

**PROGRAMMATIC AGREEMENT
AMONG HUMBOLDT-TOIYABE NATIONAL FOREST, SANTA ROSA RANGER
DISTRICT, AND
BUREAU OF LAND MANAGEMENT, HUMBOLDT RIVER FIELD OFFICE, AND
THE NEVADA STATE HISTORIC PRESERVATION OFFICER
REGARDING
MINERAL EXPLORATION FOR THE NATIONAL EXPLORATION PROJECT IN
HUMBOLDT COUNTY, NEVADA**

WHEREAS, the Humboldt-Toiyabe National Forest (HTNF) and Bureau of Land Management (BLM) plan to authorize Plans of Operation for National Gold Mining Corporation (Proponent) to conduct up to 200 acres of surface disturbance as part of their National Exploration Project (Project) related to mineral exploration activities pursuant to the General Mining Law of 1872 and 36 CFR § 228.8 Subpart A (Attachment A), and have determined that the Project is an undertaking subject to review under 54 U.S.C. § 306108 commonly known as Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations 36 CFR 800; and

WHEREAS, HTNF and BLM agree that HTNF shall be the lead federal agency responsible for ensuring compliance with NHPA; and

WHEREAS, HTNF has defined an 8,465-acre Area of Potential Effects (APE) that includes 1,588 acres where project activities will occur (Direct APE), plus a 1-mile buffer for visual, cumulative, and other effects that includes federal lands managed by HTNF and BLM, as well as private lands controlled by the Proponent in the Santa Rosa Range of Humboldt County, Nevada (Attachment A); and

WHEREAS, HTNF has consulted with the Nevada State Historic Preservation Office (SHPO), pursuant to Section 106 of the NHPA and 36 CFR § 800.14(b)(2), who is a Signatory to this Programmatic Agreement (PA); and

WHEREAS, the Project Direct APE has been subject to intensive cultural resource inventory resulting in the identification of three historic properties (26HU1663, 26HU8307, and 26HU8346) which are eligible for listing in the National Register of Historic Places (NRHP) under the Secretary of Interior's Significance Criterion D and HTNF has consulted with the SHPO on these determinations pursuant to 36 CFR Part 800; and

WHEREAS, the Proponent will implement the Project over a period of ten (10) years in a phased manner and effects from each phase cannot be determined at this time. This PA covers all aspects of the planning, development, and implementation of the Project, and was developed in consultation with the SHPO pursuant to 36 CFR § 800.14(b) to specify the process by which HTNF will implement and complete Section 106 compliance regarding the direct, indirect, and cumulative effects of activities conducted as part of the Project on cultural resources included in or eligible for inclusion in the NRHP, hereinafter called historic properties; and

WHEREAS, HTNF has consulted with the Fort McDermitt Paiute and Shoshone Tribes, the Battle Mountain Band of the Te-Moak Tribe of Western Shoshone, the Summit Lake Paiute

Tribe, the Lovelock Paiute Tribe, and the Winnemucca Indian Colony of Nevada (hereafter referred to collectively as Tribes or singularly by their name) regarding the PA and potential for effects to historic properties of religious and cultural significance to the Tribes in the APE; and

WHEREAS, HTNF has sought and considered the views of the public pursuant to 36 CFR § 800.6(a)(4) and 36 CFR § 800.14(b)(2)(ii); and

WHEREAS, in accordance with 36 CFR § 800.6(a)(1), HTNF has notified the Advisory Council on Historic Preservation (ACHP) of the development of this PA and the ACHP has chosen to not participate in a letter dated July 23, 2020; and

WHEREAS, the Proponent has been invited to sign this PA as a Concurring Party pursuant to 36 CFR § 800.6(c)(2)(iii) as it bears certain financial and other obligations under this PA; and

WHEREAS, for the purposes of this PA, a reference to “Proponent” includes a reference to any of its successors in interest regarding the Project; and

WHEREAS, specific terms used herein and not defined herein have meanings given them in 36 CFR § 800.16; and

NOW, THEREFORE, the Signatories to this PA agree that the Project shall be implemented in accordance with the following stipulations to take into account the effect of the undertaking on historic properties in compliance with Section 106 of the NHPA.

STIPULATIONS

HTNF shall ensure that the following measures are carried out:

- I. *Roles and Responsibilities*
 - A. HTNF is responsible for administering this PA and will ensure that all of the PA’s stipulations are carried out. This includes but is not limited to ensuring that the Signatories carry out their respective responsibilities as stipulated during the implementation of this PA.
 - B. HTNF and BLM shall ensure that all cultural resource work conducted under this PA be conducted by or directly supervised by employees or contractors meeting the Secretary of the Interior’s Professional Qualifications Standards appropriate to the resources under consideration. For any additional work conducted pursuant to this PA that may include inventory, recordation, or mitigation; the respective land-management agency will be responsible for permitting qualified persons as appropriate to the type of work and location.
 - C. HTNF will be responsible for all submissions to the SHPO, the ACHP, and Tribes during implementation of this PA for each activity associated with the Project.
 - D. HTNF shall continue to conduct tribal consultation to identify historic properties considered to be of traditional religious and cultural importance and regarding property identification, evaluation, and assessment of effects and as deemed needed by the interest of the Tribes through consultation.

