PLAN OF DEVELOPMENT

for the

County Roads Project (Upgrades to Roads 719 and 1000)

Submitted to:

Bureau of Land Management Ely District Office 702 North Industrial Way Ely, Nevada 89301

Prepared by:

AECOM 7720 N. 16th Street Suite 100 Phoenix, AZ 85020

In Conjunction with:

KG Mining (Bald Mountain) Inc.

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KG-BM COUNTY ROAD IMPROVEMENT PROJECT (COUNTY ROADS 719 AND 1000) PLAN OF DEVELOPMENT

INTRODUCTION

KG Mining (Bald Mountain) Inc. (KG-BM) proposes to straighten several blind curves and widen an extended section on White Pine County Road 1000 and Elko County Road 719, located in White Pine and Elko counties, Nevada. (**Figure 1** and **Figure 2**). This Plan of Development (POD) includes descriptions of and guidelines for the design, construction, operation, and maintenance of the County Roads Improvement Project (Roads 719 and 1000)(Project), a portion of which would be located on Bureau of Land Management (BLM) managed lands and United States Forest Service (Forest Service) managed lands. KG-BM would construct the Project in conformity with the guidelines and practices outlined in this POD. These guidelines have been developed jointly by KG-BM and the BLM and would apply to the proposed improvements for the segments of county roads 719 and 1000 as shown in Figure 3-12 and in **Appendix A** (Construction Plans).

A completed form SF-299 (**Appendix B**) that included a project description, environmental assessment and several maps was submitted to the Bureau of Land Management, Bristlecone Field Office on March 23, 2020. During April 2020, an amendment for the SF-299 application regarding wild horse fencing was prepared and submitted to the BLM via email. This addendum addressed the installation of BLM-approved wild horse type fencing in the right of ways (ROW) associated with the proposed road improvements for county roads 1000 and 719.

KG-BM Use of Existing County Roads

The main access to Bald Mountain Mine from Elko/Spring Creek is State Highway 228, known as the Jiggs Highway; the first four miles of the Jiggs Highway (Elko County Road 717) to Elko County Road 719 which turns into White Pine County Road 1000. This route has been in use for many years for mine transportation purposes as the Bald Mountain Mine has been in continuous operations for over 40 years. Mine-related traffic utilizes the roads for:

- Employee and contractor transportation (both inbound and outbound);
- Deliveries to the mine and shipments from the mine;
- Light vehicles for mine-related activities;
- Emergency vehicles for emergency management; and
- Maintenance equipment for road maintenance.

KG-BM provides five buses per day to transport employees to and from the mine, with each bus making two round trips per day according to the schedule. Light vehicle mine traffic and bus traffic on this route occurs up to 24 hours per day, seven days per week. Over the years, during the operation of the mine, there have been road realignments or upgraded county road work as necessary on the Elko County Road 719 and White Pine County Road 1000 gravel roads. In

addition to serving as the main access to Bald Mountain Mine, these roads provide local access to both public and private lands, including access points to the adjacent Humboldt-Toiyabe National Forest. As necessary, signage advising travelers of potential hazards (curves, bumps, etc.) are posted and maintained by KG-BM until the end of mine operations, at which time, traffic controls would become the responsibility of counties.

KG-BM utilizes current best management practices and dust abatement techniques on unpaved roads to minimize the generation of fugitive dust. Dust control BMPs include the application of water and/or dust suppression reagents and reduced speed limits on unpaved roads to reduce airborne fugitive dust.

 Maximum speed over the unpaved portions of county roads range from 35-50 miles per hour depending on road section. For segments of road near rancher's residences, the speed is reduced to 25 miles per hour. When road conditions are poor, drivers are required to travel at reduced speeds to ensure safe passage to and from the mine site. Speed limit signs are posted on the county roads to and from the mine site.

 Contract and full-time workers are required to adhere to Nevada driving laws as specified under Nevada Revised Statutes (NRS), including, but not limited to: General Traffic Laws (NRS 484A); Rules of the Road (NRS 484B); Driving Under the Influence or DUI (NRS 484C); Equipment & Loads (NRS 484D); and Accidents (NRS 484E). Additional attention is focused on safe driving habits, such as the use of seat belts, restriction on texting, accessing the internet and hand-held cell phone use during vehicle operation, driving while fatigued or tired, and to be alert to wildlife, cattle or free-roaming horses.

PROPOSED ACTION

Purpose and need

The need for action is to lessen the potential of accidents and vehicle-wildlife/free-roaming horse/livestock collisions (animal). KG-BM is proposing modification to segments of two roads utilized by mine traffic. The proposed Project would enhance safety on County Road 719 in Elko County and County Road 1000 in White Pine County (which is a continuation of Elko County Road 719). Multiple incidents have occurred in the recent past (2017-2019) as shown in **Table 1**.

Table 1. Incidents along County Road 719 and County Road 1000

Type of Incident	Number of Incidents
Free roaming horse collisions	14
Livestock collisions	10
Rollovers	3
Other minor incidents	7

KG-BM proposes to straighten several blind curves and widen an extended section of White Pine County Road 1000 and Elko County Road 719. These existing dirt roads provide year-round access from Elko and Spring Creek to the Bald Mountain mining complex, and provide access to private ranches and grazing allotments, as well as recreational activities on both BLM and Forest Service administered lands. The roads are also designated as an emergency

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evacuation route for the communities of Elko and Spring Creek, Upgrading the roads are expected to lessen the potential for accidents and wildlife collisions by improving traffic visibility and overall road safety for mine workers, local ranches, and the general public. The upgraded roads are expected to be in use in perpetuity and remain part of the county roadway system.

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Lands Management

The proposed upgrade work is located within Elko and White Pine counties on lands controlled by the BLM Ely District Office (8.9 acres), Forest Service lands (12.6 acres), lands and the BLM Elko District Office (2.7 acres), and a portion on private land (2.2 acres). About 15.4 acres of road disturbance would be eliminated, as shown in Table 2.

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Road Service Agreements

13 14 15 KG-BM has signed county road maintenance agreements with White Pine County and Elko County. The agreements define the acceptable use of the roads as well as traffic control, road repair, and road maintenance requirements and responsibilities.

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White Pine County Road Maintenance Agreement

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KG-BM entered into a road maintenance agreement with White Pine County, Nevada, effective March 22, 2017 for a period of five years (Appendix C). This road agreement applies to White Pine County Road 3 between US 50 and County Road 6; White Pine County roads 4, 6,

54,1000, 1001, and 73 from State Route 892 to the intersection of standard section of 1006; the standard section of 1006; as well as the non-standard section of 1006 from 54 to the south end of the Yankee heap leach pad. White Pine County road standards are presented in **Appendix** C.

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Elko County Road Maintenance Agreement

KG-BM entered a road maintenance agreement with Elko County, Nevada effective January 7, 2019 for a period of five years. This agreement is included in **Appendix D**. The road agreement applies to the first four miles of the Jiggs Highway (County Road 717) and all or parts of Huntington Road (County Road 719), as described in the Elko County Planning Application No. County Road 719. The agreement defines responsibilities related to traffic signage, maintenance, repair and snow removal. Road work would be consistent with Standard Specifications for Public Works Construction (1992 edition) or subsequent editions known as the Orange Book".

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Wildlife, Free roaming horses and Livestock Management

KG-BM provides awareness training to employees working for or on behalf of KG-BM who are briefed on the traffic rules and requirements as part of the site-specific training required by the Mine Safety and Health Administration. KG-BM sends notices to employees as necessary and for reasons such as: 1) to support driving safety during adverse weather conditions by communicating known hazards in the area; 2) to advise when there are animals congregated in any particular travel area to ensure driver vigilance to avoid collision: 3) to always watch for wildlife, livestock and free-roaming horses in/near roads; and 4) to comply with speed limits both on the mine-site and on access roads. Radio communications are also utilized to communicate potential animal hazards in the area.

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KG-BM personnel or those working on behalf of KG-BM are educated on the procedures to be implemented after encountering injured animals or a mortality. In the event of an animal injury or mortality, reporting takes place as follows:

If a free roaming horse is hit on the access road security department notifies the
environmental department. This is then reported to the BLM by the environmental
department.

 If livestock are hit on the access road, it is reported to security and then to the projects/ ranches department, which works with the livestock owners.

 Wildlife encounters are typically reported to security, but does not get tracked by environmental or reported. It is also not a requirement to report unless it is in a Kinross or Kinross subsidiary vehicle.

KG-BM personnel or those working on behalf of KG-BM are not to handle injured animals unless specifically authorized to do by KG-BM and/or by the appropriate agency specialist.

Nearby Rancher Communications

In preparation for the Project, KG-BM has met with the ranchers along the areas of proposed road construction and upgrades to discuss the Project. KG-BM plans to continue this communication about the construction schedule; for example, KG-BM would notify the local ranchers before the actual construction work begins.

Area residents that routinely utilize the sections of the road proposed for modifications or upgrades are as follows:

Sestanovich Ranch – Pete, Gladys, and JJ Goicoechea

 Cowboys Rest – Robert and Christine Borrows
2 Bit Ranch Juaristi Series, LLC – Chad Bliss

 Harold Rother Farms, Inc.

Schedule

 Construction is expected to occur during four to six months of seasonal construction incrementally over a two to five-year period. The county roads (White Pine 1000 and Elko 719) both would remain open and ranch access would be maintained during construction. The road would be used through the end of the mine life which is currently slated for 2029.

ROADWAY DESCRIPTION

The upgrades would occur within an approximately 14-mile stretch of road in total, distributed among nine road segments, with total new ROW calculated to be 26.4 acres. County Road 719 has 3 segments that would be modified, totaling about 2.2 miles, as shown in **Figure 3 through Figure 6**. County Road 1000 has 6 segments that would be modified, totaling about 11.9 miles, as shown in **Figure 6 through Figure 12**. The proposed realigned county road segments would be unpaved, consistent with the existing road. The realignment is anticipated to have the same or similar flat form, parallel lines, and light tan color as the existing county road. The realignment locations would be in the immediate vicinity of the existing access road, with proximity ranging from immediately adjacent to the existing road to upwards of approximately 400 feet from the existing road.

The road width for each segment would be increased from approximately 24 feet wide to approximately 32 feet wide in select areas, allowing for safer two-way traffic. The overall width of new disturbance on either side of the road width segments would vary depending on the need for cuts and fills but would remain within the existing ROW except for those sections being rerouted and requiring new ROW. In order to improve visibility, several segments of road would be rerouted to straighten curves. The surface of the road segments would be slightly crowned to allow drainage off the road.

Additionally, in conjunction with the upgrade work, KG-BM would reclaim or eliminate for primary road use approximately 15.4 acres of existing roadway that would be abandoned with the rerouted road, as shown in **Figures 3, 4, 5, 7, and 9**. Drainage structures such as metal pipe culverts would be installed at drainage crossings. Multi-year staging areas are required and would be on lands administered by federal agencies, as well as staging areas for temporary storage of gravel, culverts, and other construction materials that may be necessary along the ROW during active construction. The typical design features and characteristics are described in **Table 2**.

Table 2. Typical Design Features and Characteristics

Design Feature	Feature Dimensions (New ROW)
Road	Approximate Total 14 miles (26.4 acres)
	 BLM Ely District: 8.8 miles (8.9 acres)
	 BLM Elko District: 0.7 mile (2.7 acres)
	Private: 0.2 mile (2.2 acres)
	 Forest Service: 4.3 miles (12.6 acres)
Type of drainage structure	Culverts, 24 inches diameter metal pipe
Number of drainage structures	Approximately 76
Right-of-way width	Road width of 32 feet for travel lanes; overall
	width of new ROW would vary up to 80 feet
	depending on topography.
Roadway reclaimed or eliminated for primary road	Approximate 15.4 acres
use	 BLM Ely District: 0.9 mile (4.4 acres)
	 BLM Elko District: 0.7 mile (3.8 acres)
	Private: 0.3 mile (1.4 acres)
	Forest Service: 1.3 miles (5.8 acres)

There are nine individual road segments being targeted for upgrades to improve traffic flow, visibility, and safety. The segments are described in **Table 3** below, and are also called out in **Figure 3 through Figure 12**.

Table 3. Upgrade Work by Road Segment

Segment Name	Upgrade Work Description
White Cross Corner (Block House) (Figure 3)	Reroute a road section County Road 719 through a private ranch and BLM Elko District lands to avoid ranch buildings and facilities but continue to provide ranch access.
Y Corner (Figure 4)	Eliminate a blind corner of County Road 719 on BLM Elko District lands.

Cowboys Rest (Figures 5 and 6)	Reroute a road section of County Road 719 on BLM Elko District lands and Forest Service administered lands to eliminate a blind curve and widen existing narrow road stretches.
Curve 21 (Figure 7)	Eliminate a blind corner of County Road 1000 on Forest Service administered lands but continue to provide ranch access.
Minor Regrade North (Figure 8)	Straighten several segments of existing County
Minor Realignment North (Figure 9)	Road 1000 in conjunction with overall
Minor Regrade Central (Figure 10)	improvement of the sub-base of the road and
Minor Realignment South (Figure 11)	widening/grading on BLM Ely District lands and
Minor Regrade South (Figure 12)	Forest Service administered lands.

Temporary and Permanent Land Disturbance

KG-BM has calculated the areas of permanent and temporary ground disturbance that is expected to occur during the proposed construction activities. Permanent impacts are associated with new road ROW as well as widening of existing facilities. Temporary impacts are associated with ground disturbance outside permanent impact areas that are necessary for movement of construction equipment. These temporary areas would be regraded to match natural landscape and would be seeded. Each activity that would cause disturbance is listed below, followed by estimated acreage calculations for permanent and temporary ground disturbance shown in

Table 4.

Existing roadway upgrades – There would be minimal permanent disturbance associated with the upgrades to White Pine County Road 1000 and Elko County Road 719. Surface disturbance would be minimized by clearing only those areas necessary for road construction. In general, temporary disturbances would occur within existing ROW and are associated with roadway widening. Upon completion of construction work, KG-BM would implement reclamation activities on vacated road stretches and other disturbed areas (e.g., cut and fill slopes) associated with construction activities. These disturbed areas would be reseeded with BLM and Forest Service approved seed mixes to reestablish vegetation and prevent soil erosion.

<u>Temporary staging areas</u> – Temporary staging areas for storage of gravel, culverts, etc. may be necessary along the ROW. Any temporary staging areas would avoid drainages and be located to minimize disturbance in consultation with the BLM and Forest Service. Temporary staging areas would be reclaimed and seeded upon completion of the Project. No hazardous materials would be used, produced, transported, or stored on the road or within the road ROW.

Rerouting roadway segments – A majority of permanent surface disturbance would include the areas necessary for new construction associated with rerouting roadway segments to straighten curves. Realignment locations would be in the immediate vicinity of the existing road and no more than 400 feet from existing facilities.

Table 4. Permanent and Temporary Disturbance Calculations

Land Administrator	Acreage		
	Permanent	Temporary	
BLM Ely District	8.9	152.7	
BLM Elko District	2.7	13.9	
Private	2.2	5.3	
U.S. Forest Service	12.6	81.6	
Total:	26.4	253.5	

RIGHT-OF-WAY ACQUISITION

Most of the Project would occur within existing ROW; however, rerouting of some roadway segments would require a ROW easement of approximately 80 feet wide. This would consist of 8.8 acres from BLM Ely District, 2.7 acres from BLM Elko District, 12.6 acres from the Forest Service and 2.2 acres from private property. Additional temporary impacts are anticipated within the existing ROW to construct the upgraded roadway. Those estimates are included in **Table 4**.

PROJECT CONSTRUCTION, OPERATION, AND MAINTENANCE

- 16 Access for construction and maintenance of the proposed road upgrades would be in
- 17 accordance with the terms of the easements granted by the private landowner to access their
- 18 ROW. All access on BLM and Forest Service-administered lands would be within the prescribed
- 19 ROW, utilizing overland construction methods as described below in "Construction Activities"

Preconstruction Activities

<u>Engineering Surveys</u> – Survey and geotechnical analysis have occurred over the past few years. Construction plans are included in **Appendix A**. A completed form SF-299 including a project description, environmental assessment and several maps was submitted to the Bureau of Land Management, Bristlecone Field Office on March 23, 2020 (**Appendix B**).

<u>Air Quality</u> – Although construction is expected to cause temporary, localized, increases in air pollutants during construction, it is anticipated that the proposed construction would not cause exceedances of the National Ambient Air Quality Standards or state standards beyond the immediate construction zone, and would not have long-term impacts to air quality to the area.

 <u>Visual Quality</u> – The characteristic landscape of the county road traverses a variety of landforms in the Basin and Range physiographic province. The topography ranges from wide, flat valley floors and low angular hills to steep mountain ranges in the distance. The existing road and proposed realigned segments are located in the BLM's Visual Resource Management (VRM) Classes II, III, and IV landscapes.

The proposed realigned county road segments would be unpaved consistent with the existing road and have similar flat form, parallel lines, and light tan color as the existing county road. The

realignment locations would be in the immediate vicinity of the existing access road. The changes to visual resources resulting from the proposed project are expected to be minor and meet the BLM's VRM management objectives.

<u>Cultural Resource Surveys</u> – AECOM, a BLM-permitted contractor, would survey the proposed route. A cultural resource report would be prepared, and the report would make recommendations for archaeological sites to be considered for listing in the National Register of Historic Places (NRHP). It is anticipated that the proposed roadway improvements would not affect any historic or archaeological sites.

<u>Biological Surveys</u> – General biological surveys would be conducted. It is anticipated that no sensitive species or habitat would be found during the surveys. Two intermittent drainages (Mitchell Creek and Sestanovich Creek) and numerous ephemeral washes are within the project boundaries. Impacts to Waters of the U.S. (WOTUS), if any, would be less than 0.10 acre combined, and a U.S. Army Corps of Engineers (USACE) Nationwide Permit (NWP) 14 for Linear Transportation Projects is not expected to be required, given the new Clean Water Act (CWA) Rule. Specific project design features for natural resource areas would be developed as part of the environmental assessment.

<u>Noise</u> – Expected equipment noise levels for the upgrade work are expected to range from 80 to 90 decibels at 50 feet from the source. Depending on the location along the road of the upgrade work, local ranch residents may be exposed to some construction noise; however, such noise would occur only during daylight hours. Any travelers that stop along the road in the vicinity of construction would likely hear construction noise, but the exposure is expected to be minor. The effects of noise on wildlife are generally avoidance during the construction work. Traffic noise would continue along the county roads from current users. Once the roadwork is complete, the traffic noise on these roads is expected to continue at or near existing levels.

Construction Activities

Following preconstruction activities, overland construction methods would be used for realignment segments of road and preparing a 32-foot-wide subgrade for segments of road that are being widened. This would consist of using dump trucks, dozers, front end loaders, graders, compactors and excavators. The number of people and associated vehicles/equipment would be determined by the contractor, once the construction contract has been awarded. Each phase of construction would require different equipment, and often multiple pieces of equipment would be required to operate simultaneously. KG-BM would minimize disturbance to the footprint needed for the construction work and would also use water truck(s) to water the road and construction areas to minimize dust generation and help in road compaction.

<u>Access Roads</u> – Road construction requires the movement of vehicles along the ROW. For this Project, the ROW of the county road would provide access. Parking and temporary storage of equipment will occur along the existing road ROW.

 <u>Construction and Right-of-Way</u> – Overland construction methods would be used for realigned segments of road. The clearing of natural vegetation would be required; however, selective clearing would be performed only when necessary to provide for construction and maintenance operations. All construction and maintenance activities would be conducted in a manner that

would minimize disturbance to vegetation. See Design Features and ACEPM for more details on environmental protection measures.

Construction within the existing ROW would include road widening to make the travel lanes a consistent width of 32 feet, as well as the buildup of the roadway shoulder. The use of clean fill material to build up the roadway profile would be utilized at select locations along the Project. During construction, at least one travel lane would remain open at all times.

KG-BM has an agreement with White Pine County (**Appendix C**) and Elko County (**Appendix D**) regarding road modifications. One of the stipulations is for maintenance and repair standards to be performed in accordance with the Standard Specifications for Public Works Construction (1992 edition or subsequent editions known as the "Orange Book") and the Manual of Uniform Traffic Control Devices (MUTCD). Section 100.33.01 of the Orange Books states, "Whenever controlled traffic is necessary for protection of the work or for the safety of public travel, the Contractor shall provide the Agency with traffic control plans, including any required detours, developed in accordance with the most current edition of the MUTCD."

Once construction is complete, the road use would continue per the road use agreements between KG-BM and Elko County and White Pine County. For long-term particulate emissions control on the roads, KG-BM would apply a suppressant (magnesium chloride) as per the road use agreements between KG-BM and the counties, as well as conduct road watering as appropriate to control fugitive emissions.

<u>Emergency Spill Response</u> – KG-BM requires all contractor equipment and vehicles to carry an emergency spill response kit. As soon as a spill is noticed the contractor is required to inform KG-BM immediately so the proper procedures can be implemented. KG-BM requires all equipment to park over diapers to catch any drips that the machine might have when parked overnight. All contaminated soils would be hauled to an approved waste site for permanent disposal. Areas where soil was removed would be backfilled with clean native materials.

<u>Clean-up and Reclamation</u> – Construction sites, material storage areas, and the road ROW would be kept in an orderly condition throughout the construction period. Refuse and trash, including stakes and flags, would be removed from the sites and disposed of in an approved manner. No construction equipment oil or fuel would be drained on the ground, and oils and chemicals would be hauled to an approved site for disposal. No open burning of construction trash would occur on BLM-administered lands. Water trucks would be used to keep dust to a minimum.

Following construction and cleanup, disturbed areas would be reclaimed. Graded or disturbed surfaces beyond the subgrade would be restored to the original contour of the land surface and scarifying would be conducted in compacted areas. In addition to the crush and roll method of vegetation removal which allows plants to re-sprout, a native seed mix approved by the BLM would be applied to disturbed areas that may require more extensive or quicker regrowth within the ROW to minimize erosion potential. Because more than one acre would be disturbed, a Storm Water Pollution Prevention Plan (SWPPP) would be prepared and implemented. The SWPPP would identify erosion preventive measures.

OPERATION AND MAINTENANCE

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- 3 During the operation of the mine, the access route from Elko/Spring Creek to the mine have
- 4 posted speed limits signs. As necessary, signage advising travelers of potential hazards
- 5 (curves, bumps, etc.) are posted and maintained by KG-BM until the end of mine operations, at
- 6 which time, traffic controls would become the responsibility of White Pine and Elko counties.
- 7 During maintenance and repair services conducted by KG-BM, signage and/or flaggers would
- 8 be present as appropriate to alert travelers of on-going activities, as well as to possible delays.
- 9 Traffic on the county roads follow a right-hand pattern. Appropriate signage and/or barriers are
- 10 posted and maintained by KG-BM to notify the public of a change to traffic patterns. KG-BM
- employs several safety measures for employees and KG-BM contractors utilizing the route.
- 12 White Pine County Road 1000 and Elko County Roads (the first four miles of the Jiggs Highway
- 13 [County Road 717] and all or parts of County Road 719), if utilized by KG-BM, are maintained in
- 14 accordance with the county road maintenance agreements to facilitate mine material shipments
- to and from the mine site, as well as to facilitate the travel of employees and contractors to and
- 16 from work. Where necessary, KG-BM constructs permanent structures, such as cattle guards,
- 17 culverts, and bridges, necessary to maintain the functionality of the road.

White Pine County

- 19 The realigned or upgraded portions of public roads within White Pine County would be
- 20 constructed in accordance with White Pine County road standards or as otherwise agreed upon
- with White Pine County. A copy of White Pine County Road standards is provided in **Appendix**
- 22 **C**. KG-BM would consult with White Pine County prior to construction and road maintenance of
- 23 county roads.
- 24 Road upgrades and/or maintenance activities such as grading, damage repairs, erosion control,
- 25 snow removal and dust control would be conducted as needed.

26 Elko County

- 27 Road work on Elko County roads covered in the agreement would be consistent with Standard
- 28 Specifications for Public Works Construction (1992 edition, aka the "Orange Book"). If KG-BM
- 29 plans to make any repairs outside of the Orange Book, then such specifications/revisions must
- 30 be submitted to Elko County for approval prior to implementation. Road work performed by
- 31 either party under the agreement must be consistent with the current edition of the Manual of
- 32 Uniform Traffic Control Devices.

Operating Practices

- 34 KG-BM has developed a series of operating practices and applicant-committed environmental
- protection measures (ACEPMs) that would govern general transportation, and transport of
- 36 chemicals and petroleum products to the mine site, via the primary transportation routes. The
- 37 operating practices would also govern personnel transport to and from the site. These directives
- are designed to prevent unnecessary and undue degradation during construction, operation,
- 39 and reclamation of the mine. The measures are derived from the general requirements
- 40 established in the BLM's Surface Management Regulations at 43 Code of Federal Regulation

- 1 § 3809, current industry best practices, as well as water, air quality, and other environmental
- 2 protection regulations.
- 3 The operating practices are considered KG-BM policy and would be adhered to by the company
- 4 and contractual commitments for compliance would be required of all chemical and petroleum
- 5 suppliers. The directives also describe major preventive response procedures and future
- 6 inspections and training programs, to be implemented by KG-BM.

KG-BM is responsible for responsible for preventative, operational, emergency and reactive maintenance and would continue to be responsible once the road improvements are completed.

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DESIGN FEATURES AND ACEPMS

As part of the design, construction, and standard operating procedures, construction measures and Applicant-Committed Environmental Protection Measures (ACEPMs) would be implemented to reduce potential adverse environmental impacts. Most impacts would be short-term and generally occur during the construction period.

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Following are the standard design features that would be implemented:

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- Realignment locations would be in the immediate vicinity of the existing access road (no more than 400 feet away).
- Realigned segments would be unpaved, and have the same or similar flat form, parallel lines, and color to be visually consistent with the existing road.
- KG-BM would reclaim "cut and fill" slopes of upgraded roads as appropriate, reclaim abandoned road stretches and other disturbed areas associated with construction activities by revegetating areas to reduce runoff and erosion, and control invasive weeds within the Project Area footprint.
- KG-BM would minimize surface disturbance and vegetation clearing to only those areas necessary for road construction to minimize water quality impacts from erosion and road construction sediment.
- KG-BM would reseed disturbed areas with BLM and/or Forest Service approved seed mixes to decrease the time that soils would be exposed to the erosive forces of wind and water.
- Minimize disturbance to the footprint needed for construction work and use water trucks to minimize dust generation and facilitate road compaction.
- KG-BM would haul water from existing water sources for use in dust control management and would not create any new wells.
- Construction would be limited to daylight hours to reduce noise impacts to local residents.
 - KG-BM would prohibit any cross-country traffic by employees and contractors outside the area of planned construction activities.
 - Multi-year staging areas would be constructed. Multi-year and temporary staging areas would avoid drainages, be located to minimize disturbance, and would be reclaimed and reseeded upon completion of construction.
 - No hazardous materials would be used, produced, transported, or stored within the road ROW.

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- The following are ACEPMs developed for this project. ACEPMs are standard operating procedures for construction activities associated with the County Road 719 and 1000 Upgrade
- 3 Project.

