no adjacent communities or residences, this is untrue, false, if not an outright lie.
W-3	On page 15 the report states that there will be no impact on transportation networks, this is an outright lie
W-4	On page 15 the report says that there will be no noise impact, another false statement
W-5	Page 16 states that there will be no impact on public health and safety. There will in fact be a severe impact on public safety as these large heavy trucks pass through residential streets.
W-6	Page 10 states the Knox Company's plan for fire protection and prevention, or should I say lack thereof? No responsible commissioner could possibly support a project that is so severely lacking in wildfire protection. The report states that hand held fire extinguishers will be available, is this some kind of joke? The report says that there will be some water available but no information about how much and how it would be utilized. I guess that wildfires are just some kind of joke also?
W-7	Douglas County does not have to allow large heavy trucks to pass over our residential streets and I urge you not to do so, to approve such a plan would be a severe dereliction of your duties as our elected representatives.
X-1	Robert, I want to go on record as OPPOSING the proposed gravel mine activity. As a resident of the Johnson Lane area, I am opposed because it seems that there has been no attempt to seek input from residents. No advertising, announcements etc.

Comment No.	Comment
X-2	More so, I have witnessed heavy trucks on Johnson Lane and they not only destroyed the road but are reckless and unsafe. What about rocks flying off of your trucks at 50 mph? All of those will fly off before they get to 395. Adding to the traffic would jeopardize safety
X-3	Can you show traffic studies done? Safety assessments, specific road improvements planned? Maybe use the area in Carson City where cement trucks share the roads with residents as a gauge of impact
X-4	What would the residents there have to say? I will be on record as fighting this if it moves fwd as it will negatively impact our property values also. Also maybe you should take care of the residents here by fast tracking the flood abatement measures that seem stalled?? Show some goodwill..
Y-1	Is the pit privately owned as reported in the Record Courier September 17?
Z-1	I am writing this because, while I am pro-business , I have issues when business causes a negative impact to the community and causes undue safety and financial issues.
Z-2	These are but not limited to the large increase in traffic with large heavily loaded trucks . Johnson lane is the artery into our community and there will be a significant increase in vehicle accidents due to this mining operation taking place. Johnson lane is just a 2 lane road that only has turn lanes in the commercial area. That means when a loaded truck is headed down Johnson Lane and a vehicle decides it is going to turn on to a small residential side street the loaded truck will either have to slam on their brakes hoping they will be able to avoid hitting the vehicle in front of them or swerve into oncoming traffic. Turning onto side streets is a slow transition due to decreased speed limit & narrower roads causing the vehicle turning to use Johnson lane to slow substantially before making any turn.
Z-3	Johnson lane is also a designated bus route. Multiple school buses make multiple stops on Johnson lane as this has and always should be considered part of our residential street infrastructure. The safety concern for this is unmeasurable.
Z-4	It will be inevitable that there will be an increase of rock, gravel and debris on the road caused by this mining operation. There is several issues with this, increased braking distances, lack of control in an evasive maneuver and increased vehicle damage to all of our personally owned vehicles.
Z-5	With increased large truck traffic that is be discussed also comes with increased noise. Increased dust and disturbance to our great community. If this mining operation was operational prior to our purchase of our home I could not consciously complain, because I would have been made aware prior to and would have either chose to or decided against purchasing my home. Now it is being imposed on me possibly affecting my property value at an expense to me while others are making money at our communities expense, which is never acceptable. I sincerely hope that you reconsider this mining operation because of all of the negative affects it will have on our small community.
AA-1	The community is very upset about Johnson Lane being used by the trucks in a residential neighborhood.
AA-2	The loose gravel and rocks is a big concern, and with children waiting for the school bus.
AA-3	The traffic will be awful and the destruction of the road. Douglas County is awful with road maintenance now and the way they repaired the roads in the area is terrible. To many loose rocks now. I've already had to repair my windshield and $500.00 is to much to keeping paying to replace.
AA-4	We already have a problem with flash flooding in Skyline Ranch. What is this going to do in the future when we have a flash flood come through? This will have a impact on our home values here in the neighborhood especially on Johnson Lane with these trucks going up and down the road.
AA-5	The road down by the business section is bad now and the County can't even get that done. How bad will the road have to be before Douglas County fixes them? I see this as a big failure for our community and home values. What will it take a big rally protest? People blocking the road coming out of the BLM. Because we can make that happen. I'm sure the off road vehicles don't like having these trucks out there either. They will take a stand on this in a big way, plan on a big stand off. Your turning our nice neighborhood into a busy commercial road. We will not stand for this. You will have a problem from all the homeowners. You can ask Tom Dallaire just how much trouble I can be with the community fighting this.
BB-1	It's our neigborhood. we oppose the quarry site and all big truck traffic on johnson ln.
CC-1	I live very near the proposed Painted Rock Mine. This mine and the transport of 1000 to 2000 tons of material will severely impact our residential neighborhood. My wife and I bought this home as our retirement home because it was located in a peaceful quiet area near the end of Johnson Lane. We taxpayers funded the construction of Johnson Lane for access to our residences, not to provide access for commercial mining operations.
CC-2	The fire hydrants were installed to provide fire protection for our residences, not to support mining operations. I am requesting that approval for this mining operation not be granted as it is inappropriate to operate many heavy trucks through a residential neighborhood. It is also inappropriate to tap into our fire hydrants.
CC-3	Would you like to have these heavy noisy trucks operate down the residential street where you live? If your honest answer is no, then why would you do this to us?

Comment No.	Comment
DD-1	It has come to my attention the work has already started on the BIA land commonly known as the Painted Rock Mine. This seemed to have happened very quickly with little or no public announcements. This is of great concern as the approval for the mine was pushed through quickly because I believe Knox is anticipating public rebuttal and knowing this type of industrial activity will greatly impact all residence in the East Carson Valley area. I have not seen any environment or resident impact studies. The Know mining activity is especial a concern for me and my wife as we live on Sunrise Pass Road East of Fremont which has been designated and alternate route for the heavy trucks moving material out of the mine. Our little Sunrise Pass Road is barely wide enough for two passenger cars and not suited for heavy gravel trucks. The impact to the residence will be monumental. From my point of view as a Sunrise Pass resident the obvious impacts to our way of peaceful living:
DD-2	1.Increase risk of accidents with trucks carrying gravel. How can a large truck operate safely on Sunrise Pass?
DD-3	2.Damage to our roads. Who will pay for damage to all the roads traveled by the Knox trucks (not just Johnson Lane)?
DD-4	3.Noise pollution - Increase noise. Our little corner of the valley will no longer be quiet. I can only assume that the mine will be operating 24x7 crushing rock to be moved during the day.
DD-5	4.Dust pollution - Increase dust developed by the mine itself (24x7) and the frequent trucks driving down Sunrise Pass and Johnson Lane.
DD-6	5.Light pollution - A 24x7 operation will require lights which will light up the Eastern sky's at night.
DD-7	6.Water - The mine will pump a tremendous amount of water depleting the areas water table. My home uses a well. Who will pay for a deeper well to be drilled when the water table drops or who will pay to have Douglas county proved water to my home?
DD-8	7.Home values - Due to East Valley becoming an industrial area our home and property values will definitely drop.
EE-1	We are contacting you as concerned residents of the Johnson Lane area, Douglas Countyn Nevada in regard to the proposed Knox Gravel Mine project which is planned within our community. We understand that this proposed mining operation will be on Indian land and we ask that you carefully review the EA that was provided to you by Knox as part of your review prior to your agency's approval of this enterprise. We find certain elements of this EA to be incorrect, lacking in detail and are also distressed that the residents of the area that will be directly impacted by the mining activities and transport of materials were not consulted and only found out about the proposed mining operation after work had already begun on the project. By this time we would assume that you have become aware of the large number of Johnson Lane residents who are against this project. We are concerned about the impact this six day a week operation will have on many aspects of our lives and the adverse effects it will have on our overall quality of life and safety. The following will describe some of our concerns
EE-2	1.) Impact to roads - Trucks carrying many tons of gravel with the potential of 50 to 80 trips (double that for in and out) passing through residential areas. These trips will not only undermine the current roadway construction but will also contribute to increased dust and noise production in addition to the possibility of uncovered gravel causing damage to personal property within residential areas. Contrary to the EA which gives the impression that Johnson Lane serves an "industrial area", there are many miles of residential homes along Johnson Lane. The industrial area is limited to about 1 mile east after turning onto Johnson Lane from 395. What is the impact of 50 to 80 more trucks traversing the Johnson Lane to 395 intersection going to have for overall traffic flow in and out of the area??? There was a comment made during the Sept 17,2020 BOCC meeting that there was potential for more development of the industrial area off of Johnson Lane now that a "sewer issue" had been resolved. What does that mean for an additional increase in truck traffic for the Johnson Lane area on top of the proposed addition of the mine trucks???.
EE-3	2.) Road safety - Johnson Lane is a primary route for School buses (morning and afternoon) for elementary, middle and high school students in the area. Diesel powered mine trucks carrying thousands of pounds of gravel will be traveling up and down Johnson lane at 45 miles per hour (the posted speed limit), six days a week from 7AM to 5:30PM, competing with those school buses, drivers trying to get out of their driveway onto Johnson lane, horseback riders, bicyclists, people walking their dogs, and the Starbucks double and triple semi trucks trying to turn onto Johnson lane. What about in the winter when snow is on the road. Johnson Lane is not plowed on a regular basis by Douglas County. How well does a fully loaded gravel truck handle on slippery roads??

Comment No.	Comment
EE-4	3.) EA misconceptions - a, on page 15 of the EA "Resource Use Patterns" under section Recreation - Question whether resource will be affected by the project -- The EA indicates "No" that there has been no Recreation in the area involved in the project It also indicated "No" in regard to whether the recreational resource will be affected by the project "The private land associated with this Project has been used for dispersed recreation. There are no organized recreation activities and there are many areas outside of the area that can be used. There would be no impacts to recreation. This component is not analyzed further. " We find this answer to be totally misleading -- perhaps the land described in "Introduction" on page 1 of the EA has "no impacts to recreation" but rest assured the presence of the mine, equipment, fences, water trucks, and gravel trucks is going to have a large impact on those trying to recreate and enjoy the BLM land leading to and surrounding the mining operation. Will it be the death or injury to a horseback rider, motorcyclist, hiker or off road vehicle occupant that finally causes a thorough, in-depth review of the true efficacy of this project beside the financial gain for Knox??? b.on page 13 of the EA it addresses "Wildlife" -- there is no mention of the band of wild horses that frequents the BLM in the Johnson lane area. While not as large or well known as the Pine Nuts Wild Horse band, why is there no mention of what impact the mine operation and the trucks will have on those animals??
EE-5	4.) Water -- Knox states that they will control dust with water trucks (oh, more trucks) and to do that they must tap into existing fire hydrants located on Johnson Lane. Knox anticipates they will use 12,000-24,000 gallons of water per day. How long will the aquifer support this type of water usage on top of any planned increase in the number of new homes in the area as well as potential new businesses that might come to the industrial area on Johnson Lane. Residential customers are being told to only water every other day and conserve, conserve, conserve. Will Knox be paying the same high water rates that the current residents of Johnson lane are paying -- until they drill their well of course.
EE-6	5.) Fire concerns -- with the state of fire conditions in the western part of the United States, we would think that this would be a major consideration for any project being developed in 2020. The EA indicates that the 10,000 gallon diesel fuel tank will be above ground and secured. However, despite the presence of all the safety procedures required by the state of Nevada, the area of the mine is still remote and only under direct visual supervision during working hours. There is also the issue of equipment and the potential for creating sparks that could ignite the surrounding sage brush. Again residents of the area are told not to shoot or use any equipment that might create a spark during our hot, low humidity periods during the summer. Will Knox have to close down operations during those times also to prevent the possibility of igniting a fire in the dry sage surrounding the mining operation?? Things happen, either accidentally or on purpose. In the event of a fire, the fire suppression plan in the EA seems to be severely lacking. And remember, the Johnson Lane fire station is UNMANNED, so response time to the site by the Fire Department would likely be at least 30 minutes. In closing we would ask you to give careful consideration to approval of this project. Development of this mine will create a harmful and potentially dangerous impact on those residing within the immediate area of Johnson Lane and Fremont and also negatively impact natural resources and recreational activities in the area of the mine. The only one who seems to benefit in this situation is Knox Excavating, Inc.
FF-1	I know you have received several communications regarding the Knox Gravel Mining project. I've read many and the frustration is high and valid for many reasons. Partly because it appears to be sneaky and thoughtless concerning the residents in this area. The fact that the Douglas County Commissioner's were unaware of the process until it was past negotiations tells me that our commissioners are not very engaged with the activities in our county. That by itself is disappointing.
FF-2	Our house backs up to the end of Johnson Lane. We experience a lot of recreational noise from motorcycles, ATVs, hikers and anyone that wants access to the many roads in BLM land. There are a lot of people across this valley who use this road to access the recreational roads. One concern I have is how dangerous the trails will become with so many trucks filling and hauling all day. Since there are rules that the off roaders must follow, i.e. stay on the designated roads ,where are they going to go? How long before someone is run over or a truck driver turns over their vehicle to avoid killing someone?
FF-3	Many comments discuss this as a serene retirement community. It isn't a retirement community. Yes, many people are retired. However, many younger families are replacing the retirees. They have young children and utilize BLM land much more than the older folks.
FF-4	My last comment is regarding the hours of operation and the approach taken by a business that wants to get all they can as soon as they can until the mine is empty. This a forty year (or more) project. The hours are unreasonable. Five days a week is normal work week and an 8 or 10 hour day is also reasonable. If this all goes through then why not M-F 9 to 6. Then the neighbors can sit in their backyards enjoy their evenings and weekends. Don't take away what enjoyment may be left for those of us who plan on living here for the rest of our lives and pass on a remarkable piece of heaven on earth to our children.

Comment No.	Comment
GG-1	Knox should commit to no batch plant operation at the site for the life of the mine. A batch plant would change the entire impact of this project, dramatically increasing truck traffic, dust and noise. Home owners on or near Johnson Lane will experience significant property value loss due to this project. The residential character of the area will be changed forever, for the worse. This project should be denied due to the negative impact on the community.
HH-1	I understand public comment on this project is open until 9/22. and final approval for the project has not yet been given. I don't understand why work was allowed to start before final approval has been given. I live just south of the end of Johnson Lane and am one of the last homes next to the BLM. I bought my property because of its location and access to BLM. I ride my horse out there on a regular basis. The area around this project is heavily used by hikers, ATVers as well as horseback riders. It's been a peaceful area with much wildlife. This project will destroy the area for all these users. Truck traffic on Sunrise Pass will create dust and noise. I am also concerned about the amount of truck traffic that will be going down Johnson Lane to the highway. This will have a negative impact on all that live in the Johnson Lane area. I am against approval of this project.
II-1	My wife and I are against this project. It will degrade our way of life.
JJ-1	Please vote No on Gravel Pitt!!
KK-1	I know that the comments were through the close of business today. I just heard about this from my neighbors. I strongly object to the planned rock quarry currently planned for the end of Johnson Lane
KK-2	My greatest concern is the water use that is projected. This could leave all homeowners in the Johnson Lane area without water. This is a desert with very little rainfall.
KK-3	The other concern is the traffic to and environmental issues associated could be catastrophic to the community. Please consider the full impact this will have on the local community. This will make our property values fall drastically. I am very concerned.
LL-1	I am writing to you to state our strong objection to the planned rock quarry currently planned to be built at the end of Johnson Lane. I could go into a long list of reasons why this quarry is an extremely bad and short-sighted decision..
LL-2	Close to the top of this list is the anticipated negative affects on our property values which would be caused by the heavy traffic and environmental issues associated with such a project
LL-3	Also, a top concern is the anticipated water usage by the quarry. We live in the desert where water is already scarce! The strain on water resources could be catastrophic to the community.
LL-4	The detriment inflicted upon the Johnson Lane community should be of primary concern to those responsible for this decision. I'm pretty sure if this planned project was being built down the street from their homes, they'd have a different opinion!
MM-1	I oppose the Painted Rock mining Gravel Pit project as the EA did not adequately address the following issues:
MM-2	Wildland Fire Prevention and Suppression.
MM-3	Public Safety Impacts on water supply.
MM-4	Traffic and it's impact to the affected area residents and public use lands.
MM-5	Public meetings were not held or adequately advertised during the scoping phase of the EA.
MM-6	A 40 year project is too long of a time to be addressed in a single EA.
NN-1	We are writing you concerning the Painted Rock Quarry proposed to be built north of Johnson Lane. It is really heart breaking to think about all the adverse effects it will have on this area. Our main concerns are the following:
NN-2	The increase in this type of traffic will cause harm to those commuting on Johnson Lane including children walking and biking, school buses, adults walking and biking, delivery people and cars trying to turn onto Johnson Lane. The business area between Vicki and Hwy 395 already cause problems with vehicles pulling out in front of us. Will also cause an increase in traffic on Stephanie which has a school zone.
NN-3	Our loss of property value for those of us who are retired seniors and will have no way to make up the difference will be difficult to deal with. An increase in noise for those close to the quarry as well as those right on Johnson Lane. In our lives we have gotten 3 broken windows when traveling behind gravel trucks. How many will we get now? Allen has a pulmonary disease. How will all the truck traffic as well as work at the quarry effect our air quality?
NN-4	What about our wild horses? They have been seen wandering around at times. Other livestock and peoples pets get out on occasion.
NN-5	We even feel sorry for those people who have to get their mail out of their mail boxes right on the road. On occasion a farmer/rancher has to use Johnson Lane to travel a short distance.
NN-6	Where will they get their water from? We already have problems with that on occasion as well as flooding. Will all their activity cause greater flooding in the area?

Comment No.	Comment
NN-7	We could go on and on but hope these thoughts are enough to reconsider using Johnson Lane for moving the products from this quarry. Thank you for your consideration regarding these matters.
OO-1	I would like to express my concern over the planned rock quarry near the end of Johnson Lane. I live one house away from the corner of Johnson Lane and Fremont, on Chiquita Circle. Numerous concerns come to mind but foremost is my concern for my 4 grandchildren who live with my wife and I. There ages are 6, 4, 3 and 11 months. I frequently take the older 2 riding bikes down to the end of Johnson Lane and we ride out on the dirt to practice their biking skills. I take the three oldest out on walks (they consider it a big hike) weekly out to the end of Johnson Lane and beyond, they love looking for rocks and other things to bring home.
OO-2	Numerous other concerns come to mind, the heavy traffic, dust, exhaust (I ride my road bike almost daily down Fremont /E. Valley), the air quality & the noise will be constant detriment to one's health
OO-3	Also my property value is sure to go down, who would want to live by all of this? I ask that you would please reconsider this location or the traffic flow direction for the Painted Rock - Rock Quarry. Thank you for your consideration.
PP-1	I am writing to let you know that I am OPPOSED to the Painted Rock Mine. I bought my house 10-years ago to get away from the hustle and bustle of the big city. Now you want to destroy my tranquility and property value. Please send the regulations governing the approval of a gravel pit. I can't believe you have the power to do this without consulting Douglas County officials and the residents of Johnson Lane?
QQ-1	It has been brought to my attention about the painted rock Quarry As a resident of Johnson Lane this will play a huge impact on the neighborhood in a negative way we've been here for 27 years now Traffic has doubled if not tripled since we were here and now you want to allow this mine to come in bringing 80 to 100. Trucks a day you know as well as everyone else property values will go down water table is going to go down road conditions are going to go to hell It's bad enough Tesla has their trucks going up Johnson Lane because they don't want to go through town and hit the lights no we have rock trucks that will be going up and down all day long if I did my math right that's About one truck every 3 to 5 minutes. There a school bus stops on Johnson Lane neighbors that walk their dogs up and down Johnson Lane we now have semi trucks flying by them Seems very unsafe not quite sure how many mine got approved to come into a residential neighborhood mine blowing. I'm sure if the trucks we're gonna be going in front of your house you would not be happy either In a little bit of money they're proposing to put two road maintenance is a joke. They have made the end of Johnson Lane in OHV riding area gonna be kind of hard to ride with semi trucks up and down the road all day long and it's not just adults riding out there anymore there's kids people out there walking and running or should I say there used to be. Sounds like this whole deal was a back door deal not sure what can be done now but the damage has been done but I would hope some changes can be made
RR-1	I got your flyer on painted rock and yes let me know what I can do to stop this!
SS-1	I was just made aware of this critical project by one of my neighbors yesterday, thru a series of emails expressing concern over the, among other things, the impact to the environment by the use of a truck route down Johnson lane. Our main thoroughfare. Based on the analysis that was factually prepared by this neighbor, at the eleventh hour on this project, my wife and I have real concerns that this will not only disrupt our peace and tranquility, but my wife's underline health conditions; which was a major factor for buying our retirement home in this area. The impact to our Community, if approved, will be devastating for years to come. No amount of money to compensate us for this total disregard for our well being, would be enough to right the wrong, that this reckless decision would cause us. Therefore, I would appeal to your sense of decency and compassion for our retirement community and ask that you reconsider the transportation route down our main thoroughfare on Johnson Lane. The effects of this decision on both short term and long term are immeasurable (see fact sheet attached) Thank you in advance for your consideration in this matter. Your response to our concerns, would greatly be appreciated. Take care and stay safe.
TT-1	I am writing to lodge my opposition to the proposed Painted Rock Quarry at the end of Johnson Lane in Minden, NV. I am extremely concerned about the truck traffic that is estimated to travel on Johnson Lane and Freemont Street when the Quarry is fully operational. I live on Chiquita Circle (the next street over) and the loaded trucks, and frequency with which they are expected to travel near my home, will directly impact my family's quality of life. I commute on Johnson Lane everyday for work and am intimately familiar with the seasonal conditions that impact Johnson Lane. In Fall and Winter the road morphs from asphalt to black ice, to snow covered, to thick ice - sometimes within a matter of hours. I've seen a multitude of vehicles and trucks spun out and upside down in the ditch because of unexpected conditions. More large trucks traveling on Johnson Lane during these months will impact my safety, and that of my family. Spring and Summer may not see these mercurial changes but asphalt conditions will be severly impacted. And only 0.15% of Quarry proceeds are projected to be offered to make road repairs. Is it worth it to jeopardize the health and safety of so many residents that use this lane?;

