

**HYCROFT MINE EXPANSION PROJECT ROD AND PLAN APPROVAL
STIPULATIONS AND APPLICANT COMMITTED ENVIRONMENTAL
PROTECTION MEASURES**

STIPULATIONS

1. The identified golden eagle nest removal shall be coordinated with the United States Fish and Wildlife Service (USFWS). The nest removal shall occur outside of golden eagle nesting season. Prior to the removal of the nest, a biologist shall survey the nest to ensure that it is not active.
2. During burrowing owl nesting season (March to late August), a burrowing owl inventory survey following the Winnemucca BLM's survey protocol shall be conducted prior to surface disturbance in the areas identified as potential burrowing owl habitat within the Project Area.
3. Bat exclusion activities shall be conducted in the east and west Silver Camel workings prior to disturbance of this area. Exclusion activities shall include the following: spreading exclusion materials (one-inch chicken wire or one-inch polyethylene avian netting) across the open workings, allowing bats to exit the site while discouraging their return; exclusions shall be conducted at each opening with potential connection to the east and west Silver Camel workings prior to closure for a minimum of three to five nights; exclusion materials shall be monitored nightly throughout the period of exclusion to reduce the potential for exclusion material collision stress, injury, and death; external surveys using night vision or thermal imaging equipment shall be conducted to verify site vacancy; fire smoke bombs shall be used on the final night of exclusion prior to closure; and physical closures shall be conducted immediately following confirmation of vacancy. In addition to bat exclusion from the Silver Camel workings, warm and cold season surveys shall be conducted in the vicinity of the Project for potential mitigation sites should additional mitigation be deemed necessary by the BLM.
4. Salvage and transplanting efforts for Crosby's buckwheat in the Project Area shall be conducted to preserve the genetics of the populations. Salvage activities shall occur prior to any ground disturbing activities in the areas identified as Crosby's buckwheat habitat, as additional plants may have established since the last survey effort in the Project Area. The salvaged plants shall be transplanted in three locations: one in the nearest suitable habitat outside of the Project Area; and at two different locations within the National Conservation Area or Wilderness Area where an established population already exists. Details of the transplanting effort and post-transplant monitoring shall be further coordinated with local botanical experts, including the BLM, to maximize the potential for success of the transplanting effort. As an additional measure, HRDI shall provide funding towards the research and preservation of rare plants in Nevada.
5. HRDI shall develop, and submit to the BLM for approval, a treatment plan to address the potential impacts to the 21 eligible sites within the Project APE area of direct impacts (i.e., proposed disturbance and facilities footprint) and the five sites most likely to be subject to indirect impacts. The treatment plan and associated Memorandum of Agreement shall be signed prior to the ROD. HRDI shall implement the treatment plan prior to any surface disturbance of eligible sites within the area of direct impacts and the

five sites most likely to be subject to indirect impacts. A mitigation plan is a standard and effective approach to reduce adverse effects to cultural resources. Indirect impacts to eligible cultural resources other than the five sites mentioned above within the Project APE are not considered to be significant, at this time. The treatment plan shall include the following measures:

- a. HRDI shall develop and submit to the BLM for approval, a mine workers education program on the consequences of unauthorized collection of artifacts within 90 days of ROD effective date.
 - b. HRDI shall install perimeter fencing delineating the proposed Project Area boundary within 180 days of ROD effective date to deter the public from visiting historic properties and potentially collecting artifacts.
 - c. HRDI shall maintain existing eligible roads (CrNV-22-6274, 9717, and 9894 [Jungo Road]) during all phases of the Project within the limits of the existing eligible roads cross section as feasible considering all appropriate health and safety regulations (e.g., MSHA and OSHA, with the exception of CrNV-02-11443 [Seven Troughs Road], which would be relocated. Mitigation for adverse effects to this historic road shall be described in the treatment plan. HRDI shall contract a qualified archaeological consulting firm, approved by the BLM, to provide quarterly monitoring for Year 1 and yearly monitoring for each subsequent year of eligible roads (CrNV-22-6274, 9717, and 9894 [Jungo Road] and CrNV-02-11443 [Seven Troughs Road]) to reduce the direct and cumulative effects of above described maintenance. Should damage be detected during monitoring, BLM may choose to consult with SHPO to determine if additional protective measures or further action to mitigate the impact are required.
 - d. In addition, HRDI (through a qualified archeological consulting firm) shall conduct quarterly monitoring during the first year, and twice a year monitoring of a sample of other eligible sites within the indirect effects area. The sample would consist of ten sites (both historic and prehistoric) concentrating on those containing artifacts likely to be of interest to illegal collectors. After each monitoring visit, a letter report shall be sent to the BLM within two weeks of the fieldwork.
6. An as-built map will be submitted to the BLM WD/BRFO by April 15 of each year, showing topography, township, range and sections, locations of all mine operations and activities, including new areas of disturbance, and areas that have been reclaimed with month and year the area was regraded or reseeded.
 7. The financial guarantee, or portions thereof, shall be released upon the BLM WD/BRFO and NDEP/BMRR concurrence that adequate reclamation has been successfully completed. Bond release criteria shall be those set forth in regulations at 43 CFR 3809, and the *Nevada Guidelines for Successful Revegetation for the Nevada Division of Environmental Protection, the Bureau of Land Management and the U.S.D.A. Forest*