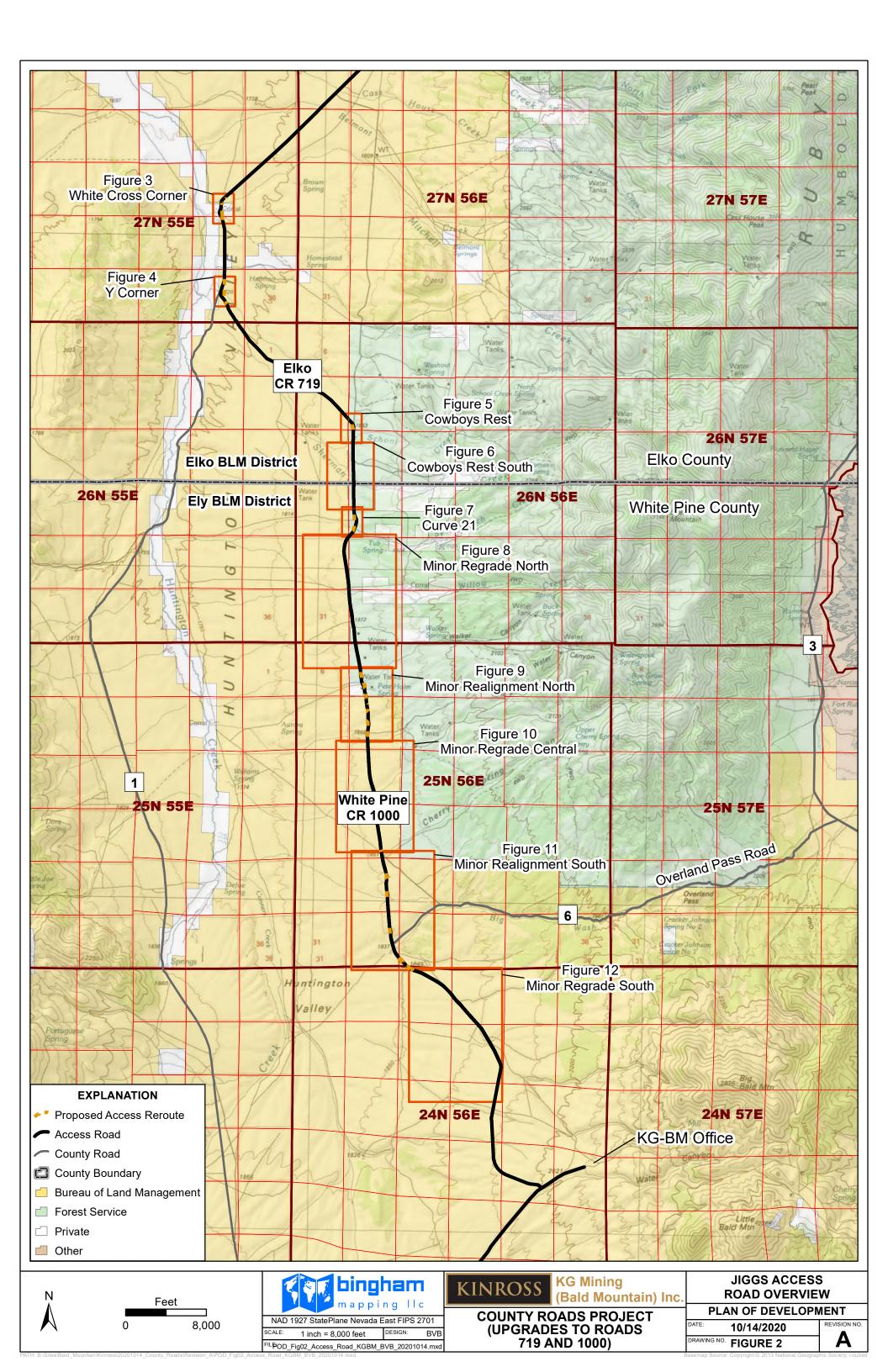
Applicant-Committed Environmental Protection Measures (ACEPMs)

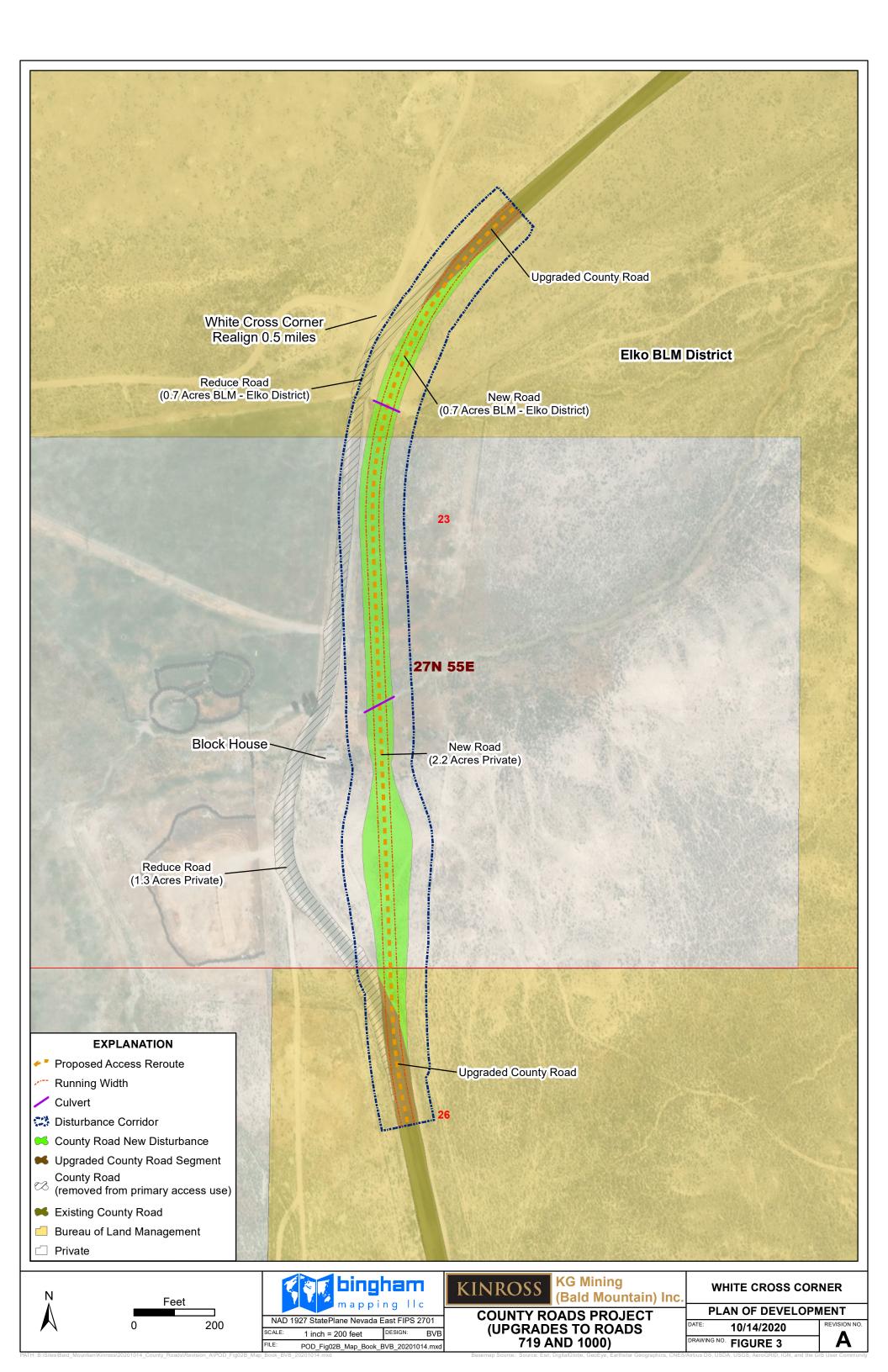
Resource	Applicant-committed Environmental Protection Measures ¹
Air	 All requirements of those entities having jurisdiction over air quality matters would be adhered to and any necessary permits for construction activities would be obtained. Open burning of construction trash (cleared trees, etc.) would not be allowed on BLM-administered lands. Project-related traffic will observe prudent speed limits to enhance public safety, protect wildlife and livestock, and to minimize dust (particulate) emissions. Water truck(s) will be used as necessary to control fugitive dust. For long-term particulate emissions control on the roads, KG-BM would apply a suppressant (magnesium chloride) as per the road use agreements between KG-BM and the counties, as well as conduct road watering as appropriate to control fugitive emissions. Fugitive particulate emissions from disturbed areas will be controlled to the extent practicable. Surface disturbance will be minimized to the extent practicable.
Stormwater	 BMPs will limit erosion and sediment transport from proposed disturbed areas during construction, which may include, but not be limited to, diversions and routing of stormwater away from construction activities. Accepted engineering practices/BMPs will be used where practical. KG-BM would prepare and submit an application to the USACE for a Clean Water Act 404 permit (NWP 14 Linear Transportation Projects) if Project impacts exceed 0.1 acres to Waters of the U.S. If impacts exceed 0.1 acre of impact, no work would occur in intermittent drainages until the CWA NWP 14 has been secured from the USACE. KG-BM would implement best management practices such as culverts, rock armoring, wattles, revegetation, and other control techniques, as appropriate, to control runoff and flow from intermittent and ephemeral drainages and reduce erosion and soil loss.
Soils	Available growth media will be salvaged and stockpiled in newly disturbed areas to provide a plant growth media for reclamation.
Wildlife	 Surface disturbance will be timed to prevent destruction of active bird nests or young birds during the avian nesting/breeding season, March 15 to July 31, to comply with the Migratory Bird Treaty Act. If land clearing and surface disturbing activities are unavoidable during this nesting/breeding season, KG-BM will have a qualified biologist survey areas proposed for disturbance and look for the presence of active nests within one week prior to land clearing, surface disturbance or other disruptive activities. The qualified biologist will report findings to KG-BM the same day and then follow-up memo is provided to KG-BM the following day. When active nests are found during a clearance survey an avoidance plan is developed and implemented.

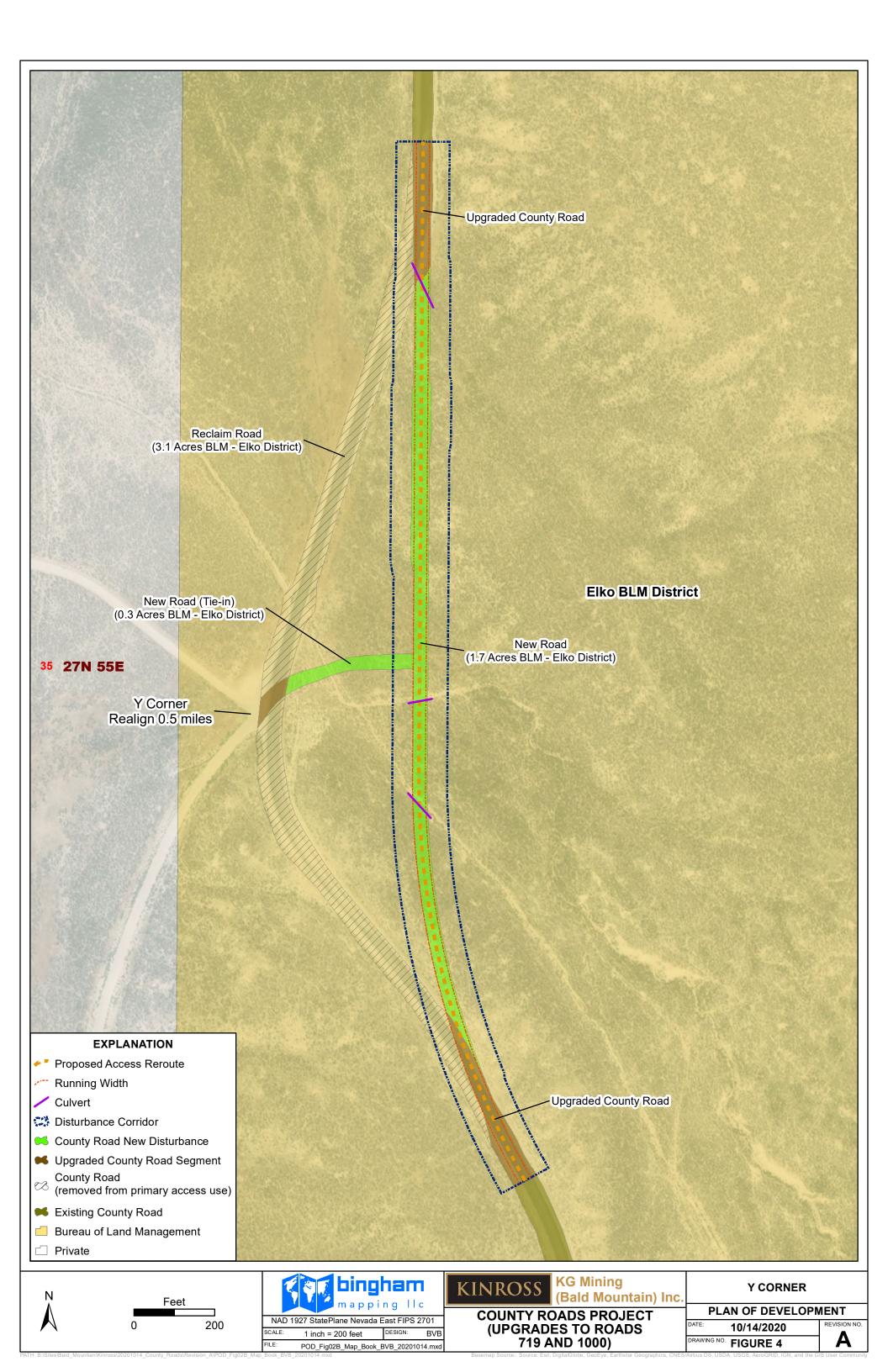
Resource	Applicant-committed Environmental Protection Measures ¹
	 After such surveys are performed at the disturbance location, (i.e. road construction), KG-BM will not conduct any expanded disturbance in the same general area during the avian nesting/breeding season without first conducting another avian survey to determine the presence of nests or young. [After July 31, no further avian surveys will be required until the next avian nesting/breeding season.] If active nests are located, young birds are present, or if other significant evidence of nesting is observed (mating pairs, territorial defense, carrying nesting material, transporting of food), the area will be avoided or buffer zones established to prevent destruction or disturbance of nests until the birds are no longer present. Refer to the Bird and Bat Conservation Strategy (BBCS) developed for the Bald Mountain Mine, for measures applicable to migratory birds, including raptors. The BBCS is located in the environmental department at Bald Mountain Mine. Reporting of injury or mortality to the Bald Mountain Mine environmental department aids in increasing the probability that injuries and mortalities do not go undetected. Construction supervisors will have the contact information required for reporting purposes.
	Pygmy Rabbits
	• Pre-construction clearance surveys for pygmy rabbits will occur prior to construction disturbance activities regardless of the season. Clearance surveys are conducted by a qualified biologist, and upon completion of the survey, the qualified biologist will provide a memo to KG-BM. The memo will include an overview of methodology, survey area characteristics, results and suggestions for establishing an appropriate set-back distance if the area is occupied and determined to be unavoidable. Set-back distances would be confirmed with the BLM and NDOW. If avoidance or appropriate set-back distances cannot be employed, then mitigation techniques would be developed in consultation with the BLM and NDOW. If mitigation occurs, a mitigation plan, in the form of a memo, and prepared by a qualified biologist is distributed to BLM and NDOW which presents and confirms the agreed upon mitigation techniques. KG-BM implements the following occupied pygmy rabbit habitat hierarchy whenever possible: 1. Avoidance 2. Establish Set-backs 3. Mitigate if avoidance and set-back distances cannot be employed.
Cultural	Construction employees shall be instructed in cultural resource expectations, requirements and associated responsibilities. If any new cultural resource sites not previously identified in the cultural resource inventories are encountered during activities, work shall stop at the particular location and KG-BM will contact the BLM-Bristlecone Field Office. Work at the location will remain stopped until the BLM conveys guidance to KG-BM regarding how to proceed.
Livestock and Wild Horses	 To minimize potential impacts to wildlife and free-roaming horses during construction, KG-BM has in-place preconstruction protocols that would warn employees and contractors that there should be no harassment of wildlife or wild horses during upgrade work. Under no circumstances will livestock, free roaming horses, or wildlife be harassed. When traveling roads, all livestock gates will left as found.
Noxious Weeds and Invasive Non-native Species	 KG-BM has an Integrated Weed Management Plan (Weed Plan) that includes management strategies and control techniques to prevent or minimize the establishment or spread of weed populations. Appropriate elements of the Weed Plan will be applicable to the road upgrade project.

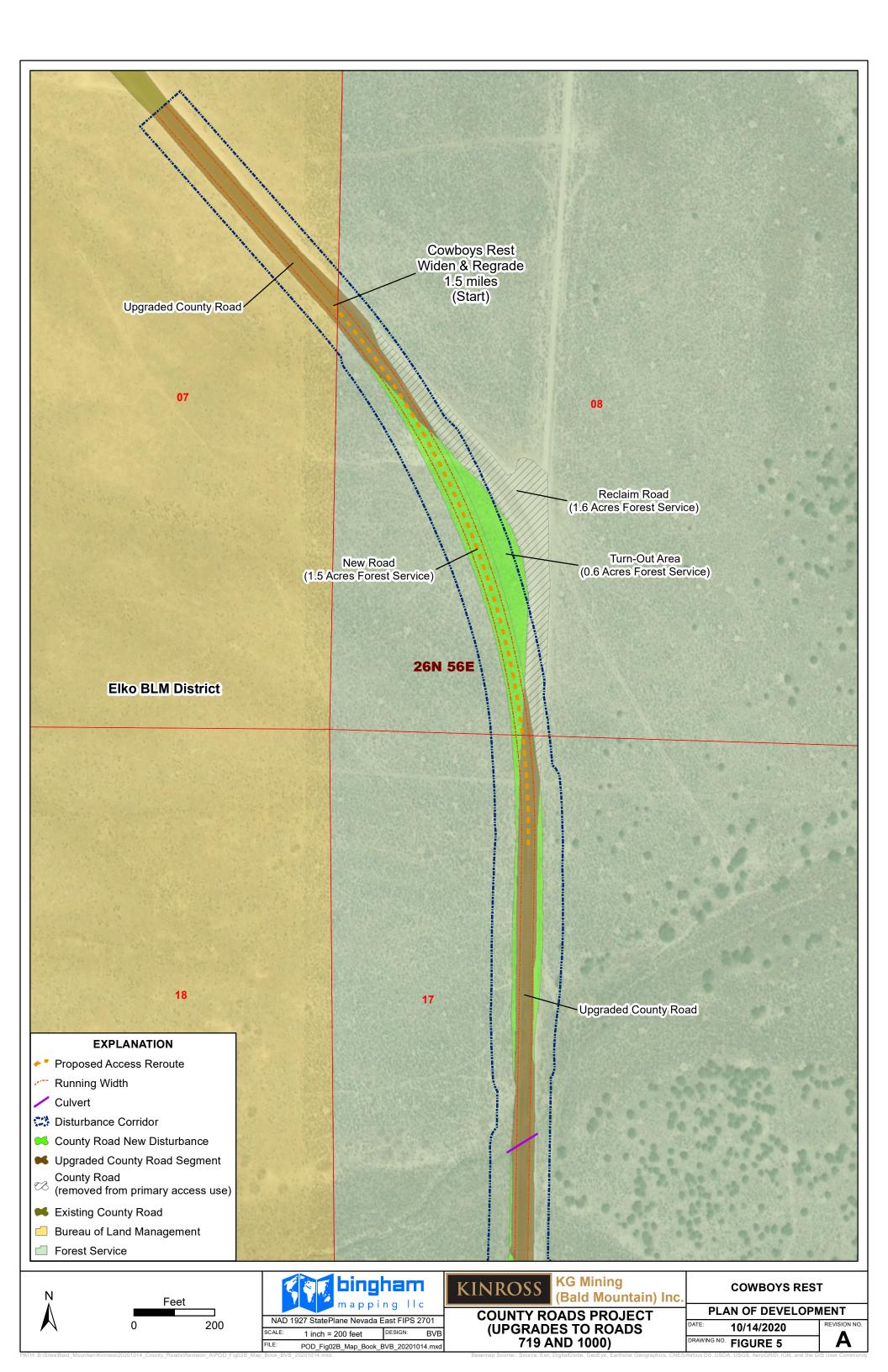
Resource	Applicant-committed Environmental Protection Measures ¹
	 KG-BM will follow best management practices as presented in the Weed Plan in order to prevent the spread of invasive weeds in the areas of construction disturbance.
	 If there are any growth media stockpiles that remain over a season, then seeding of growth media stockpiles as soon as practical with an interim seed mix will occur

