



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Mount Lewis Field Office

50 Bastian Road

Battle Mountain, Nevada 89820

Phone: 775-635-4000

Fax: 775-635-4034

http://www.blm.gov/nv/st/en/fo/battle_mountain_field.html

In Reply Refer To:

3809 (NVB0100)

NVN-066621 (16-1A)

DOI-BLM-NV-B010-2016-0026-EA

SEP 9 2016

CERTIFIED MAIL NO.: 7014 2870 0001 8510 9793

Return Receipt Requested

DECISION

Barrick Gold Exploration, Inc. :

Attn: Kimberley A. Wolf :

P.O. Box 29 :

Elko, Nevada 89801 :

Surface Management

Amendment to the Plan of Operations Approval Determination of Required Financial Guarantee

INTRODUCTION

The Bureau of Land Management (BLM) has reviewed the Plan of Operations (Plan) titled, *Amendment to the Horse Canyon/Cortez Unified Exploration Project Plan of Operations (NVN-066621 [16-1A]) and Reclamation Permit No. 0159 – Twin Declines for Underground Exploration* and has prepared an Environmental Assessment (EA), DOI-BLM-NV-B010-2016-0026-EA that analyzes the affected environment, environmental impacts, and identifies environmental protection measures (EPMs) associated with the Barrick Gold Exploration, Inc. (Barrick) Horse Canyon/Cortez Unified Exploration Project) (HC/CUEP) (Project).

The final Amendment to the Plan of Operation (APO) was submitted on September 8, 2016, in accordance with the BLM Surface Management Regulations 43 Code of Federal Regulations (CFR) 3809, as amended. It has been assigned BLM case file number NVN-066621 (16-1A). The APO will result in a total of 12 acres of new surface disturbance and is the continuation and reallocation of use of currently authorized disturbance.

BACKGROUND

The HC/CUEP Plan boundary includes approximately 22,307 acres total. As of March 2016, there were approximately 420 acres of surface exploration disturbance within the HC/CUEP Plan area. Under the Proposed Action, of the remaining 129 acres of authorized disturbance, 12 acres would be re-allocated from surface exploration to underground exploration.

The 12 acres of surface disturbance for the portal pad would be in Section 8, Township 26 North, Range 48 East (T. 26 N., R. 48 E.), Mount Diablo Base & Meridian, Nevada. The power line and water supply line (along the existing disturbance associated with the Horse Canyon Haul Road) would be in Sections 6, 7 and 8, T. 26 N., R. 48 E., Mount Diablo Base & Meridian, Nevada.

This EA discloses the current environmental conditions of the HC/CUEP area and analyzes effects associated with the proposed underground exploration activities.

PUBLIC INVOLVEMENT

The BLM initiated Native American coordination in April 2016 by contacting the Battle Mountain Band of the Te-Moak Tribe of Western Shoshone, Duckwater Shoshone Tribe, Elko Band and South Fork Band of the Te-Moak Tribe of Western Shoshone, Te-Moak Tribe of Western Shoshone, and the Yomba Shoshone Tribe. Native American coordination is ongoing.

The EA was made available for a 30-day public comment period ending on August 20, 2016. Notifications of the availability of the EA were sent to persons and agencies on the Project mailing list and the EA was posted on the Battle Mountain District, Mount Lewis Field Office ePlanning webpage. Additionally, the BLM issued a press release the same day providing a link to the EA and instructions on how to comment. Two comment letters were received from the public or other federal, state, or local agencies. Substantive comments were evaluated and considered by the BLM during the decision-making process.

All correspondence relative to this planning process is part of the public record and available for review at the Mount Lewis Field Office.

DECISION

1. As a result of the analysis presented in the EA and making a Finding of No Significant Impact (FONSI), and carefully considering the comments and input received from the public, it is the Decision of the Authorized Officer to select the Proposed Action as the BLM's Preferred Alternative and approve the APO with the financial guarantee requirements. The BLM approval of the APO will be subject to operating, reclamation and monitoring measures in the APO, the performance standards set forth in 43 CFR 3809.420, and the Applicant-Committed Environmental Protection Measures as set forth in the EA and restated in this Decision under the Conditions of Approval.