- E. The Proponent shall bear the expense of identification, evaluation, and treatment of all historic properties directly or indirectly affected by Project activity. Such costs shall include, but not be limited to pre-field planning fieldwork, post-fieldwork analysis, research and report preparation, interim and summary report preparation, creation and publication of any interpretive materials if proposed for mitigation, or the cost of curating project documentation and artifact collections. If the Proponent withdraws Project proposals, then they shall incur no further expense except for completing fieldwork and post-fieldwork activities (production of final inventory, testing, or data recovery reports covering the description and analysis of data, and the curation of materials) that have occurred as of the date of withdrawal.
- F. The Proponent will notify HTNF and BLM of proposed activities for each phase of exploration in the form of Work Plans, with specific locations of planned exploration activities for review and approval prior to commencing exploration.
- G. BLM will review proposed Work Plans for activities on BLM-managed lands and will be asked to provide input or review comments to HTNF within thirty (30) calendar days regarding effects determinations prior to implementation.
- H. HTNF will be responsible for ensuring the BLM is kept informed about the status of project proposals, implementation, and consultation with the SHPO.
- I. The Proponent shall cooperate with HTNF and BLM to ensure compliance with the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470) on Federal lands and with Nevada Revised Statutes (NRS) 381 and 383 for private lands.
- J. The Proponent will be responsible for costs of rehabilitation or mitigation, and may be subject to penalties under applicable federal, state, or local law, should damage to cultural resources inside or outside the APE occur during the Project timeframe due to the unauthorized or negligent actions of the Proponent, their employees, contractors or any other Project personnel operating under the Proponent's supervision, direction, or control.

II. *Identification*

- A. The Proponent will submit a Work Plan for each subsequent phase. Work Plans shall include but not be limited to requirements identified in Attachment A. HTNF and BLM shall review the Work Plan and determine the Work Plan-specific APE for effects to historic properties according to the following definitions:
 - 1. Areas of direct physical effect shall be the footprint of the disturbance area plus a 50-meter buffer unless otherwise negotiated amongst the Signatories; and
 - 2. HTNF will define areas of visual, audible, and atmospheric effects by the nature of proposed activities (e.g., height, extent) and location of the Project in relation to surrounding topography.
- B. The entire direct physical APE has been subject to Class III cultural resource inventory; however, HTNF will determine if there is a need for any additional historic property identification and inventory for each Work Plan APE and submit this information to the Proponent.

1. HTNF will determine, prior to initiation of fieldwork, if a new boundary and site revisit is necessary for cultural resources previously identified and evaluated within the last ten (10) years.
- C. HTNF shall ensure that the Proponent's Cultural Resource Management Contractor (CRM) completes a Class III cultural resource inventory of Work Plan APEs, and portions thereof not previously inventoried, as necessary prior to initiation of any ground-disturbing activities.
 1. The Proponent's CRM conducting inventory shall determine boundaries for all previously recorded and newly discovered cultural resources identified during inventory.
 2. Inventory and documentation will be completed according to Forest Service guidelines and using appropriate archaeological and architectural resource forms
- D. The Proponent's CRM will submit a draft Class III cultural resource inventory report to HTNF within three (3) month after the completion of all identification efforts.
- E. If HTNF, after receiving and reviewing the Class III cultural resource inventory, determines that no cultural resources were identified in the Work Plan APE, HTNF may authorize the Work Plan in accordance with Stipulation VI.A below.

III. *Evaluation of Historic Properties*

- A. HTNF, in consultation with the SHPO and other consulting parties as appropriate, shall make determinations of NRHP eligibility for all previously recorded (unevaluated) and newly discovered cultural resources within a Work Plan APE.
- B. HTNF, in consultation with Tribes, will make determinations of NRHP eligibility for historic properties of traditional religious and cultural significance. HTNF acknowledges that Tribes possess special expertise in assessing the eligibility of cultural resources that may possess cultural and religious significance to them. HTNF may modify its eligibility determinations based on consultation with the Tribes.
- C. After consultation with the Proponent and Tribes, as appropriate, HTNF will transmit its determination of NRHP eligibility for the newly identified and unevaluated cultural resources to the SHPO for consultation.
 1. HTNF's transmittal must include details about consultation with Tribes and the Proponent, including any comments that HTNF received.
 2. The SHPO shall have thirty (30) calendar days from receipt for their review and comment on HTNF's NRHP determinations (in whole or in part) or provide HTNF with its comments. HTNF will address all comments from the SHPO. If the SHPO fails to respond within thirty (30) calendar days of receipt, HTNF will consider the determination final.
 3. Once the SHPO concurs or fails to respond to HTNF's transmittal concerning HTNF's NRHP eligibility determinations, the determinations will be considered final.
 4. HTNF and BLM will be responsible for informing the Proponent and consulting parties of the final NRHP eligibility determinations within five (5) working days of SHPO concurrence.

IV. *Assessment of Effects*

HTNF and BLM will follow procedures in this PA for determining if a Work Plan will have an effect on historic properties. Effect means alteration to the characteristics of a historic property qualifying it for inclusion in the NRHP. Adverse Effects may include reasonably foreseeable effects caused by the Work Plan that may occur later in time, be farther removed in distance, or be cumulative. HTNF, BLM, and Proponent shall seek to avoid historic properties through modifications to the design of Work Plan activities, the relocation of Work Plan activities, through the communication of Avoidance Buffer Zones for historic properties (Attachment B), or by other means, as practicable, recognizing valid existing rights.