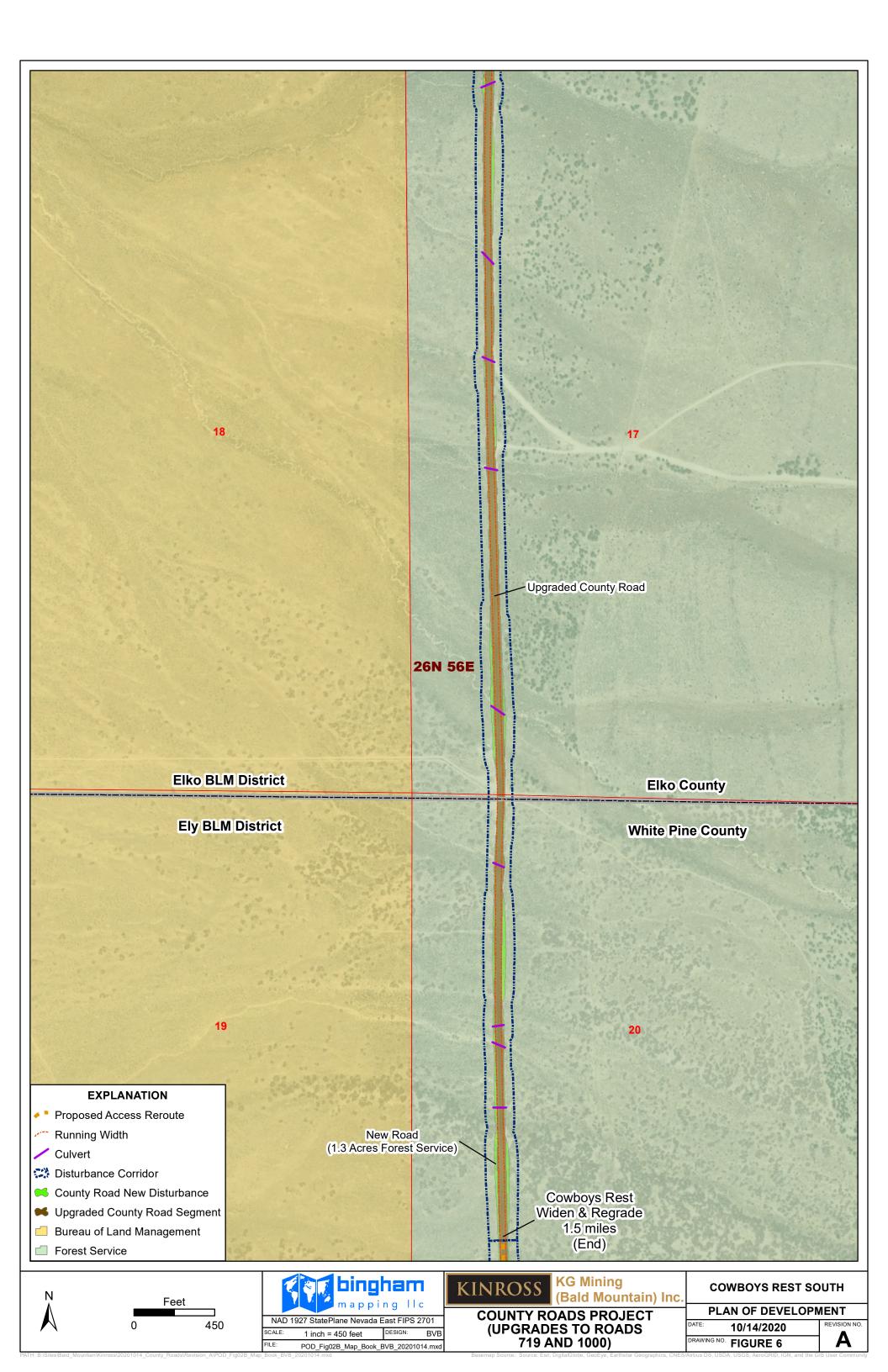
12 **FIGURES**34

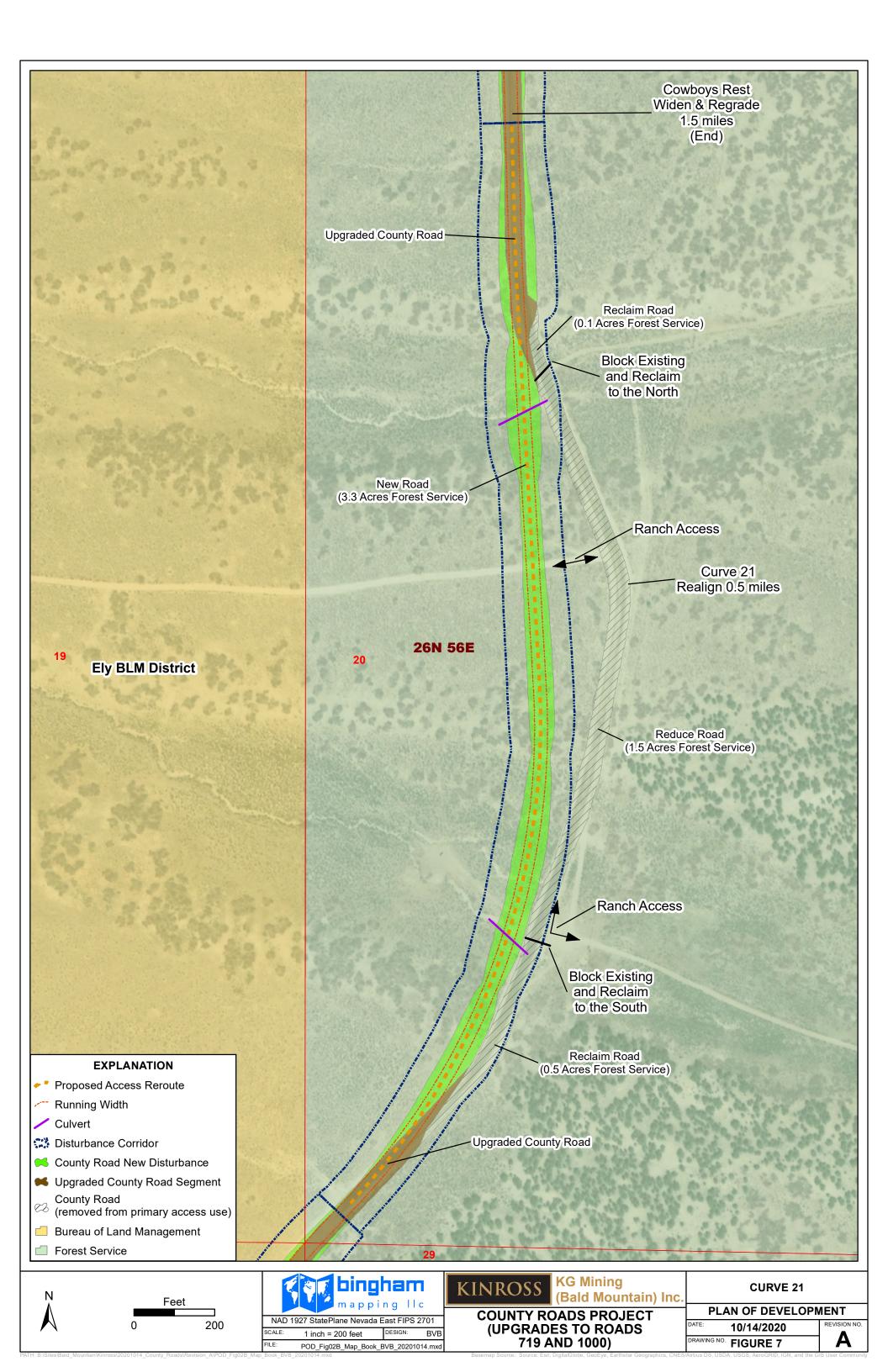


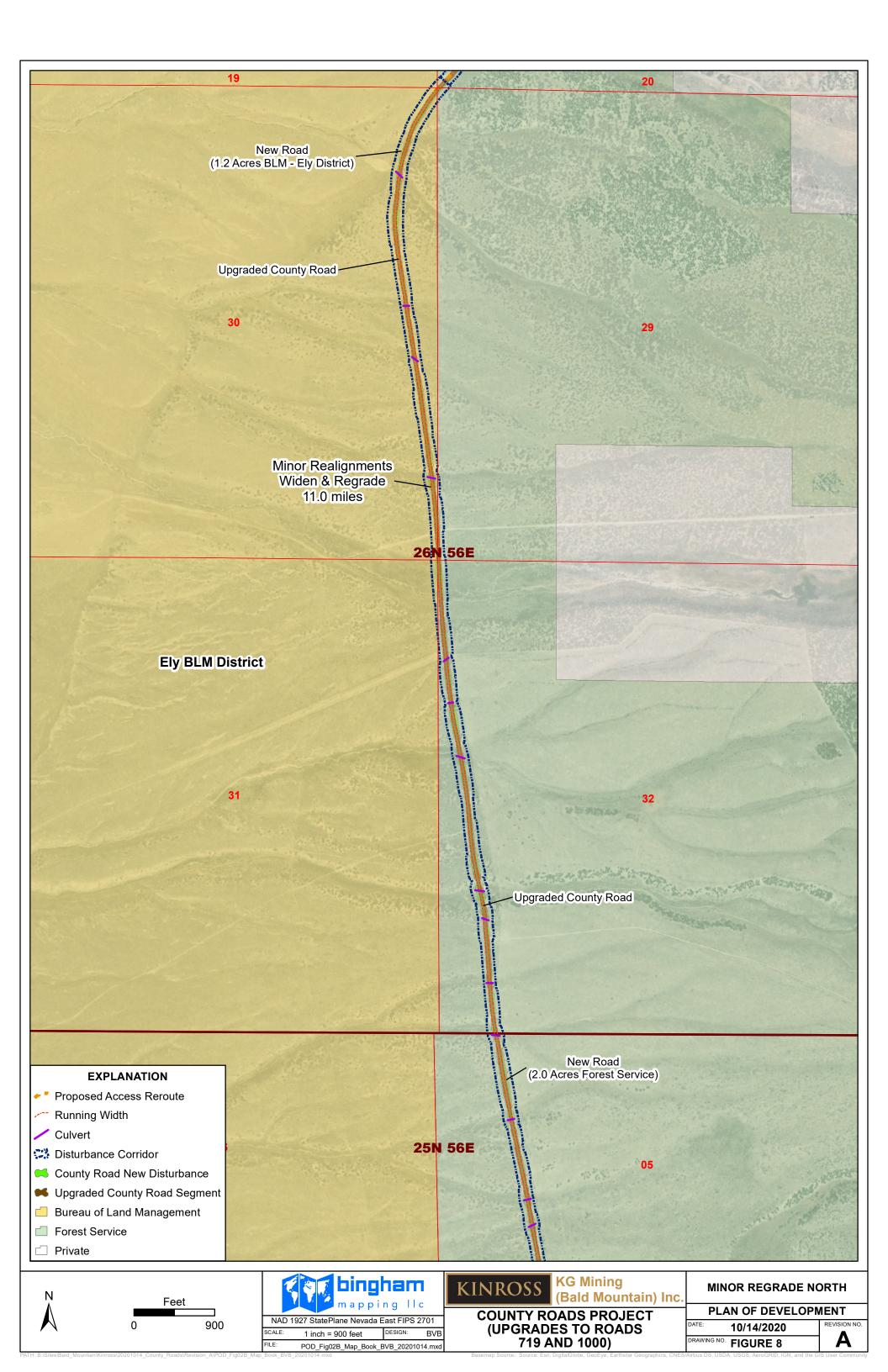


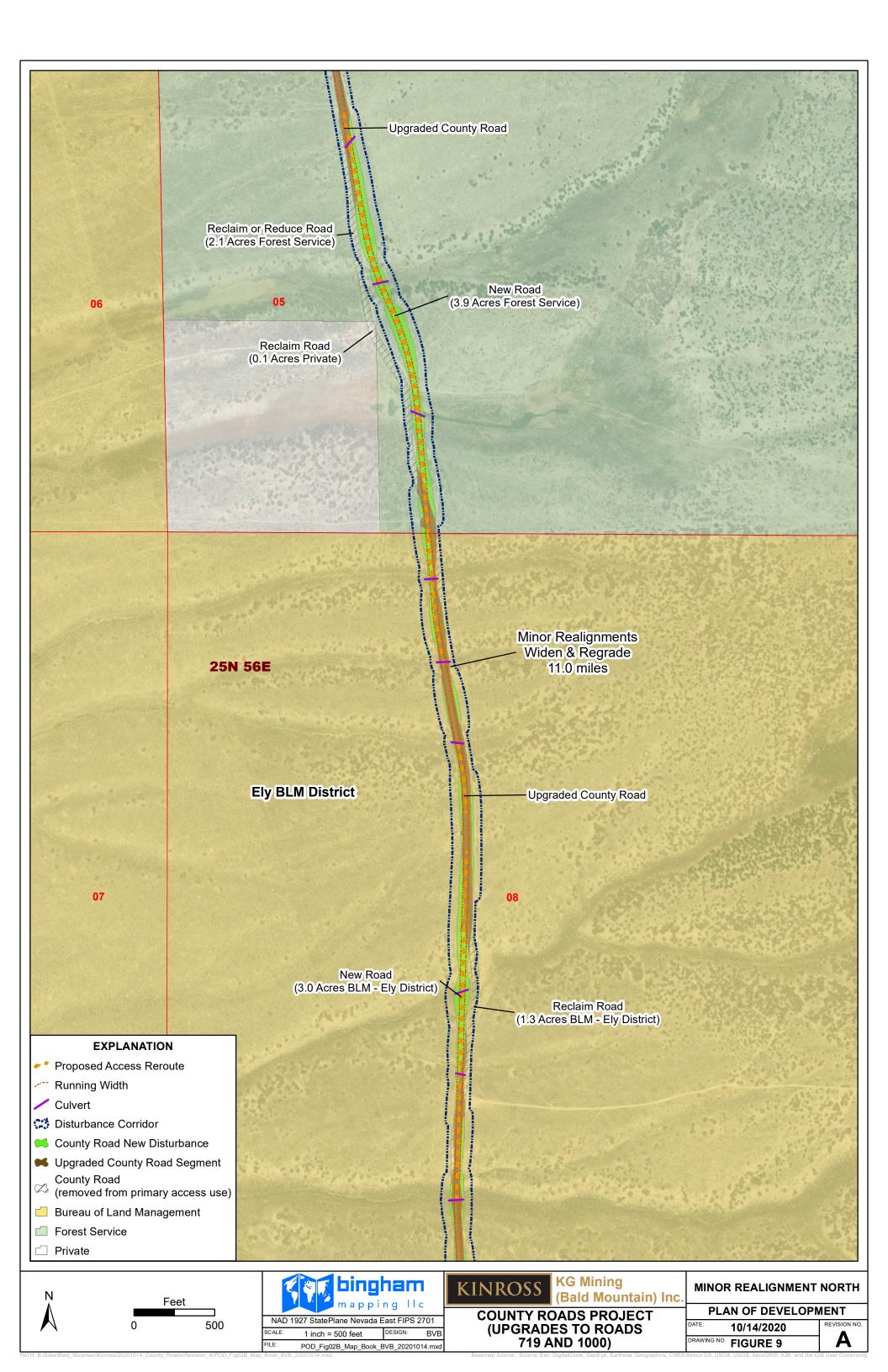


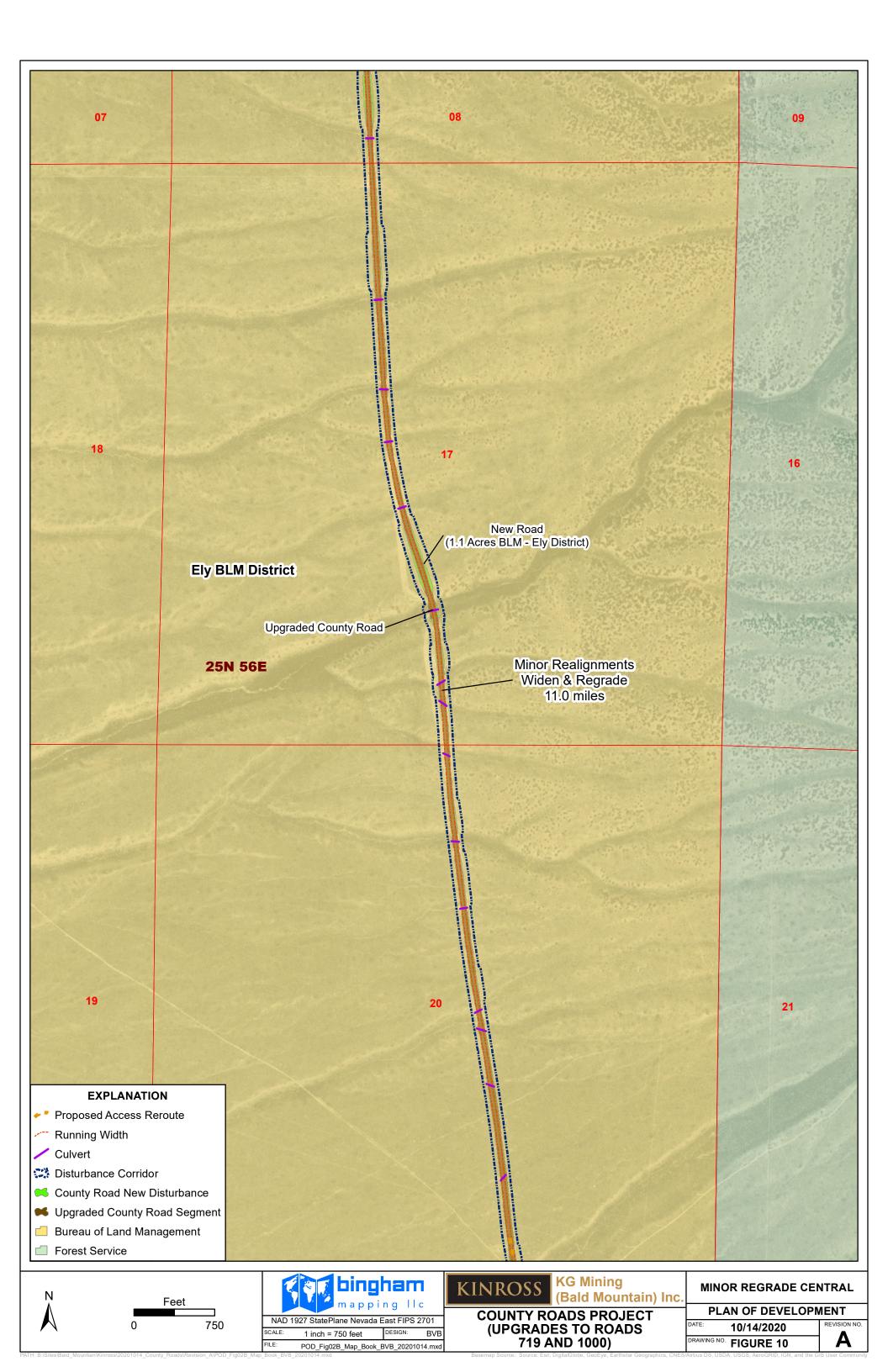


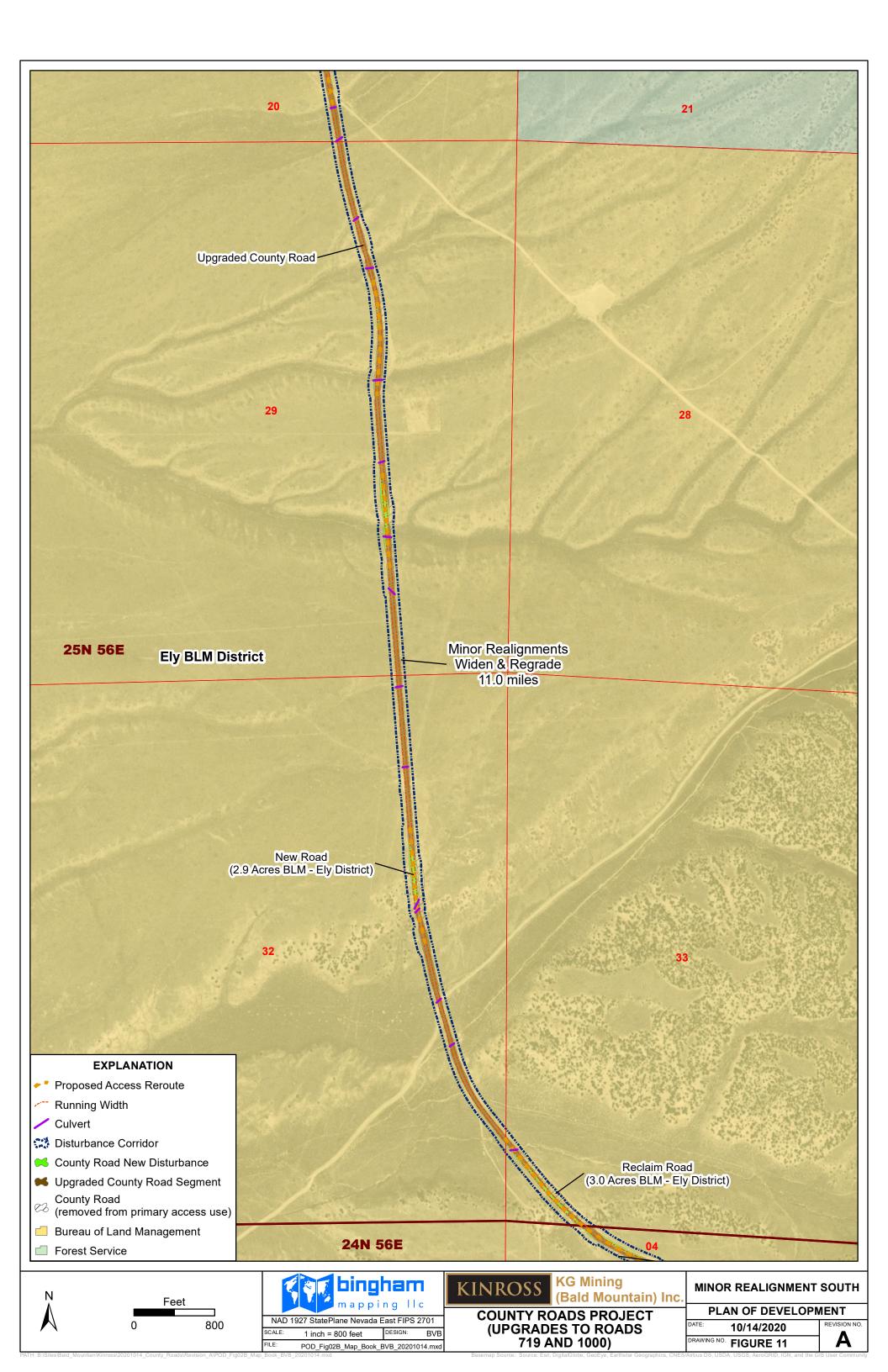


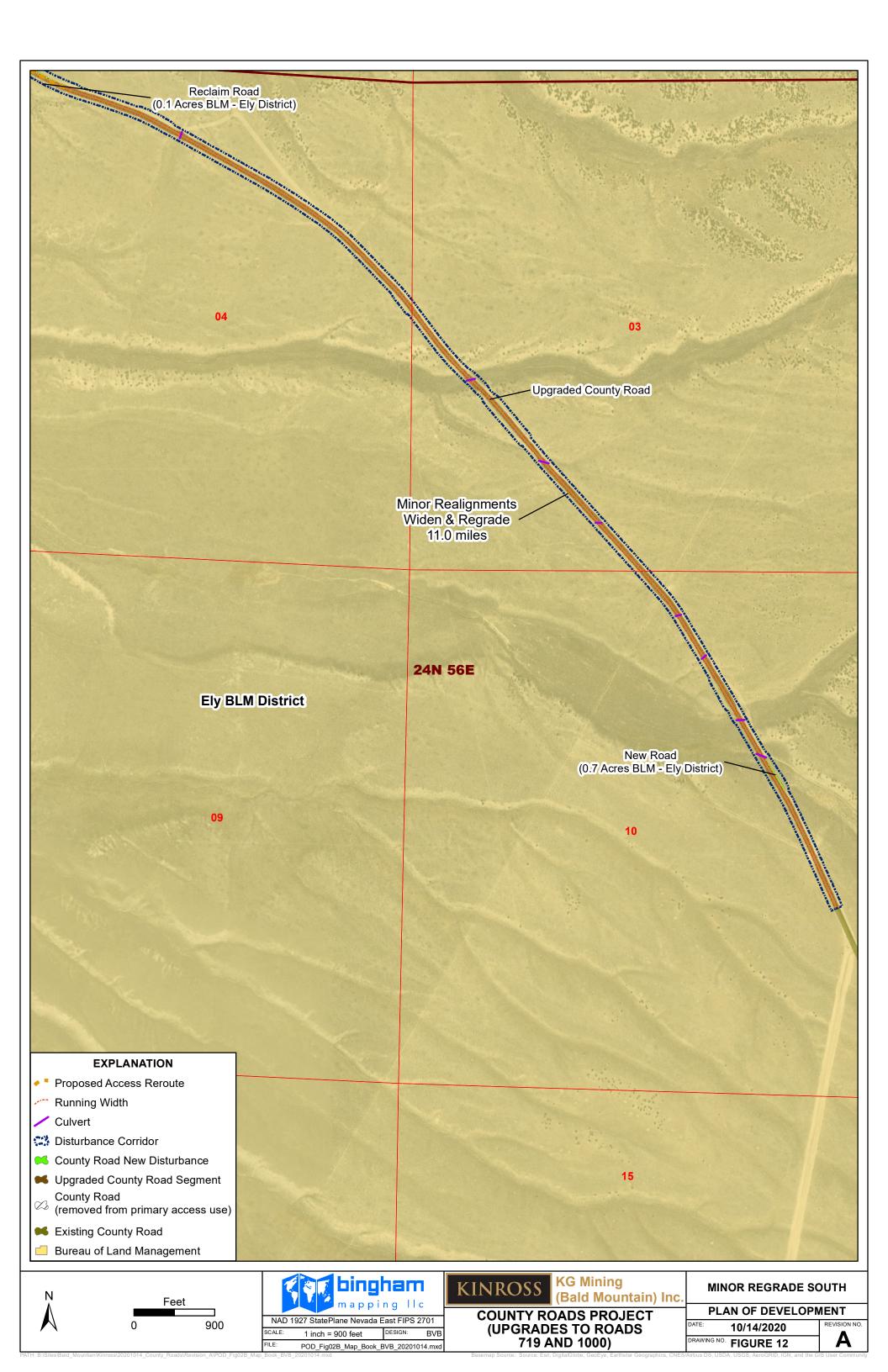




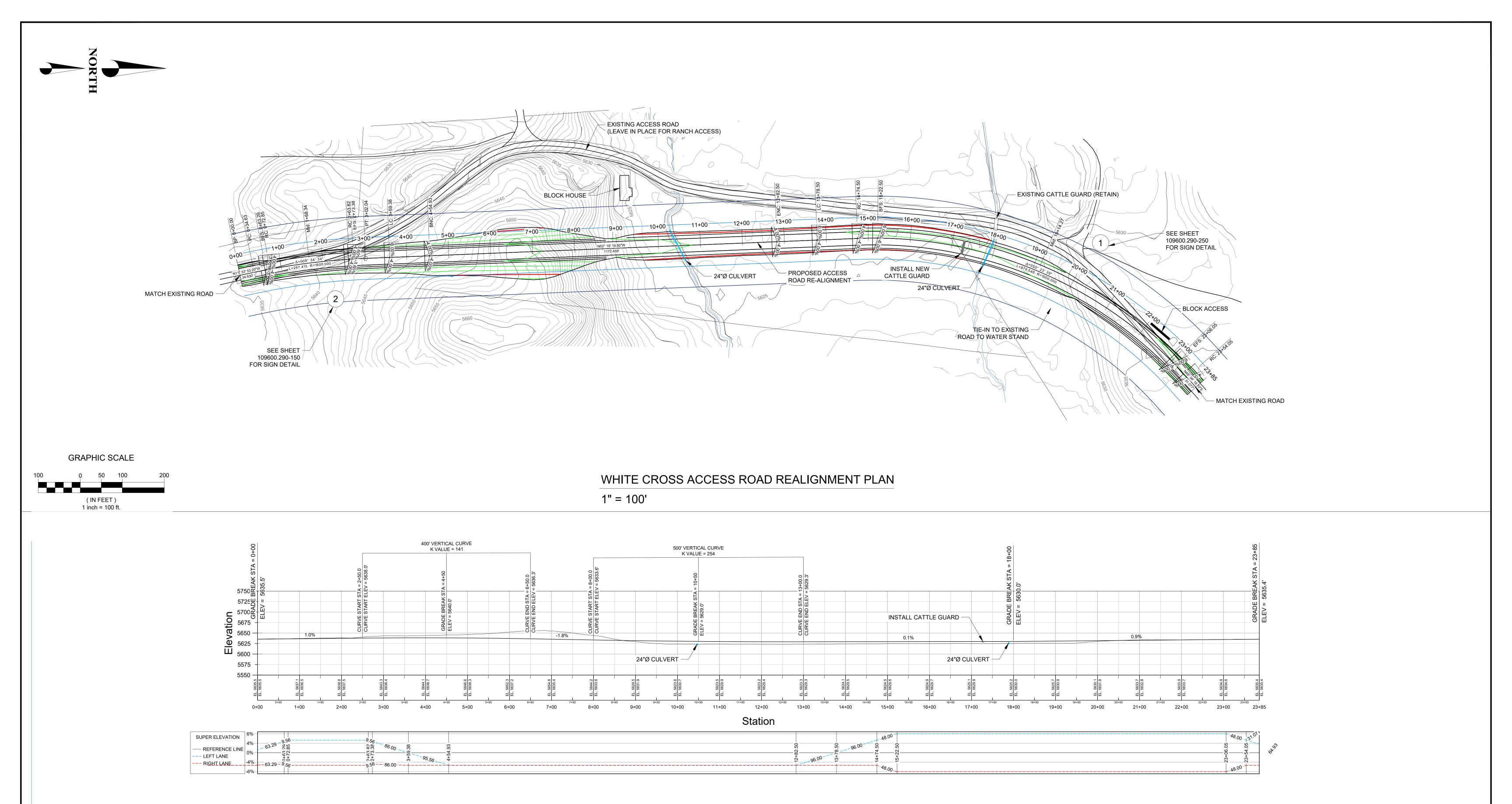








Appendix A: Construction Drawings (60% Plans)



WHITE CROSS ACCESS ROAD REALIGNMENT PROFILE

Rev.	DESCRIPTION	DESIGNER	REVIEWER	DATE
A	PRELIMINARY DESIGN	JSC	FK	2017/12/18
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		DRAW

WHITE CROSS REALIGNMENT
PLAN AND PROFILE

AWING NO.

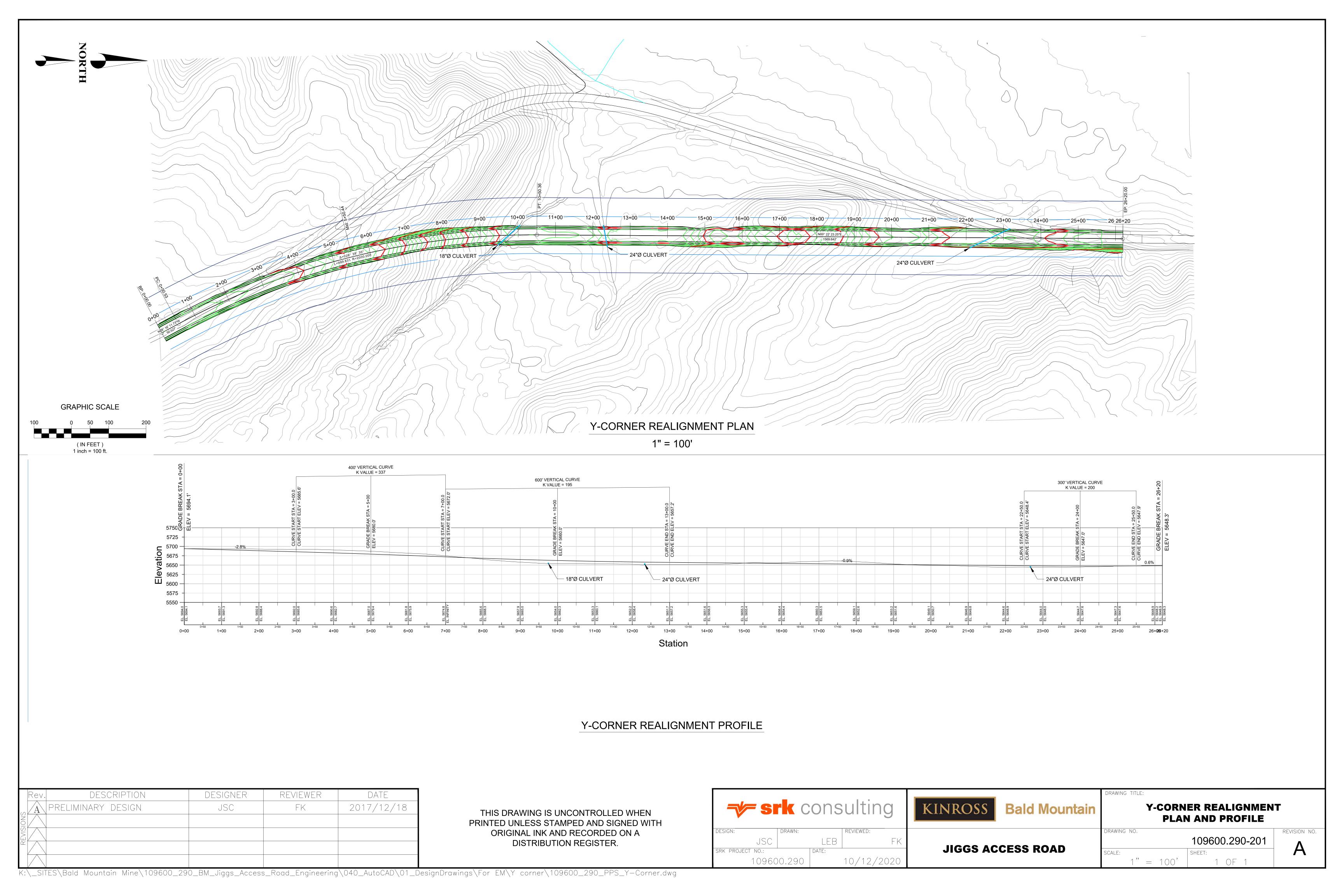
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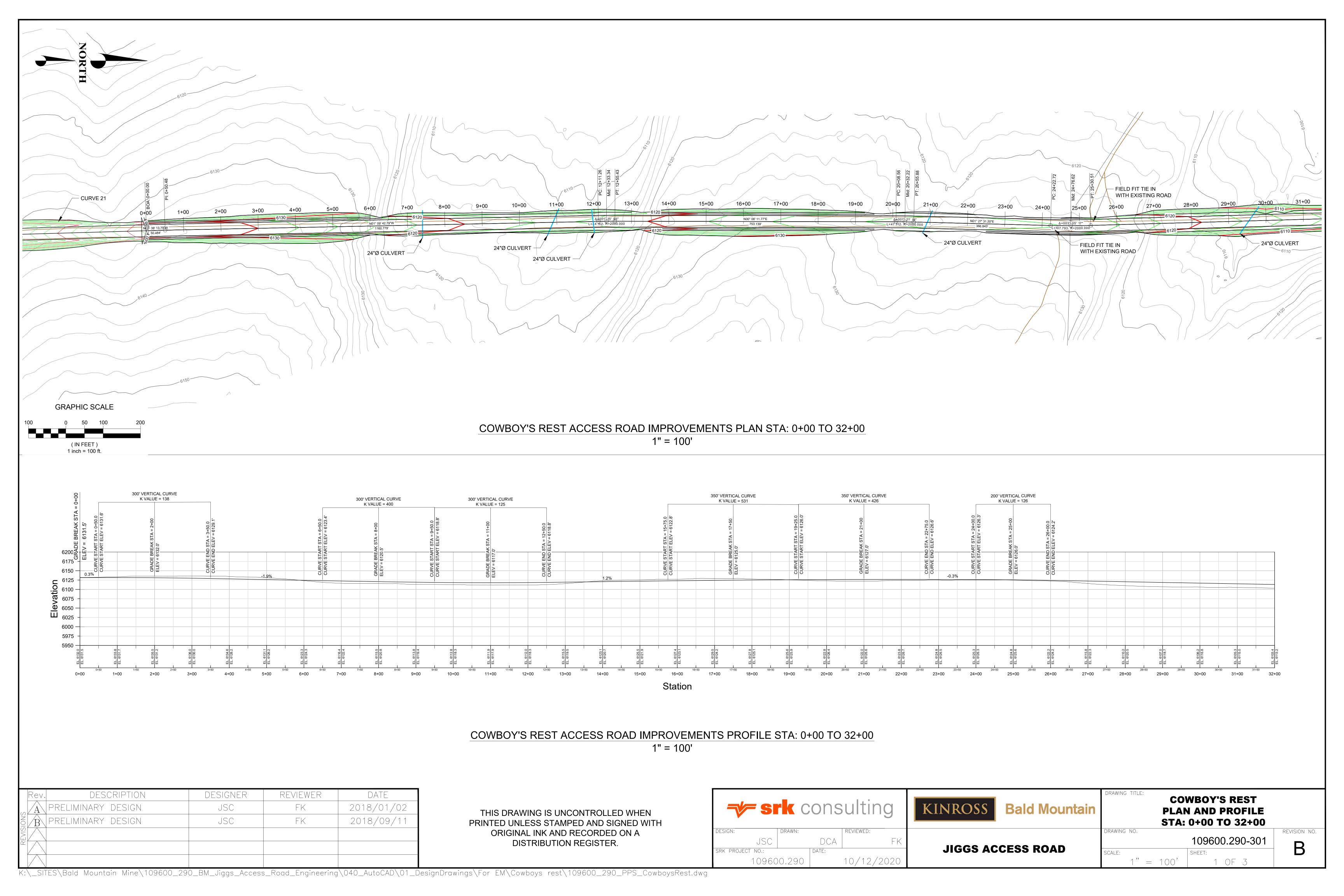
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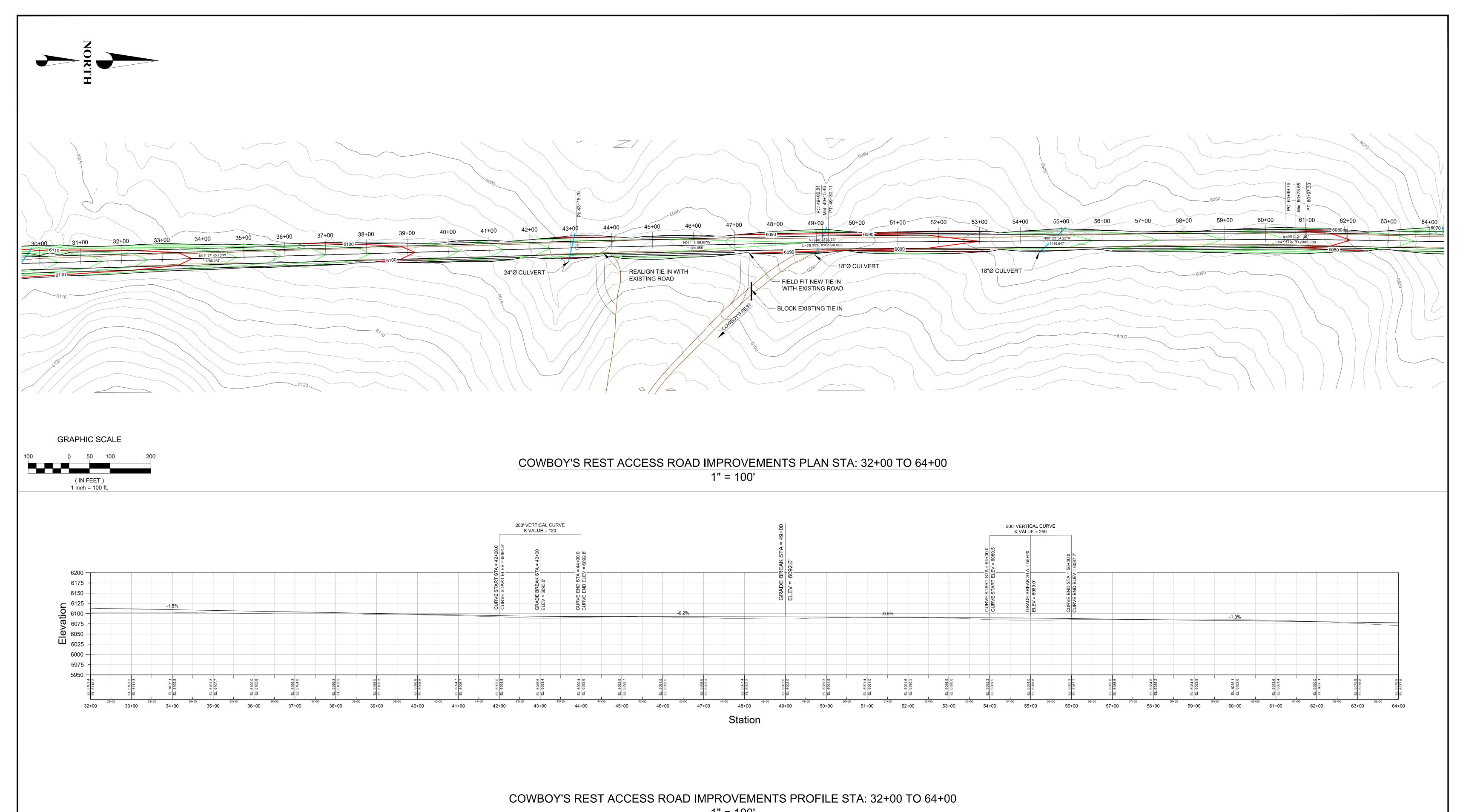
SCALE:

1" = 100'

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1" = 100'

DESCRIPTION DESIGNER REVIEWER DATE A PRELIMINARY DESIGN 2018/01/02 JSC FK B PRELIMINARY DESIGN JSC FK 2018/09/11

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Bald Mountain

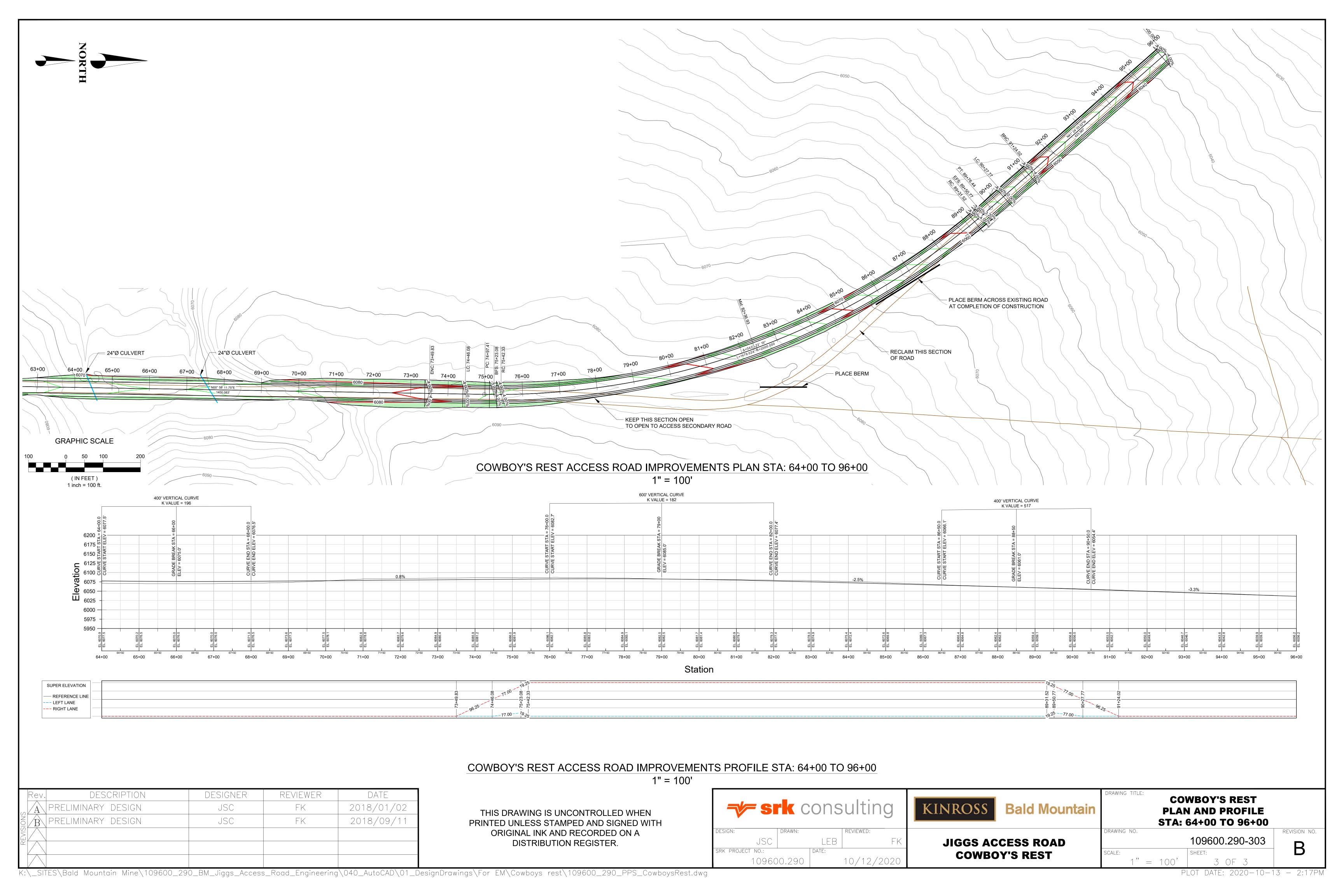
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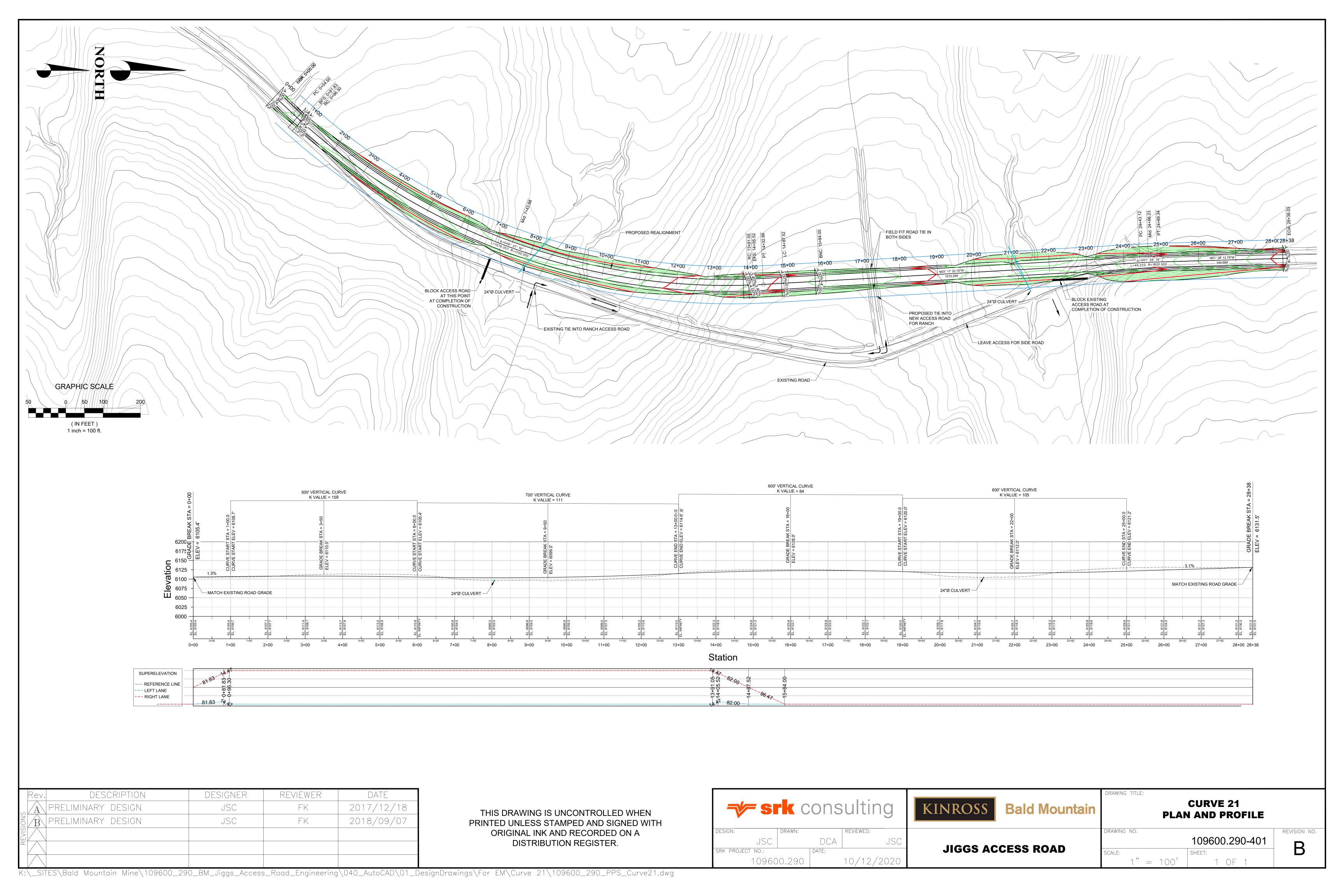
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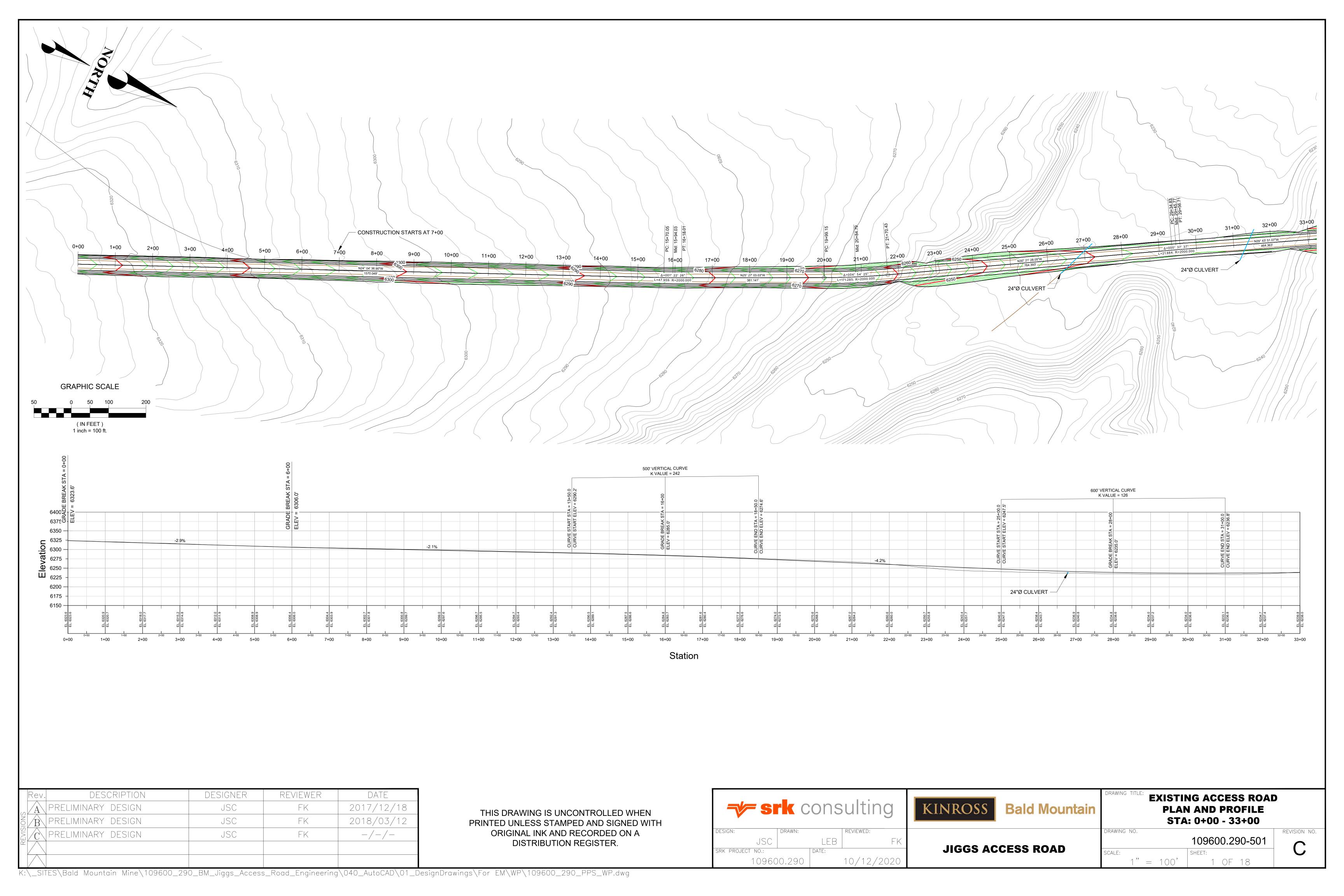
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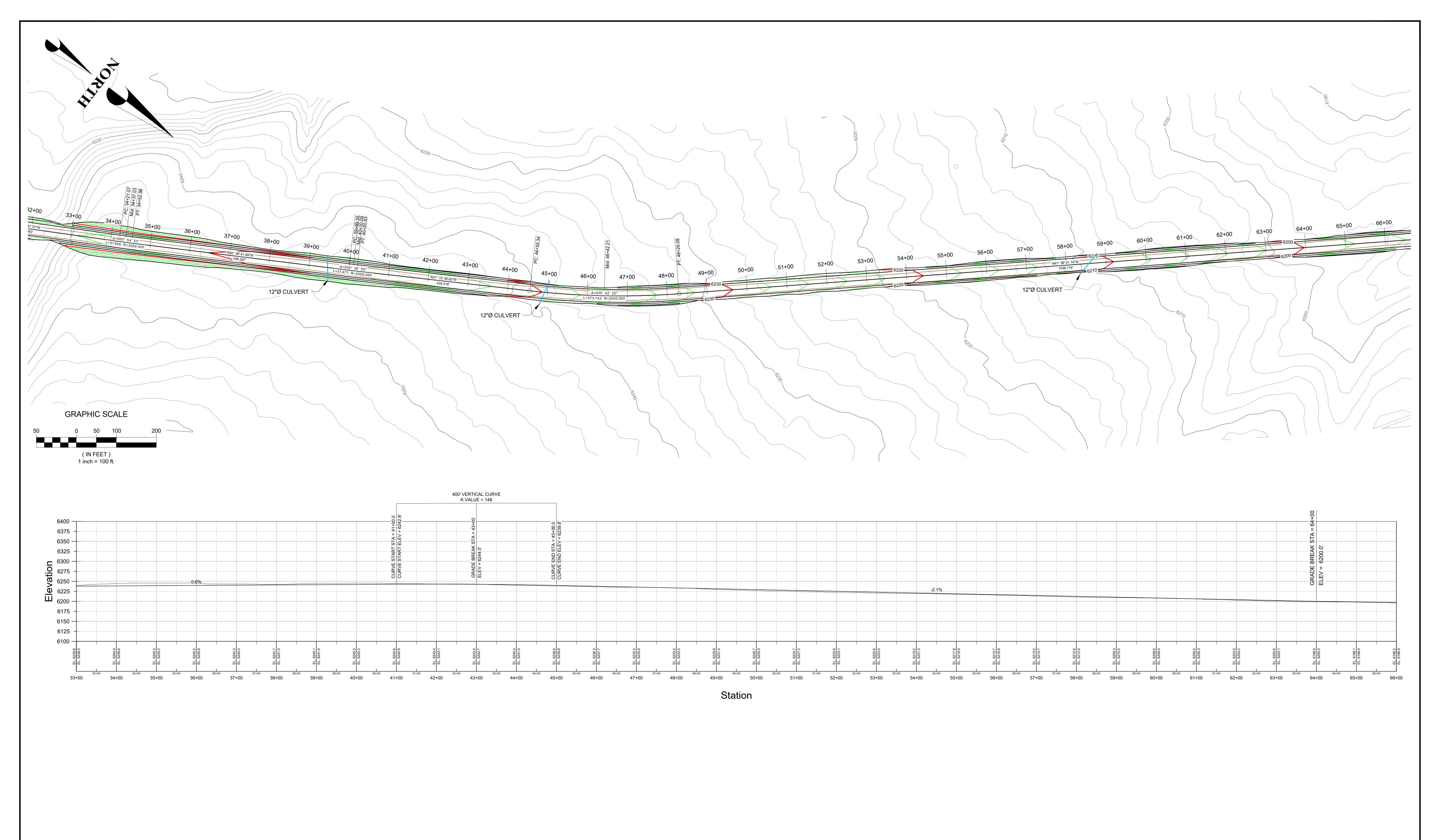
REVISION NO.

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	Rev.	DESCRIPTION	DESIGNER	REVIEWER	DATE
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	B	PRELIMINARY DESIGN	JSC	FK	2018/03/12
REVIS	C	PRELIMINARY DESIGN	JSC	FK	-/-/-

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KINROSS Bald Mountain

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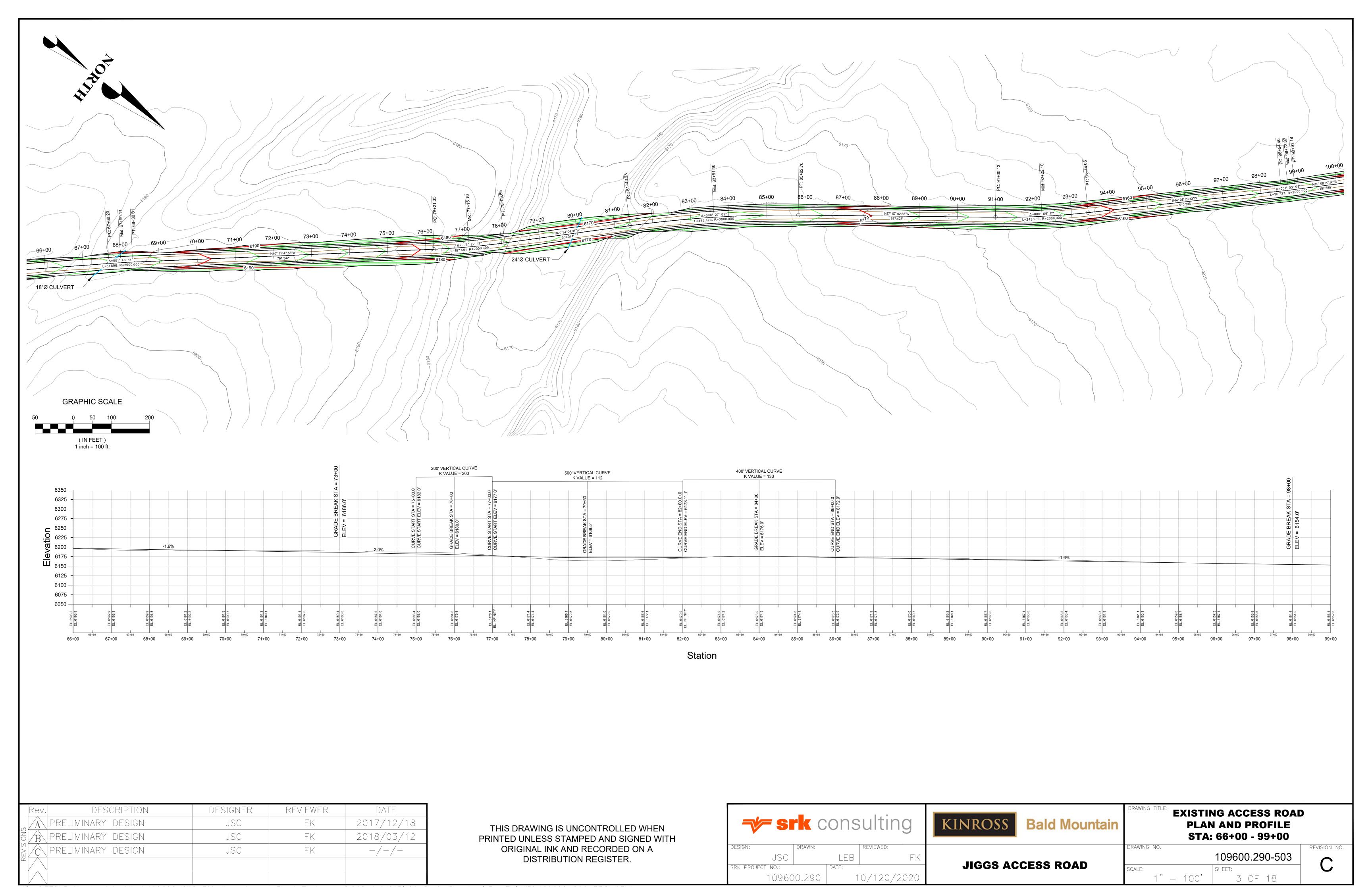
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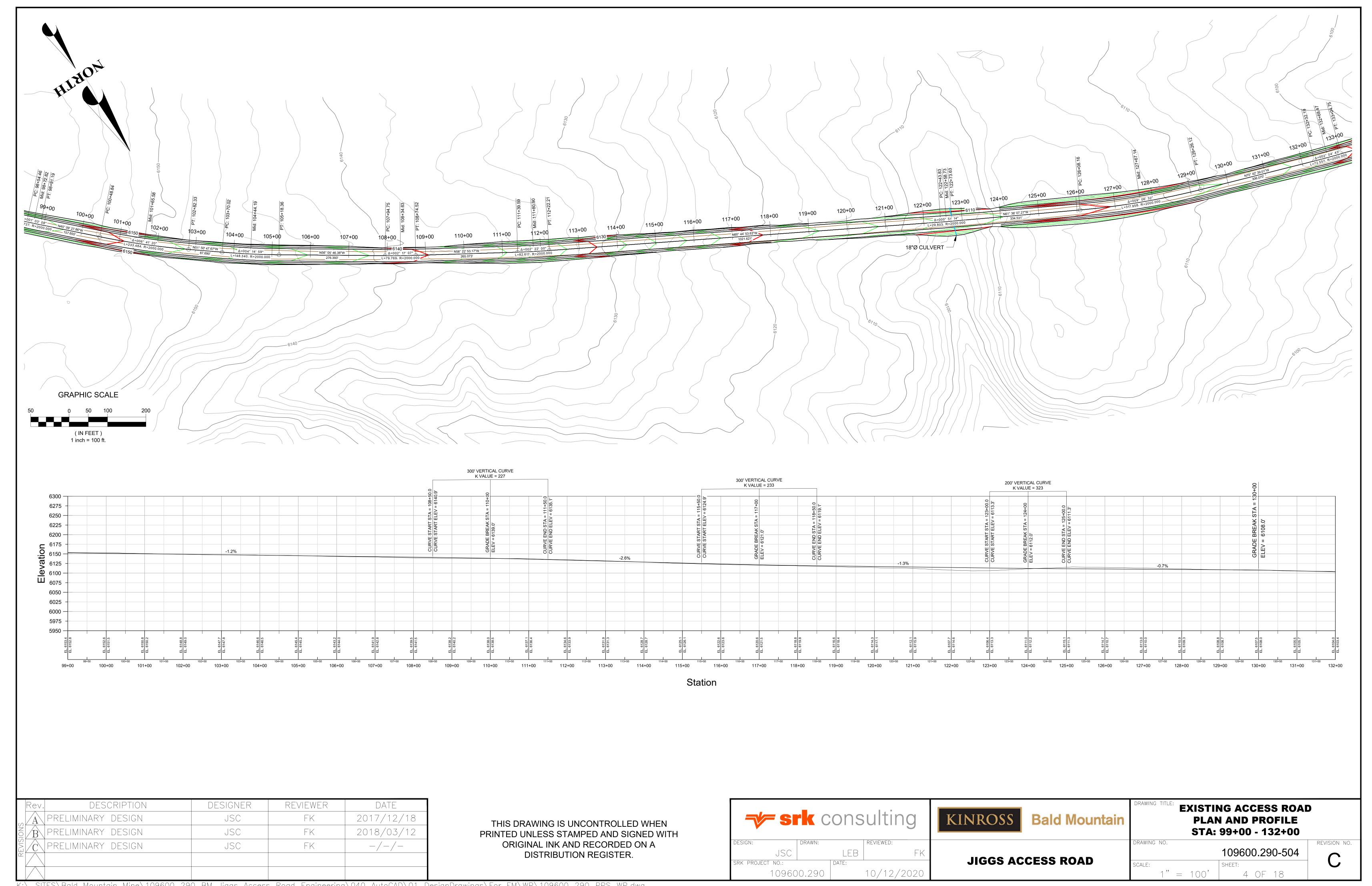
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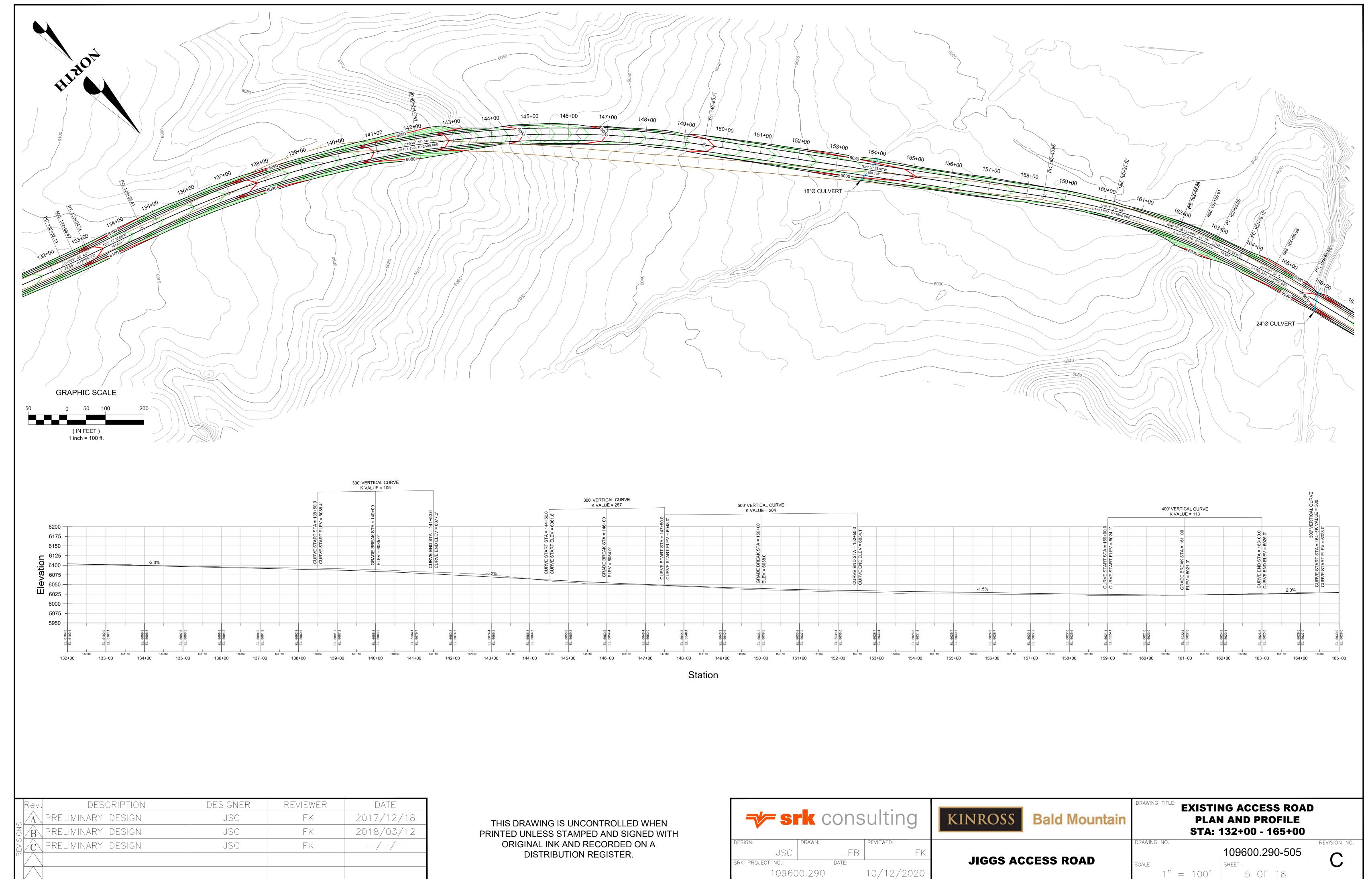
EXISTING ACCESS ROAD
PLAN AND PROFILE
STA: 33+00 - 66+00