Service (Instruction Memorandum #NV99-013). Bond release will be conducted according to the Surface Management Regulations at 43 CFR 3809.590 through 3809.594.

8. The Migratory Bird Treaty Act prohibits the destruction of nests (nests with eggs or young) of migratory birds. In order to avoid potential impacts to breeding migratory birds, a nest survey shall be conducted within potential breeding habitat prior to any surface disturbance during the avian breeding season (April 15 to July 15). If nests are located, or if other evidence of nesting (i.e., mated pairs, territorial defense, carrying nest material, transporting food) is observed, a protective buffer (the size depending on the habitat requirements of the species) shall be delineated and the buffer area avoided to prevent destruction or disturbance to nests until they are no longer active. The site characteristics used to determine the size of the buffer are: a) topographic screening; b) distance from disturbance to nest; c) the size and quality of foraging habitat surrounding the nest; d) sensitivity of the species to nest disturbances; and e) the protection status of the species.
9. Bi-annually, starting in 2013, until the final release of revegetation, the operator shall complete a noxious weed survey within the entire plan of operations boundary. The operator shall then have a licensed contractor treat the noxious weeds as appropriate and as approved by the BLM. A report of the findings and treatment method(s) shall be sent to the BLM within 60 days after treatment. A pesticide use proposal would need to be submitted to the BLM for approval prior to noxious weed treatment.
10. The operator shall ensure that all mine and exploration equipment is power-washed before entering the Project Area to prevent the spread of noxious weeds. Washing of this equipment is not authorized on public lands, unless an approved wash-point/facility is established in conjunction with your plan.
11. No hazardous or toxic waste, waste oil or lubricants shall be disposed of on public lands. Trash and other debris shall be contained on the work site and then hauled to an approved landfill. Burial and/or burning of trash and other debris is not authorized without specific permits from BLM and other appropriate agencies.
12. All hazardous material spills regardless of size would be cleaned up. Motorized equipment would be inspected daily by the operator for leaks or fluid loss and would be maintained to prevent leaks or fluid loss. If fluids are lost due to leaks during operations, the operator would shut down the leaking machine and would collect any contaminated soil (if present) in a 55 gallon barrel for transport offsite to a permitted facility for proper treatment and disposal. Used oil, antifreeze, batteries, tires and other recyclable materials resulting from equipment maintenance will be collected in closed containers or on pallets, as appropriate, and will be removed from the site on a regular, frequent basis for recycling. Under no circumstances will large quantities of these or other used materials be allowed to accumulate at the site, nor will any of these materials be disposed on or in the land at the site.