- A. If HTNF, BLM, and Proponent can ensure avoidance of all historic properties for a proposed Work Plan, HTNF will issue a formal Notice to Proceed (NTP) letter to the SHPO.
 1. The SHPO shall have seven (7) working days from receipt to review the NTP letter. HTNF will address comments from the SHPO. If the SHPO fails to respond within seven (7) working days of receipt or does not object, HTNF or BLM will authorize the Work Plan to proceed, respective of the land management responsibility associated with proposed activity locations.
- B. If HTNF and BLM, informed by discussion with the Proponent, determine that avoidance is not feasible or prudent, HTNF shall evaluate the effects of the Work Plan on historic properties.
 1. HTNF, in coordination with BLM, will prepare a finding of effects on historic properties within the Work Plan APE. HTNF will explain whether it has determined there will be No Effect, No Adverse Effect, or an Adverse Effect resulting from the Work Plan. If HTNF determines that the Work Plan will have an Adverse Effect on a historic property, the requirements of Stipulation V below will apply. Finding of effects recommendations may be prepared by the Proponent's CRM.
 2. HTNF will provide the finding of effect to the Proponent and Tribes, as appropriate, which will have thirty (30) calendar days from receipt to provide comments or request further consultation.
 - a. HTNF may modify initial findings of effect based on consultation with Tribes and the Proponent.
 3. Following consultation with Tribes and the Proponent, HTNF will transmit the finding of effect for historic properties within the Work Plan APE to the SHPO for consultation. The submission shall include details about consultation with Tribes and the Proponent including any comments that HTNF received. For any Work Plan implemented under this PA, HTNF may, at its discretion, expedite the consultation by combining documentation for Stipulations II and III of the Work Plan into one submission for SHPO review concurrent with the finding of effect notification for that Work Plan.
 - a. The SHPO shall have thirty (30) calendar days from receipt to either concur with HTNF's determinations of effect or provide

HTNF with comments. HTNF will address comments from the SHPO. If the SHPO fails to respond to HTNF within thirty (30) calendar days of receipt of a submission, HTNF may proceed accordingly.

- b. Once the SHPO concurs or fails to respond, HTNF's finding of effect shall be considered final.
- c. HTNF and BLM will be responsible for informing the Proponent and the Tribe of the final finding of effect within five (5) working days of SHPO concurrence.

V. *Adverse Effects Situations*

A. If HTNF and BLM, informed by discussion with Proponent, determine that avoidance is not feasible or prudent, HTNF shall make a finding of Adverse Effect for the Work Plan.

1. HTNF will require the Proponent to prepare a treatment plan to resolve the adverse effects of the Work Plan on historic properties. Effects recommendations and treatment plans may be prepared by the Proponent's CRM.
 - a. When archaeological data recovery is the preferred treatment option for a historic property or properties under Criterion (D), HTNF shall ensure that the Proponent's CRM develops a treatment plan based on an appropriate historic context and research design prior to the commencement of any data recovery. Data recovery plans shall be consistent with the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation (48 FR 44716) and shall follow guidance provided by the ACHP's website, as updated. A current version is available online from <https://www.achp.gov/sites/default/files/guidance/2017-02/ACHP%20ARCHAEOLOGY%20GUIDANCE.pdf>.
 - b. For historic properties eligible under Criteria (A) through (C), other forms of mitigation may be considered in the treatment plan in lieu of or in addition to data recovery, including interpretation, public education, collection of oral histories, or other mitigation (e.g. historic markers, exhibits, interpretive brochures, publications, informational websites, etc.). In some cases, off-site mitigation may be appropriate to resolve identified adverse effects.
2. HTNF, in coordination with BLM, will provide their finding of effects and treatment plans to the Proponent and Tribes, as appropriate, which will have thirty (30) calendar days from receipt to provide comments or request further consultation.
 - a. HTNF may modify findings of effect and treatment plans based on consultation with Tribes and the Proponent.
3. Following consultation with Tribes and Proponent, HTNF will transmit its finding of effects and treatment plans for historic properties within the Work Plan APE to the SHPO for consultation. The submission shall

include details about consultation with Tribes and the Proponent including any comments that HTNF received.

- a. The SHPO shall have thirty (30) calendar days from receipt to either concur with HTNF's determinations of effect and treatment plans (in whole or in part) or provide HTNF with comments. HTNF will address comments from the SHPO. If the SHPO fails to respond to HTNF within thirty (30) calendar days of receipt of a submission, HTNF shall proceed accordingly.
- b. Once the SHPO concurs or fails to respond, HTNF's findings of effect and treatment plans shall be considered final.
- c. HTNF and BLM will be responsible for informing the Proponent and Tribes of the final findings of effect and treatment plans within five (5) working days of SHPO concurrence.