Comment No.	Comment
TT-2	I am also very concerned about water consumption, a precious and limited resource
TT-3	Noise from the near constant diesel truck engines;
TT-4	Toxins from the diesel exhaust
TT-5	I fear that our property value would decline. One of the reasons we chose to purchase a home in this area 13 years ago was because of the natural beauty, the quiet and peace that envelopes our neighborhood, and the wildlife. With possible blasting and other noise generated by crushers, stackers, shakers, and loaders, all of what we hold dear will be compromised. It is unconscionable that this proposal was not given proper vetting by the residents of the community that will impacted the most. Please reconsider.
UU-1	We have lived in Skyline Ranch off of Johnson Lane for 13 years and, along with our neighbors, treasure the Nevada rural lifestyle. I have just read a statement sheet from an environmental engineer on the effects of the proposed route for the gravel operation. These effects are resoundingly negative!! Was there an EIS done on this project? We recreate in this area of the BLM regularly along with literally thousands of other local and visiting people. This year has seen more use than ever by riders, hikers, campers, and day visitors. WHAT ARE PEOPLE THINKING to allow this kind of project which would adversely impact so many residents?? I understand up to 10,000 people live along the route and 8 Principals are to benefit from this operation. Our Quality of Life , Home Values, and rural community are directly threatened. I am adamantly opposed to using Johnson Lane as a commercial trucking route !!!! We are joining the gathering momentum to legally challenge this short - sighted decision.
VV-1	This email is in regards to the Rock Quarry going up Johnson Lane. I'm very surprised and caught off guard, as to why the towns people weren't notified about this taking place. In the middle of a pandemic where people have died, lost there jobs and even homes this plan is sliding through without our knowledge. We the people are who make up this small community, and our voices are going unheard. There are so many reasons why I question this disaster from taking place.
VV-2	1. Thousands of dollars upgrading wells, and you're gonna rob the people of 24,000 gallons of water a day. We're in a drought.
VV-3	2. Our infrastructure wasn't built to withstand the weight of 170 semi trucks going back and forth on Johnson lane @ day. With and without rock.
VV-4	3. The roads aren't wide enough, and there are no traffic lights on Johnson lane.
VV-5	4. We have school children on busses, people riding their horses, pedestrians walking there dogs, cyclists, MTV riders causing more fatalities and accidents.
VV-6	5. The emissions from the semi truck will emit toxic chemicals known to cause cancer.
VV-7	Douglas county can't afford to change our roads, so again why would we want something that has already failed the test of our neighborhood. We the people of Johnson Lane dont want this rock quarry going in, and why did we have till midnight to submit this emai? To me that seems a bit sneaky, don't ya think. We are fighting for our rights every where we turn. I feel it is you're obligation the listen to our voices, and make them be heard. We've lived here for close to 40 years, and have seen many changes take place. It's interesting that we're in a drought and you still want to use 24,000 gallons of water per day. This does not that make any sense, please help me the understand you're reason behind this.
WW-1	Please accept and read the attached letter regarding the implementation of a gravel quarry above our house near the Painted Rock. We sincerely hope that you will do everything in your power to prevent the establishment of this quarry.
XX-1	Hello,My name is Ernie moyano. I live in the johnson lane community and just ask that you consider the impact this project will have on our lives,I I won't name them because know you have herd the already,please try to help in any way. Thank you for your time.
YY-1	I live near the corner of Johnson Lane and Fremont St., in the Skyline Ranch subdivision. I have been here for 18 years. I recently learned of the quarry project being proposed near Painted Rock, about 1.5 miles from my home. I am writing to express my objection to this quarry project because of the impact it will have on my quality of life and that of my neighbors. I cannot begin to imagine the prospect of 150 large trucks driving up and down Johnson Lane on a daily basis.
YY-2	The noise alone would be unbearable. It is already noisy due to the recreational vehicles accessing the BLM from Johnson Lane as it is. This project would exponentially increase that noise pollution.
YY-3	Then there is the dust, the air pollution and, most importantly, the safety of the residents of Johnson Lane. Johnson Lane is not adequate to safely handle that much truck traffic. Johnson Lane is a school bus route with kids gathering at numerous school bus stops. If approved, this quarry project will literally destroy the quality of the lives of so many Johnson Lane residents.

Comment No.	Comment
YY-4	It will significantly impact home values and make our community less safe. The aggregate financial impact on ordinary citizens by virtue of decreased home values would be in the millions of dollars. Perhaps you could find another point of ingress and egress for the trucks if the project is approved. Cut a road that terminates away from residential areas. However, I would much prefer the project be denied. Surely there must be areas within the BLM jurisdiction where a quarry could be established that will not impact residential areas and destroy communities for the sake of some company or corporation making a profit from destroying the land and people's lives. I have little doubt that, if the project is approved, litigation will follow. How could it not? Thank you for your consideration. Please do the right thing by the residents of our community.
ZZ-1	My wife and I live at XXX Skyline Drive and we object to the plan to run large gravel trucks along Johnson Lane. We originally moved to this neighborhood in 2003 to enjoy the quiet solitude of the open range environment. I would find it very disturbing to hear these large trucks traveling just a few hundred yards from my home and back deck. Also, my wife and I commute to work along Johnson Lane and we feel that the large number of trucks would make our commute unsafe. The turn lanes at the 395 intersection may back up to unsafe levels during busy times of day. We own a number of very nice cars and we would not like the possibility of following gravel trucks and having the gravel chip our paint and windshields. We have already replaced three of our car windshields from normal freeway driving and rock debris found along our roadways. Adding 170 gravel trucks per day would dramatically increase the chance that we would get more rock chips. Johnson Lane was never designed for heavily loaded trucks and we feel that the roadway would suffer damage in a very short period of time with a large number of trucks traveling along the road each day. Douglas County does not have a very large road maintenance budget and the additional maintenance required from the gravel pit operation would impact this meager budget even more.
ZZ-2	Finally, I suspect that there will be significant noise from the gravel pit operation which will impact our quality of life. We want to maintain our property value as we may retire in the next two years and we may need to downsize our home. We would not be happy to find that our home investment has diminished. In conclusion, we would prefer that the property owners not allow this type of operation on their property.
AAA-1	As a person of this neighborhood in Johnson Lane, I oppose this Painted Rock construction.
BBB-1	I am new to the state of Nevada and thought I moved to a state that served to cherish, protect and preserve its land, and wildlife surroundings. I was appalled to learn that native land would be destroyed, by a culture that served to protect its flora and fauna for profit and call it "progress". I understand the effects this Quarry construction would have to it's neighboring community with the addition of the heavy traffic, safety to the community, the use of water, that's considered such a valued resource, which would not serve the overall needs of people to the community or agriculture, the peacefulness of the area would be compromised not only to humans but also for the wildlife that makes our beautiful desert part of Nevada's desirable landscape. What I don't understand is the lack of value our county has place on this land other than monetary. I personally come from a culture that thinks about the preservation and conservation, a cultural that cherishes traditions , makes sacrifices to protect the land we walk upon, play at, gather and love . Once it's gone, you can't bring the beauty back! I am sure that people will need gravel and rocks today and into the future along with more apartments to live in, four star hotels to stay in, more department stores to shop in and maybe even an IN-IN OUT to eat at in this same area with all good reasons to be there . If I was to forget all the reasons why this project would not be good for our community and Native Nevadans, I am still appalled that this project was even a consideration. Please consider the relocation of this Quarry
CCC-1	This email is in concern about the environmental impact the rock quarry will have on our nearby community and residence of the area.
CCC-2	Please consider what this company will do to the water wells in our area
CCC-3	and the traffic that will occur in front of our housing development.
CCC-4	I last heard that this may be Native American Land. Please consider impact study before this company railroads through land without due diligence. This will affect the life of my children and family.
DDD-1	Please stop the Painted Rock Quarry in Minden, NV. It not suited to this town. The truck traffic on Johnson Lane will be an accident waiting to happen with all of the kids that live and walk along this road. It is well known that the people in Minden do not want a quarry in this area. It is a very quiet residential area. Please stop the quarry.

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EEE-1	There are many concerns with the mining at the end of Johnson Lane. You must first realize that this is a retirement community for most of the residents to live out their lives. We chose this community knowing that it is quiet, fresh mountain air, and low traffic area. You are now permitting a gravel mining company to disrupt the rest of our lives, with nothing in return. You must allow and hear the residents concerns. This is so terrible to be happening and not wanted in our neighborhood. The list below is only a start of concerns and complaints. Who will be responsible for the many children, my grandchildren included, get injured by the heavy trucks on Johnson Lane. Many children ride bicycles and motorcycles up and down Johnson Lane. There are many health and safety issues. Please stop this project.
EEE-2	1. property values significantly decreased. (up to 20%)
EEE-3	2. road safety concerning children and school busses.
EEE-4	3. road safety concerning over 85 trucks per day for routine residence use.
EEE-5	4. backed up dirt trucks at the 395 highway. if they're making a left turn.. you'll have to wait just to make a right turn. same if they're making right turns.
EEE-6	5. this will result in us having to use Stephanie Way... and East Valley. this will severely impact those streets and communities.
EEE-7	6. health issue for children/elderly. toxic diesel engine exhaust all along Johnson Lane from traveling and stopped dirt trucks. maybe several at a time.
EEE-8	7. fire danger. (truck caused the Gardenerville fire this fall).
EEE-9	8. noise all day: constant low frequency hum from the working site and all the trucks so often on the road.
EEE-10	9. extensive road damage.
FFF-1	The back of our property faces on Johnson Lane. The traffic with semis, contractors trucks, & regular cars is bad enough but adding 85 gravel trucks going up & down will be horrific for us & the rest of the residents on Johnson & feeder streets .
FFF-2	The noise, dirt & gravel flying, & diesel exhaust would make our property unlivable.
FFF-3	.And the amount of water that will be taken out of the aquifer necessary for this kind of operation diminishes that needed for all the residential homes in the area.
FFF-4	With the down slope of Johnson Lane comes another element of concern especially in winter.
FFF-5	Traffic congestion at the intersections of Fremont & Johnson and also Hwy 395 & Johnson will be dangerous for all concerned including school buses.
FFF-6	Property values will plummet
FFF-7	It also seems that this project was pushed through under the radar when covid, the election, the smoke from the CA fires had the attention & concern of area residents. Many did not seem to be aware of Painted Rock gravel pit until just lately. No notifications were sent out. This project should not go forward & should be stopped immediately. At the very least postponed.
GGG-1	Development of a mine and transport of materials through a residential area is NEGLIGENT!!! The following are just a few of the possible negative effects of such a project.
GGG-2	1. property values significantly decreased. (up to 20%)
GGG-3	2. road safety concerning children and school busses.
GGG-4	3. road safety concerning over 85 trucks per day for routine residence use.
GGG-5	4. backed up dirt trucks at the 395 highway. if they're making a left turn.. you'll have to wait just to make a right turn. same if they're making right turns.
GGG-6	5. this will result in us having to use Stephanie Way... and East Valley. this will severely impact those streets and communities.
GGG-7	6. health issue for children/elderly. toxic diesel engine exhaust all along Johnson Lane from traveling and stopped dirt trucks. maybe several at a time.
GGG-8	7. fire danger. (truck caused the Gardenerville fire this fall).
GGG-9	8. noise all day: constant low frequency hum from the working site and all the trucks so often on the road.
GGG-10	9. extensive road damage
GGG-11	We strongly oppose development of the Painted Rock EA in our area.

Comment No.	Comment
HHH-1	We are distressed by the recent revelation of the potential for a quarry a short distance from our home on Chiquita Circle near the eastern end of Johnson Lane. Our residents have fought the proposal to locate such a quarry in the area east of East Valley Road in Minden for the same reasons that I am writing to you. We purchased our home a several years ago, primarily because it was a quiet neighborhood near the BLM with minimal traffic. Since our property is only 100 yards from BLM land, we were confident that there would not be more building around us so we could enjoy a rural and wild environment. We have seen wild horses, mountain lions, bobcats, deer and a host of other wildlife as we hike the BLM lands. Establishing a rock quarry will change all that. Instead of wildlife we will be experience poor air quality, noise, traffic, and danger for our domestic animals.
HHH-2	The dust, noise, and traffic will result in a huge negative impact on our home values and greatly decrease the desirability of living in our neighborhood as virtually every real estate appraiser will agree. The result of such a quarry will cost every East Valley resident, particularly those of us in the vicinity of Johnson Lane, many thousands of dollars in property values. Based on estimates I have seen, I would expect a loss in value of our home alone to approximate $75,000 or more.
HHH-3	We also expect the enormous use of water that such operations entail would result in further ecological pressure by further depleting our water supply, raising the cost of water to residents even more, and creating additional pollution.
HHH-4	The environmental impact will be devastating to this community, so I can't imagine that there is a favorable EIR for this project. We are strongly opposed to the development of a quarry in the Painted Rock area and urge you to disallow this use of BLM land.
III-1	My name is Leo Callagy, I live at 2659 Skyline Dr. Minden, Nevada. Our home is within a block of Johnson Lane. It has come to my attention that a Rock Quarry is in the process of being opened and you have a vested interest in its completion. My wife, my son and I are very concerned that there seems to have been little if any notification to the homeowners in the surrounding area of Johnson Ln., and the impact of the proposed quarry. I am a retired UPS Driver who drove Tractor- Trailer for over 32 years, and I know the downsides of having commercial trucks driving through residential areas.
III-2	One of my primary concerns is the potential of decreased home values due to the quarry being in such close proximity to our home and the homes of everyone in the Johnson Ln. area.
III-3	The trucks are noisy and often drivers will use engine brakes to slow down. Eighty five trucks per day on Johnson Lane will have an obvious impact on the residents not to mention the possibility of accidents and wear/tear of the Johnson Lane pavement. (These trucks don't stop on a dime!). Some of the other concerns I have would be the diesel exhaust from the trucks, traffic delays, fire danger, excessive water consumption, noise from the mine such a blasting, and lastly the impact to the open space use for all. Please consider my concerns and those of my community before any final decisions toopen the rock quarry.
JJJ-1	I am writing to you as I have just recently been informed of the Painted Rock Quarry Project. I am extremely dismayed, upset, and angered at the prospect of being subjected to heavy traffic, noise, destruction of rural land, excessive use of water not to mention the property value decline and negative impact on our quiet residential living. I can not understand for the life of me why the home owners were not informed and permitted to express their concerns over a project that does not benefit the area. My husband and I moved to this rural area right off the BLM to enjoy the beauty of the land not be barraged by diesel trucks pounding the roads 6 days a week. We frequently ride our horses and walk our dogs on the dirt road of Johnson Lane on the BLM. It is unacceptable to think these simple pleasures of life will be forever taken from us due to the health and safety in avoiding the multiple trucks and constant noise. One of the reasons we located to this area was to enjoy quiet morning coffee on our patio and evening meals free of the reminders of traffic, pollution and commotion. With the multiple trucks running 6 days a week from sun up to sun down this affords us just one day a week of peace and quiet? This is also intolerable and it an infringement on our right to enjoy life at home. We are not talking about a few new homes being built in the area. We are talking about many, many years of insufferable commotion.
JJJ-2	I would like to be able to review all the environmental impact studies this Painted Rock Quarry Project has produced as I cannot believe the Project would be allowed to go forward if all the proper avenues of discovery had been performed and the public had been made aware of these studies. The residents are just hearing about this Project and being so "Hush Hush" can only mean that all the impact studies have not been obtained and it was the hope of the people with deep pockets running this Project that the painted Rock Quarry would just be thrust down the local residents throats.
JJJ-3	Where are all the studies with regard to health and safety?
JJJ-4	Where are all the studies spelling out what the Project will do to the existing land and surrounding environment?

Comment No.	Comment
JJJ-5	Where are all the studies addressing the pollution, toxins as well as the deterioration of roadways resulting in damage to our cars?
JJJ-6	Where are all the studies with regards to water usage?
JJJ-7	Where are all the studies which show how our property values will drop. What will be done to offset that loss?
JJJ-8	I am urging you Mr. Eben to consider all the above mentioned topics of concern. If your dream property was in the middle of a construction zone for the remainder of your life how would you feel? If would be appreciated if someone looked out for the underdog in this situation and cared about the health and safety of unsuspecting residents who just want to live a life without Big Brother continually disrupting our heart and soul
KKK-1	I am a resident in the Highline Ranch subdivision and am extremely concerned regarding the industrial mining operation which proposes use Johnson Lane as it's operational corridor for the next 40+ years. I'm sure you've already heard a lot of concerns regarding safety, noise, pollution, road damage, traffic, etc. My biggest concerns are in regards to safety, quality of life and the devaluation of my property in Highline Ranch. The details of my concerns are below.
KKK-2	1.Safety Having 170 trucks every day traveling 50 MPH up and down Johnson Lane presents an immanent threat to ANY object in their way. There are pedestrians, equestrians, children, on the side of the road. One distracted driver and or their inability to stop in weather conditions WILL result in a tragedy at some point. This means that both Knox and the BIA could be facing severe civil and criminal penalties. Knox's blatant disregard of this risk presents a lot of exposure in the courts. Regardless of the outcome in the courts, no one is coming back from the dead nor will a paraplegic ever walk again. The other concern around safety is around rocks and debris damaging vehicles either by vehicles kicking up the gravel as they run over it and hit the car behind them or by direct hits from gravel as it drops off of the trucks. Retread tires disintegrating present additional flying object hazards as well as damage to undersides of vehicles when they run over them. Noise is also a serious safety concern. Regardless of whether it is the heavy truck revving it's engine after it stops for a turning vehicle or a 80,000 pound truck using it's engine brake to slow down, there will be excessive noise, especially for those who's homes are actually on Johnson lane. I've been next to a truck using it's engine brake, and it is VERY loud. The Johnson Lane residents who sit on their front porch would likely be exposed to sound which exceeds OSHA limits multiple times a day. If an ordinance is passed requiring no engine braking, the result would be trucks generating a lot more brake dust contamination for the residents of the area. Additionally, the Johnson Lane intersection was not designed to handle the increase in traffic at the intersection. There is not enough runway in the turn lanes to support multiple long trucks turning onto or off of 395. In summary, in addition to a moderate/high probability of sudden, catastrophic events, there would be long term impacts to for all residents of Johnson Lane.
KKK-3	2.) Quality of Life There will be severe impacts to the "Quality of Life" to those of Highland Ranch. I enjoy the peace and quite of the area. This is why I purchased here. Hearing an 80,000 pound truck drive by every three minutes will affect the quality of life for myself, my family and my neighbors. It is approximately 4.1 miles from 395 to Fremont. It takes an average of six minutes to get to Fremont. An 80,000 pound vehicle will take a lot longer to stop and start. With an average of three slow downs/stops due to vehicles turning onto side streets or directly into residences, I suspect the drive will be extended at least two minutes each time I go up or down Johnson lane. On average, I make two trips down Johnson Lane each day. This will equate to eight minutes of extra drive time every day (except Sundays). This is the equivalent of 2,496 minutes per year or 41.6 hours per year waiting for trucks to accelerate back up to 45 mph. That's equivalent to an extra week of work~!!!! Of course, there will be dark clouds of unburned diesel which Johnson Lane residents will also have to pass through and breath in as the truck goes through it's gears. Along with the unburned diesel, the added fuel emissions caused by cars having to slow down and speed up from being behind these trucks will likely produce a much larger carbon footprint for the residents of Johnson Lane. With initiative to keep the county rural and a beautiful place to live it is counter intuitive to put an industrial mine in the valley and having it degrade not only it's residents but it's environment.
KKK-4	3. Loss of Equity For many people, their home is their greatest asset. Allowing Knox Excavation to make profits from their mining operation at the cost of degrading the value of our homes and our quality of life is not acceptable and it is not equitable. Without equity there is no justice. In legal terms, there can be no justice without equity. I have been told by the leaders of this initiative to stop the Johnson Lane corridor that every legal means available will be used to stop this from happening

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KKK-5	In conclusion: I am not opposed to the American way of life and free commerce. However, opening an industrial mining operation at the top of Johnson lane and permitting ~170 heavy trucks to use Johnson lane as it's transportation corridor is unacceptable. An alternate route must be found which does not impact the quality of life of the residents of Douglas county. One suggestion is to reach out to Bently and try to obtain access through his property for direct access to the 395 corridor. Another option would be to go north on dirt roads and build a bridge/roadway to get to I-470 directly. Proposing that it is ok for an 80,000 pound truck to travel down Johnson Lane, every three minutes is about the dumbest idea I've heard of in a long time. Johnson Lane's purpose above Vicky is to serve RESIDENTIAL houses, not a large scale industrial "for profit" operation. I hope that you find reasonableness in this letter and do not allow Knox Excavation to use the Johnson Lane Corridor to transport it's mine products.
LLL-1	I am typing this email as a concerned resident of the Skyline Ranch neighborhood located at the end of Johnson Lane in Minden, Nevada. It has come to my attention recently, there are plans to build a rock quarry near this location. I have the following concerns about this proposal, and oppose it's construction and operation:
LLL-2	1. Health - The exhaust from the trucks will impact our air quality. The dust and particulate matter will also impact our air quality. Both could trigger asthma, allergies, cancer, and many other issues. This is especially concerning as my wife and I are avid outdoor enthusiasts, and place great care and concern on our health. We also have a home gym we regularly work out in, and this would greatly impact our ability to do so.
LLL-4	2. Traffic - I understand there will be up to 85 loaded trucks per day, which means 170 counting return trucks. This is nearly one truck every three minutes. This will not only cause more traffic at my intersection of Fremont and Johnson lane, but will also cause more traffic at the intersection of Johnson and 395, and will cause 395 to have more traffic overall. An additional side effect will be overflow traffic flooding Stephanie Way and East Valley.
LLL-5	3. Safety - My wife and I regularly walk our dogs in the exact area which is slated to have work trucks driving through every three minutes. If this site does begin operation, I have to make a decision on whether I want to take the risk of continuing to walk my dogs near a now heavily trafficked area, or to discontinue my use. I am further concerned about the potential safety hazard this creates in the winter for both my wife and myself. Having this massive uptick in work trucks, on our roads in the winter, significantly increases our potential to be involved in a serious vehicle accident. I'm also concerned about the many children who play on the streets, riding their bikes, dirt bikes etc… school bus stops. Seems generally unsafer for pedestrians all together.
LLL-6	4. Property value decline - I would be located within a 1 mile distance, which would cause my property value to decline by as much as 15%. This is simply unacceptable.
LLL-7	5. Road damage - As I understand, only the section between Vicky and 395 would be repaired. This leaves a lot of road unaccounted for. The quarry is only offering .15% for repairs, which seems very low. Repairs to Fremont are not included in any part of the deal.
LLL-8	6. Water consumption - Quarry is estimated to use 24,000 gallons of water per day, and will also be digging a large well on site. This will impact available water for residents, and could also impact water pressure.
LLL-9	7. Noise - The level of noise this quarry would bring is unacceptable. It would completely ruin the peace and quiet we moved here to have. It's an unacceptable nuisance to have the constant drone of crushers, stackers, shakers, loaders, diesel trucks, truck brakes, and other heavy machinery.
LLL-10	8. This is in opposition to Douglas County land use policies for rural communities - LU Goal No 6: To identify particular areas within Douglas County where the residents desire to preserve or develop distinctly rural communities.
LLL-11	LU Policy 2.4: Douglas County shall protect residential neighborhoods from encroachment of incompatible activities or land uses which may have a negative impact on the residential living environment.
MMM-1	Sorry for the late timing of this submission but just received a flyer from A.J. and wanted to voice my concerns about the gravel pit. I was unaware this issue had progressed so rapidly. I live at the corner of Sunrise Pass Rd and Kincaid. I wanted to downsize and so placed my house on the market with Interro Realty at $975,000. With the recent developments I have just pulled my house off the market as a mandatory disclosure of this magnitude to any prospective buyer would surely jeopardize any potential sale as nobody would want to buy with this issue pending. My house and 7 acres is adjacent to BLM and is attractive due to the serenity of the neighborhood all of which would be destroyed with the gravel pit in operation. My monetary loss at this time is unknown but surely more than the projected 10-15% if I am able to sell at all.
MMM-2	My second concern would be the volume of traffic the operation would generate thus deteriorating the serenity and solitude of country living in an area we have all chosen to live due to the location.
MMM-3	The noise generated by the projected volume of trucks would literally destroy the peace and tranquility of our neighborhood. With my residence approximately 1 mile away I am sure I will be able to hear the equipment in operation.