Approval of the APO by the BLM does not constitute a determination regarding the validity or ownership of any unpatented mining claims involved in the mining and exploration operation. Barrick is responsible for obtaining any use rights or local, state or federal permits, licenses or reviews that may be required before operations begin.

This Decision also constitutes concurrence with Barrick's use and occupancy of public lands as described in the approved APO. Barrick must maintain compliance with the Use and Occupancy regulations at 43 CFR 3715.2, 43 CFR 3715.2-1, and 43 CFR 3715.5, throughout the duration of

the approved Plan of Operations. Concurrence by BLM on Barrick's proposed use and occupancy is not subject to State Director review, but may be appealed by adversely affected parties directly to the Interior Board of Land Appeals as outlined in enclosed BLM form 1842-1.

Financial Guarantee

This office has determined that the amount of **\$4,604,196** is sufficient to meet all anticipated reclamation requirements. The amount of the reclamation cost estimate is based on the operator complying with all applicable operating and reclamation requirements. The financial guarantee provides surface reclamation coverage for operations conducted by the principal on lands in Nevada governed by 43 CFR 3809. Line items in the approved reclamation cost estimate are not to be considered as the limits of the reclamation expenditures should forfeiture of the financial guarantee be necessary. The line items listed are solely for the purpose of arriving at a total amount for the financial guarantee. This amount may be spent as the BLM deems necessary to implement the approved reclamation plan. Nor does the financial guarantee amount represent reclamation liability limits or constraints should the actual cost of reclamation exceed this amount.

The operator must submit an acceptable financial guarantee in the amount of **\$4,604,196** to the Bureau of Land Management, Branch of Minerals Adjudication, 1340 Financial Blvd., Reno, NV 89502-7147. You must receive written notification from that office accepting and obligating your financial guarantee before you may begin surface-disturbing activities under the Plan. Failure to provide an acceptable financial guarantee within the specified time frame will result in an enforcement action against the operator for failure to maintain an acceptable financial guarantee.

The amount of the financial guarantee is subject to change pending further review by the BLM or the Nevada Division of Environmental Protection, Bureau of Mining Regulation and Reclamation (NDEP-BMRR).

2. Conditions of Approval¹

Barrick will commit to the following EPMs to prevent unnecessary or undue degradation during construction, operation, and reclamation of the Project. These measures are derived from the general requirements established in the BLM's Surface Management Regulations at 43 CFR 3809.

All requirements of the March and June 2015 DRs (BLM 2015c, BLM 2015a) including applicant-committed EPMs, as the Conditions of Approval, would remain in place. The applicant-committed EPMs, as they were written in the Conditions of Approval, are included in Appendix A of the EA.

Air Quality

- Barrick would implement the HC/CUEP fugitive dust control plan to minimize dust emissions. The Horse Canyon Haul Road and the portal pad would be watered, graveled,

¹ All citations refer to EA number DOI-BLM-NV-B010-2016-0026-EA

or chemically treated to reduce fugitive dust emissions, based upon weather and road conditions.

- Speed limits would be posted and vehicle speeds reduced on the Horse Canyon Haul Road to minimize the potential for fugitive dust emissions. Speed limits would be enforced.
- Project vehicles would be maintained regularly to ensure they are operating in a manner to minimize vehicle emissions.

Water Quality

- Barrick would adhere to the HC/CUEP Stormwater Pollution Prevention Plan (SWPPP), included in the APO as Appendix B.
- Stormwater best management practices (BMPs) (NDEP et al. 1994, NDEP et al. 2008) would be used to minimize erosion.
- Barrick would follow the spill contingency plan, as included in the APO SWPPP.
- Erosion and runoff control measures would be implemented.
- BMPs would be utilized to control erosion and sedimentation.
- After underground exploration is completed, the portal pad would be recontoured, growth medium would be placed, and the area reseeded with a BLM-approved seed mixture to establish ground cover and minimize erosion.