VI. *Initiating Phased Project Implementation*

HTNF or BLM may authorize the Proponent to implement a Work Plan under the following conditions:

- A. HTNF has received a Class III cultural resource inventory from the Proponent's CRM for the Work Plan APE and the CRM did not identify any cultural resources in the APE; or
- B. HTNF, in consultation with the SHPO, has evaluated all cultural resources in the Work Plan APE and no historic properties are present; or
- C. HTNF has determined that historic properties are present in the Work Plan APE but they will not be affected by the Work Plan and this finding has been reviewed by the SHPO as per Stipulation IV.A above; or
- D. HTNF, in consultation with the SHPO, has determined that there would be no historic properties adversely affected by the Work Plan; or
- E. HTNF and BLM, in consultation with the SHPO, Proponent, and Tribes as appropriate, have reviewed and approved a treatment plan for all historic properties adversely affected by the Work Plan in accordance with Stipulation V.A.3 and that treatment plan does not require additional fieldwork within the Work Plan APE; or
- F. HTNF and BLM, in consultation with the SHPO, Proponent, and Tribes as appropriate, have reviewed and approved a treatment plan for all historic properties adversely affected by the Work Plan in accordance with Stipulation V.A.3. The Proponent's CRM has implemented a treatment plan for the Work Plan that would affect historic properties, and:
 1. The CRM has completed the fieldwork portion of the treatment; and
 2. HTNF has accepted a summary description of fieldwork performed for the Work Plan; and
 3. HTNF has provided an electronic copy of the summary to the SHPO; and
 4. The SHPO has reviewed the summary and either concurred or provided further comments within three (3) working days of receipt. HTNF will address comments from the SHPO. If the SHPO fails to respond to HTNF with three (3) working days, HTNF may authorize implementation of the Work Plan.

- G. Once a Work Plan has gone through the relevant review process set forth in the Stipulations VI.A-F above and the Work Plan has been approved by HTNF, HTNF shall consider the review complete for the Work Plan. HTNF will consider any new information received from a consulting party after the issuance of Work Plan authorization in subsequent activities under this PA.

VII. DURATION

This PA shall become effective on the date of the last Signatories' signature below and shall remain in effect for ten (10) years or the conclusion of exploration activities authorized by the Project undertaking, whichever comes first.

VIII. POST-REVIEW DISCOVERIES

If previously unevaluated cultural resources are discovered or unanticipated effects on historic properties found, HTNF shall implement the Inadvertent Discovery Plan (Attachment C).

IX. MONITORING AND REPORTING

- A. Reporting conducted under this PA will consist of Work Plan inventory reports, as well as finding of effects letters, NTP letters, treatment plans, treatment summaries, and treatment reports.
- B. HTNF will report any new inventory required under the terms of this PA to the SHPO using standard reporting formats.
- C. Monitoring may be prescribed as part of a treatment plan, if appropriate.
- D. Any Signatory may monitor actions carried out pursuant to this PA. To the extent practicable, monitoring activities should minimize the number of monitors involved in the Project.
- E. A draft report of the identification, recordation, evaluation, treatment or other mitigative activities will be due to HTNF from the Proponent's CRM within three (3) months after the completion of the fieldwork associated with the activity, unless otherwise negotiated.
- F. HTNF shall review and comment on any report submitted by the Proponent's CRM within thirty (30) calendar days of receipt, unless otherwise negotiated. The BLM shall review and comment on any report submitted by contractors that takes place in their jurisdiction within thirty (30) calendar days of receipt, unless otherwise negotiated.
- G. HTNF shall ensure that all final reports resulting from actions pursuant to this PA will be provided to the BLM and the SHPO as appropriate.

X. DISPUTE RESOLUTION

Should any Signatory or concurring party to this PA object at any time to any actions proposed or the manner in which terms of this PA are implemented, HTNF shall consult with such party to resolve the objection. If HTNF determines that such objection cannot be resolved, HTNF will:

- a. Forward all documentation relevant to the dispute, including HTNF's proposed resolution, to the ACHP. The ACHP shall provide HTNF with its advice on the resolution of the objection within thirty (30) days of receiving adequate

- documentation. Prior to reaching a final decision on the dispute, HTNF shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, the SHPO, and the Proponent and provide them with a copy of this written response. HTNF will then proceed according to its final decision.
- b. If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period, HTNF may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, HTNF shall prepare a written response that takes into account any timely comments regarding the dispute from the SHPO and Proponent, and provide them and the ACHP with a copy of such written response.
 - c. HTNF's responsibility to carry out all other actions subject to the terms of this PA that are not the subject of the dispute remain unchanged.

XI. AMENDMENTS

This PA may be amended when such an amendment is agreed to in writing by all Signatories. The amendment will be effective on the date a copy signed by all of the Signatories is filed with the ACHP.

HTNF may modify the APE for the Project if needed or as requested by the SHPO or consulting parties without amending the PA proper. If this occurs, the SHPO will receive formal notification of the modified APE. Within thirty (30) calendar days of their receipt of the proposed modification, the SHPO may request the PA to be amended in accordance with the process outlined in this stipulation.

HTNF will provide notification to the SHPO, with a signed letter, in the event of a change in Proponent no later than thirty (30) days from HTNF's receipt of notification. The formal letter will include an updated signature page reflecting the new Proponent signatory. The Signatories can change of Proponent without amending the PA proper.

XII. TERMINATION

If any Signatory to this PA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other parties to attempt to develop an amendment per Stipulation XI, above. If within thirty (30) days (or another time period agreed to by Signatories) an amendment cannot be reached, any Signatory may terminate the PA upon written notification to the other Signatory.