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MMM-4	My third concern would be the destruction of the roadways in the area with the heavily laden trucks. Sunrise Pass is a narrow road neither designed nor intended for such traffic and those loads destined to go south on East Valley would be certain to use that route. Fremont is likewise not designed for heavy traffic and Johnson Lane, while being a more major route is designed primarily for residential traffic. I appreciate you taking my concerns under submission as to the impact this project will have on me both personally and financially.
NNN-1	I trust this finds you well. I previously sent you a technical review of the actual Environmental Assessment of the subject project. I felt it was necessary to approach this project both from a technical standpoint as well as from a more personal perspective. Pursuant to that end, the following is my personal feelings and observations regarding the proposed project. It is my hope that you are overwhelmed with correspondence from the citizens of Douglas County and specifically the Johnson Lane community. As i understand it, Saratoga Springs, adjacent to the Johnson Lane roadway, has only just recently become aware of this proposed rock quarry and transportation route. Their awareness was later than that of the Johnson Lane community, and we found out late in the public comment period. Even the County 'found out late.' Unfortunately, it appears to have been by design.
NNN-2	I'm sure you've heard many times that this is the retirement community that so many have preferred. Yes, my wife and myself have relocated here for the same reasons: quiet, park-like atmosphere, extremely low to no crime, clean air, and did I mention peacefully quiet. Actually, when we first arrived, I was truly surprised that the sound of a car in the neighborhood was seldom heard. That is still the case today. Making the significant investment to live here wasn't all that easy or automatic. It took some hard discussions regarding our nest egg. This is pretty much all we have now.
NNN-3	Part of the reasoning to relocate here was the Douglas County Land Use (LU) Goals and Policies. For example: LU Goal No.6 - To identify particular areas within Douglas County where the residents desire to preserve or develop distinctly rural communities; and, LU Policy No. 2.4 - Douglas County shall protect residential neighborhoods from encroachment of incompatible activities or land uses which may have a negative impact on the residential living environment. We've enjoyed the results of these goals and policies. And, it's wonderful that our visiting friends and young families have enjoyed them as well. It is refreshing to see youngsters and parents on bicycles or horseback, joggers, and walkers all enjoying the surroundings on their way to the country general store. However, now we are faced with the conversion of our serene environment to a dangerous industrial causeway. We are all faced with an overwhelming issue regarding our longstanding, well established retirement community.
NNN-4	The outstanding issue is the use of Johnson Lane and Fremont for the transportation of product trucks. It was unfortunate and, indeed, disingenuous of Mr. Maxwell to admit (in a conversation on the day of the County Commissioners meeting, 09.17.20), that the data regarding the number of trucks anticipated to be traveling on the road was actually only departing trucks. He admitted that the number would actually be double that, but chose to down-play the data or information in the Environmental Assessment (EA). There are other data and information contained in the EA that appears to be incorrect, by design. This is professionally unacceptable. With that incredible number of trucks on the road, if they depart southbound, I can't imagine the 'caravan' moving as a connected train through downtown Minden and Gardenerville. The problem will also manifest itself on Johnson Lane when drivers, not wanting to be behind a gravel truck, will pull out fast and late in order to stay ahead of an approaching truck. I suspect there will be numerous dangerous and unsafe moves on the roadways.
NNN-6	I'm sure I don't have to discuss the resulting drastic decrease in all our property values. According to expert studies by Professor Hite (well known published economist in property value impact analysis), the impact of a new quarry is significant to an established community. Again, the distances represented in the EA are exaggerated in favor of the project. The fact is, the properties within just one to two miles from the quarry can experience a decline in value of up to 15%. However, the impact is more significant than that. The scope of the EA was, I believe, deliberately narrow as to not include all the properties along the truck traveling route. These properties are merely yards from the roadways of some 170 large diesel trucks traveling at a frequency of nearly one every three minutes. These properties will suffer the greatest decline.
NNN-7	Again, although there are some 'open ended' issues related to the actual work site, the large number of significantly detrimental issues are related to the transportation of the product. These include the significant volumes of diesel exhaust. I would expect many trucks to be backed up, idling. With the residence, families and children and the elderly only yards away, this would soon become unbearable. I'm sure you are aware of the detrimental health effects of these exhaust ejections into the air at close proximity.
NNN-8	Another observation was in the EA, Figure 3. This illustration, according to the legend, indicates that less than half of the 'bowl' excavation will be remediated. Quarries never actually return the site to 'normal.' That's widely accepted and understood. However, to indicate in the text that the site will be 'remediated,' and then to have the illustration indicate otherwise is, again, disingenuous in favor of the project.

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NNN-9	In summary, the serenity of our 'national park' environment will be reduced to just four days per month. I sincerely wish that you will seriously consider the plausibility of (i) this project not being located as suggested in the present proposal, and or, (ii) the elimination of Johnson Lane and Fremont roadways for all truck travel related to the project. This continues to be my wish. Thank you. I appreciate the opportunity to submit my comments.
OOO-1	As residences of Johnson Lane continue to communicate our deepest concerns and opposition for the Painted Rock Quarry I ask you to think about the concerns we have and would you want the negative impacts this quarry will bring to affect you, your family and your home. I have lived in my home for 27 years and although with more housing development the traffic on Johnson Lane has increased over the years. That is normal growth. Allowing a rock quarry so close to residences is not normal growth. It will have only negative impact on the area and residences. Those negative impacts will include:
OOO_2	1. Heavy traffic of mining trucks. These are large vehicles that cannot stop on a dime. They will scatter rocks on the roadway causing damage to windshields. They will cause unsafe road conditions most certainly in Winter.
OOO-3	2. The trucks will cause health and safety issues. Toxins from diesel exhaust causing dangerous air quality in the neighborhoods (cancer ,lung disease, and other ailments). The trucks pose a huge danger for child safety with bus stops on all roadways that will be impacted by this project. There are no sidewalks on Johnson Lane so parents have to push strollers on Johnson Lane as the gravel is too hard to push a stroller in. There is not enough room for a gravel truck to pass pedestrians safely.
OOO-4	3. The property values will decline 15%. My home is my investment for the last 27 years and to take a loss that this suggests will be detrimental to me and my family.
OOO_5	4. My property is on a well. I have had to drill deeper once already for a drop in the water table, I cannot afford to do that again and the quarry is going to be pulling a huge amount of water which will only drop the water table drastically, affecting many homeowners.
OOO-6	5. The amount of money Knox is offering to maintain the roads is not nearly enough. Period. So we know the roads will not be maintained and already are not laid to withstand trucks of this size or frequency.
OOO-7	6. The noise from the trucks, the quarry itself will ruin our quality of life here in Johnson Lane. The impact is all negative to the homeowner of Johnson Lane, all of Johnson Lane, not just those of us living on Johnson Lane.
OOO_8	7. Last and most importantly. I live here because it is a rural community. Opposition to Douglas County Land Use Policies –Rural Communities -LU Goal No.6: To identify particular areas within Douglas County where the residents desire to preserve or develop distinctly rural communities. -LU Policy 2.4: Douglas County shall protect residential neighborhoods from encroachment of incompatible activities or land uses which may have a negative impact on the residential living environment. I would love to see the entire project go away, as I understand it that is not an option so at the very least I would urge you to find an alternative access to the quarry. I would also urge you to please consider any other requests of limitations by residences for the project.
PPP-1	I'm writing you in concern with the Painted Rock excavation project. I'm concerned with this project contaminating my well and heavy equipment used for transporting the rock down Johnson Lane. I have young children that go to school in the immediate area and safety is a huge concern. I'll be having my well tested multiple times a year out of fear of contamination. The depth of well described in the report is at or near the depth of my well. I live on Hyde street. Please email me back to confirm that you have received my written concern.
QQQ-1	We wrote to you on September 3rd regarding our concerns and disapproval of this project. As of today we haven't heard any comments from you or your office so we thought we would get into the Environmental Assessment a bit. Are you aware of the number of Johnson Lane residents that are against this project and have concerns regarding how it will impact our roads, water and general safety issues of trucks carrying 10's of thousands of pounds of gravel on our streets 50 to up to 80 times a day, with up to 160 passes counting the in and out trips? That could be as many as a truck coming by our homes in either direction every 3 minutes. These are not pickups. These trucks are slow to stop, noisey and will adversely affect horseback riders, bicyclists, hikers and people just walking their dogs. Longtime citizens who never signed up for this type of erosion of their quality of life and safety. There is also the issue of school buses that travel up and down Johnson Lane and Fremont. Some major concerns with the Environmental Assessment that was submitted for this project. Since this pit is less than 2 miles, probably closer to 1 mile from several homes we feel that is just too close for comfort. I read through most of this and want to bring up some points that when taken individually would be enough to stop this but taken together would never pass EPA scrutiny. Let's go over the most glaring.

Comment No.	Comment
QQQ-2	1. Water - one of the largest issues that concern the Johnson Lane constituents is water. It is our right to have access to clean water. Many of us are on wells and the idea that Knox will drill a 250 ft well in our area and use 12,000-25,000 gallons of water a day to keep dust down and clean his equipment for a project we don't want is a waste of our natural resources. What happens if this Knox venture causes residential wells to dry up? This is selfish and benefits one entity, Knox. Nothing in this plan benefits the citizens of Johnson Lane or Douglas County.
QQQ-3	2. Fire Hazard and fuels - With the current state of the Western US where we have lost hundreds of thousands of acres to fires why would we put a pit with fuels and machinery that can make sparks in the middle of a dry desert within a mile of the east end of a large residential community?
QQQ-4	3. Air Quality - We have air quality issues here thanks to the fires that are bringing smoke over the hill from California. Do we need to add dust and debris from the Knox diesel trucks that will be going up and down our main residential street. These trucks are powered by the front end of a tractor trailer. These are big rigs, not pick ups. They spew pollution in the air and this will be concentrated in one area. Johnson Lane in a very short time could have air quality as bad as parts of Los Angeles. Is that really what we want?
QQQ-5	4. Solid and Hazardous Waste - This could be another environmental nightmare. We are depending on a company that agrees to give the County .05% of revenue, (who determines that net number?) for road maintenance do you really think Knox is going to show good faith and put the funds forward to control pollution after this mess is up and running?
QQQ-6	5. Wild Bird Migration - This is a big concern. I don't see how this pit is consistent with wildlife concerns and I don't see where someone who would build a pit in the middle of a recreational area care about wildlife.
QQQ-7	6. This is a recreational area - This area has been shared by horseback riders, cyclists, off road vehicles and hikers all cooperating for years without incident. This project will put a stop to that as this is one of the main access areas.
QQQ-8	7. Oh, and let's get back to the 10 Wheeler trucks. Have you ever stood next to one of these monsters? They carry 30,000-60,000 lbs of gravel and that doesn't include the trailer load which is equal or more than that. These diesel powered vehicles will travel up and down Johnson Lane at speeds up to 45 mph if the driver follows the speed limit which is fine for Mom's SUV. You have the aforementioned horseback riders,bicyclist, hikers, morning and afternoon walkers with their dogs not to mention school buses morning and afternoon, All day, possibly every 3 minutes.
QQQ-9	All of these concerns are significant and we don't believe that Knox can fulfill them. Just because he states that he can in his Assessment doesn't mean it can happen. If you approve this it means that you don't see anything wrong with this project but I guarantee you'll feel differently if anyone of these points I made go south. Douglas County wanted to raise the speed limit on Fremont to 45 mph all the way north to 1/2 mile south of Johnson Lane. One of the county commissioners at the time had a friend who complained about getting a ticket. The next thing we hear is the proposal. We went to the public comment regarding this change. We told the county that we felt decisions that don't look at all the consequences usually come back to bite you. We said that sometimes a hasty, stubborn decision will only be changed back due to a catastrophe like in the case of irresponsible speed limits a person is hit by a car. While that is certainly a terrible accident this project can result in far more serious incidents and tragedy. Please decline this bad idea.
RRR-1	My neighbors and I are very worried about the plan to haul gravel using Johnson Lane. Johnson Lane may be labeled as industrial use; however, the majority of its usage is residential. Not only will 30-85 trucks a day cause noise, car damage (due to flying gravel – unless trucks will be required to cover their load), housing value reduction, it will also be an endangerment to those that walk, bike, drive ATVs, etc. Is there another option for getting the gravel out to 395 that would not cause the above. I urge you to consider that. Johnson Lane is truly not an acceptable option, in my opinion.
SSS-1	Why are you trying to ruin the Johnson Lane NV Neighborhood with this gravel pit. There will trucks up and down Johnson Lane cousing noise and dust aas wel as damage to the road. I am against this operation and hope you see how much damage it will cause.
TTT-1	We have been advised to contact you directly regarding the Painted Rock Gravel Pit in Minden, NV. We had not been made aware of this project until the Record Courier announced it as an agenda item for the Douglas County Commission last Thursday. Needless to say, we were livid as we watched, in horror, the recorded meeting that evening. We adamantly oppose this devastating project because the EA did not adequately address the following issues
TTT-3	·Wildland Fire Prevention and Suppression
TTT-4	·Public Safety
TTT-5	·Impacts on Water Supply
TTT-6	·Impacts on the overwhelming increase of traffic
TTT-7	·Public meetings were NOT HELD or adequately ADVERTISED during the scoping phase of the EA

Comment No.	Comment
TTT-8	·a 40 year project is too long of a time to be addressed in a SINGLE EA !!!
TTT-9	Your immediate attention and assistance in reviewing and postponing this project will be greatly appreciated by the 10,000+ residents in the Johnson Lane area. Thank you for your consideration.
UUU-1	The residents of the Johnson Lane/Stephanie Lane area are finally becoming aware of what appears to be a “shove it down there throat move” to allow a mining excavation company in our backyard. I am not sure what is going on here, but one can usually follow the money trail to get to the real answers. Suffice it to say, there will be a lot of impact to the residents of this area that no one seems to be looking at. The impacts to our roads, privacy, safety, noise levels, water levels(for those of us on wells), infrastructure, increase in taxes for cleaning up daily messes, not to mention the effect it can have on our property values. I understand the contract supposedly has very little guarantees in it regarding what Knox will do to make things right. For example—their drivers are independents, and we all know what this type of driver has in concern for his environment except to get to Point B as fast as possible. And, will we be having triples for transport trucks?
UUU-2	Knox is apparently going to be using quite a bit of water on a daily basis, thus impacting our water table for the valley.
UUU-3	What about the safety of our children who wait and ride a bus to and from school, or even playing in their yards with the friends or their dog. The traffic level increases of 35-80 or more runs a day, and on what routes?
UUU-4	There are no truck routes posted, so any street is fair game? The taxpayers of this county paid for the construction of Johnson Lane and accompanying residential streets, not to mention the fire protection system in place. This is a residential area for the most part, save for the area south of Johnson Lane in the Starbucks area and Bently. All low level in my estimation.
UUU-5	Knox is only a mile or two out Sunrise Pass road, not 7 plus miles as stated in the EA. If you don’t think it will not affect our quality of life with these noise levels, and increased traffic, then you are not using common sense? I understand blasting is a possibility, with no guarantees to hold that in check over the course of a 40 year contract. And, what are we going to have in the future a hole in the ground that equates to that of Anaconda in Yerington, or Bing for that matter?
UUU-6	This is just a small portion of the complaints I am hearing from the residents out here. Many have gone to great efforts and made sacrifices to live in a very beautiful valley. It needs to be protected and someone needs to step up to the plate and get this straightened out. I am already hearing about consequences and repercussions from some folks. I won’t say who or what, but it involves more than just voting some commissioners out of office next time around. Hoping for your sincere conscientious considerations
VVV-1	I submit these concerns during the public comment time period for the proposed Painted Rock Mine in Minden Nevada. The final draft of the Environmental Assessment provided by Knox Mining does not adequately address the following:
VVV-2	Wildland Fire Prevention and Supression The assessment states that brush and scrub will be cleared from the site, and hand-held fire extinguishers will be available to combat fires. It also states that trucks will use Sunrise Pass Road as the egress route for gravel transport. The bulk of Sunrise Pass Road is dirt, with scrub on all sides. The area has already had hundreds of acres burn due to sparks from large hauling trucks. There is no mention of how this will be controlled, managed or supervised.
VVV-3	Water Supply Knox states they will pump 24,000 of water per day from a well on site. All of the residences in the area are on well water. This will severely deplete the acquifer, affecting not only private wells, but also wells owned by Douglas County.
VVV_4	Public Safety Sunrise Pass Road and it's surroundings are highly used by the community; there is horseback riding, ATV riding, children on dirt bikes, hikers, dog walkers and campers who use this route. Sharing this narrow road with heavy industrial traffic is an accident waiting to happen.

Comment No.	Comment
VVV-5	Traffic and Road Safety It is only the lower mile of Johnson Lane which has trucking traffic. The remainder of the road carries residential or light industrial traffic. Sunrise Pass Road carries no industrial or heavy traffic. In fact, there is only 1/4 mile of this road which is paved, and the paved section is not plowed in winter. The paved section of Sunrise Pass Road becomes very icy. The turning radius from Sunrise Pass Road onto feeder roads (Fremont Rd, Kincaid Road, Kiss Lane) is very tight. School buses frequently have to do a 3-point turn to get on the appropriate street. I do not see how the proposed industrial trucks will make this maneuver without using private property.
VVV-6	I understand that the mine is on private property, and the owners can do with it what they will. That said, would it not be best to engage the local community in discussion, generating a positive outlook rather than the current climate of discontent?
WWW-1	Hello. I am not sure if you are the appropriate person to voice our concerns about the Painted Rock Mine. I briefly skimmed through the Draft EA. Our concerns are not so much about the environmental impacts. The report seems to address those issues well.
WWW-2	Our concerns are more about the traffic and damage to Johnson Lane that it would cause by heavy equipment using that road much more frequently. We would like to know more about how many dump trucks per day will be traveling on Johnson Lane. We tried to do the math of how much would be extracted from the mine and how many dump trucks would be needed to move the materials. We are not sure we did the math correctly, but it seemed like a lot of heavy truck traffic being created on Johnson Lane. We would like to hear more about what kind of traffic and noise the mine will create as dump trucks remove materials? We like our quiet neighborhoods. We don't like the idea of large dump trucks and semi trucks traveling back and forth down Johnson Lane in commercial level intervals.
WWW-3	We read some of the profits could be used to maintain Johnson Lane. The increased traffic would likely increase the maintenance costs. We would like those proceeds from the pit to be set aside in a special revenue fund specifically for Johnson Lane maintenance. We would like an analysis of how much the maintenance costs will increase as compared to the proceeds from the project. If we have to endure the commercial activity, those proceeds should go to our neighborhoods and maintaining Johnson Lane streets. Johnson Lane looks so good right now. We would like to keep it that way. We don't want it to become a road full of loose rocks that dings up the paint on our cars.
WWW-4	We read it will be a 40 year contract. That seems like a huge commitment. We would like to see that contract reviewed every 5 years and if it is not working or causing traffic issues, it could be terminated. Or if it is working, it can be renewed. I thought I might have read that the contract was up to 40 years and reviewed every 5 years. If so, that would be better.
WWW-5	If you are not the appropriate person to voice our concerns, please let us know who is so we can forward our email to them. Thank you for your time and consideration.
XXX-1	I'm concerned about the Painted Rock Mine. 1. It's impact to the roads in Douglas County
XXX-2	2. It's impact on our rural neighborhoods.
XXX-3	3. It's impact on our enjoyment of the BLM land
XXX-4	4. It's potential impact on the environment.
XXX-5	5. It's potential to change the flood plain.
XXX-6	Please do not approve this. Thank you for your consideration.
YYY-1	I am writing to request your consideration to examine the EA and Knox Excavating Plan of Operations prior to approving the Knox Company's use of the BLM Sunrise Road for mining operations. I live in the Skyline Community adjacent to the proposed Painted Rock Mine. The above mentioned documents are deficient in many areas.
YYY-2	The impact of heavy trucks on residential streets will be enormous.
YYY-3	The EA states that there will be no impact on the health and safety of the community. This assessment is inaccurate and false. The EA states that there will be no impact on traffic, inaccurate and false
YYY-4	Fire protection at the mine would consist of hand held fire extinguishers. The fire protection plan is severely inadequate.
YYY-5	The EA states that there may be blasting in the future, but gives absolutely no information as to possible effects on the nearby neighborhoods.
YYY-6	The route from the mine to public roads is false and misleading and has not been corrected in the Plan of Operations.