Water and Riparian Resources

- There are no riparian or wetland areas within the 12 acres of proposed surface disturbance for the portal pad. Diversion would be placed above the portal pad to route the surface flow around the portal pad.
- Culverts would be used to route diverted surface flow underneath the Horse Canyon Haul Road. The culvert outlet elevation(s) would be designed at or near the existing ground elevations to minimize the hydraulic jump and reduce the potential for erosion as the stormwater flows from the culvert(s) onto natural ground.
- Temporary straw bales would be utilized to protect drainages during construction.

Solid and Hazardous Waste

- Diesel, gasoline, oil, and lubricants would be transported on the Horse Canyon Haul Road for use at the portal pad, underground declines and exploration drifts. There would be no bulk storage of diesel or gasoline at the portal pad. If regulated materials (petroleum products) are spilled, measures would be taken under Barrick spill response guidelines to control the extent of the spill, and the appropriate agencies would be notified in accordance with the applicable federal and state regulations.
- Solid waste would be collected at the portal pad and transported offsite periodically for disposal at an approved solid waste facility.

Wildlife, Sensitive, and Special Status Species

- If construction of the portal pad occurs during the migratory bird nesting season, defined by the BLM as March 1 through July 31, Barrick would conduct pre-disturbance migratory bird nest surveys and establish exclusion zones around any active nests found. Clearance surveys would be conducted following BLM Wildlife Protocols (BLM 2014). If active nests are located, or if other evidence of nesting is observed (e.g., mating pairs,

territorial defense, carrying nesting material, transporting food) at the portal pad, Barrick's biologist would recommend to the BLM an avoidance buffer around the nest which the BLM, in coordination with the Nevada Department of Wildlife (NDOW) and the U.S. Fish and Wildlife Service (USFWS), will review and approve prior to surface disturbance. Barrick's biologist would inform Barrick when the birds have left the nest. Barrick would not conduct any surface disturbing activities within the exclusion zone until the biologist determines that the birds are no longer nesting.

- Barrick would not construct the portal pad within a 0.5-mile radius of any active raptor nests during the nesting season (March 1 to July 31). Upon identifying an active raptor nest, Barrick would immediately notify the BLM.
- Speed limits of 35 mph would be posted on the Horse Canyon Haul Road. Speed limits would be enforced.
- The Proposed Action has been designed in compliance with the Nevada and Northeastern California Greater Sage-Grouse Approved Resource Management Plan Amendment (ARMPA) (BLM 2015d) and the Barrick Nevada Greater Sage-Grouse Bank Enabling Agreement (BEA) (DOI et al. 2015). The components of the Proposed Action (the portal pad, the power line, and pipeline) are within the area covered by the BEA. Barrick has complied with the ARMPA and the BEA by designing the project to be within non-habitat for the greater sage-grouse and more than 4 miles from the nearest lek.
- Barrick would not construct the portal pad within 50 feet of existing adits, shaft openings, or caves to prevent any impacts to bat species potentially residing in or near these structures. If a BLM-qualified biologist surveys the site and determines that bats are not residing in or near the structure, the aforementioned exclusion zone would not apply.
- The portal pad has been designed to not be located in habitat identified as suitable to support pygmy rabbit.
- The portal pad has been designed to not be located in habitat identified as suitable to support pale or dark kangaroo mouse.
- No other special status plant or wildlife species or habitat have been identified within the area proposed for the portal pad.