Upon termination, and prior to work continuing on the undertaking, HTNF must either (a) execute an PA pursuant to 36 CFR § 800.6, or (b) request, take into account, and respond to the comments of the ACHP under 36 CFR § 800.7. HTNF shall notify the Signatories as to the course of action it will pursue.

XIII. ANTI-DEFICIENCY ACT

HTNF and BLM's obligations under this PA are subject to the availability of appropriated funds, and the stipulations of this PA are subject to the provisions of the Anti-Deficiency Act. HTNF and BLM shall make reasonable and good faith efforts to secure the necessary funds to implement this PA in its entirety. If compliance with the


Anti-Deficiency Act alters or impairs HTNF and BLM's ability to implement the stipulations of this agreement, HTNF and BLM shall consult in accordance with the amendment and termination procedures found at Stipulations XI and XII of this agreement.

EXECUTION of this PA by HTNF, BLM, and the SHPO and implementation of its terms evidence that HTNF and BLM have taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment.

This PA may be executed in counterparts, each of which shall constitute an original, and all of which shall constitute one and the same agreement.

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SIGNATORIES:



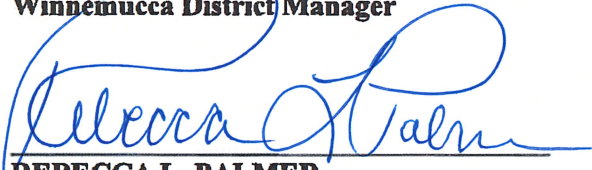
BILL DUNKELBERGER
USDA, Humboldt-Toiyabe National Forest
Forest Supervisor

Date 11/4/20



ESTER M. McCULLOUGH
USDI, Bureau of Land Management
Winnemucca District Manager


Date OCT 28 2020



REBECCA L. PALMER
Nevada State Historic Preservation Officer

Date 11/10/20

CONCURRING PARTIES:



Frank Noland
National Gold Mining Corporation
President

Date 10-31-20

ATTACHMENT A

Project Description

National Gold Mining Corporation (Proponent) proposes to conduct mineral exploration activities for precious minerals over a period of approximately ten (10) years at their National Exploration Project (Project). The Project would take place on National Forest System (NFS) land administered by the USDA Humboldt-Toiyabe National Forest, Santa Rosa Ranger District (HTNF); public land administered by the Bureau of Land Management Humboldt River Field Office (BLM); and private lands controlled by the Proponent. The total combined Project area (including NFS land, BLM-managed public land, and private land) is 1,588 acres. The Proponent proposes to conduct up to 200 acres of surface disturbance related to exploration activities within the project area in a phased approach. Of this total proposed surface disturbance, up to 110 acres would be conducted on private land, up to 50 acres on BLM-managed public land, and up to 40 acres on NFS lands.

The Proponent would conduct one or more of the following activities under this Project:

- a) drilling reverse circulation (RC) and core holes;
- b) geologic mapping and geophysical surveys;
- c) construction of exploration roads, drill sites, and cutting sumps;
- d) excavation of geotechnical test pits and trenching;
- e) the installation and operation of groundwater monitoring and piezometric wells;
- f) installation of a meteorological station to collect baseline data;
- g) the maintenance of all roads within the project area including access roads; and
- h) reclamation of Project-related surface disturbance.

The Proponent has previously conducted approximately 4.7 acres of surface disturbance on private land and 2.3 acres on BLM-managed public land within the Project area.

The Proponent will submit Work Plans for subsequent phases prior to scheduled ground disturbance. Work Plans for subsequent phases will be submitted as soon as drilling targets are identified, but within sufficient time for the cultural resources assessment process to occur prior to the planned date of surface disturbance. Work Plans will include the following information:

- A proposed startup date and close out date for project activities including all reclamation activities
- A map, UTM locations, and shapefiles for all proposed drill hole locations
- The length range and average length of all proposed drill holes
- A map and shapefiles for any other proposed new surface disturbance such as new roads, overland travel routes and staging areas
- Road footage of any new constructed road including road footage by slope increments
- Additional descriptions and diagrams may be required for monitor wells, or additional proposed project infrastructure

Each year due to weather conditions and biotic resource avoidance measures, the operational period would include the end of June through November only. Both intermittent and concurrent reclamation of project disturbance would be conducted as practicable. Intermittent reclamation would be associated with filling sumps, cleaning up drill sites, and removing equipment off work sites on public land during seasonal closures or periods of inactivity between phases of

exploration. Project disturbance, including newly constructed access roads, would otherwise be concurrently reclaimed once it is determined that certain disturbance areas are no longer required for the project. It cannot be determined at this time which drill sites or roads would be reclaimed and when within the ten (10) year operation period. When reclamation does occur, regrading of drill sites, sumps, wells, constructed roads, pits, and trenches would be done to approximate the surrounding topography. Fill material would be pulled back onto constructed roadbeds to fill the road cuts and restore the slope to natural contours. Seeding of regraded disturbance areas would be conducted in the fall using broadcast methods and covered with site-appropriate methods (harrow, raking, etc.) to enhance germination. Revegetation monitoring of reclaimed disturbance areas would be completed for up to two (2) years following reclamation; however, the proponent would not be released from reclamation bonds until revegetation is successful.

