

Contract No.:

Contractor:

Exhibit B

Operating Plan

Pursuant to *USDA FOREST SERVICE CONTRACT FOR THE SALE OF MINERAL MATERIALS*, FS-2800-9 (V. 10/2014), Sec. 1. Contract area, this Operating Plan is attached to and made part of Contract No. _____ (FS use).

Contractor understands that this contract provides for purchase of Government-owned and managed mineral material. Obsidian is not locatable and contractor has no claim.

1 General Information

1.1 Operator information:

Name:

Address:

City/State:

Zip code:

Phone:

Cell:

Email:

Employees: provide list of employees authorized to work in contract area

Subcontractors: attach copies of all contracts by which work is performed

Responsible party: provide written documentation of authorization for foreman or other lead personnel to act on behalf of operator when operator is not present.

1.2 Date of field meeting (required):

1.3 Start-up Date:

1.4 Duration of this operation:

1.5 Contract area: _____ Mine, map attached

2 Description of Operation

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2.1 Vehicles: Vehicles used in contractor's operations will be parked in common use parking areas in a manner that does not restrict parking or movement of forest visitor or other contractor parking. Contractor will clean vehicles reasonably free of dirt and debris prior to entering National Forest lands.

Make/model: _____ Year: _____ License: _____

Make/model: _____ Year: _____ License: _____

2.2 Access: Access to the contract area is by public use roads. There is limited access by user created interior roads within Area boundaries. Use of the interior roads by either vehicle or ATV is subject to Modoc National Forest policy. No road maintenance is authorized with this contract.

2.3 Project Description

Map: Exhibit A to this plan, a large scale map of the designated pit will be used to identify the approximate location and specific GPS coordinates of contract site, parking and road use.

Pit: Contract pit will be identified with white stakes marked with contract number and USFS contract area signs. Cubic area will be noted on attached map, GPS located, and photo recorded. Contract activities will be confined to the contract area with the exception of vehicle parking.

Tools: All tools and equipment used in contract operations must be labeled with Contractor's name or contract number. No motorized or hydraulic equipment is authorized.

Tools: _____

Equipment: _____

Contract Safety: Excavation will be done such that a reasonable 2-1 slope-step configuration as shown in Exhibit B is maintained. The contract area must be maintained and left with safe slope or step at the termination of the contract period. Failure to do so may result in denial of future contracts and use of contractor's bond to correct deficiencies.

Structures: No structures are authorized under the contract.

2.4 Camping: Camping may be authorized under this contract and, if authorized, the camp site will become part of the contract area. All terms and conditions of the contract will apply equally to the camp site. Contractor must submit a written application for approval. Written authorization must contain the following information: 1) location requested; 2) dates and duration of occupancy; 3) description of vehicles such as camp trailer or camp equipment; 4) number of people to occupy site. A camp site must meet, at a minimum, the conditions listed below:

- Must be an existing unoccupied dispersed camp site;
- Must be at least 250 feet from the nearest water source;
- Must be a minimum of 250 feet and not visible from the designated obsidian contract area such that it does not impact public use of the common use area or scenic values;
- Must be analyzed by resource specialists to assure no resources of concern would be impacted by camp activities;
- Must be approved by the District Ranger prior to occupancy.

3 Environmental Protection

3.1 Air: Because of the limited size and duration of the contract, no impact to air quality is anticipated. ATV use, if authorized above, will be kept to a walking pace to minimize dust in the common use area, and used to deliver tools and purchased material only.

3.2 Water: All contract activities will occur at a distance greater than 200 from any water source. Water brought to the contract area will be limited to personnel use. Water for cleaning obsidian may be brought in buckets; however, no processing of obsidian is authorized on WMRD lands. Under no circumstances is use of pressurized water authorized.

3.3 Solid Waste: All trash will be kept confined within the contract area and removed daily from the work site. If camping is authorized, trash may be stored

at the site only so long as it does not constitute a nuisance and in any case must be removed from National Forest land no less frequently than once a week and at the end of the contract period.

3.4 Scenic Values: **Maintaining the 2-1 slope or step configuration** within a limited contract area will help to protect these values. Limiting use of interior roads and parking at the contract area to loading and unloading will also limit the visual impact of contractor's presence.

3.5 Plants, fish and wildlife: There are no threatened, endangered, or sensitive species known within any designated areas.

3.6 Noxious weeds: Contractor's tools, equipment, and vehicles will be kept reasonably free of dirt and debris in order to reduce the spread of noxious weeds. Contractor will refer to *Selected Noxious Weeds of Northeastern California, A Field Identification Guide* (Exhibit C) and periodically examine the contract area for any populations of noxious weeds. Noxious weed populations within the contract area will be reported to the authorized officer.

3.7 Cultural resources: The designated areas have no residual cultural value. However, cultural resources are known to exist throughout the Warner Mountains. Those resources are protected by law. Contractor and any personnel associated with the contract will be familiar with *Heritage Resources Protection*, attached as Exhibit D to this plan. If previously unknown cultural resources are exposed as a result of operations, work will be suspended and the authorized officer notified immediately.

3.8 Hazardous substances: No hazardous materials will be stored or disposed of within the contract pit or on National Forest lands. Spills of any industrial products will be reported immediately to the authorized officer.

3.9 Sanitation: Disposal of human waste on the surface of the ground is forbidden anywhere. At the contract pit work site, human waste must be buried in soil a minimum of 250 feet outside the common use area and a minimum of 200 feet from any water source. If camping is authorized, a self-contained

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portable toilet is preferable to burying and may be required if more than 2 individuals are camping for periods longer than one week.

3.10 Public safety: To promote public safety adjacent to the contract pit the following conditions will be met:

- Dogs will be kept on leashes at all times within the common use area;
- Contractor will maintain contract pit boundary signs (Sec. 2.3 Area);
- Contractor will have copy of contract available as a public document and evidence of purchase of material and contractor responsibilities;

4 Performance bond and reclamation fee: A performance bond of \$10 per cubic yard will be on file prior to beginning of operations. The bond may be held for future contracts at the request of the contractor if contractor has satisfied all terms and conditions of the existing contract. The bond is refundable at the close of all contract operations if contractor has satisfied all terms and conditions of the contract. A non-refundable reclamation fee in the amount of \$5 per cubic yard will be paid prior to beginning operations and will be held in an accumulating account to be used for final reclamation of the obsidian mines.

5 Operating Plan acceptance

I have reviewed and agreed to comply with all conditions in this Operating Plan. I understand that the bond will not be released until the authorized officer gives written acknowledgement of the compliance with contract terms and conditions.

 Contractor Date
 Operating Plan Approved: _____, District Ranger
 Date: _____

Camping approved: _____, District Ranger
 Date: _____

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Mineral Material Contract Monitoring Record

FS Administration: _____

Commercial Pit

Date	Acceptable Y/N	Comments	Initials

Camping if authorized

Date	Acceptable Y/N	Comments

Additional comments and contract close-out:

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