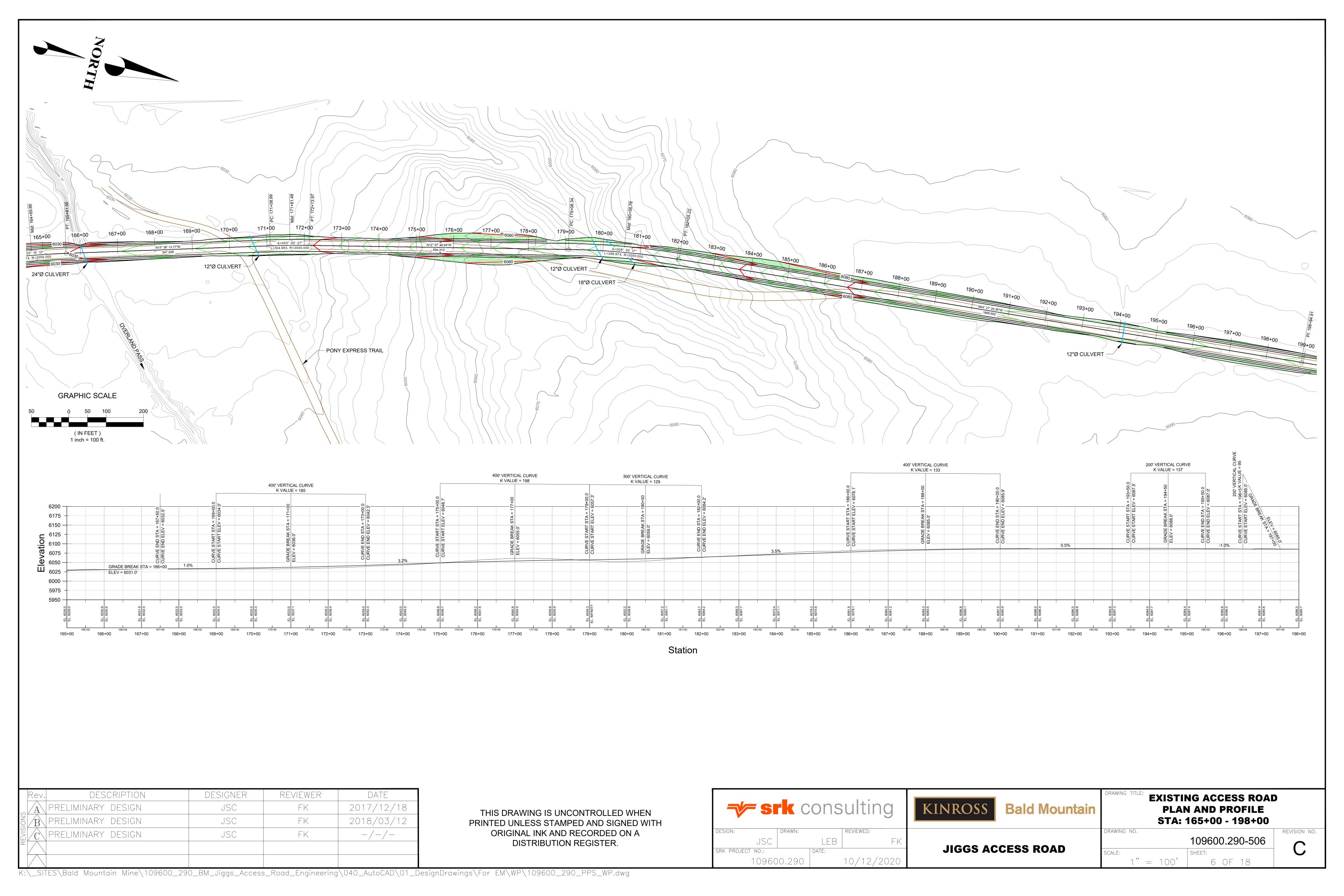
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REVISION NO.

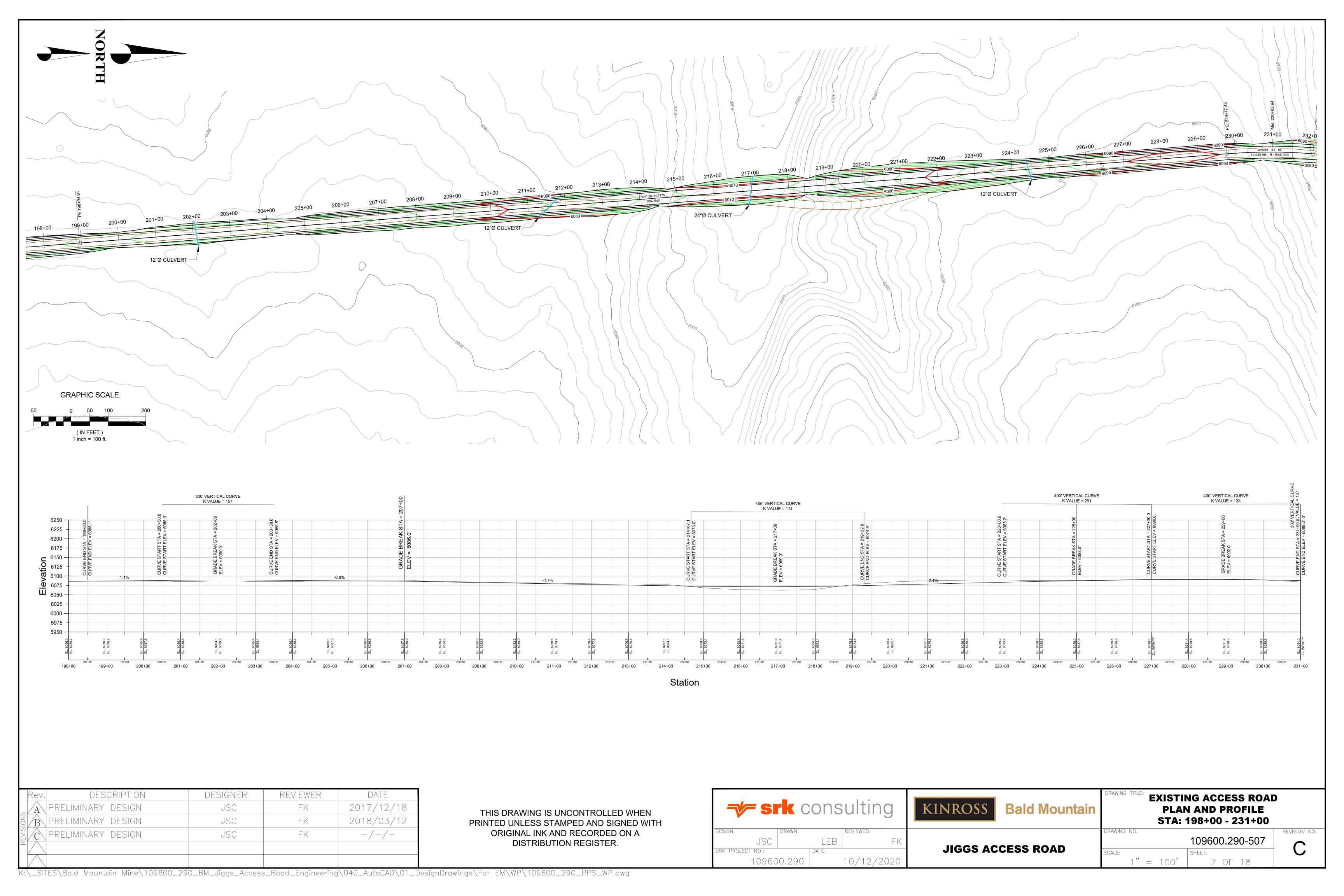
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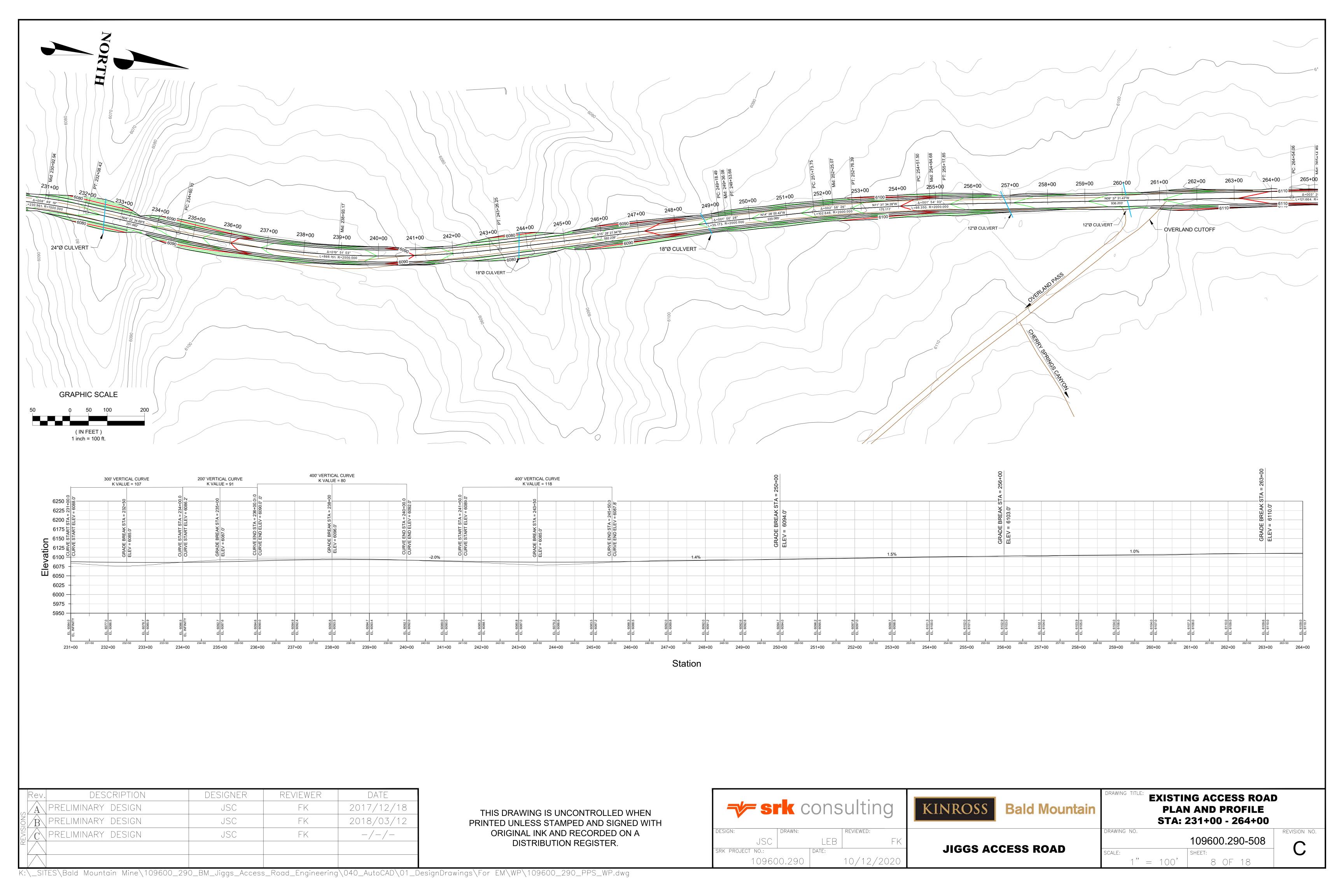