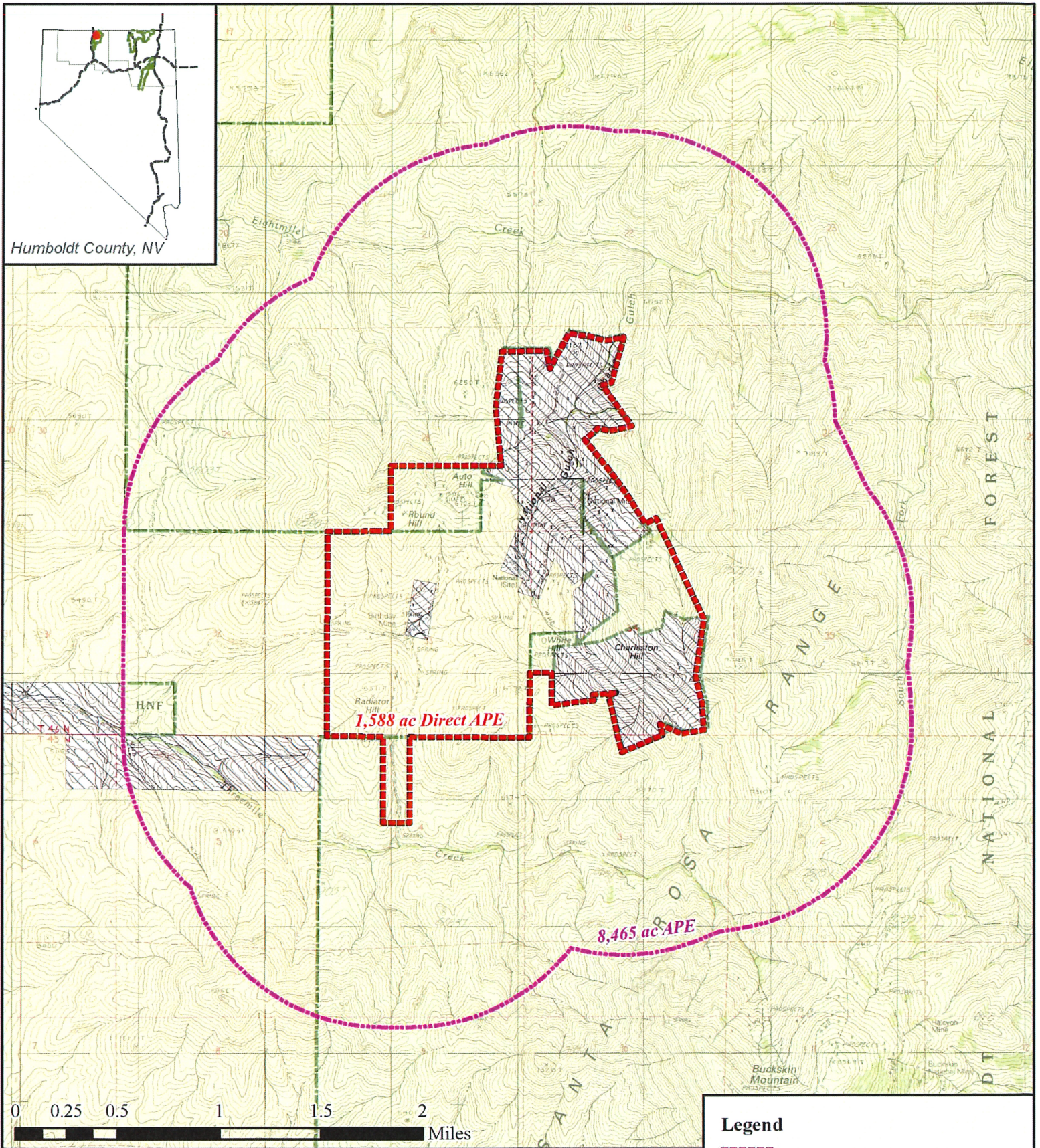
Area of Potential Effect (APE)

The entire project APE, including potential for direct and indirect effects, includes approximately 8,465 acres. Within this, the direct physical APE includes the designated Project boundary, which encompasses approximately 1,588 acres. The entire APE is located within the Santa Rosa Range, in Humboldt County, 25 miles southeast of McDermitt, Nevada. It lies within the Buckskin Mountain, Nevada (1991), United States Geological Survey (USGS) 7.5-minute series topographic quadrangle in all or portions of:

Sections 27, 28, 33, and 34 of Township 46 North, Range 39 East (T46N, R39E) and Section 4 of T45N, R39E.

The APE is located on the western slope of the Santa Rosa Range and covers portions of the steep slopes of five major hills: Charleston Hill, Radiator Hill, Auto Hill, Round Hill, and White Hill. It is bounded by two east/west-trending perennial drainages, Threemile Creek to the South and Eightmile Creek to the north.

If changes to the project APE are required in future phases of the project, HTNF will consult with the SHPO on proposed changes to the APE as per Stipulation XI.