Cultural and Paleontological Resources

- The components of the Proposed Action (the portal pad, the power line, and pipeline) have been designed to avoid cultural and paleontological resources.
- If Barrick discovers previously unknown cultural resources while constructing the Proposed Action, Barrick would immediately cease any surface disturbing activity within 100 meters/330 feet of the discovery and notify the BLM. If the BLM determines, in consultation with the Nevada State Historic Preservation Office (SHPO), that the site is or may be eligible for the National Register of Historic Places (NRHP), a BLM archaeologist would determine an exclusion zone adequate to protect the resource. Barrick would not conduct any surface disturbing activities within this exclusion zone without further authorization from the BLM, which may require further environmental and/or cultural analyses. If the site is determined not to be eligible, Barrick may resume surface disturbing activities upon notification by the BLM.
- Barrick's employees and contractors would receive training on the potential for cultural resources and the procedures required by Barrick to avoid disturbing, altering, or destroying any remains or any historical or archaeological site, structure, building or

object on federal land. If construction activities uncover human remains, Barrick would immediately cease all earth disturbing activities within 100 meters/330 feet of the discovery and notify the BLM and county law enforcement so that the BLM and/or law enforcement can ensure compliance with all applicable laws regarding such discovery.

- If Barrick discovers a vertebrate fossil deposit during construction activities, Barrick would immediately cease further activities that may affect the deposit and notify the BLM so that the BLM may evaluate the discovery and establish an exclusion zone. Barrick would not undertake any further surface disturbance within the exclusion zone.
- The components of the Proposed Action (the portal pad, the power line, and pipeline) have been designed to avoid Properties of Cultural and Religious Importance (PCRIs).

Survey Monuments

- Survey monuments, witness corners, and/or reference monuments would be protected to the extent economically and technically feasible. Should moving such a feature be required, Barrick would ensure that a licensed Professional Land Surveyor oversee and execute the relocation in a manner consistent with applicable laws. The BLM would be notified in writing prior to the moving of any such survey monument.

Fire Prevention and Control

- Barrick would comply with all applicable federal and state fire laws and regulations, and would take all reasonable measures to prevent and suppress fires in the area of the Proposed Action. Barrick and contractors are required to carry fire extinguishers in their vehicles to suppress small fires.
- Water would be available at the portal pad to suppress fires.

Invasive Non-Native Species

- Barrick would be responsible for controlling all noxious weeds at the portal pad until the reclamation activities have been determined to be successful and released by the BLM authorized officer.
- Barrick would implement the Noxious Weed Management Plan.

Vegetation/Forestry and Woodland Resources

- Reseeding would be consistent with all BLM recommendations for seed mix constituents, application rate, and seeding methods.
- Pinyon pine and juniper that has been removed from the area of the portal pad would be made available to the public.

Public Safety and Access

- Public safety would be maintained throughout the life of the Proposed Action. All equipment and other facilities would be maintained in a safe and orderly manner.
- Speed limits would be posted on the Horse Canyon Haul Road to maintain operational safety. Speed limits would continue to be enforced.

Wildland Fire Protection

- All applicable state and federal fire laws and regulations would be complied with and all reasonable measures would be taken to prevent and suppress fires in the area of the Proposed Action.
- In the event the proposed activities start or cause a wildfire, Barrick would be responsible for all the costs associated with the suppression.
- Barrick would comply with all applicable state and federal fire laws and regulations and all reasonable measures (i.e. extinguisher, water supply at the portal pad, welding controls) would be taken to prevent and suppress fires in the area of the Proposed Action.
- Vehicles would carry fire extinguishers.
- Adequate fire-fighting equipment would be kept at the portal pad.
- Vehicle catalytic converters would be inspected often and cleaned of all brush and grass debris.
- Wildland fires would immediately be reported to the BLM Central Nevada Interagency Dispatch Center at (775) 623-3444. Information reported would include the location (latitude and longitude if possible), fuels involved, time started, who or what is near the fire, and the direction of fire spread.

Livestock and Range Allotments

- Speed limits would be posted on the Horse Canyon Haul Road to protect livestock. Speed limits would be enforced.

RATIONALE

The APO, in combination with the preceding Conditions of Approval, and the enclosed FONSI, show that all practicable means to avoid or minimize environmental harm have been adopted and that unnecessary or undue degradation of the public lands will not occur as a result of the activities at the Project.