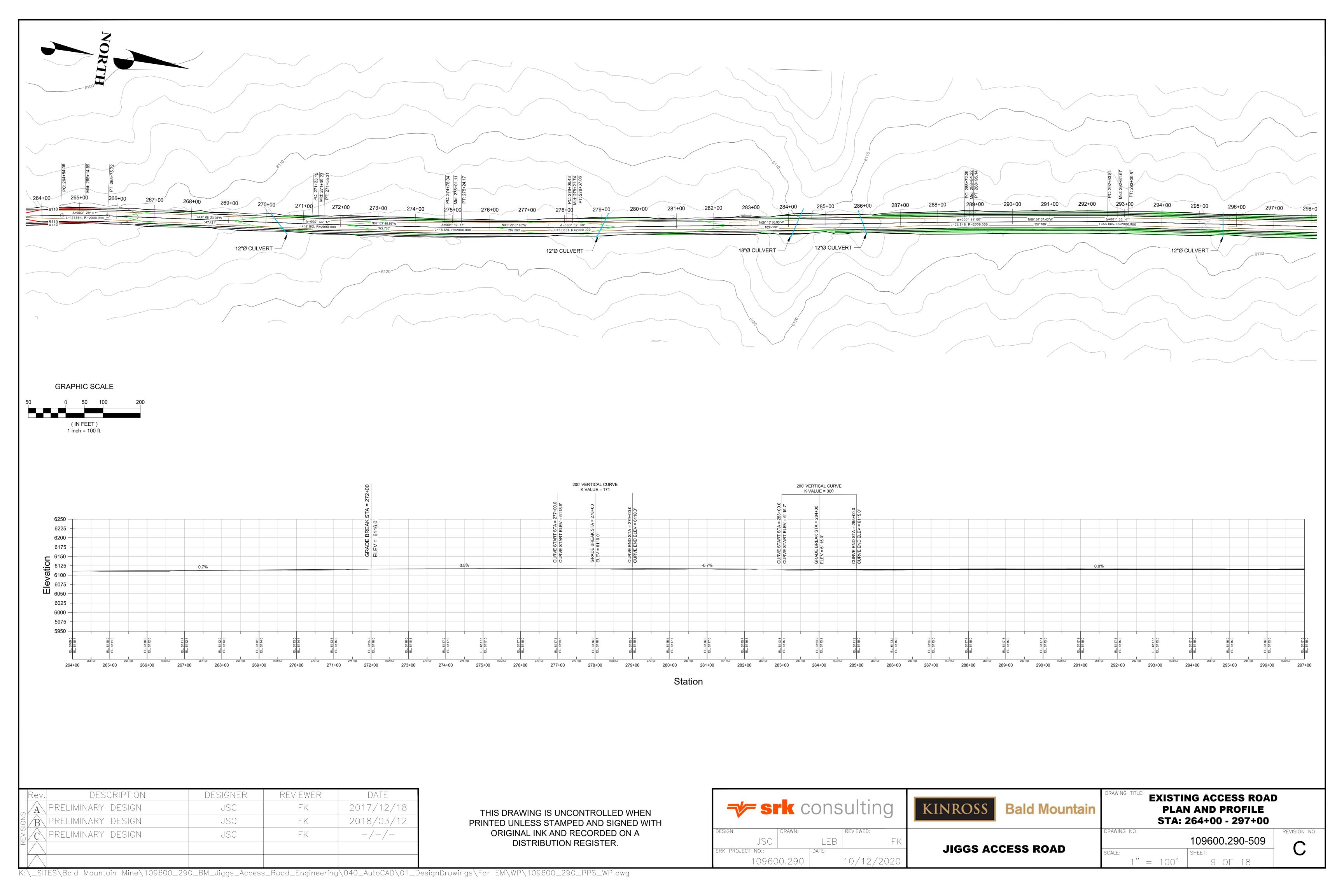


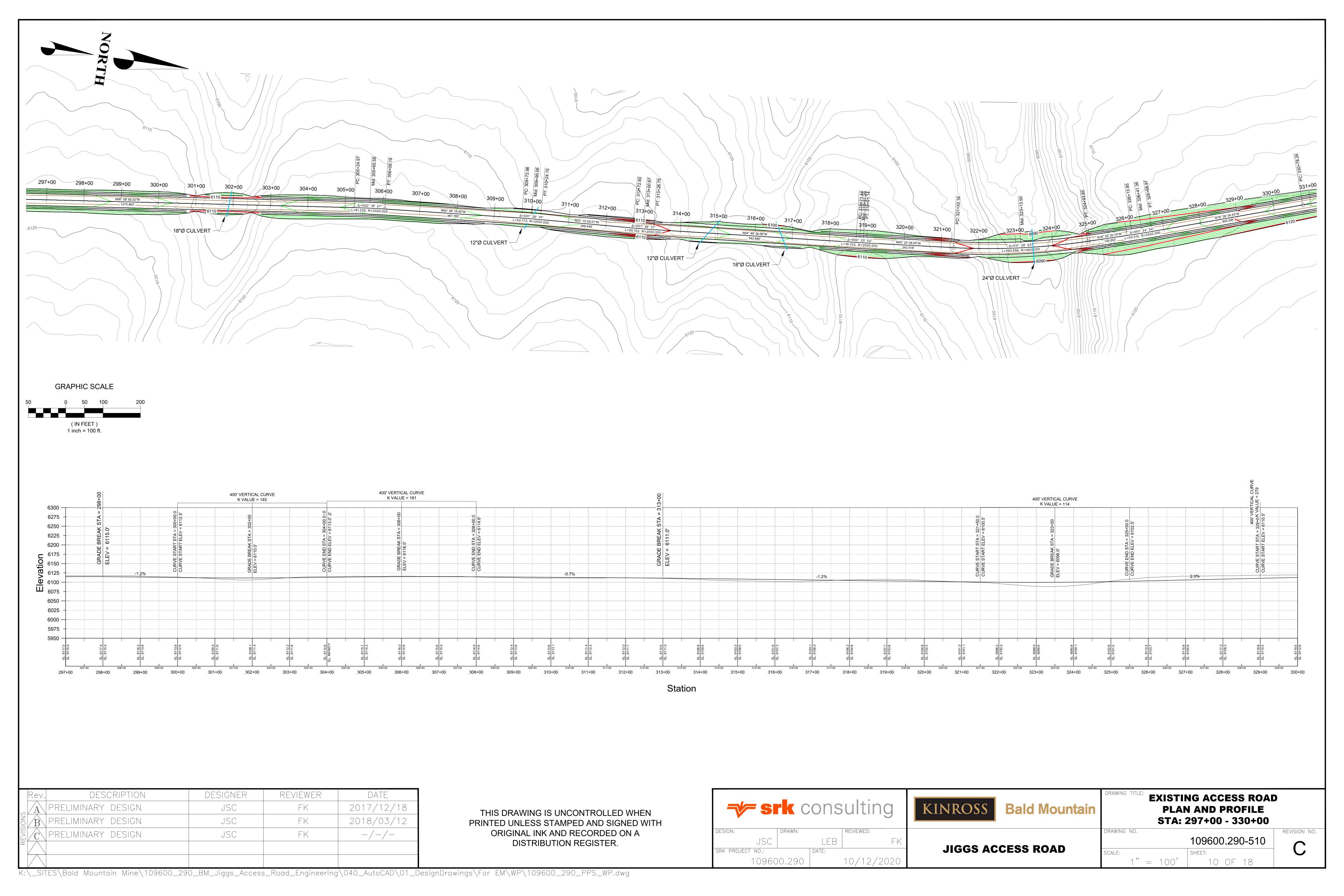


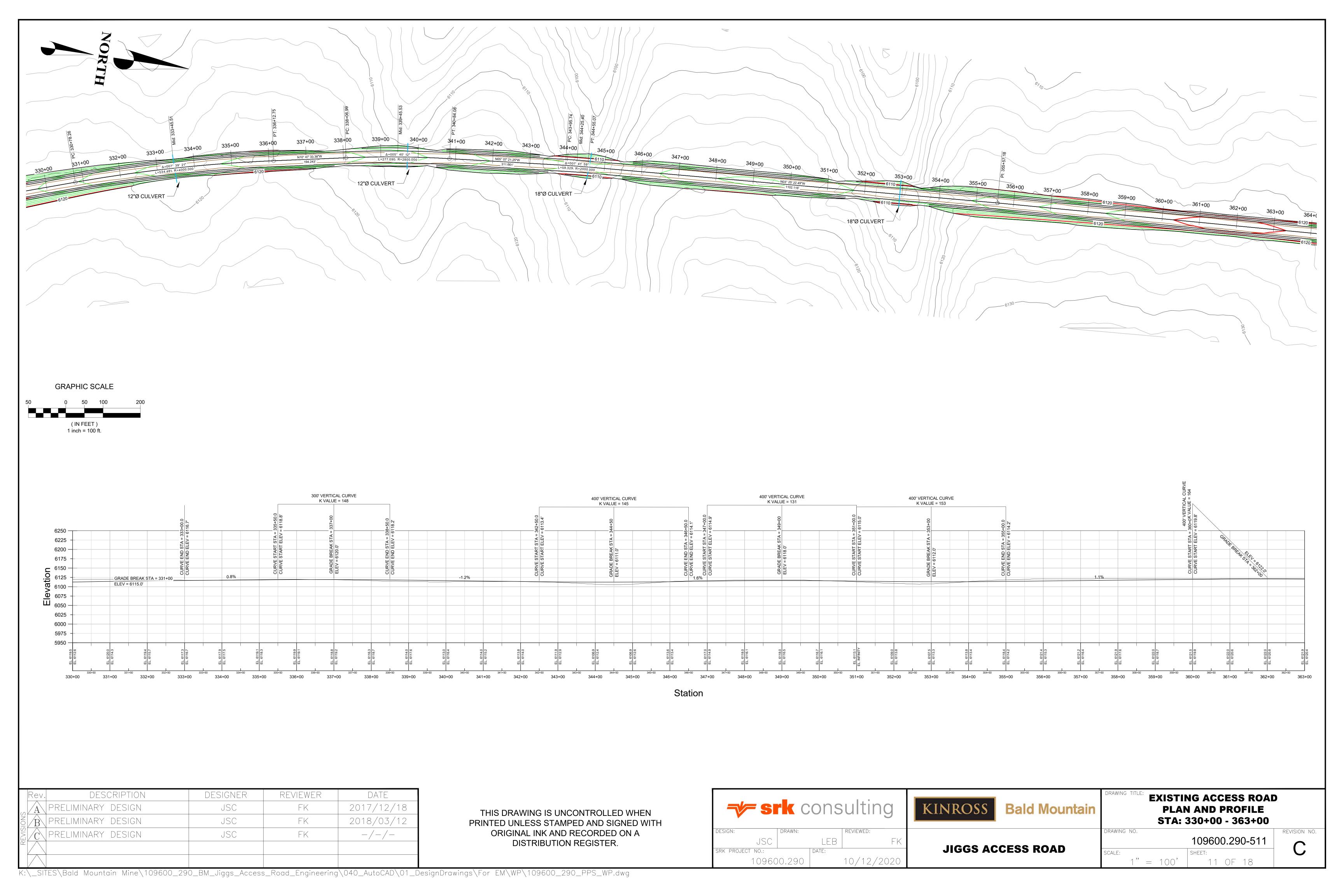


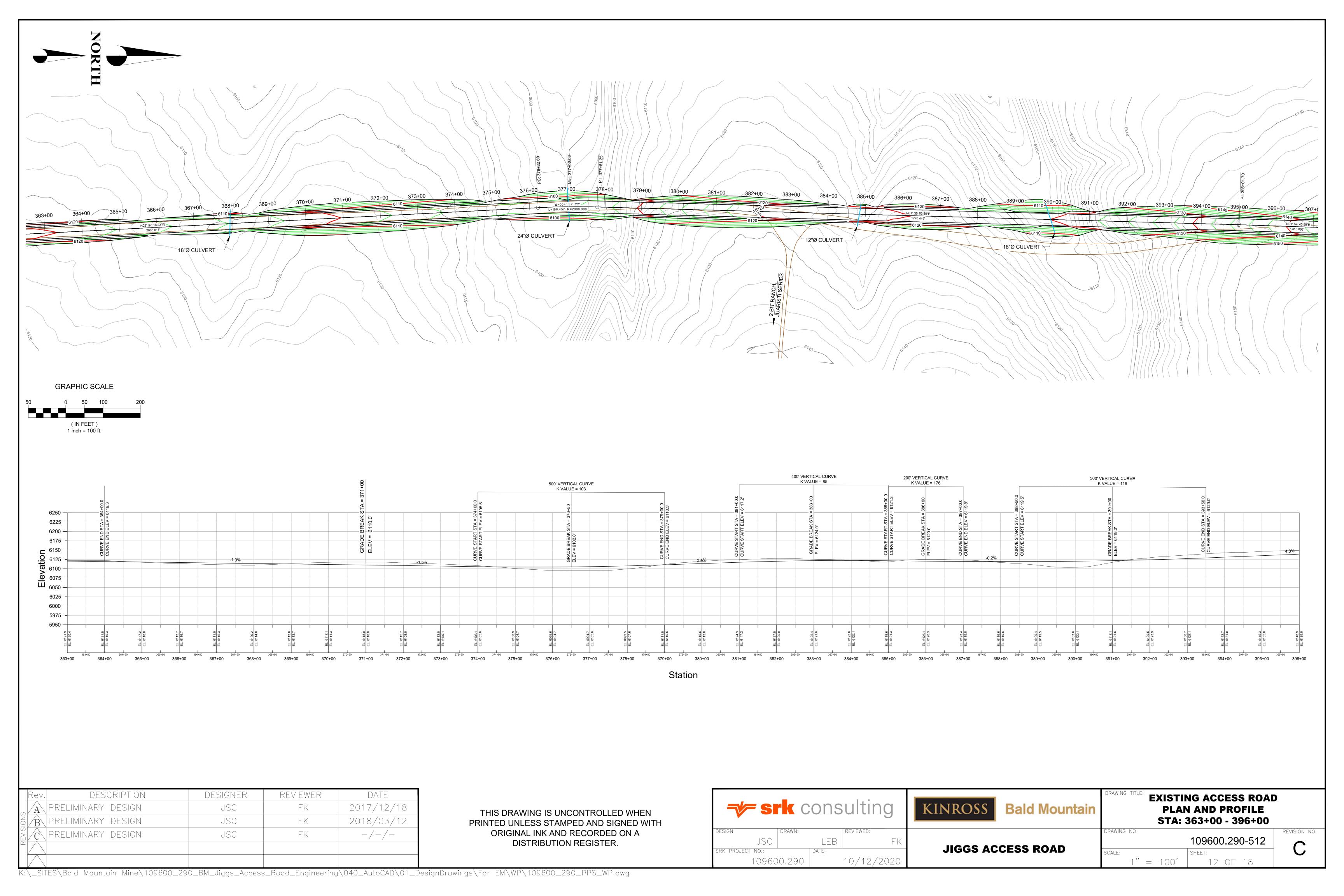


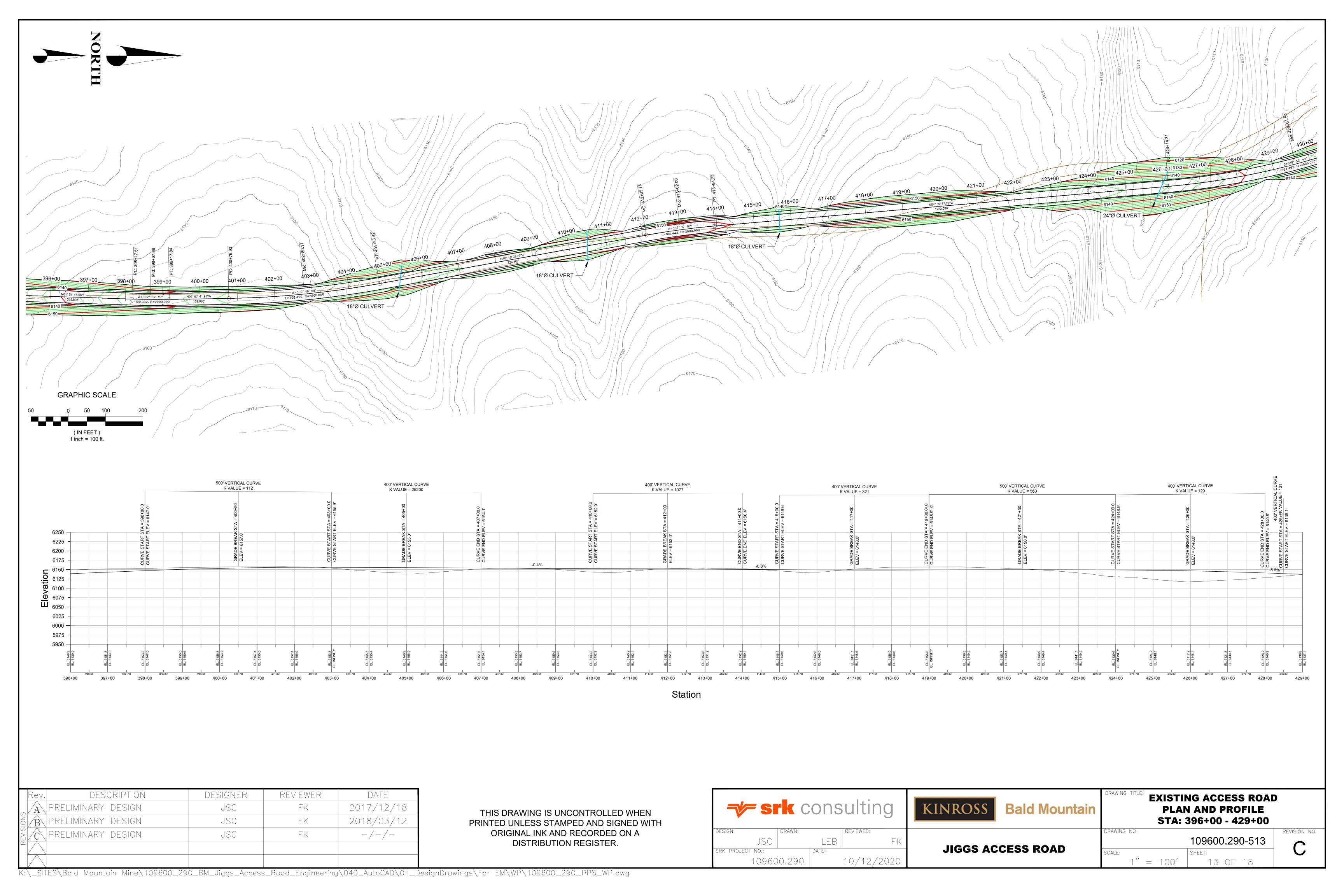


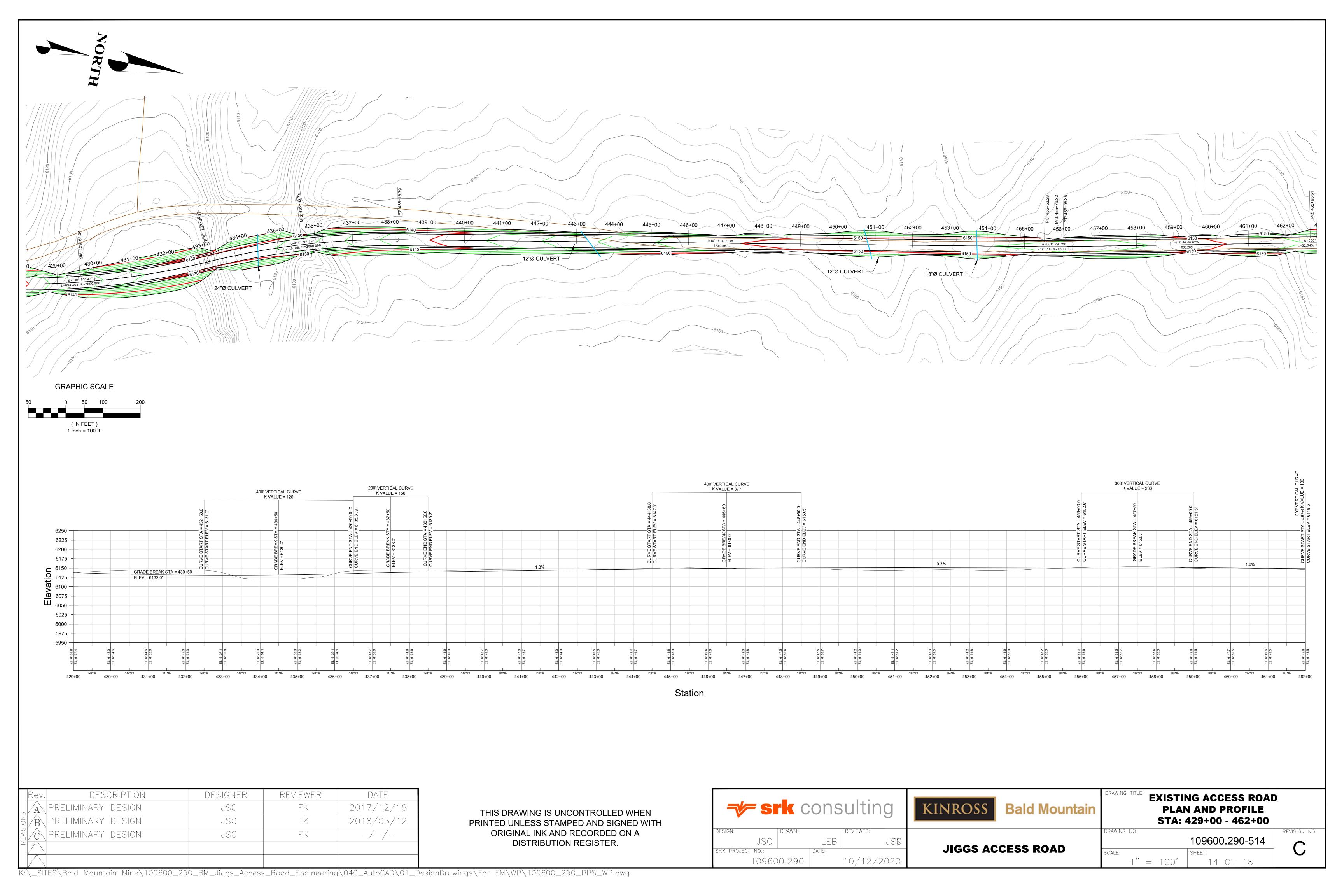


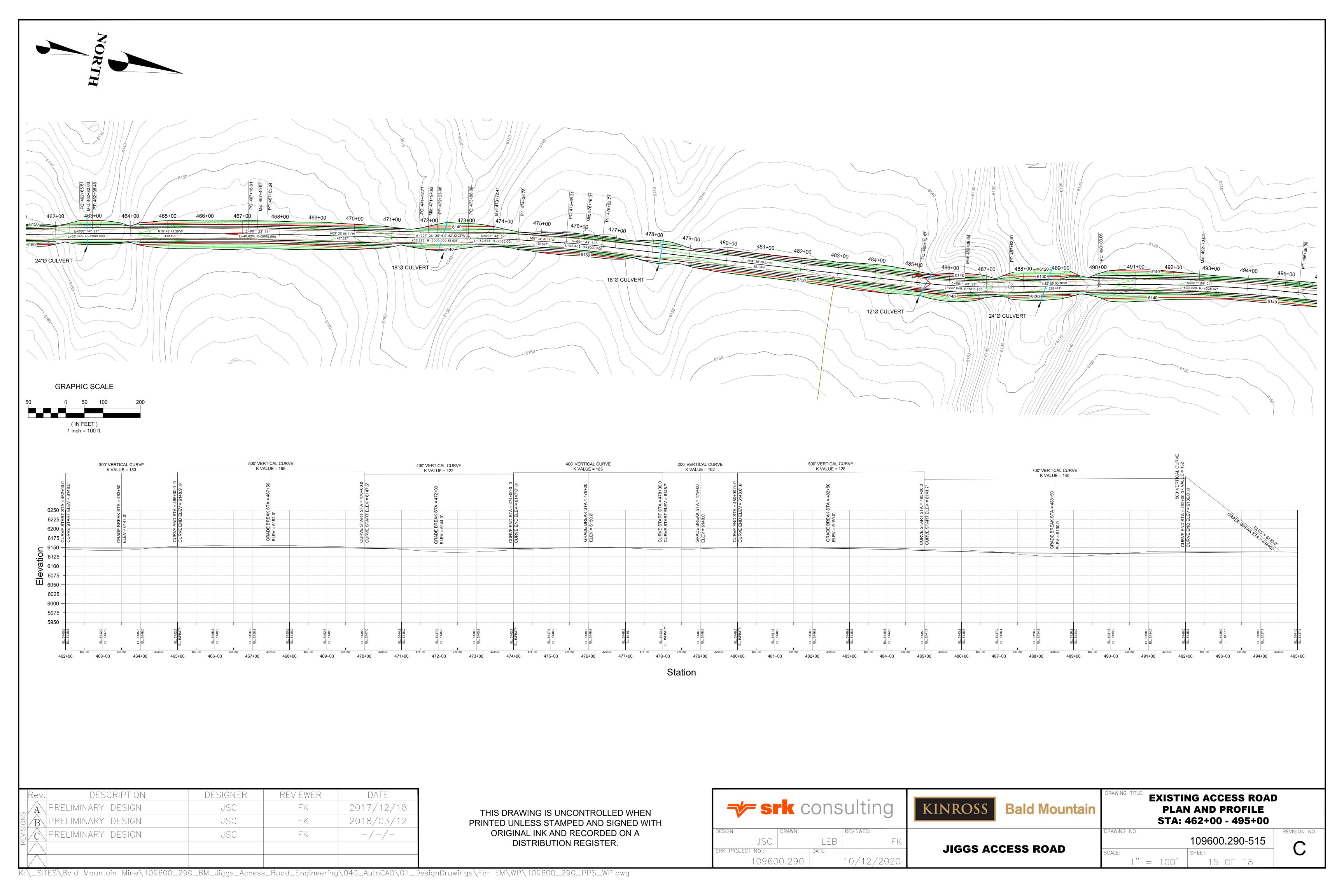


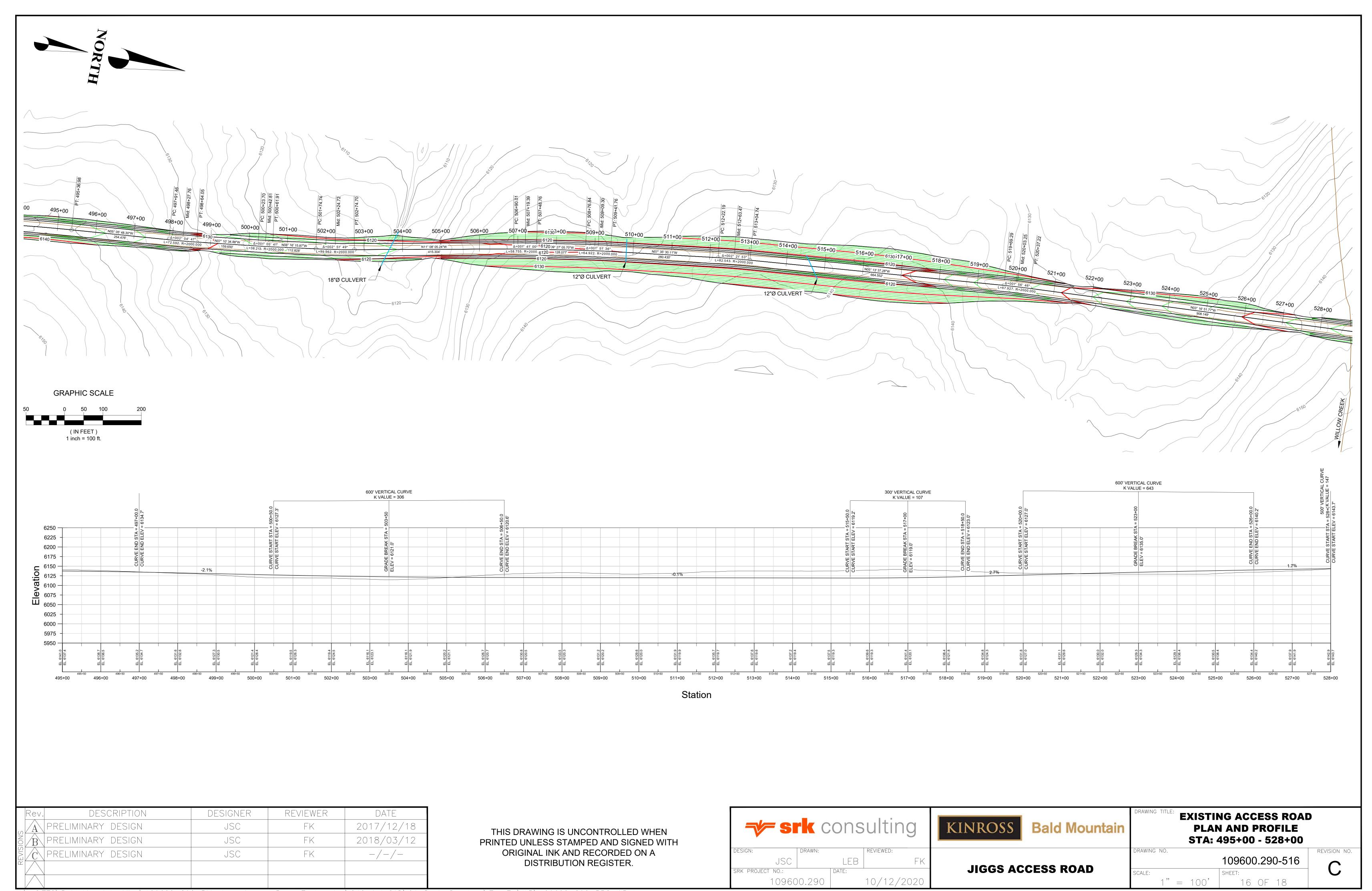


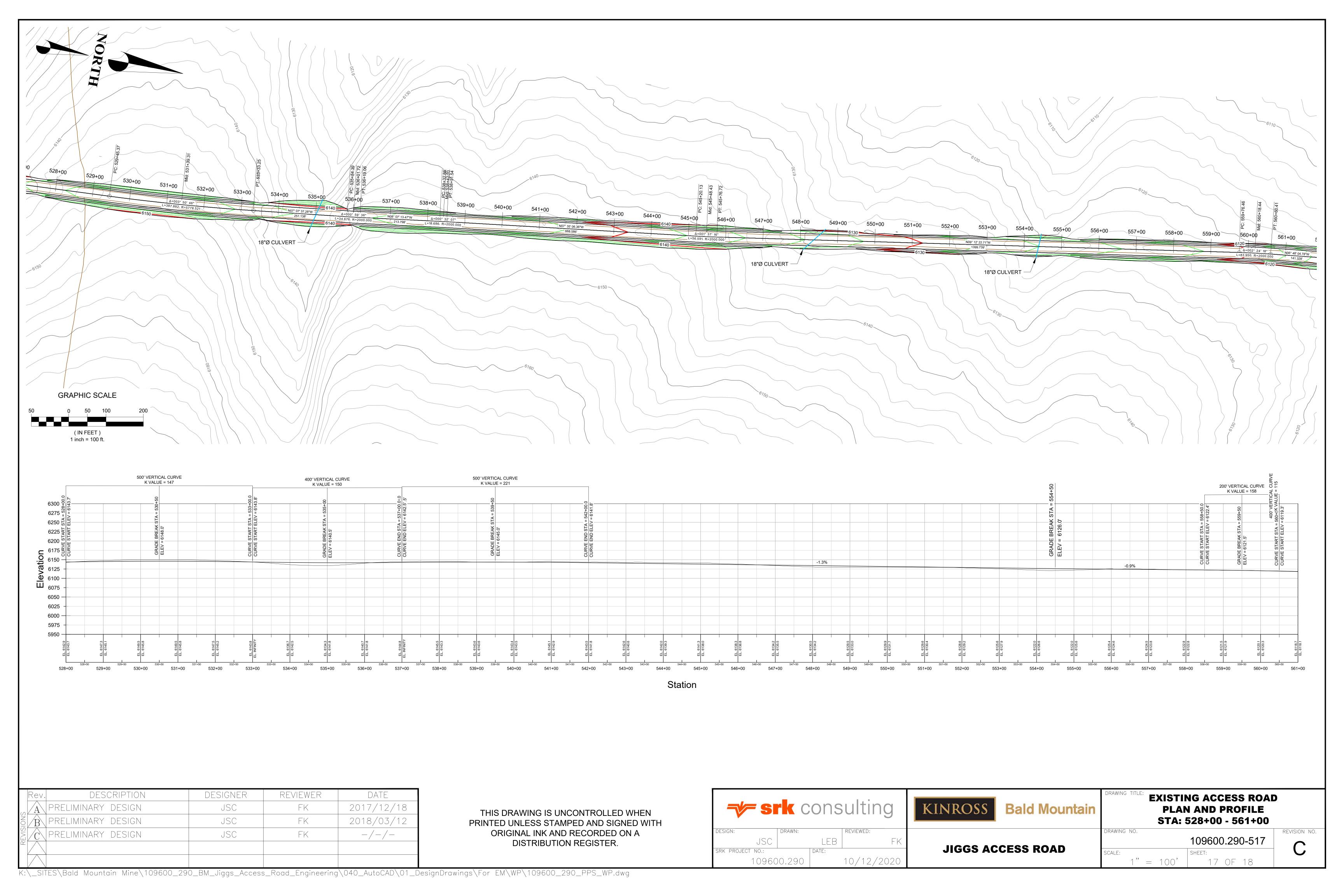


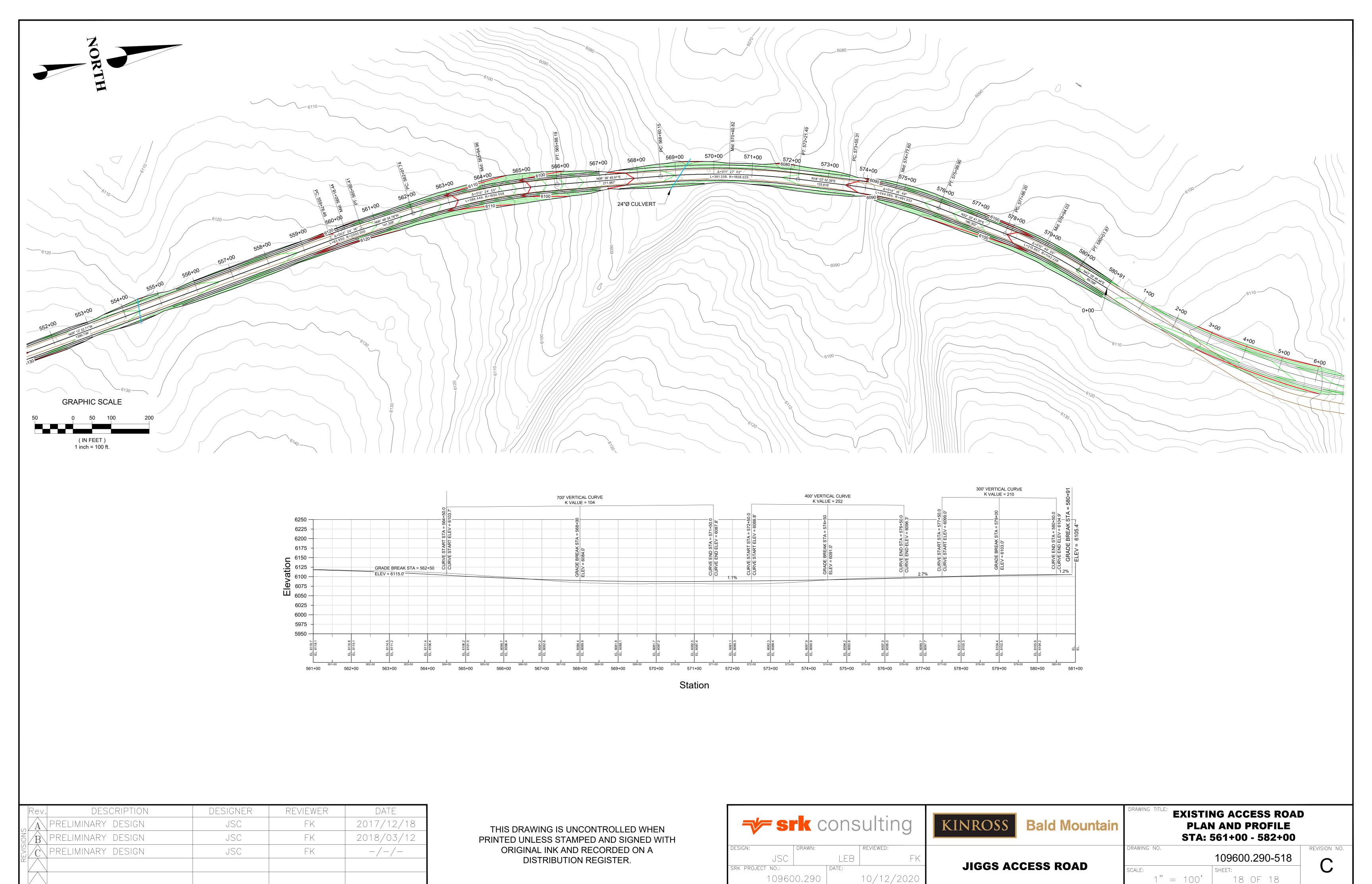


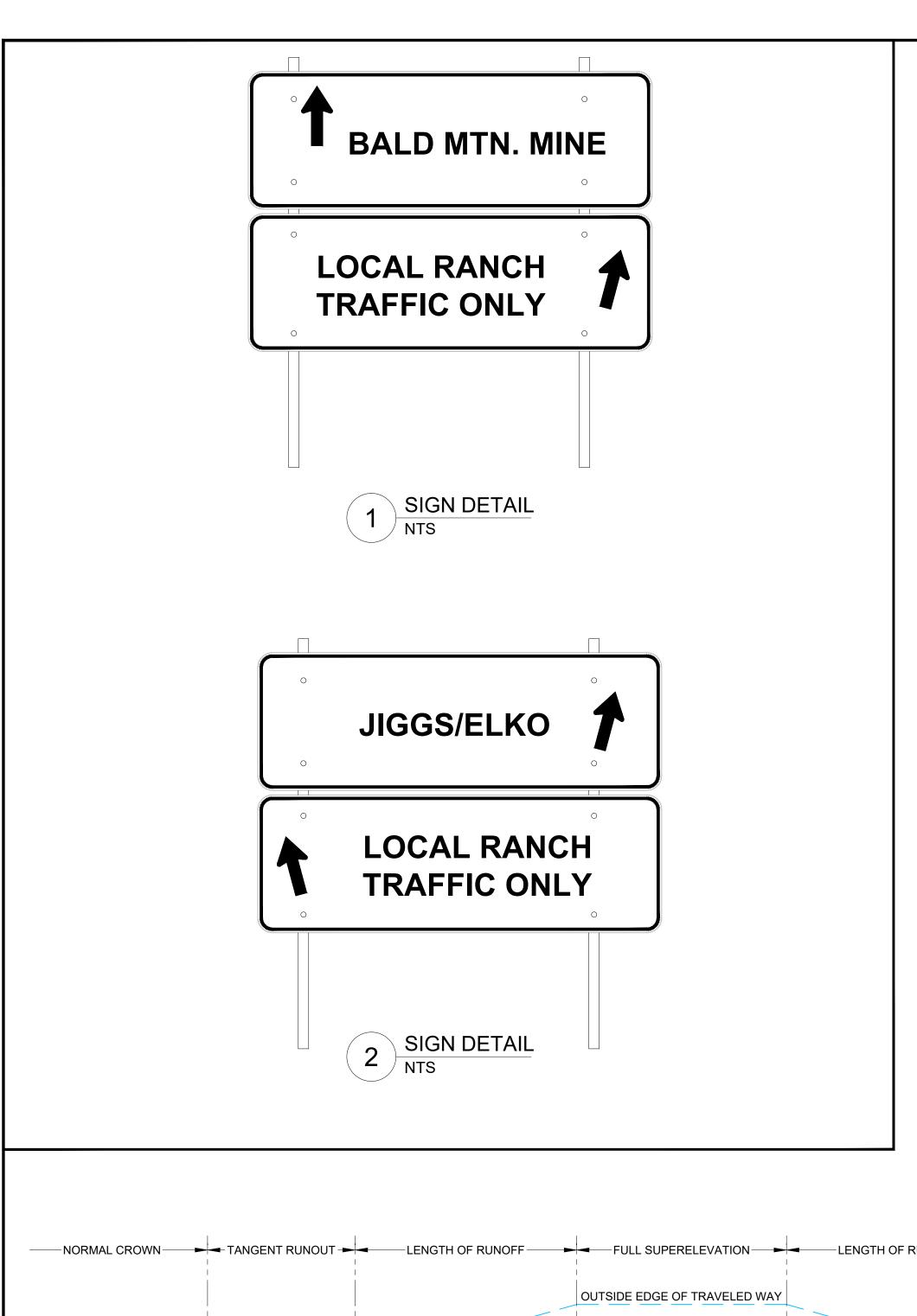


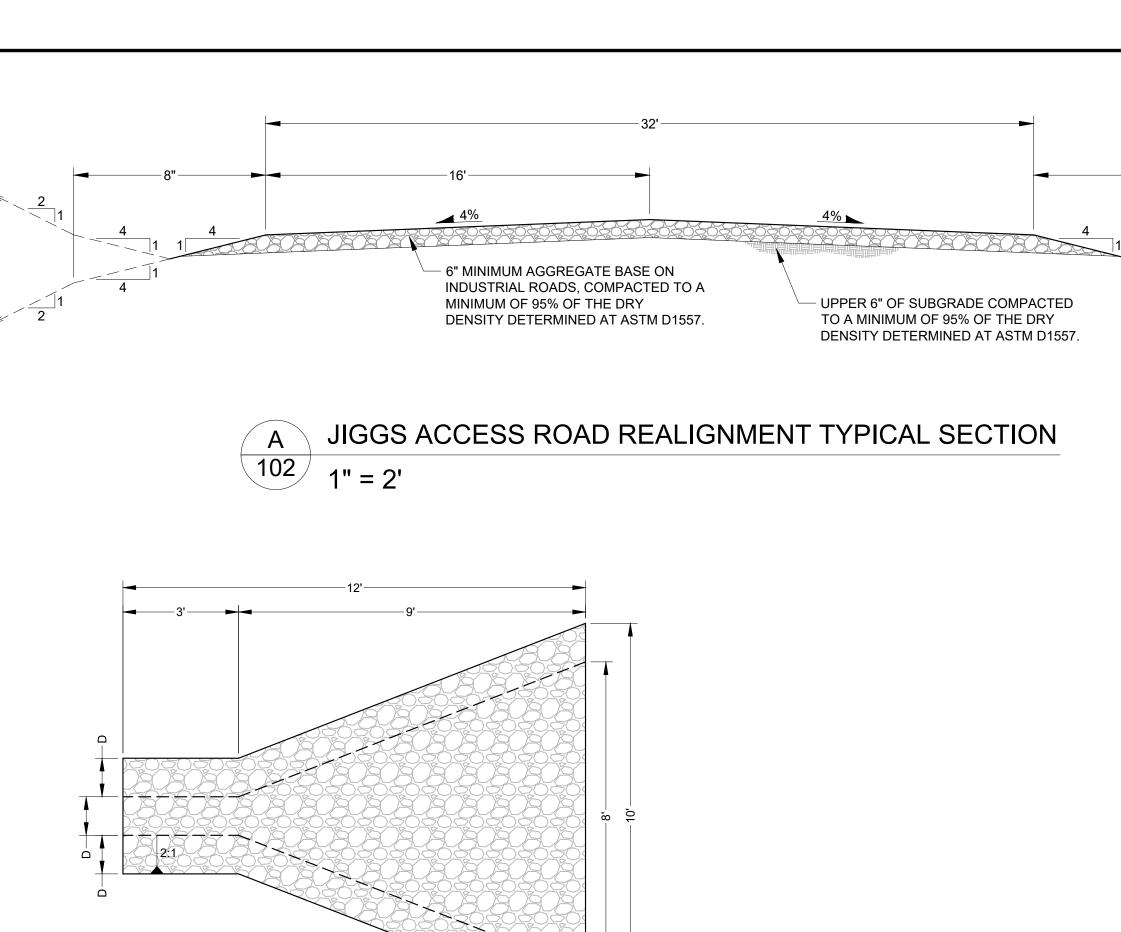


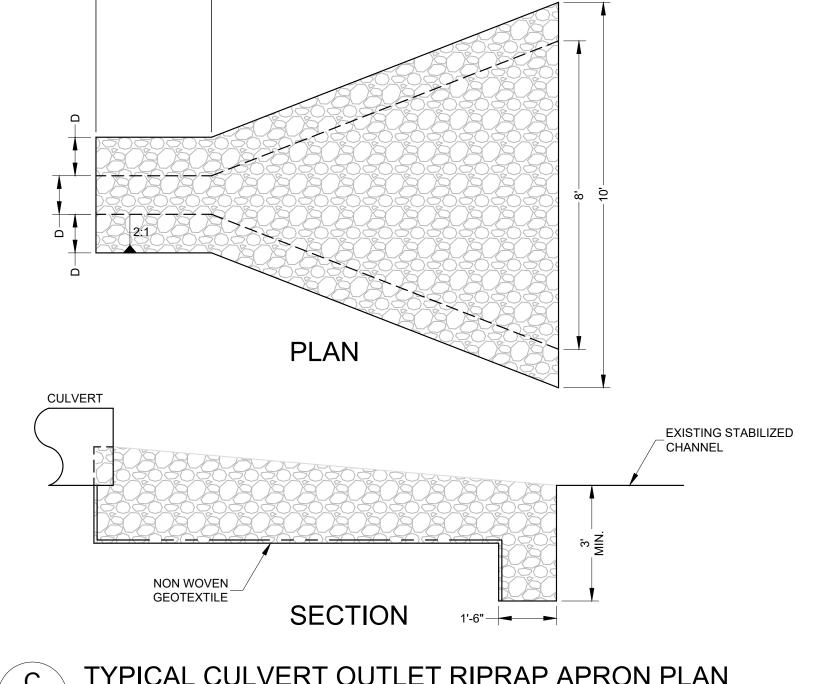






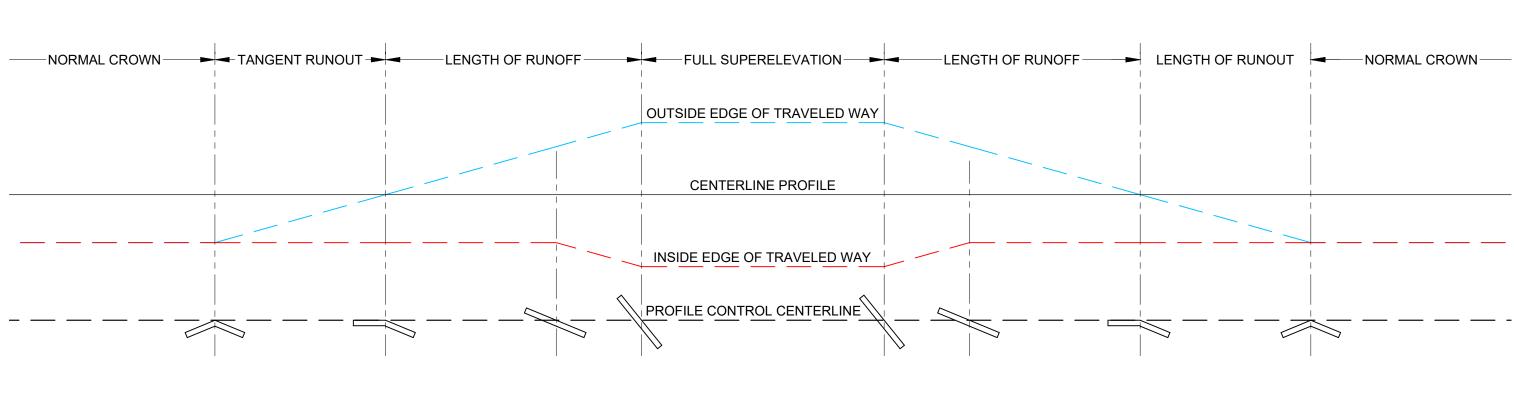






TYPICAL CULVERT OUTLET RIPRAP APRON PLAN

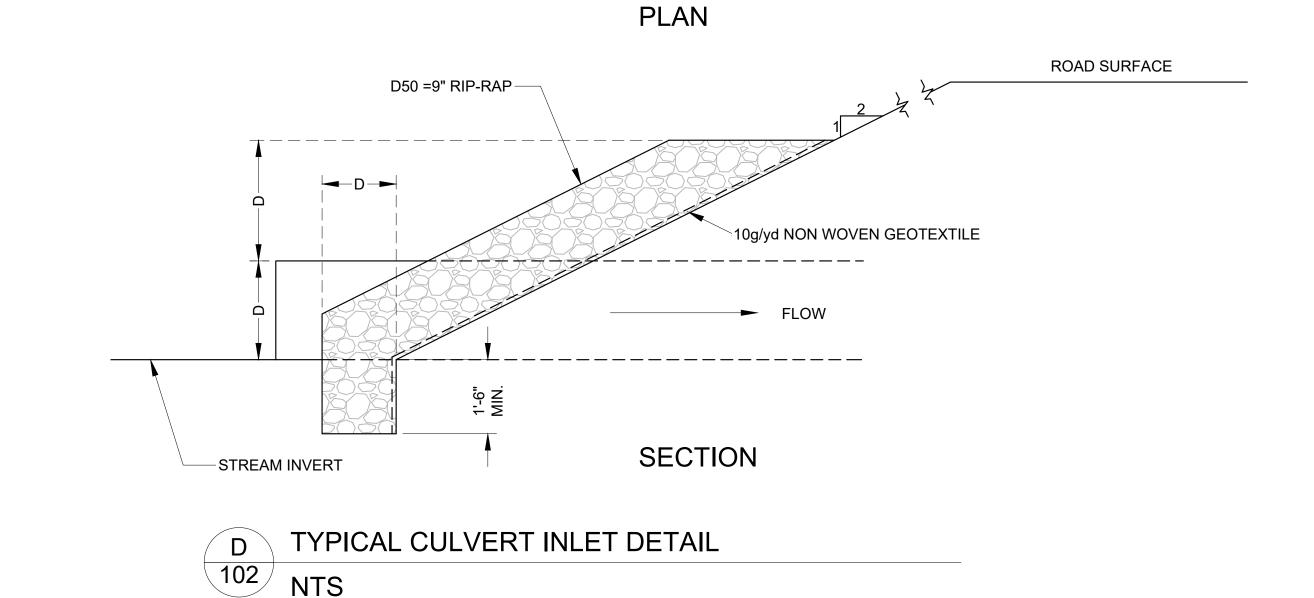
102 NTS



1 SUPER ELEVATION PROFILE BAND EXPLANATION
- NTS

	Rev.	DESCRIPTION	DESIGNER	REVIEWER	DATE
()	A	CONCEPTUAL LAYOUT	JSC	FK	2017/09/29
NO NO	B	DETAILED DESIGN	JSC	FK	-/-/-
EVIS	C	DETAILED DESIGN	JSC	FK	2018/06/21
\propto	D	DETAILED DESIGN	JSC	FK	2019/02/07

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102 NTS

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KINROSS Bald Mountain

JIGGS ACCESS ROAD

D50=9" RIP-RAP-

JIGGS ACCESS ROAD REALIGNMENT SECTIONS AND DETAILS

DRAWING NO.

109600.290-601

GRAVEL BASE

FINAL BACKFILL

COMPACTED TO A MINIMUM

OF 90% OF THE DRY DENSITY DETERMINED AT ASTM D1557.

BEDDING COMPACTED TO A
MINIMUM OF 90% OF THE DRY

PLACE FIRST LIFT AND
SHAPE FOR PIPE

ROAD SURFACE

DENSITY DETERMINED AT ASTM D1557.

COMPACTED TO A MINIMUM OF 95% OF THE DRY DENSITY

TYPICAL CULVERT CROSSING SECTION

2:1

DETERMINED AT ASTM D1557.

ROAD SURFACE

SCALE: SHEET: AS—SHOWN 1 OF 1

K:_SITES\Bald Mountain Mine\109600_290_BM_Jiggs_Access_Road_Engineering\040_AutoCAD\01_DesignDrawings\For EM\109600.290_DET_2-3Heap-Bypass.dwg

Appendix I F	B: SF-299-Applicatio ederal Lands	on for Transporta	tion and Utility Sys	stems and Facilit	ies on



March 23, 2020

Stacy Holt USDI Bureau of Land Management Ely District Office 702 North Industrial Way Ely, Nevada 89301

Re:

Form 299 - Request for Upgrade of County Roads 1000 and 719

White Pine and Elko Counties, Nevada from KG Mining (Bald Mountain) Inc.

Dear Stacy:

As we have discussed on several occasions, KG Mining (Bald Mountain) Inc. (KGBM) is requesting the approval to straighten several blind curves and widen an extended section on White Pine County Road 1000 and Elko County Road 719. These roads provide access from Elko and Spring Creek to our mining operation. Based on your direction, we have completed and attached Form 299, as the application for our proposed upgrade work.

In addition, we have discussed this proposed road upgrade work with the Road Departments of both White Pine and Elko Counties (and the private ranches along this road), and they all agree that the upgrades will improve traffic visibility and overall road safety on this roadway for mine workers, the local ranches in the region, and the general public. Also, you should know that this road has been designated as an emergency evacuation routing for the communities of Spring Creek and Elko.

White Pine County Road 1000 and Elko County Road 719 are existing roads and have been used by the public for years; no major short-term or new long-term environmental effects are expected with the upgrade work or continued use of this road. The proposed upgrade work will be similar to the 3-mile stretch of White Pine County Road 1000 that we completed in 2018 on BLM-admininstered lands (just north of our mine office and shop).

Much of the proposed upgrade work is located on lands administered by your office, but sections of road improvement will also occur on private land, Forest Service lands, and lands within the BLM's Elko District Office. We have attached maps to show the locations and land ownership of the road sements to be upgraded or realigned, as well as a table of estimated disturbances for the segmens on private, BLM and Forest Service lands. Let us know if you need any additional information for your coordination with the Forest Service and the Elko District Office.

We appreciate your willingness to spearhead the approval process for our proposed work, including those sections of upgraded roadway located on Forest Service and Elko District Office administered lands. If you have questions about the attached information, please contact me.

Sincerely,

Josh Roderick

Environmental Manager

CC:

Beth Ericksen Dale Thompson

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Prescribed by DOI/USDA/DOT P.L. 96 487 and Federal

APPLICATION FOR TRANSPORTATION AND **UTILITY SYSTEMS AND FACILITIES**

FORM APPROVED OMB Control Number: 0596-0082

ON FEDERAL LANDS Expiration Date: 8/31/2020 Register Notice 5-22-95 FOR AGENCY USE ONLY Application Number NOTE: Before completing and filing the application, the applicant should completely review this package and schedule a preapplication meeting with representatives of the agency responsible for processing the application. Each agency may have specific and unique requirements to be met in preparing and processing the application. Many times, with the help of the agency Date Filed representative, the application can be completed at the preapplication meeting. 1. Name and address of applicant (include zip code) 2. Name, title, and address of authorized agent if Telephone (with area code) different from item 1 (include zip code) 755-237-5844 KG Mining (Bald Mountain) Inc. Josh Roderick Applicant 435 Jiggs Highway Unit 16 Environmental Manager 775-388-4036 Spring Creek, Nevada 89815 Authorized Agent Josh Roderick 4. As applicant are you? (check one) 5. Specify what application is for (check one) Individual a. П New authorization b. Corporation* b. Renewing existing authorization number П Partnership/Association* Amend existing authorization number State Government/State Agency d. Assign existing authorization number Local Government × Existing use for which no authorization has been received * e. Federal Agency f. Other* * If checked, provide details under item 7 * If checked, complete supplemental page 6. If an individual, or partnership, are you a citizen(s) of the United States?

Yes
No 7. Project description (describe in detail): (a) Type of system or facility, (e.g., canal, pipeline, road); (b) related structures and facilities; (c) physical specifications (Length, width, grading, etc.); (d) term of years needed: (e) time of year of use or operation; (f) Volume or amount of product to be transported; (g) duration and timing of construction; and (h) temporary work areas needed for construction (Attach additional sheets, if additional space is needed.) a. Existing road - in use for many years b. No related facilities c. See Continuation SF 299-7 for details; Estimated 26.4 acres total new disturbance for upgrade work. Estimated 15.4 acres of existing road will be reclaimed. See attached table with estimated disturbance. d. Road to be used in perpetuity e. In service all year f. Public traffic g. Estimated 4 - 6 months of expected seasonal construction (summer and fall months) over a 2-5 year period h. No permanent staging areas anticipated on lands administered by federal agencies, but temporary stage areas for temporary storage of gravel, culverts, etc. may be necessary along the right-of-way. The location of any temporary storage areas will avoid drainages, be located to minimize disturbance and in consultation with BLM and Forest Service. Any temporary storage areas will be reclaimed and seeded upon completion of the construction. 8. Attach a map covering area and show location of project proposal 9. State or Local government approval: Attached Applied for × Not Required 10 Nonreturnable application fee: Attached Not required 11. Does project cross international boundary or affect international waterways? Yes X No (if "yes," indicate on map) 12. Give statement of your technical and financial capability to construct, operate, maintain, and terminate system for which authorization is being requested KG Mining (Bald Mountain) Inc. is a Nevada corporation with the technical and financial capability to carry out the proposed road upgrades. KG Mining (Bald Mountain) Inc. has road maintenance agreements with Elko County (dated

January 7, 2019) and White Pine County (dated March 22, 2017). Elko County has designated County Road 719/1000 as an emergency evacuation route for the communities of Elko and Spring Creek.

None
b. Why were these alternatives not selected?
Not applicable
c. Give explanation as to why it is necessary to cross Federal Lands.
County Road 719/1000 exists, provides access to private ranches and grazing allotments, serves as a primary route to the Bald Mountain mining complex, and affords access for recreation activities on both BLM and Forest Service
administered lands. It is designated an emergency evacuation route for the communities of Elko and Spring Creek.
14. List authorizations and pending applications filed for similar projects which may provide information to the authorizing agency. (Specify number, date, code, or name)
None
15. Provide statement of need for project, including the economic feasibility and items such as: (a) cost of proposal (construction, operation, and
maintenance); (b) estimated cost of next best alternative; and (c) expected public benefits. The need for the upgrade work is to improve safety via driver visibility - to lessen the potential for accidents and
vehicle-wildlife collisions. Costs will be covered by KG Mining (Bald Mountain) Inc. Public benefits include improved safety and continued access.
16. Describe probable effects on the population in the area, including the social and economic aspects, and the rural lifestyles.
Road upgrades will promote enhanced safety to local traffic, especially to ranch owners, workers at the Bald Mountain
mining complex, and recreationists.
17. Describe likely environmental effects that the proposed project will have on; (a) air quality; (b) visual impact; (c) surface and ground water quality and quantity; (d) the control or structural change on any stream or other body of water; (e) existing noise levels; and (f) the surface of the land, including vegetation, permafrost, soil, and soil stability. See Continuation SF 299 - 17
Short-term effects during construction; no long-term detrimental effects are expected.
construction discussed and the state of the
18. Describe the probable effects that the proposed project will have on (a) populations of fish, plantlife, wildlife, and marine life, including threatened and endangered species; and (b) marine mammals, including hunting, capturing, collecting, or killing these animals.
See Continuation SF 299 - 18
No threatened or endangered species are expected to be present; improved wildlife survivability with reduced vehicle collisions.
19. State whether any hazardous material, as defined in this paragraph, will be used, produced, transported or stored on or within the right-of-way or any of the right-of-way facilities, or used in the construction, operation, maintenance or termination of the right-of-way or any of its facilities. "Hazardous material" means any substance, pollutant or contaminant that is listed as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9601 et seq., and its regulations. The definition of hazardous substances under CERCLA includes any "hazardous waste" as defined in the Resource Conservation and Recovery Act of 1976 (RCRA), as amended, 42 U.S.C. 6901 et seq., and its regulations. The term hazardous materials also includes any nuclear or byproduct material as defined by the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011 et seq. The term does not include petroleum, including crude oil or any fraction thereof that is not otherwise specifically listed or designated as a hazardous substance under CERCIA Section 101(14), 42 U.S.C. 9601(14), nor does the term include natural gas.
None will be used, produced, transported or stored on the road or within the road right-of-way.
Hazardous materials routing for the Bald Mountain mining complex is shown on Figure 2.4-6, and the use of hazardous materials for the mine is discussed in Section 3.20, both in the 2016 Bald Mountain Mine North and South Operations
Area Projects Final Environmental Impact Statement, a document prepared and released by the BLM.
Thou the jobie that Entwentier impact statement, a accument property and released by the Semi-
20. Name all the Department(s)/Agency(ies) where this application is being filed.
Ely District Office - BLM 702 North Industrial Way
Ely, Nevada 89301
HEREBY CERTIFY, That I am of legal age and authorized to do business in the State and that I have personally examined the information containe in the application and believe that the information submitted is correct to the best of my knowledge.
Signature of Applicant Date
3/23/20
Title 18-11-5 C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any

Title 18, U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

13a. Describe other reasonable alternative routes and modes considered.

GENERAL INFORMATION ALASKA NATIONAL INTEREST LANDS