Comment No.	Comment
YYY-7	There is no accurate assessment of the noise pollution to the nearby neighborhoods, except to say that there will be none, without explanation. This area of the BLM is a highly valuable and highly used recreational area. The use of Sunrise Road by an industrial mine will be incredibly disruptive to these recreational activities and will create unacceptable safety issues.
ZZZ-1	My name is XXXXXXX. I have lived in Nevada my entire life and am a proud member of the Duck Valley Indian Tribe in Owyhee, Nevada. I don't know if you knew my uncle Jim Paiva who was Tribal Chairman for many years. I have been a Registered Nurse since 1980. My husband and I moved to Minden, Nevada in 2015 upon his retirement. We live near Johnson Lane. My family and property value will be profoundly impacted by the Knox Excavation, Inc. project at the Painted Rock Mine. The Clark County Commissioner meeting on 9/17 discussed the Knox Excavation project and approved the contract set forth by Knox and Mr. Maxwell. Most of the talk regarding Knox mining project was about the actual road and whether it was built for industrial use. I do not know if you have ever been on Johnson Lane. There is an industrial park about 1 mile from US 395. The rest of Johnson Lane going east to BLM is residential. It is a frequent school bus stop, we have children riding bikes, people jogging, walking dogs. The staging area at the east end of Johnson Lane supports hikers, dirt bike riders, horseback riders and all sorts of all terrain vehicles. It is quite active on weekends but certainly used 7 days a week. I cannot express it loud enough to say it is not if an accident/fatality will happen but when. This area is NOT set up for industrial transfer trucks. I do not begrudge Knox from having a business and making money, nor do I begrudge the private owners for doing the same. But it is imperative Knox find another way in and out of Painted Rock gravel pit. I plead with you to reconsider approving the Painted Rock Mine without requiring an alternate entry and exit route as the Knox environmental assessment is inadequate as stated. Please consider the quality of life we all enjoy in rural Nevada. As indigenous people of Nevada we are the caretakers of this land. Let’s preserve rural Nevada!
AAAA-1	I oppose this project because the EA did not adequately address the following issues:
AAAA-2	Wildland Fire Prevention and Suppression
AAAA-3	Public Safety
AAAA-4	Impacts on water supply
AAAA-5	Traffic
AAAA-6	Public meetings were not held or adequately advertised during the scoping phase of the EA
AAAA-7	A 40 year project is too long of a time to be addressed in a single EA
BBBB-1	I oppose this project because the EA did not adequately address the following issues:
BBBB-2	Wildland Fire Prevention and Suppression
BBBB-3	Public Safety
BBBB-4	Impacts on water supply
BBBB-6	Traffic
BBBB-7	Public meetings were not held or adequately advertised during the scoping phase of the EA
BBBB-8	A 40 year project is too long of a time to be addressed in a single EA
BBBB-9	Please remedy each of the above issues and hold a public meeting to hear and address issues of concern to our local neighborhood.
CCCC-1	The development and transportation of material from this mine will have severe consequences for thousands of residences. The EA has failed to adequately address the following:
CCCC-2	1. Health and Safety of the nearby community.
CCCC-3	2. Traffic and noise issues.
CCCC-4	3. Fire Safety
CCCC-5	4. Deterioration of public streets.
CCCC-6	If this project does take place you are SEVERELY underestimating the resentment and resolve of the community to terminate it. It may take years for us to elect commissioners that will act in our best interests. It may take years of lawsuits. It may take years of boycotting Native American interests and businesses. Whatever it takes we will continue to oppose this travesty.
DDDD-1	I find a draft EA for the Painted Rock Mine at http://paintedrockmineea.com/ but no date given for comment period. I was unable to find "Painted Rock" in the recent federal register. Is this document in fact out for comment, and what is the deadline?

Comment No.	Comment
EEEE-1	As residents in the Skyline Ranch area of Johnson Lane, one of several residential developments that borders Johnson Lane, my husband and I would like to register our deep concern over the increase in large gravel truck traffic as a result of this mining operation if approved. Using Knox's estimation of 30 to 85 trips a day for these trucks (make that 60 to170 truck trips per day with return trips counted), hauling some 1000 to 2000 tons each per day, the attendant noise, spilled gravel and dirt, and auto traffic from many feeder streets onto Johnson Lane itself, we believe this to be not only a noise hazard, but clearly unsafe. The school districts' school bus transportation department uses Johnson Lane daily for multiple school bus stops. There are children picked up and dropped off on Johnson Lane multiple times a day in normal non-Covid years. We are also very concerned about possible blasting at the mine site(s). Their proposal states they don't anticipate blasting, but they certainly don't rule it out. The first site is only a scant two miles from homes. Not what anyone wants to hear anywhere near their home. Knox says nothing about noise or damage mitigation and the effect on residences in the greater neighborhood area. This mine site is not in some remote, uninhabited area. These are our homes which this long term "project" is going to severely impact with reduced home values and very real, very negative quality of life results.
EEEE-4	Knox also states that Johnson Lane is primarily industrial use. That is absolutely not the case. Approximately two thirds of Johnson Lane is directly bordered by homes. This is a residential community full of homes with actual people living in them, not the industrial complex that Knox would have everyone believe. Feeder streets put many more personal cars onto Johnson Lane than Knox is taking into account in their draft of environmental assessment.
EEEE-5	We don't see where the recreational use of the BLM land, by ATVs, motorcycles and others, has been addressed either. Is this general area going to be closed for recreational use? Access to public land is going to definitely be impacted with at least the first two miles from the east end of Johnson Lane to the mine site(s). There is a definite safety issue mixing recreational vehicles trying to dodge gravel haul trucks and vice versa. Hopefully citizens' rightful concerns will be considered and given due weight on whether the BIA approves the mine proposal. Thank you for your consideration,
FFFF-1	I'm concerned about this quarry using Sunrise Pass as a thoroughfare for their trucks. The road was built with leftover grindings. It was never meant to support the weight and repeated use of loaded trucks. Sunrise Pass is approximately 1/2 mile of asphalt grinding and then it changes to dirt, that for the past 19 years, I with the help of the neighbors have taken care of the dirt section up to Hasbita Lane. The county had informed use as residents that this road is outside of county responsibility, so they won't help us maintain it. I also know that parts of Sunrise Pass is easment, on private property. I am concerned that their is not adequate funds to repair and keep up with the damage that will occur from the over use and extreme weights of the trucks. Their are times during the winter and rain seasons, Sunrise pass is impassable to two wheel drive vehicles as it turns into a mud pit, due to lack of proper grading and care. With the addition of the trucks, Sunrise Pass will quickly deteriorate on the grindings and the dirt to the point that trucks, cars and other vehicles will not be able to navigate through safely. What then? The narrowest point of the road narrows down to 18 feet with no boarder or curbing in which to drive. It has a ditch on the north side and weeds and a fence on the south side. This area is not passable for two trucks in opposite directions to pass each other.The road is already suffering from neglect from the county roads department, with pot holes and broken down edges and erosion in the ditches causing edge damage to the asphalt.
FFFF-3	The dust from the projected 85 trucks per day, 170 round trip passes each and every day 6 days a week will destroy the beauty of the area, add in the dust from the materials carried by the trucks, which does not exist at this time, may expose us to potential health issues. Such as PM2.5 and silica's. My wife and I walk Sunrise Pass every day with our dog, as do many of our neighbors. This is a low traveled road. It is small and safe for our animal, children and those that use it for recreation. It will not be safe to drive on, walk on, walk our dogs on our even travel in our vehicles. If 85 trucks use Sunrise Pass daily, say 10 working hours as planned, that is a truck, every 7 minutes. If that truck comes in, gets loaded and departs daily, that will be a truck passing by our house every 3.5 minutes. I know many people would have a problem with this schedule if it was in front of their homes.
FFFF-4	HAZARDS: Environmental: * Hazard to the children standing at the 2 school bus stops on Sunrise Pass.
FFFF-5	*Hazard to the wild horses that frequent the area throughout the year.
FFFF-6	We raise our own animals, steer, pigs, chickens and alpacas. The increase of dust will be a hazard to their health as well as ours.
FFFF-7	*Increased dust will cause exaggerated wear and tear to our vehicles, homes and machinery.

Comment No.	Comment
FFFF-8	*This is a residential area. It is not safe or appropriate to have the industrial trucks, at the frequency addressed above, to travel the roads that children ride their bikes on, ride quads/ motorcycles on, walk on, wait for school buses on .
FFFF-9	*The added noise of the trucks, let alone the quarry noises of the crushers, stackers, shakers, loaders and other machines, will disrupt the beauty of the area and the peace of the residential area in which we live. Heaven forbid they decide to blast in the quarry. That will cause vibrations through our home structures which can cause damage and window breakage. We live less 1 mile as the crow flies from the mine/quarry.
GGGG-1	We STRONGLY OPPOSE this project. The EA did not adequately address the following issues:
GGGG-2	WILDLAND FIRE PREVENTION AND SUPPRESSION
GGGG-3	PUBLIC SAFETY
GGGG-4	IMPACTS ON OUR WATER SUPPLY
GGGG-5	TRAFFIC
GGGG-6	AIR QUALITY
GGGG-7	PUBLIC MEETINGS WERE NOT HELD OR ADEQUATELY ADVERTISED DURING THE SCOPING PHASE OF THE EA.
GGGG-8	Obviously no one has gone to the site and investigated the roads in and out of this area. They are small and the homes are very close to the roads. Look at Fremont and Sunrise Pass. Those are small rural roads not meant for heavy truck loads. We have lived here for 13 years and love our clean air and quiet rural neighborhood. Please keep it that way.
HHHH-1	We have reviewed the draft Environmental Assessment (EA). We will be including comments to the draft EA provided to you by Mark and Bonnie Dillon and Richard and Cindy Kirkland. These two couples live on Skyline Drive adjacent to Johnson Lane road. I concur with their assessment of the draft EA referenced above in their entirety and those documents are incorporated herein by reference in their entirety They have agreed to my use of their comments.
HHHH-2	The most significant problem with the EA is its failure to address concerns of the approximately 10,000 resident that live in the Johnson Lane area. Said residents will be significantly impacted by the transport of rock, sand and gravel from the mine site. “While the mine is defined as the project area in the EA, the document does not take into consideration the detrimental impact to residents along the truck route to and from the project site and provides no mitigation for the increased traffic to the area. Increased truck traffic and associated noise, spilled materials, possible gravel induced broken windshields, damage to the roadway, possible forcing of traffic through residential areas as they try to avoid Johnson Lane are among our concerns. Also, Johnson Lane is a major school bus route for Douglas County and the truck traffic will expose school children who use the bus stops along Johnson Lane to increased danger from the trucks.” (Mark and Bonnie Dillon)
HHHHH-3	We have yet to find anyone who received notice that the mine was being proposed. How can the BIA and BLM not take into consideration the residents' concerns about increased traffic, safety issues, noise pollution, blasting, and destruction of Johnson Lane road? And what about the safety and availability of the Johnson Lane water supply that will be subject to irreparable harm from the toxins associated with the mining project?Off Road vehicles, campers, horses, hikers and bikers all use the Johnson Lane OHV access and Johnson Lane road leading to that access. The EA estimates that 85-30 trucks will use Johnson Lane daily. ‘Do the math: 85 trucks a day X 5 days a week X 52 weeks = 22,100 truck trips on Johnson Lane in a work year. Their numbers do not indicate that their calculations are based on round trips. That omission could mean that the actual numbers are much higher - as many as 44,200 trips a year up and down Johnson Lane. The “Impact Assessment” didn’t even mention this aspect of their proposal. Without this critical information, the impact assessment cannot be considered serious.’ (paraphrased from Cindy and Richard Kirkland)
HHHHH-4	BIA, BLM, Knox and the Douglas County Board of Commissioners failed to provide any notice or documentation to the residents, therefore, how can this EA possibly be considered valid? If all 10,000 residents had been given notice, you would have received thousands more comments. Alternative routes to 395 are available and would bypass Johnson Lane.The Kirklands have provided a great conclusion to the issue in their correspondence to you. As the deadline for comment submittal is near, we are providing their conclusion as our own: “In conclusion, the first failure in all of this is that none of the organizations involved in making the the request ever made any formal, written, oral, transcribed effort to involve all the people in the Johnson Lane, Stephanie Lane and West end homes, who are the ones who will be the most impacted,on a daily basis if this proposal is approved. This is totally unacceptable.

Comment No.	Comment
HHHH-5	The conclusions on the Environmental Assessment are without demonstrated and articulated foundation. Where they write "No lifestyle or cultural values would be impacted by the Project." Who and where are they talking about here? It is my position and that of many-many others who have recently issued written on line comments there are in fact, severe lifestyle 'values' that will without question be very negatively impacted.These comments are apparently being made about the actual location of the mine by the writers of the assessment. It is our position that the truck traffic is the impacting element of this project as outlined in this review. It cannot be reasonably argued that over 22,000 trips annually of huge, noisy, heavily loaded gravel trucks driving within sight and sound of and through multiple neighborhoods less than 20 feet from residential houses on both sides of Johnson Lane which is the same road that ALL residents of the Johnson and Stephanie Lane area must also use at the same time the 80 truck trips a day are occurring....is most definitely a major negative impact on lifestyles of the local residents and on the Community and on pubic safety. The response that there are no organized recreation activities will be a big surprise to the "Off Road" clubs, organizations and campers that frequently use the Sunshine Pass Road and Painted Rock area.
HHHH-6	The comments under transportation networks are laughable. It says the project would have only a 'minor effect' on traffic...and then it says…'this component is not analyzed further.'Even the issue of the use of explosives has been raised. Area homeowners have lots of questions but no answers.
HHHHH-7	Finally, I don't see where any kind of comprehensive assessment was used to identify what kind of negative impact on housing sales and value there might be. Having purchased several houses in my life, I would never buy a house only two blocks off a road that will have 80 or worse...160 gravel truck trips a day, 52 weeks a year! I doubt many others will either. At the very least I suggest that this project be tabled and that this project be tabled and that an extensive...real and serious impact assessment can be completed.I also recommend public input hearings be conducted to allow extensive discussions, questions and answers before approving something this important and potentially disastrous to the homeowners and voters quality of life and lifelong investments. We urge you to NOT move this project forward without a detailed study involving all the citizens of this area being fully involved."
IIII-1	I oppose this project because the EA did not adequately address the following issues:
IIII-2	Wildlfire Prevention.
IIII-3	Public Safety Impact to water supply.
IIII-4	Traffic on residential roads inadequately studied.
IIII-5	Public meetings were not held or adequately advertised during the scoping phase of the EA.
IIII-6	A 40 year project is too long to be addressed in a single EA.
JJJJ-1	While the mine is defined as the project area in the EA, the document does not take into consideration the detrimental impact to residents along the truck route to and from the project site and provides no mitigation for the increased traffic to the area. Increased truck traffic and associated noise, spilled materials, possible gravel induced broken windshields, damage to the roadway, possible forcing of traffic through residential areas as they try to avoid Johnson Lane are among our concerns. Also, Johnson Lane is a major school bus route for Douglas County and the truck traffic will expose school children who use the bus stops along Johnson Lane to increased danger from the trucks You may contact me if you have any question.
KKKK-1	I am contacting you regarding the proposed gravel pit (Painted Rock Mine) in Douglas County, Minden, NV 89423. First, I am hoping that I have gotten my comments in on time, as, for whatever reason, I just heard about this proposed project last week. I literally heard of this the day after the county held the meeting for comments. I am writing in the capacity of a concerned citizen, and although I'm not an environmental advocate, before I retired, I was in this industry, and I know a little bit about it. First, I'd like to say that I understand that with progress comes change. Also, I'm aware that the existing gravel quarry in the area (Bing Materials) is operating on borrowed time, so it was inevitable that sooner or later, because this is the only source of construction aggregates not only for the Carson Valley, but also South Lake Tahoe, and the Kirkwood areas in California, this would happen somewhere. I have read through the draft ea and I have some concerns that I'm not sure have been addressed adequately.
KKKK-2	First, and I'm sure you've heard plenty about this, by approving this project, this will turn Johnson Lane into a truck route. All of us in this area know about truck traffic coming in on Johnson Lane, primarily up to Wildhorse Lane, and I understand the road is built to accommodate heavy truck traffic, at least that far. But by sending truck traffic up to the proposed site you will be sending both loaded and unloaded trucks through residential districts, especially those poor people up on Sunrise Pass Road and Fremont St.

Comment No.	Comment
KKKK-3	In the EA, Knox Excavating anticipates 30-85 trips in and out per day. I'm sure in some of the slower times of the year that is a reasonable expectation. But I can tell you from personal experience that a quarry with the size of front end loaders that they're proposing to load with, they can probably get out 85 loads an hour, two buckets and you're out of there. Also, as happens at Bings pit, you will have a line of trucks waiting for their first load of the day, so as soon as loading commences it will be a steady string of trucks coming down and out of the pit, and while this line of trucks is waiting at the stoplight out at US 395, you'll also have the citizens that live in the area waiting in that line, and I personally would expect that traffic to back up considerably, causing the motoring public to have to rethink their standard procedure of when they have to leave home to get to work. If you don't think that's true, just go down to Kimmerling road in Gardnerville and ask some of the folks living down there about that. Of course they have a little different situation there because the vast majority of those people either bought or built their homes after the quarry had been in operation, therefore, they bought into that on their own. With the situation here, it's just the opposite. We were here first. I can tell you that We bought our house out here at the end of Johnson Lane specifically because there is less traffic out here, for now anyway.
KKKK-4	Now for my main concern. I, and I'm not the only one, am worried about our ground water. As I'm sure you know, all these houses out here past Clapham Lane I believe are on wells and septic...no city water. I see in the EA where the third party consultant didn't anticipate a problem with this but I'm not so sure. Knox is expecting to use, I believe it was, 12,000 to 24,000 gallons of groundwater a day. The EA states that this is a dry process, with the exception of dust control and equipment washing. That's true, unless they plan on making concrete sand, and concrete rock, or for that matter I believe even drain rock. Those processes involve washing the rock, or the dirt out of the sand. Now I don't know if they can do that on 24,000 gallons a day, but even if they can, 24,000 gallons a day is a lot of water. I see on the topographic map that the majority of the site up there is between 5,000 and 5,500 feet altitude. So even if they drill a 250 ft well, with our wells running from 100 to 120 feet they're still drawing their water from above us. Water runs downhill. Even under ground. What happens if our wells start running dry. That makes our houses worthless, not worth a dime. Or, we're forced to have new wells dug at a cost to us of tens of thousands of dollars, each. I don't know the financial situation all the other home owners are in but we live on our social security income. It's unlikely we could afford something like that. Or maybe the county brings in city water. We still have to pay for the hookup from the street in. The EA states that they anticipate "no impact to water quality, quantity, use, or water rights because of the lack of water in the area". Lack of water? What's that supposed to mean? I don't know the specifics, but a guy down the street here just had to have a new well drilled. I'm sure you can understand my concerns, I think they're valid, I would like to know more about the what if's about our water. Anyway you look at it, this will effect our home values, downward. The way I see it, BIA, Douglas County, and not least of all, Knox Excavating profit from this and residents out here lose. I thank you for your time.
LLLL-1	I am interested in reviewing an environmental impact study on the effects to Johnson Lane residents and road impact. Today there are over 6000 vehicles travelling Johnson Lane daily. Many of these vehicles are large loaded and empty multi-sectional trucks. There are many full width cracks that have been caused by heavy traffic. The county attempts to keep Johnson Lane passable by patching these cracks. Many of these cracks extend the full depth of the road. The referenced impact study does not address the road conditions nor does it address the noise and dust impact. The only reference to Johnson Lane is to mention that the added truck traffic, of up to 85 per day, would not impact the volume and that the road was built for more traffic. We would like to view a more detailed study of the impact on the road and the residences residing on Johnson Lane. Our residences are less than 1.1 mile off this road which is referenced in the present study as the closest properties.
MMMM-1	We bought our home last year because of the location -- it's safe, quiet, not crowded, minimal road traffic and a place we want to live for the rest of our lives. I'm sure that I speak for ALL homeowners when I say, "Please protect our health, homes and community". If the land owners and Knox Excavating want to be "Good Neighbors", they need to compromise and alter their Plan to protect the Human Impact of their endeavor. Much more time needs to be allotted to getting correct information on this project, involving and notifying the community, adjusting and correcting their Plan AND finding an alternative truck route.
MMMM-2	1. What yearly bond will be created and funded to protect and compensate individual homeowners and our community from fires, air pollution, water contamination, health issues, accidents that will occur when multi-ton trucks come in contact with recreational enthusiasts, etc.? Will Knox, BLM and BIA share the financial/social responsibility when something goes wrong?
MMMM-3	2. What Douglas County Agency will be responsible for policing the gravel pit operations?
MMMM-4	3. Will Knox/BIA pay for sound walls/additional landscaping for EACH homeowner whose property abuts Johnson Lane?
MMMM-5	4. Reparations and compensation for loss of our "outside space" should be part of the approved agreement. Their EA indicates they will work from dawn to dusk, 40-80 hours PER WEEK, EVERY WEEK.

