

## Kirkland High Quality Pozzolan Mine, Draft Mining and Reclamation Plan of Operations

### PROJECT TIMELINE

**\*\*All timeframes are tentative and are subject to change.\*\***

#### I. APPLICATION PROCESS – COMPLETED – SPRING 2017

- Determination on April 20, 2017 by the Bureau of Land Management (BLM) that the high quality pozzolan is an “uncommon variety.”  
>> This “Memorandum Report” is available on the project website. This determination was not subject to appeal.
- BLM determined the project is regulated under the General Mining Act of 1872 (“3809” regulations).
- In accordance with Section 302 (b) of the Federal Land Policy and Management Act (FLPMA) of 1976, the BLM would ensure that approval of the project would not cause any unnecessary or undue degradation of the public lands.
- BLM accepted the Draft Mining and Reclamation Plan of Operations (Plan) on June 23, 2017.  
>>This Plan (June 22, 2017 version) and completeness review letter (dated June 23, 2017) from the BLM to the Kirkland Mining Company are available on the project website.
- BLM accepted a Class III cultural resources inventory for the 160-acre proposed mine site.  
>> Based on precedence in case law, the BLM may make the report available to the public with the location of the cultural sites redacted from disclosure.
- BLM accepted a Biological Evaluation for the 160-acre proposed mine site.  
>> This report is available on the project website.

#### II. PUBLIC SCOPING – COMPLETED – FALL 2017

- On June 26, 2017 the BLM published a news release announcing the public scoping period. The BLM provided letter notification to approximately 143 residents within a 2-mile radius of the proposed mine site (Kirkland and Skull Valley). The notification included a link to the project website with additional information available.
- A public open house was held on July 11, 2017 at the Skull Valley Community Center. Approximately 140 people were in attendance.
- On July 24, 2017 the BLM published a second news release announcing the extension of the public scoping period. Articles on the extension were published in *The Daily Courier* (Prescott) on July 19, 2017 and August 4, 2017; the *Wickenburg Sun* on July 19, 2017 and July 27, 2017; *The Yellow Sheet* on August 2, 2017; and the *Sedona Eye* on July 22, 2017. The BLM provided email or postcard notification to approximately 1,659 residents in the communities of Skull Valley, Kirkland, Yarnell, Congress, Peoples Valley and Prescott. The notifications included a link to the project website with additional information available, including Frequently Asked Questions.
- Flyers announcing the extension of the scoping period were posted in US Post Offices in the Skull Valley, Kirkland, Yarnell and Congress, and on a community board in Peoples Valley.
- On August 23, 2017 the BLM published a news release for the final extension of the public scoping period until September 11, 2017. An article on the second extension of the public scoping period was published in *The Daily Courier* (Prescott) on August 31, 2017.
- Flyers announcing the extension of the scoping period and the Fact Sheet were posted in US Post Offices in Skull Valley, Kirkland, Yarnell and Congress, and on a community board in Peoples Valley.

### III. PUBLISH PUBLIC COMMENTS – COMPLETED - FALL 2017

All public comments received during the 78-day scoping period have been made available on the project website. Public comments received were made available on October 19, 2017.

As of October 7, 2017, approximately 989 emails or comment letters have been received (approximately 1,442 pages, including literature or reports attached to emails or letters). An email or comment letter may have more than one issue statement. Some emails or comment letters were duplications.

The BLM also received petitions with 255 signatures or statements from a website (approximately 133 pages).

Petitions were submitted on the following topics:

1. Request an extension of the scoping period for 120-days;
2. Request an environmental impact statement;
3. Petition with various issues and concerns on the proposed mine;
4. Petition with a wide range of environmental issues, many non-specific to this project including statements such as “Save the Earth.”

As previously described on the project website, the NEPA process is not an election and the BLM does not tally up the number of ‘votes cast’ in making its determination on what issues to analyze.

- **Ninety percent** of the highly repetitive comments fall into the following four **issue categories**:
  - a) Potential impacts to air quality, at the mine site and along the *unidentified* transportation route from particulates including silica and vehicle emissions;
  - b) Potential impacts to groundwater from use of a well on private land in order to support dust suppression activities at the mine site;
  - c) Potential impacts to communities along an *unidentified* transportation network from increased truck traffic and its potential impacts on county and state roads.
  - d) Potential impacts to socioeconomics such as changes in local tax revenues, changes in employment from the mine, and general quality of life.