13. All reporting requirements specified by the Nevada Division of Environmental Protection or Nevada Department of Wildlife shall also be reported to the BLM WD/BRFO.
14. Pursuant to 43 CFR 10.4(g) the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the immediate vicinity of the discovery and protect it from your activities for 30 days or until notified to proceed by the authorized officer.
15. As directed in 43 CFR 3809.420(b)(9) *Protection of survey monuments*, it is the responsibility of the HRDI to bear the total cost of any necessary restoration or reestablishment activity of the affected monument(s). Correspondingly, in the course of any surface disturbance activity when PLSS/Cadastral corners or accessories may or have been subject to obliteration, destruction, or damage, it will be the responsibility of HRDI to protect and preserve the PLSS/Cadastral monumentation.
16. The following precautionary measures should be taken to prevent wildland fires. In the event your operations should start a fire, you could be held liable for all suppression costs under Title 43 CFR 9212.4. These are in addition to any requirements imposed by the Mine Safety and Health Administration or other governing agencies for work-area fire protection.
 - a. All vehicles should carry at a minimum a shovel and five gallons of water (preferably in a backpack pump), in addition to a conventional fire extinguisher.
 - b. Adequate fire fighting equipment (a shovel, a pulaski, standard fire extinguisher(s), and an ample water supply) should be kept readily available at each active drill site.
 - c. Vehicle catalytic converters should be inspected often and cleaned of all flammable debris.
 - d. All cutting/welding torch use, electric-arc welding, and grinding operations should be conducted in an area free, or mostly free, from vegetation. An ample water supply and shovel should be on hand to extinguish any fires created from sparks. At least one person in addition to the cutter/welder/grinder should be at the work site to promptly detect fires created by sparks.
 - e. Any fire restrictions or closures issued by the BLM WDO will be publicized in the local media, and notice will be posted at various sites throughout the district. We will not individually contact operators. Your plan serves as an authorization that may exempt your operations from certain restrictions in those orders. Your personnel will be responsible for being aware of and complying with the requirements of those orders.
 - f. Any wildland fire observed should be reported immediately to the BLM Central Nevada Interagency Dispatch Center at (775) 623-3444.

APPLICANT COMMITTED ENVIRONMENTAL PROTECTION MEASURES

The following environmental protection measures incorporated into the Proposed Action were designed in accordance with applicable laws and regulations and are considered industry standard with the exception of the lighting mitigation measure and the wildlife water development measure, which were developed and incorporated into the Proposed Action as a result of comments received during Project scoping.

Air Quality

Air emissions, including point and fugitive dust sources, would be controlled in accordance with the air quality operating permits for the Project and would be controlled in accordance with present BMPs shown in the *Hycroft Mine Dust Control Plan* and in the table below:

Committed Practices for Fugitive Dust Control

Area	Control Practice
Drilling	Wet drilling as needed
Blasting	Stemming Optimize blast pattern
Exploration, clearing/grubbing	Application of water and dust suppressants Limit vehicle speed Controlling vehicle access by fences or berms
Hauling	Control vehicle speed Application of water and dust suppressants
Crushing	Water sprays Enclosures Minimize drop height
Conveying	Water sprays Enclosures Minimize drop height
WRF	Surface wetting Concurrent vegetation
Ancillary areas and growth media stockpiles	Application of water and dust suppressants Place gravel or pave Control vehicle access by fences or berms Revegetation

Source: HRDI 2010a.

Cultural Resources and Native American Religious Concerns

- Pursuant to 43 CFR 10.4(g), HRDI would notify the BLM authorized officer, by telephone, and with written confirmation, immediately upon the discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony (as defined in 43 CFR 10.2). Further pursuant to 43 CFR 10.4 (c) and (d), the operator would immediately stop all activities in the vicinity of the discovery and not commence again for a maximum of 30 days or when notified to proceed by the BLM authorized officer.

- HRDI would not knowingly disturb, alter, injure, or destroy any historical or archaeological site, structure, building, or object. If HRDI discovers any cultural resource that might be altered or destroyed by operations, the discovery would be left intact and reported to the authorized BLM officer.
- In order to prevent impacts to cultural resources, HRDI would avoid eligible or unevaluated cultural sites within the Project Area. HRDI would ensure that eligible or unevaluated cultural sites within the Project Area are mapped and flagged by a qualified cultural resource specialist with a GPS unit prior to surface disturbance.
- HRDI would avoid Pulpit Rock and the known rock shelter locations within the Project Area by establishing a 250-foot setback from the cliff areas and Pulpit Rock for operational activities. HRDI may fence the Project boundary, but an arrangement would be reached with the Northern Paiute tribes to allow them access to Pulpit Rock and the cliff face.