The APO is in conformance with the Shoshone-Eureka Resource Management Plan Record of Decision (ROD) which states: 1) Make available and encourage development of mineral resources to meet national, regional, and local needs consistent with national objectives for an adequate supply of minerals; (2) All public lands in the planning area will be open for mining and prospecting unless withdrawn from mineral entry; and 3) Final reclamation will ensure public safety and the return of the exploration disturbance to its pre-exploration land uses of grazing, wildlife habitat, and mineral exploration. Final reclamation will also reduce visual contrast created during the exploration operation.

The APO is in conformance with the 2015 Approved Resource Management Plan Amendment regarding conservation of Greater Sage-Grouse habitat.

The APO is in conformance with the President's National Energy Policy Act of 2005 as per Instruction Memorandum (IM-2002-053), as put forth in Executive Order 13212 and will not have an adverse impact on energy development, production, supply, and/or distribution. The EA and FONSI support this Decision.

AUTHORITY

This Decision is in conformance with the National Environmental Policy Act (NEPA) of 1969 (P.L. 91-190) as amended (72 USC 4321 et. seq.); General and Title V of the Federal Land Management and Policy Act of 1976 (FLPMA); 43 CFR Part 3800 Subpart 3809- Surface Management (16 USC et. seq.); and 43 CFR Part 3710 Subpart 3715 – Use and Occupancy Under the Mining Laws.

APPEAL OF THE DECISION

If you are adversely affected by this decision, you may request that the Nevada BLM State Director review this decision. If you request a State Director Review, the request must be received in the BLM Nevada State Office at:

BLM Nevada State Office
State Director
1340 Financial Blvd.
Reno, Nevada 89502-7147

no later than 30 calendar days after you receive or have been notified of this decision. The request for State Director Review must be filed in accordance with the provisions in 43 CFR 3809.805. This decision will remain in effect while the State Director Review is pending, unless a stay is granted by the State Director. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

If the State Director does not make a decision on your request for review of this decision within 21 days of receipt of the request, you should consider the request declined and you may appeal this decision to the Interior Board of Land Appeals (IBLA). You may contact the BLM Nevada State Office to determine when the BLM received the request for State Director Review. You have 30 days from the end of the 21-day period in which to file your Notice of Appeal with this office at 50 Bastian Road, Battle Mountain, NV 89820, which we will forward to IBLA.

If you wish to bypass a State Director Review, this decision may be appealed directly to the IBLA in accordance with the regulations at 43 CFR 3809.801(a)(1). Your Notice of Appeal must be filed in this office at 50 Bastian Road, Battle Mountain, NV 89820, within 30 days from receipt of this decision. As the appellant, you have the burden of showing that the decision appealed from is in error. Enclosed is BLM Form 1842-1 that contains information on taking appeals to the IBLA.

This decision will remain in effect while the IBLA reviews the case, unless a stay is granted by the IBLA. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Request for a Stay

If you wish to file a petition pursuant to regulations 43 CFR 4.21 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by IBLA, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of this notice of appeal and petition for a stay must also be submitted to each party named in the decision and to the IBLA and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal must show sufficient justification based on the following standards:

1. The relative harm to parties if the stay is granted or denied.
2. The likelihood of the appellant's success on the merits.
3. The likelihood of immediate and irreparable harm if the stay is not granted.
4. Whether the public interest favors granting the stay.

Contact

If you have any questions or concerns please contact Joseph Moskiewicz, Assistant Field Manager, Minerals, at 775-635-4127 or at the above address.



Jon D. Sherve
Field Manager
Mount Lewis Field Office

Enclosures

cc: Nevada State Office, Branch of Minerals Adjudication (NV-923)

Brian Amme (NV-920)

Kirk Rentmeister (NV-920)

Todd Suessmith
Nevada Division of Environmental Protection
Bureau of Mining Regulation & Reclamation
901 S. Stewart Street, Suite 4001
Carson City, Nevada 89701