Comment No.	Comment
MMMM-6	5. The hauling routes will be directly by our fence line on Johnson Lane. Our property value will significantly decrease; due to the noise, dust, etc., we will not be able to fully enjoy our outside space.
MMMM-7	6. Nearly 10,000 residents were never directly notified about the Gravel Pit, and I think this was intentional on the part of Knox and the property owners. Please make an addendum to their Plan that they must notify all affected homeowners of their plans and updates - by MAIL!
MMMM-8	7. They CAN find an alternate route that travels through BLM/BIA land and NOT through residential areas! Mr. Maxwell said there were alternate routes that didn't travel through residential areas but they were "more expensive". Considering the length of this contract, the additional cost expensed over 40 years would be minimal and a normal "cost to do business". In my opinion, it sounds like Knox Excavating is underfunded and doesn't have the resources to manage this project
MMMM-9	4. Page 14: Lifestyle/Cultural Values: "No lifestyle or cultural values would be impacted by the Project." FALSE. Every homeowner will suffer lifestyle changes -- massive increase in dust, pollution, noise, reduced use of Johnson Lane, reduced property values, etc!
MMMM-10	5. Page 15: Transportation Networks: "The roadway system (Principally Johnson Lane) constituting the haul route would have only a minor affect (increased truck traffic) but the Project does not change the road classification." MINOR AFFECT??? Up to 200 daily trips is NOT minor!
MMMM-11	Please ... Do NOT make this agreement with Knox. Please put the rights, protections and considerations of nearly 10,000 residents over the financial gain of a few. Knox needs to re-route his trucks through BLM/BIA land.
MMMM-12	For 40 years, BLM/BIA and Knox will financially gain from this endeavor and should accept all responsibility. If Knox Excavating can't afford to create a route through BLM/BIA land, maybe the land owners should find another entity that does have the financial resources to properly fund this project.
NNNN-1	I oppose the painted rock mine for the reasons below: The public was not adequately informed of this in a timely manner. I found out through our local newspaper and the public comment period had already started. If this mine project goes through it will have significant impacts on the health, safety and welfare of the residents throughout the Johnson Lane neighborhood for 40 years.
NNNN-2	Dust from the mine operation and the trucks along the haul route will not only be a nuisance but a health hazard. Gravel pits are known to contain silica which causes an increased risk of lung cancer, COPD, and kidney disease.
NNNN-3	The EA states that 12,000 to 24,000 gallons of water will be used daily from our Johnson Lane water hydrants and later from a potential well. In either case, precious drinking water which is in scarce supply in our valley and all of Nevada will be used up. We are in a drought now and are under conservation measures. Also, the earth movement can impact groundwater movement, interrupt natural water recharge and ultimately lead to reduced quantity and quality of drinking water for residents nearby. This could also impact residential wells in the area.
NNNN-4	Traffic will be a big problem along Johnson Lane which is a school bus route. It is only one lane each way, so I don't know how the children will be safe while waiting for the bus as well as entering and exiting the bus. The number of trucks, 30 to 85 per day, will cause bottlenecks along Johnson Lane and also while waiting to turn onto 395. These trucks will be idling and the diesel fumes will be present in the neighborhood frequently and for extended periods of time. There are numerous side streets full of homes that flow into Johnson Lane as well as many homes that have driveways directly off Johnson Lane.
NNNN-5	The noise from the mine and gravel trucks would negatively impact the homes in the area. People live here to enjoy the outdoors, but would likely not be able to be outside when heavy mine operations are occurring and all of the gravel trucks are going up and down Johnson Lane. Crushers are very noisy and if they end up blasting, that will be even worse. Even though there are no houses right next to the mine, they aren't far away and the noise will be heard. We are in a valley, and you can hear what is happening out in the BLM.
NNNN-6	Large amounts of diesel fuel will be stored at the mine site and the operators will only have hand held extinguishers and no cell service to reach fire fighters should something get out of control. This would be disastrous for the homes nearby.
NNNN-7	The EA contradicts where the haul route is. Going to the end of Johnson Lane, then to BLM land is mentioned. There is an OHV staging area at the end of Johnson Lane where families park and then enter onto the BLM to enjoy the outdoors. It is usually pretty crowded with people coming and going, so it doesn't seem safe to introduce all these gravel trucks. The other route that is mentioned is Johnson Lane to Fremont and then Sunrise Pass. Fremont is not a road that handles large vehicles, and the turn is very tight with houses on both sides. Sunrise Pass is completely residential and there are horses in the area.

Comment No.	Comment
NNNN-8	The EA states there is no impact to people or culture. That is not true. Johnson Lane is not primarily industrial, there are many homes here. I counted 74 homes that directly face or back up to Johnson Lane. There are many more behind those homes, all of which would be impacted by the issues above. In addition, homes near gravel pits tend to lose 15% to 20% of their value. A primary residence is the single biggest investment that people own. It's not just the money, but also the sense of safety and peace that a home offers. The mine and the gravel trucks traveling to and from it, will severely impact a lot of people. I completely understand and respect the families' right to use their property as they wish, but it doesn't seem fair if one party's rights infringe on another's. Ideally, I would prefer the mine not be so close to my house, but if the excavating company could use another route through BLM land and not through residential neighborhoods, that would go a long way.
OOOO-1	The EA describes an area that is steep and protected by natural barriers. If you go there and walk from our backyards to the site, you will see something entirely different IMO. "Phase 1 would include 50 acres of disturbance and excavation to a depth of 30 feet from the base of the bowl located in the Project Area (Figure 3 and Figure 4). The side slopes would retain their natural steepness during operations. Information from the Plan is detailed in the following sections. No open pits are proposed." I would suggest going out to see the actual site. I have walked the area many times as have many of my friends & neighbors. The bowl is not that deep or protective. Please see attached picture. The sounds of shooters shooting at the rock carried so well that it sounds as if it is in my backyard. The GPS distance from the nearest homeowner is actually 1.8 miles from the mine, not the 7.5 miles from Minden, another intentionally misleadng fact used to make it sound remote. The Town of Minden has not reason to be cited. *includes photo of site*
PPPP-1	Noise impacts: The EA concludes that there are no significant noise impacts due to the closest residential receiver being a mile away. Although distance coupled with topography may result in an insignificant impact, to understand the impact - noise modeling should be done. Based on other environmental documents that have been done for aggregate mining with rock crushing, it is clear that a distance of one mile when starting with the decibel levels of a rock crusher may not be adequate. Also, there is very little ambient noise in this portion of the county due to the distance from collector and arterial road and the low intensity development.
PPPP-2	LIghting Impacts: The EA concludes that due to a lack of electricity, there will not be lighting. However, lighting can operate on a generator, solar power, or battery power. I believe potential lighting should be considered and mitigations, including dark sky compliant lighting, limitations on pole heights, and limitations on spill over lighting should be identified as possible mitigations. The Pinenuts are one of the darkest parts of the County, and the mining use should not compromise that.
PPPP-3	Traffic Impact: The EA recognizes that Knox will enter into an agreement with the County regarding impacts to roads. According to today's newspaper, the County's transportation engineer finds that the potential agreement will not adequately address the impact on the roads. If the County's agreement is inadequate for mitigation, what mitigations should be considered?
QQQQ-1	We oppose this project because the EA did not adequately address the following issues:
QQQQ-2	Wildland Fire Prevention and Suppression-handheld fire extinguishers
QQQQ-3	Public Safety-diesel fumes with trucks every 6 minutes-residents in close proximity. 1.8 miles from nearest backyard. Heavy truck stopping abilities. Misstated community support
QQQQ-4	Impacts on water supply-22-24k gallons per day For silica dust control in a growing RESIDENTIAL area.
QQQQ-5	Traffic-entry points to Johnson Lane, inadequately stated to misrepresent impact.
QQQQ-6	Public meetings were not held or adequately advertised during the scoping phase of the EA.
QQQQ-7	A 40 year project is too long of a time to be addressed in a single EA
RRRR-1	I am writing you to voice my opposition to the Painted Rock Quarry. I had left you a voice message yesterday and am following it up with this. I live in the Skyline area on Nye Drive and we have enjoyed the peaceful neighborhood environment for over 11 years. If this is approved our property values will most definitely plummet. We are a community of mostly elderly people and these homes are our nest eggs, if you will. The noise and dust plus the rocks that will be kicked up to break our windshields driving down Johnson Lane are not acceptable in my point of view. There are also many children that stand along the road waiting for the school bus. All these trucks would definitely pose a danger to the kids. Could you tell me who would be liable for the damage? I'm not against growth, just growth at any cost. I would propose, at the least, that the trucks travel down one of the several dirt roads which parallel East Valley to the east (not down East Valley) and just cross it around Stockyard road. I realize this is probably owned by Bentley and an easement would have to be acquired, but driving Johnson lane is a disaster for all of the residents. I have contacted Mark Amodei's man in Elko, Martin Paris, and I would appreciate it if you could let me know of anyone else who might be involved in relocating/abandoning this rock pit that I might write to.

Comment No.	Comment
SSSS-1	Pursuant to the subject project report, I am submitting the following review. I am a resident of the Johnson Lane, Skyline Ranch community. As a Board member of the Skyline HOA, I represent nearly 300 residents. Notwithstanding, there are hundreds of residents adjacent to, and beyond, the Skyline Ranch community that utilize the main entry roadways- Johnson Lane and Fremontaccess points. As your publication is designated as a "Draft," I will provide my comments in the standard fashion: beginning at the start of your document and following through to the end. However, where appropriate, comments relating to important issues regarding the "Mining and Reclamation Plan of Operations," will be included here. For your convenience, and for others who may read this document, I will refer to the section and page of your Draft to which my comments are applicable.
SSSS-2	It is my understanding that some construction of the Painted Rock Mine [PRM] project has already been initiated. It has been my experience in the field of environmental compliance, that initiation of projects must delay until the Final Environmental Report has been completed, submitted, and approved by the governing authorities. Notwithstanding, there is usually a public comment period established culminating in an active public hearing where comments and concerns, both pro and con, can be expressed and recorded. It appears that the public comment period ending date has been established as September 20, 2020. I'm hoping that the date for the open public hearing will soon be announced. It is in the spirit of regulation 216.1 that this review include the impacts regarding the PRM project as relating to the regulation language regarding "…interest of the public at large…," and, …"avoid, minimize, or correct hazards to the public health and safety." My review of your "Draft" Final Assessment follows.
SSSS-3	INTRODUCTION In the first paragraph, the site of the PRM project is identified as being "West of the nearest residences." In fact, the project is located East of the nearest residences.
SSSS-4	In paragraph two, the life of the project is approximated as 40 years. Although this could mean that the PRM project could terminate sooner, it also leaves the door open for an opportunity to operate indefinitely. This would exacerbate the impacts on the area as discussed further in this document.
SSSS-5	1.2 Decision to be Made The subject Environmental Assessment is applied to the working site itself. As indicated in the first paragraph: "This Environmental Assessment (EA) is a site-specific analysis…" However, as I'm sure you are aware, any project of this magnitude must include the impact(s), direct or indirect, on the local community outside the working site, as well.
SSSS-6	In paragraph two, the possible outcomes of the review by the BIA are listed. Outcome Number (4) indicates: "deny approval of the Proposed Action if the BIA determines the Proposed Action does not comply with 25 CFR 216.1 regulations." This regulation states: § 216.1 Purpose. It is the policy of this Department to encourage the development of the mineral resources underlying Indian lands where mining is authorized. However, interest of the Indian owners and the public at large requires that, with respect to the exploration for, and the surface mining of, such minerals, adequate measures be taken to avoid, minimize, or correct damage to the environment - land, water, and air - and to avoid, minimize, or correct hazards to the public health and safety. The regulations in this part prescribe procedures to that end. It is in reference to this regulation that this Draft review is submitted. It is in the spirit of this regulation that this review include the impacts regarding the PRM project as relating to the regulation language regarding "…interest of the public at large…," and, …"avoid, minimize, or correct hazards to the public health and safety."
SSSS-7	1.3 Summary of Issues Again, the internal scoping considerations should have included the impact(s) to the local community regarding a long-term project of such significance as related to public lands and health and safety.
SSSS-8	2.0 The Proposed Action and Alternatives It appears that from the four(4) alternatives offered under "Decision to be Made," only two will be considered. The first being: "Approved as is or with modifications or additional mitigation measures." The second being: "Denial of the project entirely." It is interesting that "modify or replace the proposed action with an alternative action", nor the "preparation of an EIS" will not be considered at all.

Comment No.	Comment
SSSS-9	2.1 Proposed Action The length of the PRM project is estimated at 40 years. This is a point of concern since there is not a definite ending to the impacts on the local community. This insinuates that the project could be in operation with the associated impacts, indefinitely. Phased Mining The 'growth media' will be stacked up in berms up to 50 feet high around the perimeter of the mine area. The resulting questions are: [1] What BMPs will be utilized to protect the growth media during wind and rain? [2] How will the growth media be protected during the time of germination of the certified weed-free mix? [3] How will the erosion of these stockpiles be prevented during the time required for germination of the 'interim seeding? [4] What methods will be utilized to prevent fugitive dust during the establishment of sufficient plant coverage? It appears that when the material is "distributed back over the mined-out area during reclamation," all the growth from the certified weed-free mix will be destroyed. The Draft indicates that "blasting is not anticipated…" It has been my experience that certain approaches provide the opportunity for exactly what the intention is purported to prohibit. In this case, the utilization of 'blasting' can be an open-ended option during the PRM project.
SSSS-10	Access The principal community issue with the PRM project is, in fact, the use of Johnson Lane and Fremont roadways as the primary access to the project. As indicated in the Draft, (as measured from Highway 395), the first mile of Johnson Lane is classified as a major collector. This classification is assigned to facilitate the traffic related to a small commercial development just south of the Johnson Lane roadway. Heavy industrial operations do not exist along this roadway. As indicated in the Draft, the following three miles to the terminus of Johnson Lane are classified as a minor collector. This classification represents the majority of the traffic on Johnson Lane being – residential. Comments Regarding Traffic Density The zoning and specifications regarding the construction of this roadway is not the issue. Regarding traffic flow, the Douglas County approach to the roads in the urban and rural areas has been to institute a Level of Service (LOS) at the classification: C. LOS C is defined as: Restricted flow that remains stable but with significant interactions with others in the traffic stream. The general level of comfort and convenience declines noticeably at this level. As of 2019, the daily flow of vehicles transitioning Johnson Lane at the intersection of Highway 395 was 5,800. Of those, 3,800 vehicles traveled through the residential area along Johnson Lane roadway. The vast majority of this traffic is composed of automobiles. In a 24-hour period, 158 vehicles travel the roadway each hour. Considering the extremely low level of traffic during late night and early morning, the concentration of traffic per hour is significantly greater during the operating hours of the PRM project. Pursuant to the Douglas County traffic data reports, the following table was constructed to extrapolate the traffic density over the expected life of the PRM project.

Comment No.	Comment
SSSS-11	As the table indicates, over the duration of the PRM project, there will be an increase of an estimated 3,029 vehicle trips on the Johnson Lane roadway. This represents an increase in traffic of approximately 20%. Additional support from the 2011 Douglas County Master Plan indicates the 2007 Transportation Plan assumed an annual growth rate of two(2) percent. However, based on 2010 Census information, the Douglas County population between the year 2000 and 2010 increased by 14 percent, an annual growth rate of approximately 1.4 percent. Moreover, the population of Johnson Lane in 2017 was 6,134. Currently, the population is 6,490, an increase of approximately 5.49%, approximately 4.0% higher than that of the county at large. This dictates additional traffic. Over time, the LOS C will degrade to LOS D or lower. With the addition of 85 PRM product trucks per day, and the same number returning, this decay will only be accelerated. LOS D is characterized by higher road density, freedom to maneuver is severely restricted and comfort and convenience declines rapidly. Safety is a significant consideration especially when dealing with winter road conditions, a loaded truck, and the slope of the Johnson Lane roadway. Comments Regarding Roadway Damage The Draft indicates that the additional truck traffic impact from the PRM project will not exceed the "designed capacity as a rural collector road." Exceeding the designed capacity of the Johnson Lane roadway is not the issue. The primary issue is related to the number and type of additional traffic. In addition to the increased number of automobiles (see chart above), the Draft indicates that the PRM project will increase the traffic by approximately 85 trucks per day, plus those returning. Compared to the total "vehicle trips" this may not appear to be significant. However, the proposed number of daily truck trips equates to approximately one truck every three minutes(85 full + 85 empty trucks per eight hours). Notwithstanding, a study by the U.S. General Accounting Office (GAO) determined that the road damage caused by a single 18-wheeler was equivalent to the damage caused by 9,600 automobiles. (GAO: Excessive Truck Weight: An Expensive Burden We Can No Longer Afford, CED-79-94). The study based its calculations around the number of axles per vehicle. In summary, the study found that essentially, road damage was related to the 4th power of the relative loads. For example, if one vehicle carries a load of 1,500 pounds per axle and another carries a load of 3,000 pounds on each axle, the road damage caused by the heavier vehicle is not twice as much, but 2 to the 4thpower as much. (2x2x2x2 = 16 times as much road damage as the light vehicle). Putting that in perspective of the PRM project, consider the trucks having an average weight nearing 80,000 pounds
SSSS-12	Comments Regarding Public Health and Safety The health impact is significant. The high number of trucks traveling on the Johnson Lane roadway, nearly one every three minutes, will produce a nearly constant environment of toxic air. Moreover, these trucks will certainly not be separated equally. Considering slower automobile traffic, turning traffic, and road conditions, it is expected that several product trucks will be backed up either moving very slowly or stopped. This condition will certainly occur at the intersection of Johnson Lane and Highway 395. During these occasions of a very slow or stopped group of trucks, they will be at idle, ejecting toxic exhaust into the local environment. With the roadway in close proximity toresidences, it is of great concern that these toxic exhausts will impact the households and families. Additionally, there are several school bus stops along the Johnson Lane roadway. Children are especially susceptible to the toxins contained in diesel exhaust. Even if the PRM project attempts to avoid travel during school bus schedules, it would be difficult to maintain due to occasional school bus schedule inconsistencies. Moreover, delaying product loaded trucks to avoid the school bus stops, would likely create some backed up trucks, idling. Pedestrians, bicyclist, motorists, joggers, patrons at the local county store, and families along the Johnson Lane roadway will all be subjected to diesel toxic exhaust – nearly daily, nearly continuously for forty years. The Cal/EPA's Office of Environmental Health Hazard Assessment (OEHHA), completed a comprehensive health assessment of diesel exhaust. This assessment led to the California Air Resources Board (ARB) to formally identify particles in diesel exhaust as a toxic air contaminant that may pose a threat to human health. The OEHHA found that persons spending time on or near roads and freeways face exposure to higher levels of diesel exhaust and face higher health risks. Exposure to diesel exhaust can have immediate health effects. These include irritation to the eyes, nose, throatand lungs, and it can cause coughs, headaches, light-headedness and nausea. Allergies can become more severe. Elderly as well as children are particularly susceptible to lung complications including emphysema, and asthma. A recent study (EPA, Integrated Science Assessment for Particulate Matter, December 2009 EPA/600/R-08/139F), tested the effects of diesel exhaust inhalation on spatial learning and memory function. Effects were demonstrated the first day and for the following term of the study. Other conclusions regarding PM2.5 are: a causal relationship exists between short term exposures to PM2.5 and

Comment No.	Comment
SSSS-13	[1] During winter operations, the terminus of the Johnson Lane and Fremont roadways can become contaminated with mud and debris from trucks exiting the dirt road. This material can freeze and thaw producing an unsafe slick extending down the slope of the Johnson Lane roadway. With continued truck traffic, this impacted road area will extend with increasing distance. During the warmer season, this area would simply become a slippery mud-covered road surface. Both scenarios contribute to an unsafe roadway condition for automobile drivers, recreational vehicles, and pedestrians. [2] Considering that PRM production trucks will be traveling the Johnson Lane roadway at a frequency of approximately one truck every three minutes, it is completely reasonable to expect backed up trucks at various locations along the roadway. This is particularly true at the intersection of Johnson Lane and Highway 395. At this location, it would take only a few trucks waiting to make a left turn, to fill the left-turn lane, and completely block the availability for traffic making a right turn on to Highway 395. If the PRM trucks are making a right turn onto Highway 395, the same condition can exist where a few of these trucks slow to nearly a stop as they negotiate the turn into the acceleration lane. [3] With increasing traffic densities at high speeds on Highway 395, whether the PRM product trucks enter the highway northbound or southbound, they will contribute to a road safety hazardous condition as they enter and exit the acceleration lanes. This is especially true for the southbound acceleration lane. [4] From the terminus of the Johnson Lane roadway at the BLM property, the roadway slopes downward towards the west. During the dry season, considering the road weight of a PRM product truck being between 60,000 pounds to 80,000 pounds, traveling at the posted speed limit of 45 mph, it would require very little, on a two-lane road, to result in a dangerous situation leading to significant injury or even death. The same scenario during the wet season would increase this outcome significantly. Assuming the trucks will be traveling at a much lower, safer speed, this will only contribute to traffic slow-downs resulting in more braking, driver frustration, and possible unsafe operations. [5] Currently, the Johnson Lane roadway is traveled by: (a) school buses making frequent stops to load and unload children. (b) automobiles entering and exiting residences along the roadway. (c) patrons in automobiles entering and exiting the general store. (d) youngsters riding dirt bikes and recreational vehicles. (e) joggers and other pedestrians. (f) postal deliveries making frequent stops.
SSSS-14	Water Use (page 4) The Draft indicates that water will be utilized primarily for fugitive dust control. However, a “wash plant” could be required which utilizes water to operate. Further explanation as to the use and volume of water necessary for this “wash plant” is appropriate to include in this Draft. It is planned that water for the PRM project will be obtained from existing fire hydrant(s) along the Johnson Lane roadway, approximately two miles from the Project area. In fact, there are five(5) hydrants along the roadway on the north side, and two(2) on the south side. The south hydrants are adjacent to the roadway and a stormwater drainage channel. Four of the hydrants on the north side are adjacent to street corners or directly in front of residents where a narrow area exists between these properties and the roadway itself. The only hydrant that has enough clearance for a water truck to safely pull off the roadway is nearer to Heybourne street, which is approximately four(4) miles from the PRM project site. It will be necessary for a water truck to travel over most of the Johnson Lane roadway in order to reach the working site. The Draft does not address the volume of water that will be necessary to initiate and maintain the 50-foot high berms of growth media around the working site. Apparently, by well or by fire hydrant, the PRM project expects to be utilizing approximately 24,000 gallons of water per day. The question is: will the cost of well water equal the cost of hydrant water? It has been well known for years that one of the most important issues and concerns in the Carson Valley is – water. In fact, water is a major consideration when County Planning reviews projects when considering the estimated growth of nearly two percent in the communities. To put the PRM project water use in perspective, considering a 6-day work week: 24,000 gallons per day= 576,000 gallons per month; 6,912,000 gallons per year; 276,480,000 gallons per 40 years, or, 21.2 acre-feet per year, 848.5 acre-feet per 40 year, or, 36,864,610 cubic feet. A hydrological inventory was conducted in 2013 by the Nevada Division of Water Resources regarding the Carson Valley (Hydrographic Bain 08-105). The volume of water expected to be used by the PRM project represents a 12% increase (in acre-feet), in the annual total usage of the entire Johnson Lane community. Currently, the Johnson Lane communities are engaged in weekly irrigation rationing. While the community continues to
SSSS-15	Reclamation - The Draft does not indicate the length of time that will be devoted to: (1) post-closure monitoring and maintenance, and (2) maintaining drains, swales and berms for stormwater control. Figure 3 indicates less than 50% of the site will be reclaimed.