Fire Management

HRDI would comply with applicable federal and state fire laws and regulations and would take reasonable measures to prevent and suppress fires in the area of operations. HRDI and contractors would be required to carry fire extinguishers, hand tools, or backpack-type water pumps in their vehicles to suppress small fires.

Hazardous Materials Management

Solid and hazardous wastes would be managed according to the *Solid and Hazardous Waste Management Plan* (HRDI 2010c). Used oil, antifreeze, diesel fuel, grease, oil, solvents, ammonium nitrate, emulsion, and Class A explosives would be utilized as part of HRDI's proposed activities. Approved staging facilities, safety measures, transportation, and handling requirements are already in use and would continue to be utilized for the proposed Project. Used materials would be recycled where possible.

Aerosol cans would be emptied and de-pressurized prior to disposal. Liquid drained from aerosol cans would be tested to determine their waste status and managed appropriately. Accumulation of pressurized cans would be minimized.

Hazardous waste would be stored in properly labeled storage containers, dumpsters, or barrels. Storage containers would be closed except when materials were being placed in the containers. The storage containers would be clearly labeled or marked with the dates when accumulation began and when the container was filled. Storage containers would be in good repair with no defects and would be suitable for off-site shipment under NDOT requirements. Hazardous wastes would be shipped to an approved location by a certified hazardous waste vendor in accordance with Resource Conservation Recovery Act requirements.

Lighting

HRDI would utilize screening on proposed stationary lights and light plants. Lighting would be directed onto the pertinent site only and away from adjacent areas not in use with safety and proper lighting of the active work areas being the primary goal. Lighting fixtures would be hooded and shielded as appropriate. The Proposed Action would also modify or retrofit the existing lighting facilities. HRDI would utilize the lighting measures provided in the *Hycroft Mine Lighting Management Plan* (HRDI 2011a), which are designed to reduce the impacts to night skies.

Migratory Birds

Land clearing and surface disturbance would be timed to prevent destruction of active bird nests or young of birds during the avian breeding season and in accordance with the Winnemucca District policies to comply with the Migratory Bird Treaty Act of 1918 (MBTA). If surface disturbing activities were unavoidable during the breeding season, HRDI would have a qualified biologist survey areas proposed for disturbance for the presence of active nests immediately prior to the disturbance.

Wildlife Water Developments

HRDI would coordinate with the NDOW if the existing small game guzzlers are impacted by the Project development to relocate the affected guzzler. In addition, HRDI would work with the NDOW on the development of a new big game guzzler in the vicinity of the Project Area to offset potential loss of big game habitat.

Noxious, Invasive and Nonnative Species

HRDI would work with the BLM to prevent the spread of noxious, invasive, and nonnative species in the area affected by the expansion. The ongoing weed control program would continue in the area of the proposed activity. Employees and contractors would be educated to identify weeds that could occur in the area disturbed. Should invasive weeds be identified, HRDI would take appropriate measures to prevent their spread, as identified in the *Hycroft Mine Noxious Weed Monitoring and Control Plan* (HRDI 2010d).

Storm Water

Best Management Practices would be used to limit erosion and sediment transport from proposed facilities and disturbed areas during construction and operation, in accordance with the Nevada General Storm Water Permit NVR300000 and the Storm Water Pollution Prevention Plan (SWPPP). Following construction activities and in accordance with the BLM requirements, areas such as growth media stockpiles would be seeded as

soon as practical and safe. Concurrent reclamation would be conducted to accelerate stabilization of disturbed areas.

In addition to the BMP inspections and reporting, an annual evaluation would be conducted, preferably following the spring runoff period. This evaluation would result in the preparation of a written report documenting the following:

- Inspection of areas contributing to storm water discharges containing pollution (i.e., sediment or product spills/leaks);
- Evaluation of BMPs for their effectiveness in reducing storm water pollutant loads; and
- Schedule for modifying the BMPs and revisions to the SWPPP, if practical reductions of pollutants can be achieved.

Monitoring

As part of the *Hycroft Mine Monitoring Plan*, HRDI proposes to monitor the following in compliance with state permits and other plans: air quality; WRFs and ore stockpiles; reagent and diesel storage; heap leach facilities; sediment controls; ground water; reclamation; noxious weeds; and wildlife (HRDI 2010e).