This application will be used when applying for a right-of-way, permit, license, lease, or certificate for the use of Federal lands which lie within conservation system units and National Recreation or Conservation Areas as defined in the Alaska National Interest lands Conservation Act. Conservation system units include the National Park System, National Wildife Refuge System, National Wild and Scenic Rivers System, National Trails System, National Wilderness Preservation System, and National Forest Monuments.

Transportation and utility systems and facility uses for which the application may be used are:

- 1. Canals, ditches, flumes, laterals, pipes, pipelines, tunnels, and other systems for the transportation of water.
- Pipelines and other systems for the transportation of liquids other than water, including oil, natural gas, synthetic liquid and gaseous fuels, and any refined product produced therefrom.
- 3. Pipelines, slurry and emulsion systems, and conveyor belts for transportation of solid materials.
- Systems for the transmission and distribution of electric energy.
- Systems for transmission or reception of radio, television, telephone, telegraph, and other electronic signals, and other means of communications.
- Improved right-of-way for snow machines, air cushion vehicles, and allterrain vehicles.
- Roads, highways, railroads, tunnels, tramways, airports, landing strips, docks, and other systems of general transportation.

This application must be filed simultaneously with each Federal department or agency requiring authorization to establish and operate your proposal.

In Alaska, the following agencies will help the applicant file an application and identify the other agencies the applicant should contact and possibly file with:

Department of Agriculture Regional Forester, Forest Service (USFS) P.O. Box 21628 Juneau, Alaska 99802-1628

Telephone: (907) 586-7847 (or a local Forest Service Office)

Department of the Interior Bureau of Indian Affairs (BIA) Alaska Regional Office 709 West 9th Street Juneau, Alaska 99802 Telephone: (907) 586-7177

Department of the Interior Alaska State Office Bureau of Land Management 222 West 7th Avenue #13 Anchorage, Alaska 99513 Public Room: 907-271-5960 FAX: 907-271-3684 (or a local BLM Office)

U.S. Fish & Wildlife Service (FWS)
Office of the Regional Director
1011 East Tudor Road
Anchorage, Alaska 99503
Telephone: (907) 786-3440

National Park Service (NPS) Alaska Regional Office 240 West 5th Avenue Anchorage, Alaska 99501 Telephone: (907) 644-3510

Note - Filings with any Interior agency may be filed with any office noted above or with the Office of the Secretary of the Interior, Regional Environmental Officer, P.O. Box 120, 1675 C Street, Anchorage, Alaska 99513.

Department of Transportation Federal Aviation Administration Alaska Region AAL-4, 222 West 7th Ave., Box 14 Anchorage, Alaska 99513-7587 Telephone: (907) 271-5285

NOTE - The Department of Transportation has established the above central filing point for agencies within that Department. Affected agencies are: Federal Aviation Administration (FAA), Coast Guard (USCG), Federal Highway Administration (FHWA), Federal Railroad Administration (FRA).

OTHER THAN ALASKA NATIONAL INTEREST LANDS

Use of this form is not limited to National Interest Conservation Lands of Alaska.

Individual department/agencies may authorize the use of this form by applicants for transportation and utility systems and facilities on other Federal lands outside those areas described above.

For proposals located outside of Alaska, applications will be filed at the local agency office or at a location specified by the responsible Federal agency.

SPECIFIC INSTRUCTIONS (Items not listed are self-explanatory)

- 7 Attach preliminary site and facility construction plans. The responsible agency will provide instructions whenever specific plans are required.
- 8 Generally, the map must show the section(s), township(s), and range(s) within which the project is to be located. Show the proposed location of the project on the map as accurately as possible. Some agencies require detailed survey maps. The responsible agency will provide additional instructions.
- 9, 10, and 12 The responsible agency will provide additional instructions.
- 13 Providing information on alternate routes and modes in as much detail as possible, discussing why certain routes or modes were rejected and why it is necessary to cross Federal lands will assist the agency(ies) in processing your application and reaching a final decision. Include only reasonable alternate routes and modes as related to current technology and economics.
- 14 The responsible agency will provide instructions.
- 15 Generally, a simple statement of the purpose of the proposal will be sufficient. However, major proposals located in critical or sensitive areas may require a full analysis with additional specific information. The responsible agency will provide additional instructions.
- 16 through 19 Providing this information with as much detail as possible will assist the Federal agency(ies) in processing the application and reaching a decision. When completing these items, you should use a sound judgment in furnishing relevant information. For example, if the project is not near a stream or other body of water, do not address this subject. The responsible agency will provide additional instructions.

Application must be signed by the applicant or applicant's authorized representative.

EFFECT OF NOT PROVIDING INFORMATION: Disclosure of the information is voluntary. If all the information is not provided, the application may be rejected.

DATA COLLECTION STATEMENT

The Federal agencies collect this information from applicants requesting right-of-way, permit, license, lease, or certification for the use of Federal lands. The Federal agencies use this information to evaluate the applicant's proposal. The public is obligated to submit this form if they wish to obtain permission to use Federal lands.

	SUPPLEMENTAL			
N	OTE: The responsible agency(ies) will provide instructions	CHECK APPROPRIAT BLOCK		
	I - PRIVATE CORPORATIONS	ATTACHED	FILED*	
a	Articles of Incorporation		×	
b,	Corporation Bylaws	2 🔲	×	
С	A certification from the State showing the corporation is in good standing and is entitled to operate within the State		×	
d	Copy of resolution authorizing filing		×	
e	The name and address of each shareholder owning 3 percent or more of the shares, together with the number and percentage of any class of voting shares of the entity which such shareholder is authorized to vote and the name and address of each affiliate of the entity together with, in the case of an affiliate controlled by the entity, the number of shares and the percentage of any class of voting stock of that affiliate owned, directly or indirectly, by that entity, and in the case of an affiliate which controls that entity, the number of shares and the percentage of any class of voting stock of that entity owned, directly or indirectly, by the affiliate.	_ □ ◎	X	
f.	If application is for an oil or gas pipeline, describe any related right-of-way or temporary use permit applications, and identify previous applications.			
g	If application is for an oil and gas pipeline, identify all Federal lands by agency impacted by proposal.			
	II - PUBLIC CORPORATIONS			
a.	Copy of law forming corporation			
b.	Proof of organization			
C	Copy of Bylaws			
d,	Copy of resolution authorizing filing			
e.	If application is for an oil or gas pipeline, provide information required by item "I - f" and "I - g" above.			
	III - PARTNERSHIP OR OTHER UNINCORPORATED ENTITY	-		
a	Articles of association, if any			
b	If one partner is authorized to sign, resolution authorizing action is			
C.	Name and address of each participant, partner, association, or other			
d	If application is for an oil or gas pipeline, provide information required by item "I - f" and "I - g" above.			

*If the required information is already filed with the agency processing this application and is current, check block entitled "Filed." Provide the file identification information (e.g., number, date, code, name). If not on file or current, attach the requested information.

NOTICES

Note: This applies to the Department of Agriculture/Forest Service (FS)

This information is needed by the Forest Service to evaluate the requests to use National Forest System lands and manage those lands to protect natural resources, administer the use, and ensure public health and safety. This information is required to obtain or retain a benefit. The authority for that requirement is provided by the Organic Act of 1897 and the Federal Land Policy and Management Act of 1976, which authorize the secretary of Agriculture to promulgate rules and regulations for authorizing and managing National Forest System lands. These statutes, along with the Term Permit Act, National Forest Ski Area Permit Act, Granger-Thye Act, Mineral Leasing Act, Alaska Term Permit Act, Act of September 3, 1954, Wilderness Act, National Forest Roads and Trails Act, Act of November 16, 1973, Archeological Resources Protection Act, and Alaska National Interest Lands Conservation Act, authorize the Secretary of Agriculture to issue authorizations or the use and occupancy of National Forest System lands. The Secretary of Agriculture's regulations at 36 CFR Part 251, Subpart B, establish procedures for issuing those authorizations.

BURDEN AND NONDISCRIMINATION STATEMENTS

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082. The time required to complete this information collection is estimated to average 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.

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ATTACHMENT to STANDARD FORM 299

7. Project Description

(c) Physical specifications

KG Mining (Bald Mountain) Inc. (KG-BM) proposes to straighten blind curves and widen sections of Elko County Road 719 and White Pine County Road 1000 to improve traffic visibility and overall road safety. See **Figure 1** for general location of these roads and **Figure 2** for an overview of the individual road sections to be upgraded. Ranch access would be maintained. Culverts would be installed at main drainage crossings. The total length of the upgrade work on the existing roadways would involve an estimated 12 miles, with a total new disturbance for the upgrade work estimated at 26.4 acres (see **Table 1**), as follows:

- Private land: 2.2 acres;
- BLM Ely District administered lands: 8.9 acres;
- . BLM Elko District administered lands: 2.7 acres; and,
- Forest Service administered lands: 12.6 acres.

In conjunction with the upgrade work, KG-BM would reclaim or eliminate for primary road use an estimated 15.4 acres of existing roadway (see **Table 1**), as follows:

- Private land: 1.4 acres;
- BLM Ely District administered lands: 4.4 acres;
- BLM Elko District administered lands: 3.8 acres; and,
- Forest Service administered lands: 5.8 acres.

The running width of the upgraded road would be approximately 30 feet; this would allow for safe two-way traffic. The running surface of the road would be slightly crowned to allow drainage off the road. The overall width of new disturbance on either side of the running width would vary depending on the need for cuts and fills.

Individual county road segments targeted for upgrade are listed below:

- White Cross Corner or Block House (see Figure 3). Reroute a road section through a private ranch to avoid ranch buildings facilities but continue to provide ranch access.
- Y Corner (see Figure 4). Eliminate a blind corner on BLM administered land (BLM Elko District) to improve traffic visibility and safety.
- <u>Cowboys Rest</u> (see Figures 5 and 6). Reroute a road section on Forest Service
 administered land to eliminate a bind curve and widen existing narrow road
 stretches to improve safety and traffic flow.
- <u>Curve 21</u> (see Figure 7). Eliminate a blind corner on Forest Service administered land to improve traffic visibility and safety, while still maintaining ranch access.
- Minor Regrade North (see Figure 8). Straighten several short segments of existing county road to improve traffic flow, in conjunction with overall improvement of the sub-base of the road and widening/grading to improve road safety.

Page 1 of 7

- Minor Realignment North (see Figure 9). Straighten several segments of existing
 county road to improve traffic flow, in conjunction with overall improvement of
 the sub-base of the road and widening/grading to improve road safety.
- Minor Regrade Central (see Figure 10). Straighten several segments of existing county road to improve traffic flow, in conjunction with overall improvement of the sub-base of the road and widening/grading to improve road safety.
- Minor Realignment South (see Figures 11). Straighten several segments of
 existing county road to improve traffic flow, in conjunction with overall
 improvement of the sub-base of the road and widening/grading to improve road
 safety.
- Minor Regrade South (see Figures 12). Straighten several short segments of
 existing county road to improve traffic flow, in conjunction with overall
 improvement of the sub-base of the road and widening/grading to improve road
 safety.