### IV. **ADDITIONAL BASELINE STUDIES/REPORTS – SPRING 2018**

The following baseline studies or reports would be completed:

- a) Preliminary jurisdictional determination with the U.S. Army Corps of Engineers whether streams in the proposed mine area are Waters of the US;
- b) Complete a cultural resources inventory of the four acres of private property connected to the mine site and updates to the original 160-acre report; and
- c) Surface and subsurface testing for erionite.

#### Cooperating Agencies

On November 7 and November 21, 2017 the BLM invited seven State, county or tribal governments to become a Cooperating Agency under the NEPA for this project. The following agencies or tribal governments have accepted the invitation:

- Environmental Protection Agency
- Arizona Department of Environmental Quality
- Yavapai-Prescott Indian Tribe

The BLM will initiate consultation under the National Historic Preservation Act for the 164-acre project area. The consultation will include notifications to the following tribes which have ancestral lands in the area: Hualapai, Salt-River Pima Maricopa Indian Community, Yavapai-Prescott, and Pueblo Zuni.

The BLM will initiate consultation with the Arizona State Historic Preservation Office for the National Register of Historic Places recommended eligible pre-historic site located within the footprint of the mine. The process

may result in the development of a Memorandum of Agreement and Historic Properties Treatment Plan, which would authorize the data recovery of the archeological site.

## **V. PREPARE “DRAFT” ENVIRONMENTAL ASSESSMENT – SPRING 2018**

- Analyze a No Action Alternative and Proposed Action, at a minimum.
- Analyze other alternatives that meet the project’s purpose and need.
  - >>The *preliminary* purpose for the action is to respond to Kirkland Mining Company’s Draft Plan and provide opportunity for Kirkland Mining Company to conduct mining operations and development of associated infrastructure within Kirkland Mining Company’s unpatented mining claims on BLM-administered lands, pursuant to federal mining laws.
  - >>The *preliminary* need for the action is established by the BLM’s responsibility under the FLPMA, and Surface Management Regulations (43 CFR [Code of Federal Regulations] 3809), to respond to the Draft Plan and take action necessary to meet the performance standards in 43 CFR 3809 and prevent unnecessary or undue degradation of the subject BLM-administered lands. In addition, the BLM must determine whether any occupancy of BLM-administered lands proposed in the Draft Plan is in conformance with the regulations found at 43 CFR 3715.
  - >> An alternative meets the project purpose and need if it is ‘technically and economically’ feasible. See FAQs Fact Sheet.
- The level of analysis is to be in proportion to the potential effect and *after taking into account* any project design features, best management practices and mitigation.

## **VI. PUBLIC COMMENT ON “DRAFT” ENVIRONMENTAL ASSESSMENT – SUMMER 2018**

- Minimum 30-day public comment period and meeting(s) which may be a hearing, open house or other format.
- The “draft” environmental assessment would incorporate issue-based comments from scoping that meet the project purpose and need.
- The public will be asked for *substantive comments* on the analysis and any supporting reports.

## **VII. PREPARE “FINAL” ENVIRONMENTAL ASSESSMENT – FALL 2018**

- Incorporates substantive comments from review of the “draft” environmental assessment.
- Provides summarized responses to substantive comments on the “draft” environmental assessment.

## **VIII. DECISIONS – WINTER 2018/2019**

- If the BLM determines that potential effects are less than significant (43 CFR 1508.27) *after the incorporation of* project design features, best management practices and mitigation, the BLM would then issue a Finding of No Significant Impact and approve a Decision Record.
- The Mining and Reclamation Plan would then be approved, at which time Kirkland Mine Company could initiate mining activities. All approvals are subject to a 30-day appeal under 43 CFR 4.21

## **IX. FINAL MINING AND RECLAMATION PLAN AND FINANCIAL ASSURANCE FOR RECLAMATION – WINTER 2018/2019**

- The Plan would be finalized to incorporate any changes in the project and project mitigation measures that come out of the environmental analysis process.
- Kirkland Mining Company will provide financial assurance to ensure reclamation of the mined site to a post-mine land use (required by the BLM regulations at 43 CFR Subpart 3809.401 (d)).

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