National Mine Exploration Project
 Cultural Resources Project R2016041702574
 Programmatic Agreement - Humboldt-Toiyabe National Forest






Attachment A: Project APE

T. 46 N., R. 39 E. Sections 27, 33, 34
 T. 45 N., R. 39 E. Sections 3 and 4
 Buckskin Mountain, NV 7.5 USGS Quad



1:40,000

Legend

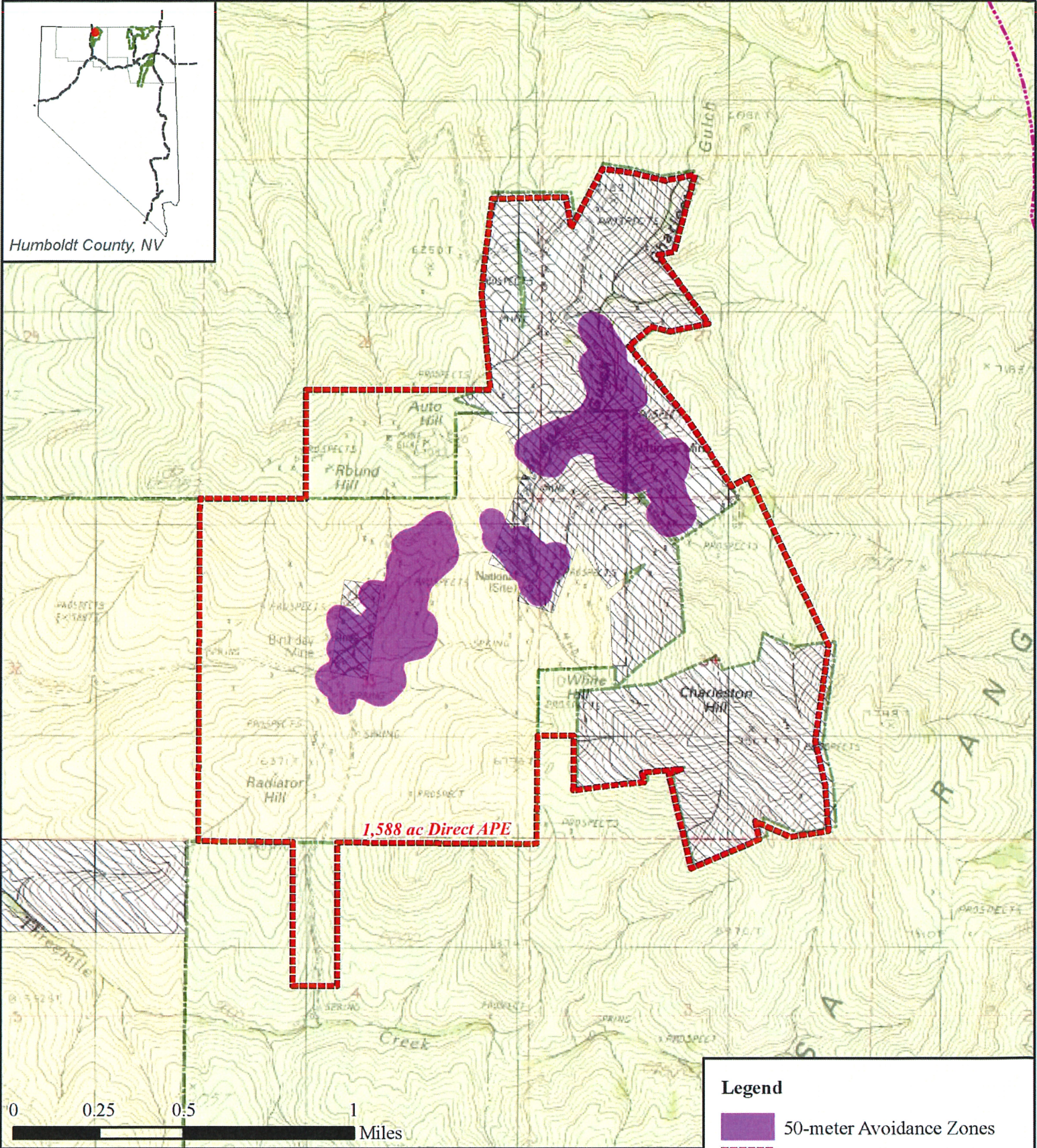
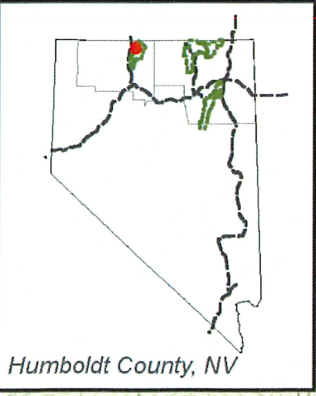
-  National Project APE (direct)
-  National 1-mile Buffer APE
-  BLM
-  FS
-  PVT

ATTACHMENT B

The National Exploration Project (Project) APE has been subject to Class III cultural resource inventory. Three historic properties have been identified within the surveyed APE. These include sites related to mining and habitation associated with the historic National Mine and Mining District; sites: 26HU1663, 26HU8307, and 26HU8346. The Avoidance Buffer Zones established within the APE include a 50-meter buffer surrounding site boundaries determined to be National Register of Historic Places (NRHP) eligible under Criterion D.