Comment No.	Comment
SSSS-16	2.2.1 Environmental Protection Measures Surface Water - The PRM project will establish a SWPPP for the working site which will include various BMPs to prevent runoff and erosion. However, a significant safety condition may develop offsite due to the mining operations. It is critical that a tire cleaning BMP be established at the transition of any dirt road to a hard surface road to prevent mud and frozen tire debris being transported to the roadway. During the winter season, tire mud and debris can collect and freeze on the roadway. Mud being transported to a community roadway in winter can produce a frozen mud surface creating a dangerous hazard to drivers.
SSSS-17	Air Quality - As indicated by the scope of the EA, the impact is only addressed to the active quarry site itself. However, there is a significant potential of impacts offsite due to the operations of the quarry. One of the impacts is on the air quality of the residents all along the Johnson Lane roadway and other roads associated with the loaded product trucks. The PRM project acknowledges that 85 loaded trucks will travel the roadways to Highway 395. Considering that these trucks will return for reload, that totals some 170 trucks on the roadways, per day. The diesel exhaust will be considerable. Especially when considering that it will be common for several trucks to be backed up, stopped at various times. All standing and idling their engines, ejecting harmful exhaust to the local residents who live only feet from the roadway. See: Comments Regarding Public Health and Safety, page 7-8, above. Notwithstanding, numerous diesel engines operating simultaneously at the work site will produce unhealthy air for the residents only about 5,200 feet away.
SSSS-18	Affected Environment and Environmental Consequences (page 12) Table 3-1: Components of the Human Environment (page 12) Transportation Networks (page 15) The potential of the PRM project changing the classification of the Johnson Lane roadway is not the issue. The detrimental impact to the community is the 85 loaded trucks that will travel this roadway each day. Moreover, if 85 loaded trucks are expected to travel the roadway, it follows that 85 trucks will be returning to be refilled. Obviously, that requires 170 truck trips on this single roadway each day. The majority of this roadway and the Fremont road area pass through four to five miles of residences. It is unreasonable to consider these 170 daily truck trips as having “only a minor affect” on the road traffic and community. The PRM Draft states that the roadway was “designed to handle increased truck traffic.” It’s not clear just what that means. A roadway is “designed” for specific types of vehicles, not for “increased truck traffic.” This empty statement appears to be included in a vailed attempt to justify the significant number of truck trips per day. The monumental increase in large truck traffic through the residential communities is, by far, the most significant and dangerous issue relating to the PRM quarry. It is disingenuous to flatly indicate that: “This component is not analyzed further,” when it demands significant study. The “May be affected” designation should be corrected to indicate: “Yes”
SSSS-19	Noise and Light (page 15) Five diesel engines operating simultaneously in conjunction with the associated operations of crushers, shakers, and stackers will produce significant noise levels. The notion that there are “no nearby receptors” is inaccurate. The receptive community is approximately 5,200 feet away from the active site. Moreover, the topography of the site will not reduce sound impacts. Due to the configuration of the site, the “bowl” will actually amplify all operational sounds generated. Consider the design of an amphitheater. Additionally, the constant low frequency hum during the operation as well as nearly constant truck traffic will permeate the community starting at early morning hours. The “May be affected” designation should be corrected to indicate: “Yes”
SSSS-20	Visual (page 15) It is unfortunate that the Draft addresses only those activities located at the quarry itself. The “visual” impact is significantly obvious on the roadways where considerable truck traffic will be seen relating to the quarry. Additionally, the Draft indicates that the site will “be easily visible from the Minden area.” The Minden “area” suggests a large scope. There is no reference to guide the reader. This indicates that the site will be seen from a large area by a significant number of residents. Notwithstanding, it is completely subjective to suggest that the quarry will not “dominate” the view from Minden. Indeed, it appears that there was significant effort afforded to dismiss this impact of the project. The “May be affected” designation should be corrected to indicate: “Yes”

Comment No.	Comment
SSSS-21	Public Health and Safety (page 16) Again, it is inappropriate that the Draft limits the impact of the project to merely the quarry bowl. Moreover, a short blanket statement, in the Draft, does not adequately address the major activities and the associated health and safety efforts in these areas. Although operations at the site itself may incorporate following "all local, state, and federal regulations," the quarry includes "operations" off site as well – specifically trucking. It is in this area that the public health issues are significant. The "May be affected" designation should be corrected to indicate: "Yes"
SSSS-22	Hazardous Materials (page 16) The Draft identifies the Johnson Lane roadway as only that portion between Highway 395 and the commercial/industrial complex south of the roadway, about one mile in length. The transportation of hazardous materials and waste along the residential portion of the Johnson Lane roadway is not considered. Although the "Yes" in the "Present" column may represent the one-mile portion of the roadway, it is disingenuous to suggest that it represents the entire length of the roadway. Delineation is appropriate. Hazardous materials and waste on residential roads is an issue. The "Present" designation should be corrected to indicate: "No" The "May be affected" designation should be corrected to indicate: "Yes"
SSSS-23	Land Resources (page 17) 3.2 Geology and Minerals, Topography and Soils (page 17) Environmental Consequences (page 17) Proposed Action (page 17) The Draft indicates that the "overall impact" associated with the project is "considered beneficial," due to the material quarried would be used as road base elsewhere. This may or may not benefit the citizens of Minden. There is no guarantee that this would be a certainty for the community. What is certain is the community will suffer significant negative impacted, physically, emotionally, and financially through road deterioration; traffic safety and congestion; and, by a significant decline in home values. The Draft states the following: The goal of BIA-level decisions, published in 25 CFR Part 216 – Surface Exploration, Mining, and Reclamation of Lands, establishes the department's policy "to encourage the development of the mineral resources underlying Indian lands where mining is authorized." It is disingenuous and inappropriate to omit the entire goal/purpose as stated in Part 216.1 to complete the statement: § 216.1 Purpose. It is the policy of this Department to encourage the development of the mineral resources underlying Indian lands where mining is authorized. However, interest of the Indian owners and the public at large requires that, with respect to the exploration for, and the surface mining of, such minerals, adequate measures be taken to avoid, minimize, or correct damage to the environment - land, water, and air - and to avoid, minimize, or correct hazards to the public health and safety. The regulations in this part prescribe procedures to that end.
SSSS-24	No Action Alternative (page 18) Paragraph one, line two, states: "Under the No Action, no aggregate materials would not be removed from the site…" It is presumed that the word "not" (bold and underlined) was added in error. The statement should read: Under the "No Action decision, no aggregate materials would be removed from the site…" Additionally, regarding the true scientific intent of Environmental Assessments, it is inappropriate and unprofessional to include any statement regarding the impacts on the personal position of those entities involved with the assessed project. For example, it is not the purpose or focus of this Environmental Assessment toannounce the financial results should the EA result in a "No Action" determination. If that is to be accepted, then corresponding to the statement regarding the "allottees would not receive royalty payments for the mineral materials," should be accompanied with a statement regarding the estimate of the enormous financial loss in property values that will be suffered by the local community should the project go forward.

Comment No.	Comment
SSSS-25	Cumulative Impacts Analysis (page 23) The use of 40 CFR 1508.7 isn't fully appropriate for several reasons: (1) Forty years is not defined as a "foreseeable" future. (2) The sum of all past activities is not valid since the only "activity" that can impact the actual environment (soils), is the quarry. (3) This EA addresses only the activity site and not the impact of the process which is appropriately included in these types of assessments. In this case, the process includes transportation of the product. (4) This project is clearly not a process of manufacturing, packaging, and shipping. The Draft indicates that a five-mile radius was determined in the CESA. However, it conveniently "excludes the irrigated and densely populated area along Johns Lane." In fact, in Figure 5, the furthest reach of the CESA boundary is less than a five-mile buffer. It is interesting that the analysis regarding the CESA stops exactly at the backyards of the residences of Johnson Lane. 5. Persons, Groups or Agencies Consulted (page 24) The physical access regarding the PRM project involves only the BLM, and, only for a very small portion of the project, a road. The BLM will evaluate the road utilizing the most, broad criteria – the Categorical Exclusion. Other agencies were consulted that represent a more indirect influence of the project. Of course, for a relatively small plot of desert, these agencies found no impact from the project. The Draft even acknowledges that some "animals will be crushed." It is remarkable that the "Persons or Groups" that are most significantly and severely impacted by the PRM project are not on the list, namely the residents in the communities through which millions of tons of rock will be transported. Notwithstanding, the county of Douglas was not formally consulted, but merely "notified."
SSSS-26	Considering the extensive impact the PRM project will have on the local community, the scope of the evaluation of such a significant endeavor should include the criteria required in 40 CFR 1508.25(c) - Impacts, which may be: (1) Direct; (2) indirect; (3) cumulative. Although the focus of this Environmental Assessment was specifically intended to relate to the actual working site of the quarry, it is entirely reasonable that the surrounding community be included. When examined, the impacts onthe local community far out- weigh those on the small portion of virgin desert. It understandable that the consultation involving the limited list of organizations and agencies results in a statement of 'no impact.' However, the overall evaluation should rely on applying questions, and the details of impacts to the site and surrounding community as well. On the basis of a more comprehensive, exacting, and realistic scope, the conclusion of this evaluation should result in the decision (No. 4, page 2): "to deny the approval of the Proposed Action."
TTTT-1	The EA as submitted by Knox Excavation is extremely flawed and appears to be intentionally misleading. The neighborhood is residential with homes in less than 50 from requested trucking. The traffic on the upper half of Johnson Lane is primarily cars and far less than characterized in the EA. It is residential for most of it.
TTTT-2	The closest homes homes are actually less than 2 miles by my GPS tracker.
TTTT-3	The water usage will stress the community in a few short years, and possibly affect my well at the same time if the drill a well.
TTTT-4	Fumes from up to 85 trucks per day plus 6-12 water trucks are a potential health hazard to me and my neighbors from the diesel. If the projected operation goes on for 40 years as requested, the wildlife that I cherish will be non existent.
TTTT-5	This project was not presented to the community publicly in any way until the Douglas County commissioners appeared to desire moving forward.
TTTT-6	I am very upset at the way it seemed to be snuck into our backyards.
UUUU-1	I adamantly oppose the development of this mine. Since time is running short, I will only provide bullet statements at this time. Hopefully, I will be given the opportunity in the near future to voice my concerns. 1.NEPA regulations were not adhered to.
UUUU-2	The Douglas County BOCC was not notified about the project nor included in the scoping portion of the EA.
UUUU-3	The public was not notified.
UUUU-4	Since work has already begun at the mine site, it's pretty obvious that the FONSI decision was made in advance of any public input or comment.
UUUU-5	Incompatible with other historic uses of the area. Hiking, horseback riding and OHV use.
UUUU-6	Safety issues with incompatible uses. I.E. Gravel truck vs OHV
UUUU-7	Fire prevention and suppression plan is ridiculous. Obviously who ever wrote that portion of the EA is absolutely clueless.
UUUU-8	Water resources drying up
UUUU-9	Private property land values depreciating.

Comment No.	Comment
UUUU-10	Noise from the trucks
UUUU-11	Noise from blasting and processing of materials
UUUU-12	Public health and safety regarding school bus traffic and stops. The children
UUUU-13	Dust abatement. It's dusty enough here without the mining operations creating more dust.
UUUU-14	This project was not thought out very well. The people in the Johnson Lane community do not want this mine in our neighborhood.
VVVV-1	email file contains PDF
WWWW-1	Considering there is a growing community right below this mine and the access road runs right through it I am shocked that there has not been an EPA report on it, or am I missing something? I would imagine that during the time of the lease this community on Johnson Lane will get larger. The road which is only two lane and not very robust at present will deteriorate with heavy trucks on it every day. The mining company says it is willing to pay for some maintenance. Is that in writing ? We've all heard about such empty promises before. Will they be assessed enough? What if they go out of business and a mess is left behind? Has anyone thought about having them do some reclamation? What about dust mitigation in this very dry area? It seems a very sudden decision without much advance preparation on the part of the involved parties.
XXXX-1	I am writing to let you know that I am opposed to the Painted Rock Mine. A mining operation in the middle of BLM land which has been set aside to not be developed and for peaceful enjoyment will ruin it for current and future generations. We regularly go to the BLM with our family to enjoy nature and appreciate that this public land is available. Being that you represent Indian Affairs I would think that there would be a greater respect for the land previously occupied by the aboriginal's than short-term profits which permanently scar the beauty. I don't think the ancestors would appreciate harvesting the land in this way, causing pollution and having trucks driving up and down in an area which children play, people ride their horses and people go to spend the night to get away from civilization. Plenty of federal funding is already provided by the tax payer, for things like healthcare and other services to not require destruction of beautiful protected lands. 68% of the land in Douglas County, NV is owned or in trust by the federal government and not in private ownership specifically so it is not developed. By developing this land, it's a failure to adhere to the original purpose it was set aside for and it may as well be sold to the highest bidder to turn it in to a housing development with thousands of homes and not permit the public to enjoy it. I am not an environmentalist, but I choose to live rural residential because of the peace and quiet that I want to enjoy and for my children to be able to enjoy. I am a community resident that lives on Nye Drive in Skyline Ranch and am less than a half mile from the BLM land. Having the BLM land right behind us was a major factor in buying our house as we didn't want development behind us. We also wanted to be as far away as possible from traffic noise on highway 395 so we can have peaceful enjoyment. My development alone has 130 houses in it all of which are worth more than $500,000. Even if only a 10% property value loss occurs because of the mine, that's already $50,000 per home or $6,500,000. Given there are 10,000 residents in the Johnson Lane area it wouldn't be unrealistic to multiple this number by 10 and be at $65 million. We bought our home because of the location; where it's safe, quiet, not crowded, has a great elementary school for our children and a place we want to live for a very long time. The mine with 10,000 - 20,000 trucks per year traveling to and from it is almost as bad as having a major airport in our backyard or a nuclear power plant that no one wants to live around. Due to COVID having a large crowd of people attending public hearings with Douglas County, BIA and BLM to voice their disapproval isn't happening right now, so at present sending you an email to let you know how the community feels is a starting point.
YYYY-1	As a resident of the Johnson Lane area I am curious if Knox Excavating can be operating at the Painted Rock Mine already? Knox Excavating trucks have gone up the road today. I'm just curious if there is some sort of exempt activity that can be occurring prior to your office approving the project? If not, perhaps you should inform them that the activity cannot occur at this time.
ZZZZ-1	I wanted to voice my concern regarding this development and the impact it will have on my community. First, I am really disappointed in how this has all come to our attention, rather than announcing the intentions prior to the start of construction, many if not most of us did not learn of this until the equipment was moved out there and changes were being made. I understand it is taking place on heritage property and that the tribe has a right to do what they want with their land but part of being a good neighbor is working with those that would be impacted by this...which aren't on heritage property.

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ZZZZ-2	Yes, a short part of Johnson Lane is already used by large trucks in support of the industrial park area but the distance between the industrial park and Highway 395 is not overly populated, with the few residential homes set well back from the road. The part of Johnson Lane that the gravel trucks would transit contains many homes in close proximity and even though part of it was just repaved, I doubt it was done so with consideration to the substantial increase in weight and traffic that this project would send down it. I am also concerned for the safety of the residents that live on Johnson Lane - with a speed limit of 45 MPH how far would it take a fully loaded truck to stop in the event someone pulls out of their driveway? It happens now....however passenger vehicles are able to stop in a much shorter distance. Now I know communities all over the world have large semi-trucks travel down residential roads all the time and businesses that run those trucks have run the numbers and feel the risks are acceptable...but what if it was your families life that was forever impacted when a gravel truck doesn't stop in time. Yes I know it's not a good argument against...and it's more NIMBY (Not In My BackYard) but we all know someone is going to get hit over the course of this projected 40 year plan and sadly, it'll probably be more than one family that will forever be impacted....
ZZZZ-3	I am also concerned about the use of the BLM land all around the project - not only is it used by the residents of this area but also folks from California and other locations come here to ride OHV over the countless miles available to us. People also take advantage of exercising their 2nd Amendment at many locations all around where this project is being put into place....in fact, the exact location where he no trespassing signs have been installed was a favorite of many due to it's excellent features to allow safe target practicing.
ZZZZ-4	Also, how much water is this going to use? Sure there have been water studies done saying we've got plenty of water...but many of us are still on wells and are constantly having to drill deeper to reach water. With Douglas County shipping water to Carson City, constantly building new housing developments, etc. I am very concerned at the availability of drinking water in our near future.
ZZZZ-5	I realize all my concerns are NIMBY'ish but they are concerns that have not been addressed and when, especially the water one, does get discussed prior to some of the housing projects already approved, it's either dismissed off-hand or some high paid consultant shows graphs about how it's not an issue....until it is. I am deeply disappointed at how all of this has been put into place, my guess is Knox knew they would get push back so they did as much as they could to get the ball rolling before the public knew...and a rolling ball is much harder to stop. Our community doesn't want the mass volume of large trucks going up and down Johnson Lane, the damage to our roads, our quality of life and the enjoyment we have of the outdoors will for many of us, our lifetimes, be forever diminished by this project.
AAAAA-1	My comments concerning this operation are probably running counter to most. I’m in favor of this operation for the following reasons. 1.As a Douglas County based general building contractor since 1984, I’ve definitely seen the need for a local source gravel pit operation. It has been the last few years that availability of these materials has been getting harder and harder to find for local building projects in the Carson Valley.
AAAAA-2	The geology of Carson Valley is most typically a lens of expansive clay type soils that need to be removed for good construction building practices. This results in the need for good “structural fill” to complete these projects.
AAAAA-3	As a result of the decline of available structural fill materials locally in the Carson Valley, costs for the development of local projects goes up due to the increased trucking costs to bring the materials in from other jurisdictions, typically North Cason City or Moundhouse. This will affect costs for any modern construction project performed in the Carson Valley. There is a real need for this operation in the Carson Valley.
BBBBB-1	To whom this may concern , I am writing and am extremely opposed to this project. I feel the following issues We’re not adequately addressed.
BBBBB-2	Wild land fire prevention and suppression
BBBBB-3	Public safety. (School children are bus stops, residential houses)
BBBBB-4	Traffic
BBBBB-5	Impacts on our water supply
BBBBB-6	Public meetings were not held or adequately advertised during the scoping phase of the EA.
BBBBB-7	This proposed 40 year project is much too long of a time to be addressed in a single EA.
BBBBB-8	Please consider all of these important issues that will impact us all that live in the Johnson Lane area who will be affected. This will impact us all and our quality of life Will be tremendously affected. There must be a better way forward to help us all out to lessen the impact this will have on our neighborhoods. That’s what we rely on you for. So please consider each and everyone of our requests. Find a better way forward.
CCCCC-1	We live in Skyline Ranch at top Johnson Lane Minden NV. We have reviewed the environmental impact assessment. It is flawed and does not properly address unacceptable environmental impacts on established residential communities - to name a few impacts:

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CCCCC-2	1) The traffic impact in a in terms of noise and congestion from heavy truck traffic right through established residential areas.
CCCCC-3	2) The upper Johnson Lane is essentially a residential street and the pavement will not support the projected heavy truck traffic.
CCCCC-4	3) Impact of noise and dust associated activities at the mining site. The claimed “natural” berm shielding is just not there.
CCCCC-5	4) Impact of the projected water usage at the mining site. Water is a very limited commodity here in Carson Valley.
DDDDD-1	Let me start by saying I live at the top of Johnson lane and am not against this project. I think with BINg coming towards the end of the digging abilities we need to have something inner area or else the price of rock is going too go sky high.
DDDDD-2	With that being said, I am against all of these big trucks driving up and down Johnson lane especially when there is school bus stops, kids walking to and from those bus stops and it being a residential area. All the Starbucks trucks turn before the residential area and do not pose a threat. In my belief, I think they should have their own access road. Pave the way to the dead end behind thew airport, I am sure Starbucks and the airport would even help them fund it, or Bentley and give him a surcharge. Some of that land is even Indian land. At the end of the day it is not fair to the community for added traffic, exposed danger to our children and the added traffic and commute times which would bring destruction to our roads. I hope you thoroughly think this through before starting the project as I am sure the whole Johnson lane area will be coming together in suit for them to pave their own way to the highway! Thank you for reading this,
EEEEE-1	I am absolutely appalled at the thought of this invasion to our community. And the lack of notification to the residents that will be so affected. We live in a residential neighborhood, not an industrial community. We have school children waiting for buses on Johnson Lane. Would you want your children standing beside speeding rock trucks? The trucks will tear up our streets, the rock trucks will undoubtedly drop a lot of rocks from their loads which will result to property damage with rocks being picked up by any moving traffic causing extreme damage to vehicles behind them. The amount of water that will be drained from our system. The increased fire danger. Please put a stop to this project.
FFFFF-1	I'm TOTALY disappointed in your lack of consideration for the residents of the Johnson Ln. neighborhood. here are some of the highlights of our concerns.
FFFFF-2	1. The drainage of our Aquifer system for your dust management.
FFFFF-3	2. The safety of the users of the OVH area, with the large volume of truck driving through the area.
FFFFF-4	3. The safety of the pedestrian traffic who uses the Sun Rise Pass for exercise and walking their pets.
FFFFF-5	4. The deterioration of our tranquil neighborhood.
FFFFF-6	5. The heavy usage of truck traffic on Johnson Ln, the debris, dust, noise and safety of our local residents.
FFFFF-7	6. The usage of Sun Rise Pass a BLM road for commercial use through one of the most expensive neighborhood in the Carson Valley.
FFFFF-8	7. This project need to stop till all possibilities for its use is addressed.
FFFFF-9	Please stop this project for further review.
GGGGG-1	I already sent an email regarding many concerns about this quarry and remembered something that I forgot to include. Our children were hit by a car turning onto Fremont a few years ago. This accident totaled their ford explorer, but thankfully the kids were not injured badly. This neighborhood is laid out in a way that lends itself to many accidents. Practically every single residential street enters and exits onto Stephanie, Johnson Lane and Fremont so there are numerous small intersections, many with poor visibility where accidents happen all the time. This neighborhood also has narrow roads with steep shoulders, narrow shoulders, crumbling shoulders, no street lights, shallow setbacks for homes, etc. None of the roads in Johnson Lane are able to practically or safely accommodate this dangerous traffic.
HHHHH-1	My name Is XXXXXX and I work at Re/Max Affiliates. I wanted to ask you if you think the Rock Quarry will be using Sunrise Pass RD in the Johnson Lane area for there driving needs to get to the gravel pit? I might be selling a home on that street.
IIIII-1	It has recently been brought to my attention that our quiet Johnson Lane area is about to be overrun with gravel trucks. I would like to point out a few concerns that will come with this new change in the neighborhood.
IIIII-2	Our now family friendly, quiet neighborhood will soon be less quiet and more dangerous for our growing family. As a young couple who is preparing for a beautiful life it makes me nervous thinking of the increased traffic flow in our area. Right now we can walk down any street and feel safe with the medium amount of traffic, we see kids on bikes, horse riders and even the occasional ATV or dirt bike. However, when gravel haulers start to come down our roads and through our neighborhood it now becomes not safe for our children to ride their bikes, not safe for horses to be ridden beside a huge truck. The life we know right now will change and I'm sorry to say for the worst.

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IIIII-3	Another big concern I have is for the roads, overusing and abused roads come with quicker deterioration and a bad quality of road. When the roads start to fall apart so do cars, our cars are not meant to be ridden over huge potholes and bumps everywhere. I was raised in Iowa and lived about 5 miles from a rock quarry during the summer our yard would be absolutely covered in dust and our road would have potholes and bumps everywhere! It was absolutely horrible; I can't count the amount of times I heard my car bottom out when going over an unexpected pothole. The next thing is the dust, Nevada is a desert and is already dusty enough with the increase in traffic it will lead to dustier travel and air. On Fremont in particular there are tons of horses around the dust is going to make them sick and some horse borders might lose business over this.
IIIII-4	Now that we are on the topic of animals, lots of locals have their horse pens bordering the roads that these trucks will be traveling there is going to be a problem with horses being easily spooked by big trucks which could lead to accidents where horses could break out of their pens into traffic and get hit leading to a bad automobile accident. Or could lead to riders being seriously hurt by falling off their horse. There is also lots of families who love to walk their dogs on the BLM ground which could also lead to potential accidents with dogs getting hit by trucks.
IIIII-5	Lots of people move out to the Johnson Lane area to get away from the hustle and bustle of town with this new development you will find that within the next few years house values will drop like crazy and Johnson Lane will no longer be a sought-after place to live. It's sad really that people who have lived in this area for a long time have no say when this quarry is going to change their whole livelihood. I would encourage everyone to take a second look at how this is really going to impact this area and the lives of everyone who lives here.
JJJJJ-1	My husband and I just found out about the rock quarry that's coming to the Johnson Lane area. My husband's family lives off of East Valley and we are not happy with what you're planning on putting in in that area. My mother in law and I ride horses from their house on the trails next to the road and if there are going to be big rigs driving down East Valley all day, that could cause serious problems. Most people don't drive the speed limit in that area and if semi trucks hauling rock don't either, we could get seriously injured if our horses spook at the trucks barreling through. We want to enjoy our horseback rides and not have to worry about semi trucks driving past us and scaring our horses. PLEASE don't allow the rock quarry to be put in the Johnson Lane area.
KKKKK-1	I oppose the quarry, the roads can’t handle that type of traffic, we’ve had numerous accidents on Vickey, Billys rd, and numerous side streets and even deaths from rear end accidents due to the speed and amount of traffic. We have children on bikes, at a, horses the bus stops on this street, it’s too dangerous not to mention our air quality and water quality. I’m am completely against this project.
LLLLL-1	I am just hearing about the use of rock haulers on Johnson Lane this evening. I am shocked and dismayed! We travel on this road to visit friends often and my husband uses this road to travel to his job in Minden. The disrepair that would be caused by these rock haulers, as well as the traffic and flying rocks that would damage windshields is simply not acceptable. Please advise in favor of a separate road for these vehicles to travel.
MMMMM-1	Yesterday, I sent you an email opposing this project on behalf of my wife and myself. We had thought the deadline for comment was yesterday and so did not submit as complete a response as would have preferred. I did not reference the specific proposal in Douglas County NV, so thought I should resubmit with the proper reference. There is a fact sheet circulating that I have reviewed. I agree with its assertions and incorporate it by reference here. I assume you have now received hundreds of the same fact sheet and did not want to bother you with one more copy. Please deny this application in its current form. Thank you for your consideration.
NNNNN-1	It is with much dismay that a quarry was planned and approved through a residential area along Jonson Lane. The eastern part of Johnson Lane is commercial for approximately a mile and then it is residential. I cannot imagine what a six day, sun up to sun down operation with haul trucks would do to the roadway, environment, traffic not to mention property values. This is an ill conceived idea. I can predict endless law suits regarding various outcomes due to items never conceived during "planning" this fiasco. Actions do have consequenseces. I am completely opposed to this project.

Comment No.	Comment
OOOOO-1	I own a ranch on Sunrise Pass Road, in Minden, NV. I am VERY concerned about this project. Wells are low and poor in this area as it is: you will bankrupt people like me who are not able to hook up to municipal water, drawing off the water for that quarry. This is a residential area. The pavement literally stops at my driveway, so 85 trucks a day barreling down a dirt road is going to be a tremendous amount of noise, dust and flying particulates. There are no sidewalks, so young children are going to be darting out in and around trucks.....it's a recipe for disaster. Besides the noise and dirt, the toll that many heavy trucks will have on FRESHLY PAVED Johnson Lane is not being addressed at all: if you go forward with this ill-advised project the quarry should be required to maintain the road, period. Homeowners should not be taxed for the benefit of a commercial enterprise. I stad with hundreds of local homeowners who are opposed to this project, as proposed. Please take just a moment to think of the impact it will have on our way of life.
PPPPP-1\	My wife and I are devastated by the news of the River rock Quarry project. We escaped big city life to settle in the semi-rural Johnson Lane area. We built our home on Johnson Ln in 2001 and have poured our retirement savings into our property. As we near 80 years old and we are considering moving to a smaller home or assisted living facility. This project will ruin our hard work investment and make our home undesirable. Johnson Lane, a two lane road, has school busses stopping at several locations which is dangerous now but unthinkable in the future. I could go on, but the traffic, health and safety, noise concerns are obvious. Please help us maintain the lifestyle we worked so hard for. The benefits For Knox are great, all at the cost of those living in the Johnson Lane area.
QQQQQ-1	I am writing to explain how this rock mining is a bad idea for our neighborhood. We bought our retirement home here and sure don't want to hear blasting noise, diesel smell, trucks brakes squealing, driving in Johnson lane and ruining that road. Many people including horses and bicyclists use Johnson lane. We have a maverick can am and enjoy off roading near our home.
QQQQQ-2	We are concerned about the safety of our neighbors. The noise level. The soundness of our homes possibly getting cracks from this work and the de-valuation of our property here
QQQQQ-3	This all went through without any input from our neighborhood here. This is so wrong. Who is getting all of the kickback from This? So very wrong. This is NOT wanted here. Leave the BLM land alone
RRRRR-1	I write this letter with a heavy heart. The news, just now making it's way around the neighborhood, is truly heart breaking. Having been in the community for the past 23 years, we could never have comprehended a project of this nature coming to fruition. We have spent the last 23 years remodeling, landscaping, and generally improving our property with the end goal of retirement in our "perfect" world. With that goal within reach, 1-2 years, it is inconceivable that our quiet retirement years would be spent listening and seeing a never ending parade of large, noisy rock trucks. Our property is our solace. When people visit our "park like" setting, they are amazed at it's beauty and location, backing the open spaces of the BLM. Our newly paved patio is the constant location of morning coffee and evening dinners. We have worked our whole lives and put in our own sweat to accomplish this final product. To see it diminished without even a courtesy notification is criminal. We are hoping the late, not of our doing, response to the proposal is not an indication that this is a done deal. Given this late notice, and obvious objection to it by surrounding home owners, it is apparent that this was a back room hand shake proposal that was fully aware of the 100% objection that this would have been met with. We all moved to this beautiful valley for the natural surroundings and the peace and quiet. We would expect that this would continue throughout our time here, and at the very least,have a voice in anything that would alter that perception. We should be allowed a voice to study, interact, object and suggest all items that effect all of our investments in time, money, and lifestyle. To think that a corporate entity can change our lives forever is unimaginable.
RRRRR-2	We should be afforded the time to look at all the reports, impact studies, travel routes, noise level studies, water/ well impacts and any other EPA and other documents that have been done and also be able to conduct our own. We implore you to give the neighborhood time to respond to this life changing event that we were not even a part of. We must be able to be heard, it's our lives.
SSSSS-1	I am writing to let you know that I am opposed to the Painted Rock Mine. The reasons why are as follows:
SSSSS-2	Safety of residents in the Johnson Lane neighborhood
SSSSS-3	Loss of property values
SSSSS-4	Gravel truck traffic in a residential area
SSSSS-5	Noise, dust and increased traffic on Fremont and Johnson Ln

Comment No.	Comment
SSSSS-6	Damage to neighborhood roads
SSSSS-7	There are quite a few elderly residents that reside in our neighborhood who could be in danger as they travel Johnson Lane. I'd hate to think financial gain outweighs the safety of Douglas County citizens. Our Douglas County Commissioners denied the request for a gravel pit in the East Valley a couple of years ago stating an industrial business does not belong in residential neighborhoods. I don't see that anything has changed sense this decision was reached other than moving the gravel pit location a few miles north of the original desired location. I would hope that BIA/BLM has the same common sense approach to this gravel pit request as our Commissioners did and deny it.
TTTTT-1	I am writing to express my deep concerns over the effect the mine at Painted Rock will have on my neighborhood. I've lived in Johnson Lane for almost 30 years and have seen it grow exponentially, but we have only had to deal with car traffic, which is completely different then truck traffic. The number of trucks that you will be sending up and down Johnson Lane (and possibly Fremont and Sunrise Pass) is absolutely absurd! There are kids that have bus stops along Johnson, as well as the fact there's no sidewalk or area for them to walk, which makes the road not big enough for rock trucks and kids. How is the driver going to feel that hits a kid on a bike or walking across the road?
TTTTT-2	And what about the noise and the dirt? The destruction of our roads? There are families that live along the road that will be subjected to a tremendous amount of discomfort and the value of their homes will dramatically decrease. Is that fair to them? Have you considered the impact on their lives?
TTTTT-3	Also, many of my friends in the area are on wells. I find it highly unlikely that our ground water supply will be able to sustain both your mine and all the individuals who depend on it. Has a water study been done? What will happen to the other wells in the community? Will they still draw and provide enough water? This is a very serious concern as we have seen wells dry up in other communities and I wouldn't want to see that here.
TTTTT-4	I am asking you to please consider the negative impact you'll be bringing to my community. I can understand the need for a mine as gravel is important in so many industries, but couldn't the mine be located in an area that wouldn't affect so many private individuals?
UUUUU-1	Attached is the letter from the County Manager's Office. Are you looking for the letter from Douglas County, correct. I have a number of comments from the public – and I hope the county managers office staff sent those to Robert's email. I did not have other comments for the EA from me as the Community Development Director other than; I am not aware of a contract being singed by Knox. There were some issues with the Ea on where and how the site was getting water. Jon can work that out with Public works. Extending he water line or going to the fill station for a water truck. I hope this helps and please let me know if you have any other questions.
VVVVV-1	My husband and I have serious concerns about the above referenced project. First, the entire process of notification, coordination with Douglas County and its residents, and space for public comment on the EA is deeply flawed. Based on the information provided in the recent Douglas County Board of County Commissioner (BOCC) meetings, Knox Excavating started making modifications to the site under BIA jurisdiction as early as January 2019. Since the closing date for this comment period is September 20, 2020, I would assume the public comment period started in the later portion of August 2020. This project has been active for almost two years and no good faith effort has been made to notify the County of the intended activities so that our Commissioners could engage in their own process with us, their constituents. Nor has there been a good faith effort by the BIA to distribute information in public notices or other venues to notify us that the commenting period we are in had been opened. Even our County Commissioners raised objections related to lack of timely information flow between the BIA and themselves.
VVVVV-2	Furthermore, how is it that in the EA there are pictures of conveyor equipment building berms to enclose the perimeter of the work site? Having worked in the Heavy and Highway construction industry, I am aware that in order to accumulate dirt in a location to make those piles would require other heavy equipment to bulldoze and scrape material. Has Knox Excavating already been permitted without completing the public comment period and final acceptance of the EA? Regarding the EA itself, we have seen the letters some of our neighbors have already submitted. Instead of repeating all the concerns they raise (with which we agree), we focus on the following four.
VVVVV-3	1. How is it even possible to make a legitimate EA for the scope of 40 years? We are in an unprecedented cycle of climate change that could affect a myriad of issues from what amount of water is deposited into our local reservoirs and aquifers by the presence or lack of snowpack to the fire danger levels created by prevailing environmental conditions over the course of those 40 years.

Comment No.	Comment
VVVVV-4	2. With regard to water, Knox estimates they will draw 21.2 acre feet per year. That's 848 acre feet over 40 years. How can anyone say that this is or is not an environmental impact without taking the time to look at the Douglas County Master Plan and their plans for future development? Knox is one business in a whole scheme of growth. County planners should be consulted in making an assessment as to the overall impact.
VVVVV-5	3. We are living in extraordinary times when it comes to the issue of fire. We are not suggesting that Knox would do anything to purposefully endanger anyone. At the same time, the Nevada Department of Conservation and Natural Resources is reporting that 3x as many fires are being started by humans as by nature. Even the slightest miscalculation can start a fire. Knox employees and subcontractors are not using this land for casual recreation. Knox has an interest in production which means production schedules will be maximized, and in turn, there will be regular and consistent activity taking place in an environment of what is at the present time high fire danger, thereby increasing exposure to risk. Under "normal" circumstances – meaning ones where drought and increasing average temperatures do not exist – the plan Knox has for fire mitigation might be adequate. Relying on a plan where: a) a team of two drawn from staffing between 5 and 20 personnel (depending on where they are in their ramp up) who are, b) inexperienced with firefighting using fire extinguishers who, c) would call a local volunteer fire department with an unstaffed firehouse to respond to a fire within, d) the context of dry, highly flammable plant materials is irresponsible. This doesn't even take into account the possibility of sparks from a faulty exhaust system (like the one that started the Numbers Fire) as trucks travel the dirt portion of Sunrise Pass on their way to Johnson Lane. We need an extraordinary plan for an extraordinary time.
VVVVV-6	4. There is an absolute and utter lack of any real assessment of how this project will affect the people who live along Johnson Lane and who also depend on it to access Highway 395. Under the category of Public Health and Safety, Knox Excavating states: "There would be no impacts to Public Health and Safety because the proponent would follow all local, state and federal regulations." Which aspects have been considered and evaluated to demonstrate that Knox has done due diligence and is even aware of where to place their attention on which regulations are applicable throughout the life of the project? One glaring example of their lack of doing due diligence is their plan to use Johnson Lane as a trucking route. Knox Excavating indicates that they don't believe this issue deserves any real inquiry: "The roadway system (Principally Johnson Lane) constituting the haul route would have only a minor affect (increased truck traffic) but the Project does not change the road classification. The road was designed to handle increased truck traffic. This component is not analyzed further" (italics mine). Knox also claims that, "No lifestyle or cultural values would be impacted by the Project." By accepting the EA as it stands and thus accepting Knox Excavating's decision to rely on Johnson Lane as their main route, you are supporting actions that definitely do affect Public Health and Safety and lifestyle and cultural values. Only the most westerly quarter of Johnson Lane is industrial. The majority of Johnson Lane from the interface with BLM land and the area where the industrial park operates, is residential and farmland. In that stretch are school bus routes where children wait on the shoulders of the road for buses to pick them up. UTVs cross Johnson Lane at various points to move from neighborhoods to the dirt alongside the road and head up to the BLM. There are several streets that intersect Johnson Lane from which residents enter and leave the main travel route. This means there will be traffic negotiation between fully loaded gravel trucks and children, UTVs and passenger cars. Drivers who do not want to deal with those trucks will likely reroute through the neighborhoods to the only other route out of the area, Stephanie Way. That road houses an elementary school, park, fire station and more residences. The net effect of increased traffic volume is increasing opportunities for accidents and injury through sheer exposure. Regardless of designation, Johnson Lane is not a route where commercial trucking makes sense.

Comment No.	Comment
VVVVV-7	In addition, for Knox trucks to get to Johnson Lane they must travel over BLM land and exit at the staging area at the end of Johnson Lane. BLM land is well-known for its use as a recreation destination for dirt biking, horseback riding, walking, riding UTVs and camping. Sharing the dirt portion of Sunrise Pass Road with gravel hauling trucks is just another setup for the exposure of residents and tourists (a part of Douglas County's economic sustainability) whose recreational lifestyle revolves around outdoor activities on the BLM. Furthermore, if the trucks leave BLM land through the staging area, they are travelling through a choke point. Imagine the logistics of moving gravel-carrying trucks through a lot where there are parents and minors off-loading dirt bikes from trailers, off-road UTVs and their riders, horses and their riders, and/or people walking with dogs. Can you imagine what it will be like? Having worked for a heavy and highway construction/earth moving company using large construction equipment including dirt hauling trucks, there are strict OSHA protocols in place to ensure worker safety on site. Will truck drivers be able to see and respond appropriately in the context of these other activities? When trucks return to the work site, any vehicles accessing BLM lands such as UTVs and trucks pulling trailers will have to enter traffic on Johnson Lane and follow, or be followed, by trucks depending on timing. Knox Excavating stated to the BOCC that they do not want to find another route to transport materials because it is too expensive for their bottom line. For the residents of Johnson Lane, the loss of the conditions for a safe access to a federal recreation area, accidents on and along roads, damage to vehicles from gravel (it is statistically improbable to prevent human error in securing loads over the course of a 40-year time frame), and the possible injury to body and life are all costs that are too high for our community to bear. It's tempting to think that these issues only affect Johnson Lane residents when, in fact, they have a ripple effect into the entire Douglas County community. We do not believe that Knox Excavating has adequately thought out the issues outlined above and ask you to take these into consideration as you make your decisions regarding the viability of this project. Please remember us. We are just as important as any other party in this situation.
WWWWW-1	I sincerely oppose this project at red rock quarry.
XXXXX-1	My name is XXXX and I found out about the rock quarry that's trying to be put in in the Johnson Lane area. I am NOT pleased. A couple years ago, my wife and I got into an accident with another vehicle off of East Valley near our home at the time. The guy driving a truck was going 40 in a 25 zone and did not yield to the stop. He came into our lane and thank goodness none of us were seriously hurt. He totaled my truck and we had to have it towed. What if that was a semi truck hauling rocks? We probably would not be alive today! PLEASE do NOT let this quarry be built. There are too many stop sign intersections in the whole Johnson Lane and Stephanie Lane areas. Heavy big rigs would get up to speed just to have to slow down every few feet. It's not reasonable and it's not safe!!
YYYYY-1	I was in my yard a few minutes ago when I talked with a gentleman who informed me of the rock quarry proposal not far from my home. First I will tell you that I am totally AGAINST it! I am also mad because I just found out about it. There are a whole list of reasons it should not be allowed to go forward. There are so many that I can't list them all but I will share some of them with you. I moved here 27 years ago to have a nice quite place out of town. If this goes through there will be so many trucks driving right in front of my house that it will not be considered country anymore but an industrial area. I did not move here to live in an industrial area! The traffic on Fremont and Johnson Lane will be so bad I will be lucky to get out of my driveway, and trying to make a turn onto Hwy 395 north or south will take forever due to the trucks. My wife and I ride horses down Fremont to Sunrise Pass to get to BLM land. If there are big rigs going by all the time it would be bad as we could get thrown off and get injured or killed, big rigs are like monsters to horses. Fremont from Sunshine drive to the end of East Valley is not a paved road at all it is just chip seal that was put down and driven on. When you get a ton of big rigs driving on it day after day it will not last long and will be costly to actually pave it. Who is going to pay for that? There are enough accidents on Fremont without adding all those trucks especially in the winter when the roads are snowy and icy. Trucks already don't stop quick when it is not snowy and icy. No one, I'm sure, including yourself wants to get into an accident with a big rig.
YYYYY-2	The noise is another major concern for me. The quarry is not going to be that far from my home and the noise from a quarry running all day long is going to be annoying at best. I am retired now and spend a lot of time at home outside enjoying the outdoors and I don't want to listen to the machinery all day long. You wouldn't like it if it were a mile away from your home.
YYYYY-3	Water is another big concern. Quarrys go through a lot of water. I have already had to re-drill my well once because of all the new houses that were built. The quarry is going to be up from my aquafer therefor it is likely that I will have to re-drill my well again, who will pay for that? This will ruin our property values and our rural neighborhoods. Our safety and the safety of our neighbors and our children are in jeopardy! Obviously Douglas County officials don't really care about the people in their county, they only care about the almighty dollar. They should be ashamed!
ZZZZZ-1	I am a resident near the rock quarry and am deeply concerned for many reasons as listed below:

Comment No.	Comment
ZZZZZ-2	Noise, we moved to this area for the peace and quiet, not to mention that it will decrease our property values.
ZZZZZ-3	Safety, many people make use of the dirt roads on the BLM for hiking, horseback riding, ATV's and walking dogs.
ZZZZZ-4	They mention they may or may not have to use dynamite, I can tell you as a experienced rider that any unexpected . Explosives is extremely dangerous for anyone riding horses in the area.
ZZZZZ-5	ATV riders are not going to ride in the truck traffic and will start to cut across the virgin desert illegally creating new Trails and further damaging the land.
ZZZZZ-6	FIRE, with all those trucks and drivers who possibly might smoke, that increased the chances of fire. With the Recent amount of fires that is the last thing we need.
ZZZZZ-7	Huge increase of truck traffic on Johnson Ln. and Fremont, a residential area. People have said there is already Truck traffic on Johnson, but for the most past that is below the industrial area, not up in the residential area.
ZZZZZ-8	Misuse of water. Many homes in this area are on wells. That will definitely affect the amount of water and availability to The homeowners. Are they going to pay to have new wells dug?
ZZZZZ-9	Not to mention we were not made of this project until it was already started, and seems like we were allowed timely input.
ZZZZZ-10	They should be made to find another access without going through residential areas. I just ask Douglas County to uphold their obligation to protect our community from incompatible land use that has such a negative impact. Thank you very much for anything you can do to help.
AAAAAA-1	I oppose this project because the EA did not adequately address the following issues I am directly affected by all these issues
AAAAAA-2	Wildland Fire Prevention and Suppression,
AAAAAA-3	Public Safety
AAAAAA-4	Impacts on water supply
AAAAAA-5	Traffic
AAAAAA-6	Public meetings were not held or adequately advertised during the scoping phase of the EA A 40 year project is too long of a time to be addressed in a single EA.
BBBBBB-1	With the corona virus upon us, most residence in the Johnson lane area have no idea what's happening with this dig.
BBBBBB-2	The project will need to have it's own fire dept. plus a road maintenance and safety program
BBBBBB-3	How will the water be supplied for dust suppression?
BBBBBB-4	Will the 40 year dig, then turn into a sewage treatment facility? My wife and I live very close to Johnson lane. We do not agree with how this deal went down!!
CCCCCC-1	I am opposed to the Rock Mine, I moved here to get away from heavy traffic and noise. If you allow this to take place ,you are destroying our way of life and our daily tranquility. The traffic will increase and our property value will decrease, thank you for watching out for the citizens of this community, where there is a will, there is a way, please do the right thing, is never to late.
DDDDDD-1	I live at the end of Johnson Lane past Fremont. I am concerned about the use of this portion of the road for travel for quarry trucks. It does not appear that that portion of the road was considered in the assessment. The portion of the road past Fremont is lower quality to say the least. It is not a frequently traveled road but does backup to my home. In addition, that portion of the road is mostly used for off road vehicles (by kids and adults) and campers heading up to open space. I am concerned about the increased traffic and noise but also the access for people that utilize the BLM land. I feel a full assessment should be made before any decisions are made. Maybe you can drive out to Fremont and Johnson and see 1st hand what I am talking about. Kids and dogs also frequent this area because it is the entrance to BLM. Thank you for your consideration. It's too early to make a decision.
EEEEEE-1	I understand the EA for the Painted Rock Mine project in Douglas County, Nevada is out for public comment. Would you email me a copy of the EA and the Notice of the comment period. What is the timeframe of the comment period? Our office is very interested in this project as BLM has a request from Knox Excavation for a road ROW on a portion of the road associated with the Painted Rock project. There also appears to be strong public interest in this project. Please add me to the contact list for further outreach for this project.
FFFFFF-1	I know you have received several communications regarding the Knox Gravel Mining project. I've read many and the frustration is high and valid for many reasons. Partly because it appears to be sneaky and thoughtless concerning the residents in this area. The fact that the Douglas County Commissioner's were unaware of the process until it was past negotiations tells me that our commissioners are not very engaged with the activities in our county. That by itself is disappointing.

Comment No.	Comment
FFFFFF-2	Our house backs up to the end of Johnson Lane. We experience a lot of recreational noise from motorcycles, ATVs, hikers and anyone that wants access to the many roads in BLM land. There are a lot of people across this valley who use this road to access the recreational roads. One concern I have is how dangerous the trails will become with so many trucks filling and hauling all day. Since there are rules that the off roaders must follow, i.e. stay on the designated roads ,where are they going to go? How long before someone is run over or a truck driver turns over their vehicle to avoid killing someone? Many comments discuss this as a serene retirement community. It isn't a retirement community. Yes, many people are retired. However, many younger families are replacing the retirees. They have young children and utilize BLM land much more than the older folks.
FFFFFF-3	My last comment is regarding the hours of operation and the approach taken by a business that wants to get all they can as soon as they can until the mine is empty. This a forty year (or more) project. The hours are unreasonable. Five days a week is normal work week and an 8 or 10 hour day is also reasonable. If this all goes through then why not M-F 9 to 6. Then the neighbors can sit in their backyards enjoy their evenings and weekends. Don't take away what enjoyment may be left for those of us who plan on living here for the rest of our lives and pass on a remarkable piece of heaven on earth to our children.
GGGGGG-1	It has been brought to my attention about the painted rock Quarry As a resident of Johnson Lane this will play a huge impact on the neighborhood in a negative way we've been here for 27 years now Traffic has doubled if not tripled since we were here and now you want to allow this mine to come in bringing 80 to 100. Trucks a day you know as well as everyone else property values will go down water table is going to go down road conditions are going to go to hell It's bad enough Tesla has their trucks going up Johnson Lane because they don't want to go through town and hit the lights no we have rock trucks that will be going up and down all day long if I did my math right that's About one truck every 3 to 5 minutes. There a school bus stops on Johnson Lane neighbors that walk their dogs up and down Johnson Lane we now have semi trucks flying by them Seems very unsafe not quite sure how many mine got approved to come into a residential neighborhood mine blowing. I'm sure if the trucks we're gonna be going in front of your house you would not be happy either In a little bit of money they're proposing to put two road maintenance is a joke. They have made the end of Johnson Lane in OHV riding area gonna be kind of hard to ride with semi trucks up and down the road all day long and it's not just adults riding out there anymore there's kids people out there walking and running or should I say there used to be. Sounds like this whole deal was a back door deal not sure what can be done now but the damage has been done but I would hope some changes can be made
HHHHHH-1	This email is in concern about the environmental impact the rock quarry will have on our nearby community and residence of the area. Please consider what this company will do to the water wells in our area and the traffic that will occur in front of our housing development. I last heard that this may be Native American Land. Please consider impact study before this company railroads through land without due diligence. This will affect the life of my children and family.
IIIIII-1	It has come to my attention that a gravel pit will be built very close to my house. I live 1.5 miles from Painted Rock and have several concerns about this project's impact to myself and my family. We have an 11 month old daughter we had here for the peace, quiet and fresh air. With several dirt trucks driving with gravel past our back yard daily, I am concerned that not only will the noise be disturbing, but more so I'm concerned about all of the dust in the air near my house. This, along with all of the diesel exhaust I'm concerned could be hazardous for our daughter.
IIIIII-2	I also have a large concern about the quality of our roads with these trucks on them daily, especially in the winter.
IIIIII-3	I know there are other access options for this company and hope they are being considered. Sunrise Pass and Johnson Lane as well as the surrounding streets are used by our locals often and I feel that safety will be a concern.
IIIIII-4	I hope these concerns are taken seriously, and other options are highly considered (access via 50 instead.) I am glad to discuss this further if you'd like, so please feel free to reach out.
JJJJJJ-1	My name is Mike Patton and we live off Johnson Lane in Minden. My wife and I moved here from California to enjoy a peaceful community during our retirement years. I have been opposed to the gravel pit since I heard about it. first off the folks that are leasing this land don't even live in our area so they most likely don't care what it's going to do to our property and neighborhoods. I am sure that Mr. Maxwell does not live in the area as well, so again he and the company he represents could care less about our community. I would like all of the following to be considered before it is too late and they start tearing up some of our pristine area that we call home.
JJJJJJ-2	Heavy traffic-overload on all roads leading to 395
JJJJJJ-3	Health and Safety- Toxins, unhealthy air
JJJJJJ-4	Property value declines
JJJJJJ-5	Water consumption
JJJJJJ-6	Road damage

Comment No.	Comment
JJJJJJ-7	Winter driving, along these routes when roads are icy will definitely be a danger to smaller vehicles on the roads
JJJJJJ-8	NOISE!!!
JJJJJJ-9	Mr. Maxwell's untruthful statements regarding the project
KKKKKK-1	The matter of the PAINTED ROCK EA gravel mine is a huge concern to many of us and we hope we're not too late in responding our concerns, and there are several. Below are the strongest of our concerns: 1. The PAINTED ROCK EA mine will have a huge impact on our community. Producing an active gravel mine close to our homes will create an impact changing our neighborhood from residential to industrial. As we are on a well, the addition the mine's well, drawing the estimated 42,000 gallons of water per day may hinder the residential well users by tapping into the aquifer that supplies us water. This change won't be a temporary problem but a permanent one. And it will surely affect our property values.
KKKKKK-2	2. The PAINTED ROCK EA mine will also have an affect on the predatory wildlife that has been keeping nature in balance, in our community, all these years. It has been proven that newly constructed industrialized areas have driven away many species of animals that would have kept nature balanced. Not to mention that's why we moved here, to live among the natural wildlife.
KKKKKK-3	3. The PAINTED ROCK EA mine could and more than likely have an impact on anyone with health issues (allergies or even more serious). The dangers involved regarding this issue must be taken seriously for the safety of all concerned. The mine's operation is just beginning and the dust has been horrendous. The noise from the trucks will create a non-enjoyable, non-serene, non-peaceful way of life in our community. With this mine there will no longer be enjoyable, quiet, peaceful times outdoors or on our patio's. Giving the residents just '4' days a month of peace and quiet is NOT acceptable.
KKKKKK-4	4. We understand the PAINTED ROCK EA mine has been owned for some time. When the land was allotted to the owners, did the government know the property could be used as a gravel mine? And why, as a courtesy, weren't we notified this mine was going to be developed? In closing, we cannot believe that our beautiful area (a national park to us) is being destroyed and placing us, as a residential owner, in an industrial zone. This has been a retirement community for many decades and the thought of forcing us into an industrial zone sickens us. Just the thought of having this mine being so close to us has destroyed our retirement dreams and the reason we moved here. You see, we moved here for a better quality of life and now it's being destroyed right before our eyes. The needs of the many outweigh the needs of the one, or few.
LLLLLL-1	I already gave an input to you on the proposed Painted Rock gravel pit. I did some further research and found out that the impacts on the environment and the local residents in the Johnson area are even more sever than I first thought.
LLLLLL-2	The impacts from the expected heavy truck traffic - one expected more than 80+ trucks 6 days a week - will have a sever impact on the residential communities along Johnson Lane. The noise and diesel fumes would be unbearable with unacceptable public health impacts. In addition the health impact of the sílica entering the neighborhoods has not been properly evaluated. It is known to cause cancer and other lung deceases to name some.
LLLLLL-3	One of the most sever impacts is on child safety. There are many school bus pickup and drop off points along Johnson lane. We are looking at heavy trucks every 3 minutes expelling fumes and dust putting little children in danger.
LLLLLL-4	The impact of the expected water usage of more than 20,000 gallons per day has not been properly evaluated. Water is a scarce resource and not sufficient to support industrial usage at this level.
LLLLLL-5	This project does not comply with Douglas County land use goals and policies - in particular LU Goal No. 6 and LU Policy 2.4. We and many of our neighbors chose to invest and settle in the beautiful Carson Valley due to the rural nature and the Douglas County county land use goals and policies. It is unethical for the County to negate on these commitments. So in summary this project has not been properly evaluated in terms of health, safety, environmental and water resource impacts, and thus should not move forward. A proper assessment will show these impacts are unacceptable and in violation of public health and land use policies.
MMMMMM-1	I just heard about the Painted Rock EA quarry construction at the end of Johnson Lane. I am still having a hard time imagining that trucks are planning to go up Johnson Lane to the gravel entrance path into the BLM land to a quarry, load up and travel back down the gravel path to Johnson Lane then 395 for FORTY YEARS, 6 days a week, dawn to sunset??? The estimated 85 daily trucks that will drive up empty to the quarry then those same 85 loaded going back down Johnson Lane is a HUGE amount of traffic in an area that has school buses stopping, residents trying to do their everyday business, and people just trying to take their daily walks or bike rides around their quiet neighborhood. This disruption is unimaginable. People chose this neighborhood for its ruralness, quietness, and beautiful views. The trucks traveling up and down Johnson Lane will ruin all those qualities.

Comment No.	Comment
MMMMMM-2	What will happen to our neighborhood's water supply over the long term both the quality and the available amount? What will happen to our property values as our main artery becomes filled with semis, noisily rumbling, filing the clean air with exhaust, tearing up the road, spitting out rocks that will inevitably lead to broken windshields? What will be the environmental impact on the residents? Has there been an impact analysis of toxins and/or pollutants this quarry will add to the neighborhood? Who wants to live around that? What will happen to the quiet, serene outdoors that my family bought into?
MMMMMM-3	This is a rural community and should stay that way. Quarry owners should find another route that keeps them out of the Johnson Lane neighborhood. This is not an industrial zone. Isn't there a back way in the Pine Nuts that goes to 580? I'm so disheartened that our county representatives have done nothing to stop this. And what about the BLM land? How can we ride our dirtbikes in and out while semis are coming through? How can we enjoy the trails or camping? What can I do to change how this is implemented? My home is near the end of Johnson Lane. I feel this is being bulldozed through with no consideration for the home owners. In a time where there is so much going on in the world that is out of my control, this just tops the cake. There has to be another solution where the quarry can get their materials without such a great impact on local residents. It may mean creating a new road away from residents on the back side. I don't know the answer, but I do know Johnson Lane is not the way.
NNNNNN-1	My name is Catherine Wayne and I am a resident of the Johnson Lane Area. I have attached a letter to this email in response to the Painted Rock Quarry project. I am sure that you have experienced an influx of calls, letters, and complaints about this project and I thank you for your service in all that you do for our Beautiful State.
OOOOOO-1	Please take a moment to consider all the people that will be effected by this project. I am a retired gravel truck driver and I know first hand what this is going to be like. I think, depending on wind direction the dust from truck comming down the dirt road will be large problem and safety of these trucks with other people using the BLM is also a big concern . I know the use of jake brakes is going to be herd for miles. I also wonder where the water is going to come from,I am already told to water my garden every(other day). I beleive our property value will suffer from this plan.You can"t help with the Johnson lane truck traffic issue as our county has already throne us under the bus on that part of this deal. Please try to help in any way,6 days a week 700AM to5:30 PM is to mutch.Thank you for your time
PPPPPP-1	I am writing to protest the development of Painted Rock Quarry in Minden, NV. My wife and I own a home that borders the BLM land where the Painted Rock Quarry is planned to be constructed. We moved into our home 3 years ago because we love the area and especially the escape from land development. We love living in the country due to the peace and tranquility the area offers. When news of the quarry project came, it was like a punch to the stomach. And as we have learned about the development plans we are deeply saddened by the effects this project will have on our quiet lives as well as the toll it may take on our community and property values.
PPPPPP-2	We are concerned with the traffic, amount of trucks coming and going, dust, debris, noise and the potential contamination of our community wells and ground water.
PPPPPP-3	Please hear our community appeals to end the project or approve only a scaled down project that will reduce the use in the area. Since I was a child I have loved open space and done all I can to preserve our environment. I have also greatly appreciated and respected the Native American heritage that has always strived to protect our lands. The fact that this quarry is planned in BIA land is a travesty to me. Again, I implore you to stop this project.

Comment No.	Comment
QQQQQQ-1	My name is Ian Wrenn and I am a landowner off of Freemont Dr. and Golconda Dr. in Minden, Nevada. I was given your email to write my concern and questions about the new quarry coming into our neighborhood. I was hoping to ask if the permit given to knox construction will be closely monitored. Particularly the dust that will be brought into the air as well as the water usage. Will there be air measurements taken to ensure no dust will travel to our neighborhood and affect my children's health? What does the permit say about the threshold of allowable dust? As you may know the water consumption in this area has driven down the water table quite significantly. Many neighbors nearby have had to drill their wells deeper. So how many gallons per day is the permit allotting? What size well and depth will be drilled to obtain the water? Will a study be done to show if any neighby wells will be impacted by your drawdown? My wife has an Indigenous studies minor from UNR and this project goes against everything she has been taught about the rights of Indigenous cultures. The Earth and land are precious and sacred things, so how can developing a mine be coerced into existence on BIA land? Is it not so recent that gold mines have contaminated groundwater for the Western Shoshone land near Elko? I thank you for time as this is a very concerning issue for a lot of us. I hope to hear from you soon.
RRRRRR-1	We recently became aware of a final draft EA concerning the proposed Painted Rock Quarry and began a quick review of it. Since we live in the Johnson Lane area and will be impacted by the resulting truck traffic and the loss of ground water, among other issues from this project, we began reviewing the EA. Except for August 2020 I did not see an issue date nor a date that comments are due. This lack of specific dates is very unusual for the EAs I have seen. We've also seen some facts displayed in the EA which we find questionable and need time to research. Please let me know when comments are due on this final draft EA and a timeline for this project. We need to know what opportunities are still available to raise questions and have them answered.
SSSSSS-1	Hello, we are residents at 2587 East Valley Road and we are all opposed to the rock quarry development. It is too much of a danger to our residents and children and does not justify the benefits intended for this quarry.
TTTTTT-1	Hi Gerry, Attached is the letter from the County Manager's Office. Are you looking for the letter from Douglas County, correct. I have a number of comments from the public – and I hope the county managers office staff sent those to Robert's email. I did not have other comments for the EA from me as the Community Development Director other than; I am not aware of a contract being singed by Knox. There were some issues with the EA on where and how the site was getting water. Jon can work that out with Public works. Extending he water line or going to the fill station for a water truck. I hope this helps and please let me know if you have any other questions.
UUUUUU-1	We come to you as residents near the planned gravel pit near the top of Johnson Lane! Please understand that we don't oppose legal use of land, but we oppose the route to which they plan to take to deliver rock and gravel. The Johnson Lane community is a quiet, close knit community of people who feel our neighborhood will be drastically affected should they choose to use this route! The shear number of trucks planned to take this route will also overwhelm this road! It must be possible to bring the trucks in and out from other roads. This may include making a road for just this purpose! Thank you for considering our request!
VVVVVV-1	Thank you for replying to my comments. I recommend you review the article by John Hefner in the October 17th edition of The Record Courier, the Douglas County newspaper. He does a good job of listing concerns about the Painted Rock Quarry, particularly about the unsuitability of Johnson Lane for heavy use by the gravel trucks and potential interference with the residential nature of the neighborhood. The September 18th letter from the Douglas County Manager, Patrick Cates, also summarizes many concerns and is readily available by searching the internet under Painted Rock Quarry.
VVVVVV-2	I wish to add concern about the projected heavy use of water by the Painted Rock Quarry of up to 25K gallons per day obtained from a new 250 foot well. Residents of Johnson have already seen the water table drop through increased agricultural and industrial use. Many wells have already had to be redrilled to 600 feet or more. The public well logs should be able to verify this information. The greatly increased use of water so close to the residential areas will make this situation worse.
VVVVVV-3	I will be watching for next public comment period and will submit additional comments as necessary. Thank you once again for reaching out to me.