The Avoidance Buffer Zones will be provided to the Proponent prior to design of any project Work Plan. Work Plans will be submitted to HTNF prior to authorization for review and to allow determinations of effect as per the stipulations of this agreement. In some cases, it may be determined that sites within avoidance zones are characterized by contributing and non-contributing features. The attached map identifies general avoidance areas based on a 50-meter buffer; however, HTNF may consult with the SHPO to identify contributing and non-contributing features within this area that may be subject to more specific avoidance recommendations. If feature-specific contributing statuses are agreed upon with the SHPO in consultation associated with Stipulation III, associated avoidance zones will also be consulted on with the SHPO as per Stipulation IV.

In instances where avoidance buffers pertain to specific features, the avoidance buffer will be flagged in the event of proposed activities being authorized near the avoidance boundary. The standard avoidance buffer may be modified by the respective agency on a case-by-case basis following review by a qualified archaeologist. This variance would be communicated to the SHPO in effects determinations submitted as per Stipulation IV or as an APE amendment pursuant to Stipulation XI. All Proponent employees and contractors involved in mineral exploration shall be reminded that if there is any doubt or uncertainty about the Avoidance Buffer Zone near a proposed disturbance, that no disturbance should be initiated until the status is confirmed by the Proponent and HTNF or Proponent's CRM.



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 Cultural Resources Project R2016041702574
 Programmatic Agreement - Humboldt-Toiyabe National Forest







Attachment B: Avoidance Buffer Zones

T. 46 N., R. 39 E. Sections 27, 33, 34
 T. 45 N., R. 39 E. Sections 3 and 4
 Buckskin Mountain, NV 7.5 USGS Quad



1:24,000

Legend

-  50-meter Avoidance Zones
-  National Project APE (direct)
-  National 1-mile Buffer APE
-  BLM
-  FS
-  PVT

ATTACHMENT C

Inadvertent Discovery Plan

If unanticipated buried cultural resources are identified during project activities and construction, HTNF and BLM will ensure that all employees or contractors comply with the following protocol to ensure the proper identification, evaluation, and protection of the cultural resource.

The Project Supervisor or Contractor will immediately:

1. Cease all activity within 160 ft/50 m of the discovery.
2. Notify HTNF authorized official. This contact or designee will coordinate with the BLM to notify the SHPO, any affected tribe, and other consulting parties, including any CRM assigned to the project.
3. Leave all artifacts and materials in place but protect the discovery from further damage, theft, or removal.

The Agency cultural resources staff or qualified CRM will:

1. Document the discovery. This should include, but is not limited to, documenting exposed artifacts and features; mapping the extent of artifacts, features, and cultural horizons; and documenting natural and cultural stratigraphy in open trenches or pits.
2. Evaluate the cultural resources for National Register of Historic Places (NRHP) eligibility. If a NRHP eligibility recommendation cannot be made based on the data collected during recordation, additional testing may be required to further delineate the nature, extent, and significance of the discovery. Testing will be limited to a sufficient level needed to provide a recommendation of NRHP eligibility.
3. If cultural resources meet NRHP eligibility, HTNF and BLM will develop an action plan, mitigation plan, or emergency treatment plan for the affected cultural resources.

Resumption of Work:

1. Work in the immediate vicinity of the discovered materials may not resume until after the cultural resources are evaluated and adverse effects to historic properties have been avoided, minimized, or mitigated.
2. Resumption of work will be a decision by the appropriate authorized officer. This may be the HTNF District Ranger or the BLM District Manager, except in the case where human remains are involved it is recommended that the HTNF Forest Supervisor make the decision for Forest Service jurisdiction.

Discovery of Human Remains

If human remains or remains thought to be human, funerary objects, sacred objects, or objects of cultural patrimony are discovered during an undertaking involving federally-managed lands, HTNF and BLM will comply with Native American Graves Protection and Repatriation Act (NAGPRA) and its implementing regulations at 43 CFR 10, Subpart B. HTNF and BLM will ensure that employees or contractors also comply with the protocol specified below for unanticipated discoveries of this kind. Human remains and associated grave goods discovered on private land will be handled according to provisions of Nevada Revised Statute 383.150 to 383.190.

The Project Supervisor or Contractor will:

- Ensure that employees or contractors do not take photographs of the human remains out of respect for Tribal concerns and of law enforcement forensic concerns.
- Be responsible for the security and protection of human remains during NAGPRA consultations, until disposition of the remains is determined.

The Lead Agency (HTNF) Line Officer or designee, in coordination with the BLM, will:

- Notify appropriate law enforcement authorities and/or the County coroner about the human remains.
- Work with law enforcement or the County coroner to determine the age and affiliation of the human remains.
- If law enforcement officials determine the human remains are not of recent age or criminal concern, the agencies will consult with Tribes, the SHPO, and other consulting parties to fulfill the requirements of NAGPRA (43 CFR 10).

HTNF and/or BLM will:

- Provide a specialist with expertise in human osteology and human remains to make an in-situ assessment of the remains to document the remains and to determine the cultural affiliation that would guide the development of a written action plan. A consultant provided by the Proponent may also perform this work.
- Develop an Action Plan for the evaluation and disposition of the human remains that meets the requirements of NAGPRA (43 CFR 10) and 36 CFR 800.

Resumption of Work:

- Work within 300 feet of the human remains may not resume until after the disposition of the human remains is determined and a written binding agreement is executed between the necessary parties in accordance with 43 CFR 10.4(e).
- Resumption of work will be a decision by the appropriate agency authorized official upon the advice of the cultural resource specialist and the appropriate law enforcement officers.