17. Environmental Effects

Elko County Road 719 and White Pine County Road 1000 have been used by the public for many years. A discussion of potential environmental effects involved with the proposed road upgrade work follows.

(a) Air Quality

The primary source of particulate and gaseous emissions during Project construction activities would stem from the use of heavy equipment and light duty trucks. Equipment anticipated to be used during construction would include dozers, graders, front-end loaders, trucks and compactors. Each phase of construction would require different equipment, and often multiple pieces of equipment would be required to operate simultaneously.

There would be short-term, temporary, and localized particulate and gaseous emissions associated with construction activities generally limited to the immediate construction area. Ground disturbance would likely generate particulates in the immediate vicinity of the construction. It is anticipated that the levels generated would change through time depending on the level of activity, the weather, and the condition of the ground.

Although the construction is expected to cause an increase in air pollutants, the effect is anticipated to be both temporary and localized. Construction would be conducted in accordance with applicable regulations and permit requirements. It is anticipated that the proposed construction would not cause exceedances of the National ambient Air Quality Standards or state standards beyond the immediate construction zone and would not have a long-term impact to air quality in the area.

Increases in mobile emissions could also cause increases in ambient levels of some pollutants. Pollutants from mobile sources would include hydrocarbons, carbon monoxide, nitrogen oxides, and particle emissions.

To minimize potential impacts to air quality during construction activities, KG-BM would minimize disturbance to the footprint needed for the construction work and would also use water truck(s)

to water the road and construction areas to minimize dust generation and help in road compaction.

Once construction is complete, the road use would continue per the road use agreements per KG-BM and Elko County and White Pine County. For long-term particulate emissions control on the roads, KG-BM would apply a suppressant (i.e., magnesium chloride) as per the road use agreements between KG-BM and the counties, as well as conduct road watering as appropriate to control fugitive emissions.

(b) Visual Resources

The characteristic landscape of the county road traverses a variety of landforms in the Basin and Range physiographic province. The topography ranges from wide, flat valley floors and low angular hills to steep mountain ranges in the distance. Vegetation is comprised of grasses, greasewood (Sarcobatus vermiculatus), rabbitbrush (Ericameria spp. and Chrysothamnus spp.), and sagebrush (Artemisia spp.) at lower elevations to mountain tree and shrub vegetation, including mountain mahogany (Cercocarpus ledifolius), singleleaf pinyon (Pinus monophylla), and Utah juniper (Juniperus osteosperma) at higher elevations (Stantec 2020). The existing county road, which divides the landscape into two sides, creates a flat form.

The existing road and proposed realigned segments are located in the BLM's Visual Resource Management (VRM) classes II, III and IV landscapes. Table 1 shows the BLM's management objectives for each VRM class.

Table 1 BLM VRM Class Objectives

VRM Class	Objectives
Class I	The objective of this class is to preserve the existing character of the landscape. This class provides for natural ecological changes; however, it does not preclude very limited management activity. The level of change to the characteristic landscape should be very low and must not attract attention.
Class II	The objective of this class is to retain the existing character of the landscape. The level of change to the characteristic landscape should be low. Management activities may be seen but should not attract the attention of the casual observer. Any changes must repeat the basic elements of form, line, color, and texture found in the predominant natural features of the characteristic landscape.
Class III	The objective of this class is to partially retain the existing character of the landscape. The level of change to the characteristic landscape should be moderate. Management activities may attract attention but should not dominate the view of the casual observer. Changes should repeat the basic elements found in the predominant natural features of the characteristic landscape.
Class IV	The objective of this class is to provide for management activities which require major modifications of the existing character of the landscape. The level of change to the characteristic landscape can be high. These management activities may dominate the view and be the major focus of viewer attention. However, every attempt should be made to minimize the impact of these activities through careful location, minimal disturbance, and repeating the basic elements.

Source: Stantec 2020

The visual contrast rating process, a component of the VRM system, is used to analyze the potential visual impacts of proposed projects and activities. According to the BLM, the basic philosophy underlying the rating system is: "The degree to which a management activity affects

the visual quality of a landscape depends on the visual contrast created between a project and the existing landscape." Degree of visual contrast is measured by comparing the features of a project with the major features in the existing landscape. The basic design elements of form, line, color, and texture are used for this comparison and to describe the visual contrast created by a project (Stantec 2020).

The proposed realigned county road segments would be unpaved consistent with the existing road. The realignment is anticipated to have the same or similar flat form, parallel lines, and light tan color as the existing county road. The realignment locations would be in the immediate vicinity of the existing access road with proximity ranging from immediately adjacent to the existing road to upwards of approximately 400 feet from the existing road. The changes to visual resources resulting from the proposed road project are expected to be minor and meet the BLM's VRM management objectives.

KG-BM would reclaim "cut and fill" slopes of upgraded roads as appropriate, and revegetate areas to reduce runoff and erosion, and control invasive weeds within the Project area footprint.

(c) Hydrology

There would be minimal overall disturbance associated with the upgrades to the Elko County Road 719 and White Pine County Road 1000. As soon as practical following construction work, KG-BM would implement reclamation work on vacated road stretches and other disturbed areas associated with the construction activities. KG-BM would reseed these disturbed areas with BLM and/or Forest Service approved seed mixes.

The road upgrade areas fall within the Huntington Valley Hydrographic Basin. Mean annual precipitation in this general region ranges from about 13 inches at Ruby Lake to approximately 24 inches in the mountains along the watershed divides. Based on previous studies at the nearby KG-BM owned Tumbling JR ranch and Bald Mountain Mine, hydrology features within the vicinity consist primarily of springs, seeps and ephemeral drainages. Although these hydrologic features exist, most surface water evaporates or infiltrates at points along the drainage pathways toward the valley floors.

Huntington Creek is the major water course in the Huntington Valley Hydrographic Basin. According to the National Hydrography Dataset, this creek has both perennial and intermittent reaches generally parallel to the existing road and proposed realignments. Numerous intermittent and ephemeral creeks flow to Huntington Creek east of the existing road.

The existing groundwater resources in the area of construction work would not be affected because no new wells are planned to obtain water for dust control purposes; KG-BM plans to haul water from existing water sources for use in dust control management.

Water quality in the area surrounding the proposed road upgrades is potentially influenced by agricultural use, grazing and mining. The primary potential effect to water quality in the area would be from the road construction sediment, although this is expected to be minor and limited. Actual erosion and down-drainage sediment would depend largely on the amount of runoff from snowmelt or precipitation events. To address these potential effects, during the Project work, KG-BM would minimize surface disturbance and vegetation clearing to only those areas necessary for road construction to maintain a small footprint. KG-BM would also implement best

management practices, which would include, as appropriate, culverts, rock armoring at the inlet and outlet of culverts, wattles, revegetation and other erosion control techniques, to control runoff and reduce erosion and soil loss. To reduce and minimize future potential hydrologic impacts from the road sections to be abandoned and for areas adjacent to the upgraded road sections, KG-BM would reseed with BLM and/or Forest Service approved seed mixes to stabilize and reclaim disturbed sites. Once the upgrades and reclamation of abandoned road segments are completed, the road would be managed according to the road use agreements between KG-BM and the counties.

(d) Control or structural change to any stream

The closest perennial water source to the proposed construction areas is Huntington Creek. The distance from the nearest planned road improvements varies from about 1,700 feet at White Cross Corner, about 2,000 feet from Y Corner, and increases as the road heads to the south. The proposed changes do not impact Huntington Creek and would cross two streams in their intermittent reaches at White Cross Corner (Mitchell Creek) and Curve 21 (Sestanovich Creek).

To control flow from intermittent and ephemeral drainages. KG-BM plans to install appropriately sized culverts where the road upgrades intersects these intermittent and ephemeral drainages and are shown on the attached figures 3 through 12.

(e) Noise

The upgrade work would create construction equipment noise (e.g., from bulldozers and motor graders). Such potential noise impacts are expected be short-term and intermittent and would end with the completion of upgrade construction. Expected equipment noise levels for the upgrade work are expected to range from 80 to 90 dBA at 50 feet from the source.

The inverse square law of noise propagation states that noise decreases (attenuates) by 6 dBA for every doubling of distance. For example, if the noise level from a motor grader working on the upgrade construction measures 85 dBA at 50 feet, then noise levels would be expected to drop to 79 dBA at 100 feet, 73 dBA at 200 feet, and 67 dBA at 400 feet. Assuming that 85 dBA level, noise levels would drop to 55 dBA at 1,600 feet, which means that overall construction noise would attenuate to background noise levels within a relative short distance from its source.

Depending on the location along the road of the upgrade work, local ranch residents may be exposed to some construction noise; however, such noise would occur during daylight hours. KG-BM has met with the ranchers along the areas of proposed road construction and upgrades to discuss the Project, and the company plans continued communication with them about the construction schedule, in particular, KG-BM would notify the local ranchers before the actual construction work begins. Any travelers that stop along the road in the vicinity of the upgrade work would likely hear construction noise, but this exposure is expected to be minor. The effects of noise on wildlife are generally avoidance during the construction work.

Traffic noise would continue along the county roads from current users. Once upgrade work is completed, the traffic noise on these roads is expected to continue at or near existing levels.

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(f) Vegetation

Minor amounts of vegetation, mostly habitat dominated by big sagebrush, would be eliminated by the road upgrade work. During the Project work, KG-BM would minimize surface disturbance and vegetation clearing to only those areas necessary for road construction to maintain a small footprint. For road sections to be abandoned and for areas adjacent to the upgraded road sections, KG-BM would reseed with BLM and/or Forest Service approved seed mixes to stabilize and reclaim disturbed sites. The narrow configuration of the road disturbances also enhances the opportunity for natural plant colonization from adjacent undisturbed areas.

The potential to spread noxious weeds and invasive species also exists along the areas disturbed by construction. While it is uncertain whether this would take place, it is reasonable to assume that the potential exists given the natural invasive tendencies of noxious weeds whether by natural or man-induced vectors. To help prevent the spread of noxious weeds and other invasive species, revegetation of disturbed areas along the sides of the road due to the upgrade work would occur as soon as practicable.

(g) Soils and Soil Stability

KG-BM plans to remove soil resources ahead of construction activities and wind-row this material adjacent to the proposed road areas for use in later reclamation work. Due to potential impacts to soils that could include an increase in erosion susceptibility, a mixing of soil profiles, a reduction in soil productivity, and compaction, KG-BM would minimize surface disturbance and vegetation clearing to only those areas necessary for road construction and use ditching, wattles, revegetation and other erosion control techniques, as appropriate, to control runoff and reduce erosion and soil loss.

Upon completion of the road upgrade and/or realignment work, KG-BM would redistribute the soil material on disturbed sites adjacent to the road upgrade "running" surfaces, and these "resoiled" areas would be seeded with BLM and/or Forest Service approved seed mixes to decrease the time that soils are exposed to the erosive forces of wind and water. With planned post-project reseeding plans, limited acreage disturbance and the narrow configuration of road disturbance, potential impacts to the overall soil resources of the area would be mitigated.

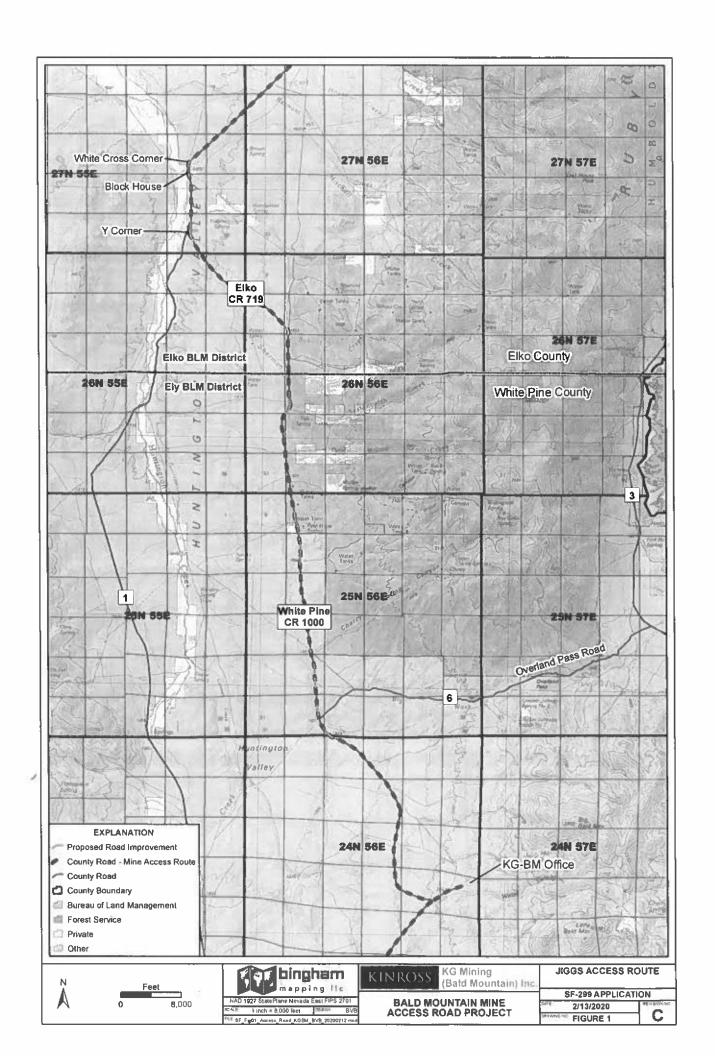
18. Effects to Wildlife

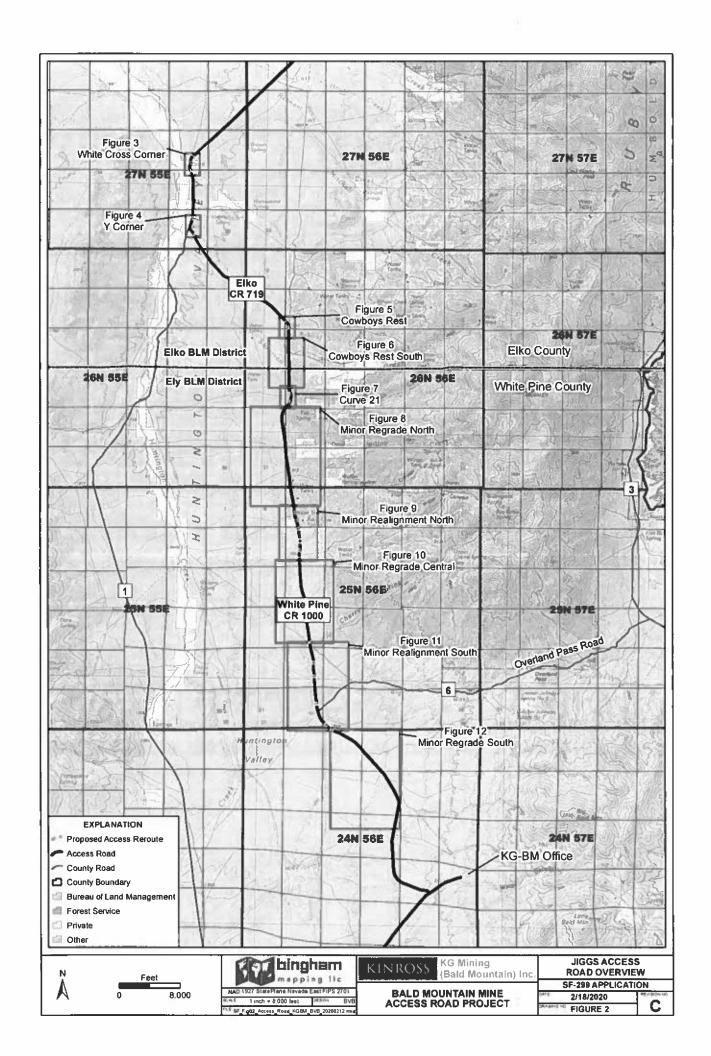
The White County Road 1000 and Elko County Road 719 planned road upgrades include the straightening of blind curves and regrading targeted sections of these county roads to improve driver visibility and promote safety (e.g., ability for drivers to avoid wildlife/free roaming horse-vehicle collisions). Displacement of wildlife has the potential to occur at the location of the road upgrade construction.

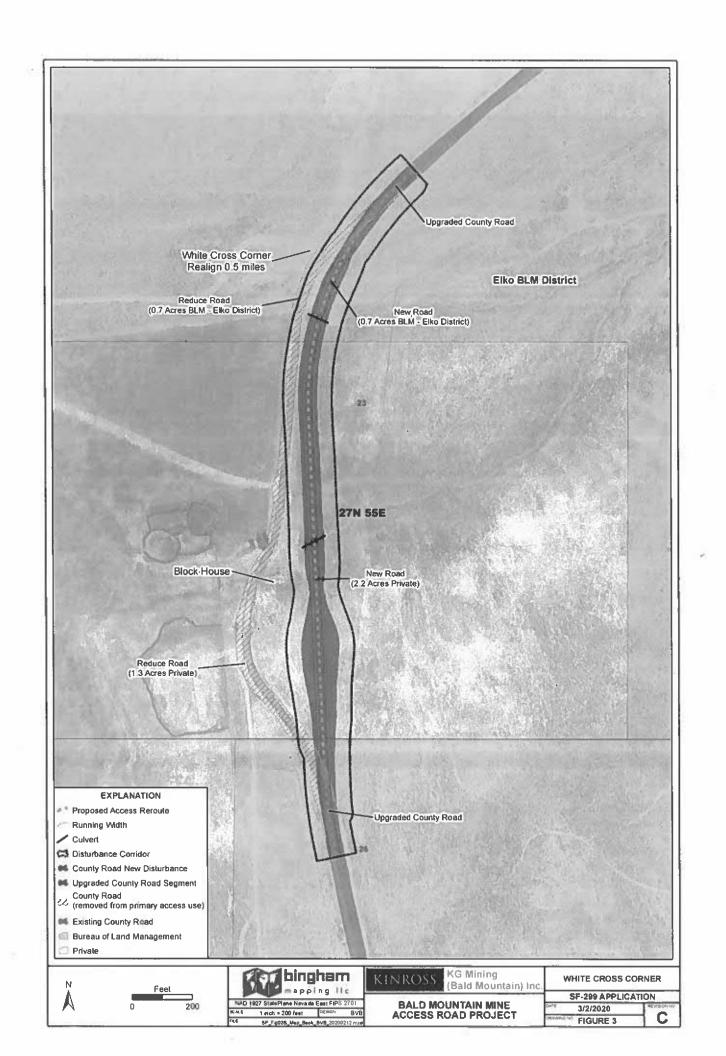
To minimize potential impacts to wildlife and free-roaming horses during construction activities, KG-BM has in-place pre-construction protocols that would warn employees and contractors associated with the road upgrade work that there would be no harassment of wildlife or wild horses during the construction work. KG-BM would prohibit any cross-country traffic by employees and contractors outside the area of planned construction activities. Construction work would only occur during the daylight hours, ground disturbance would be minimized as

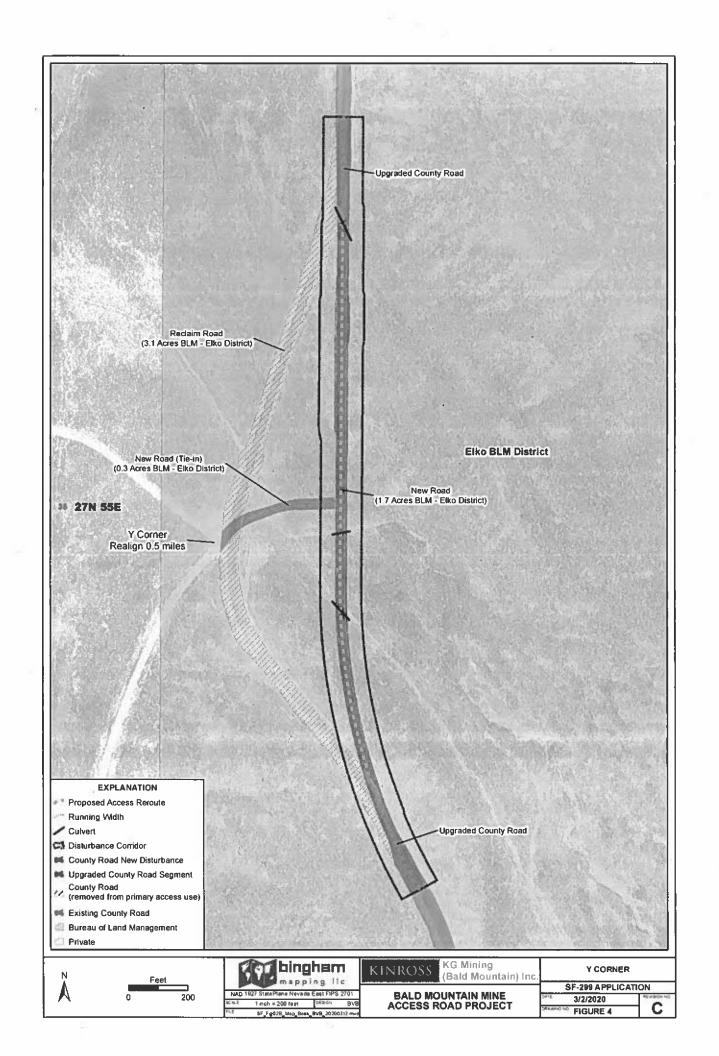
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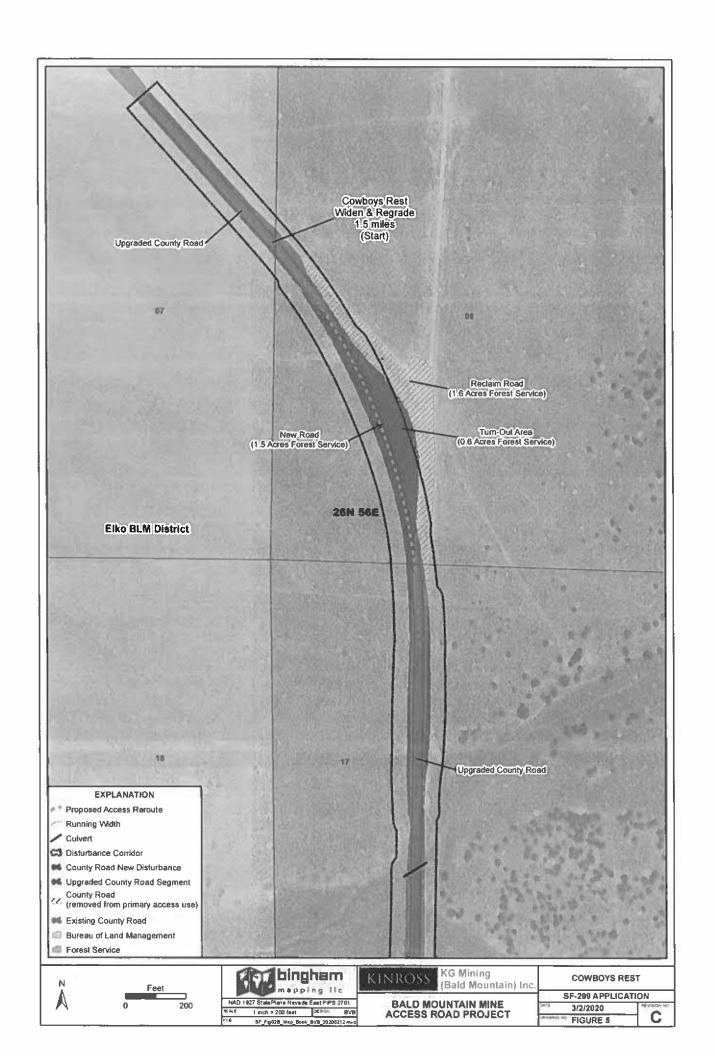
appropriate, and disturbed sites would be reclaimed and reseeded as soon as practical after the completion of the construction work.

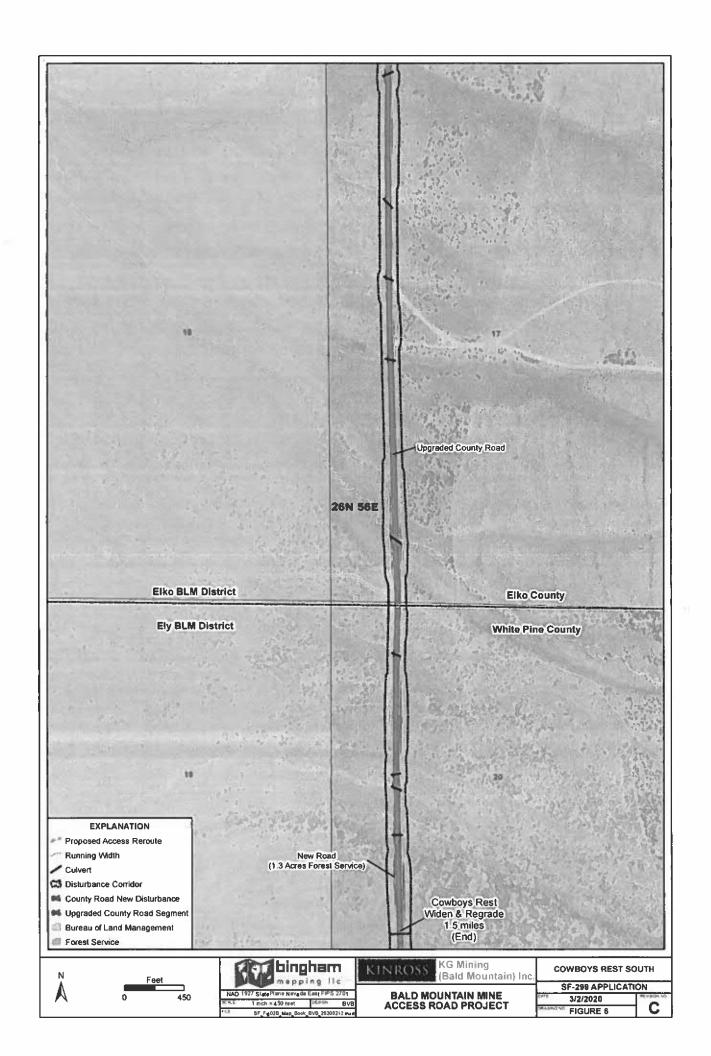


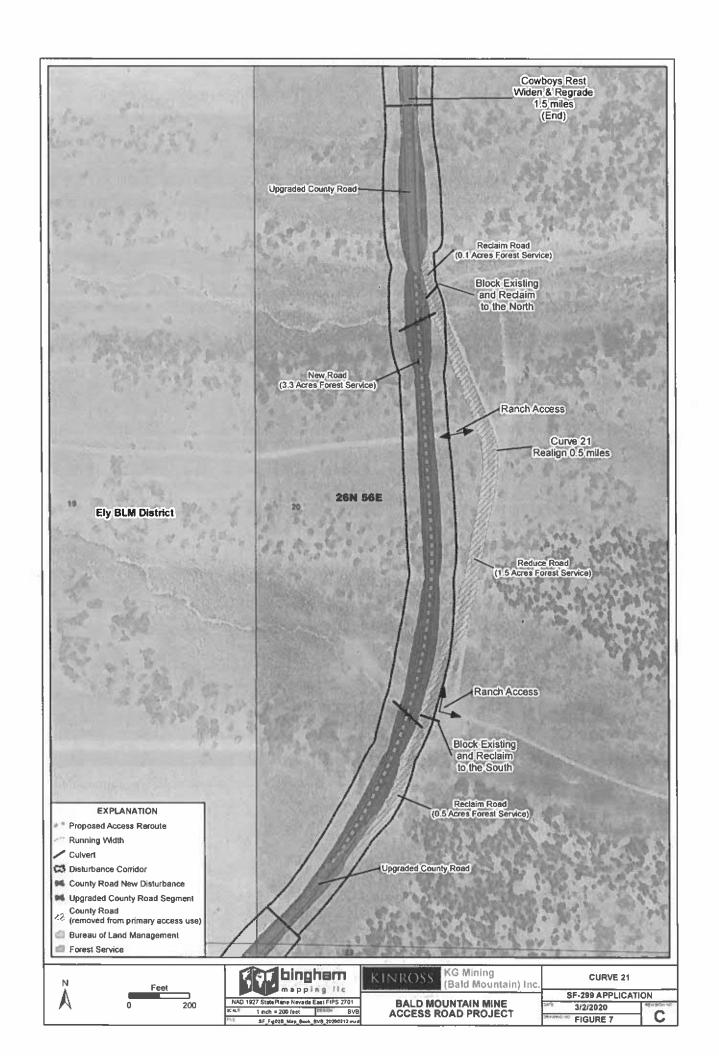


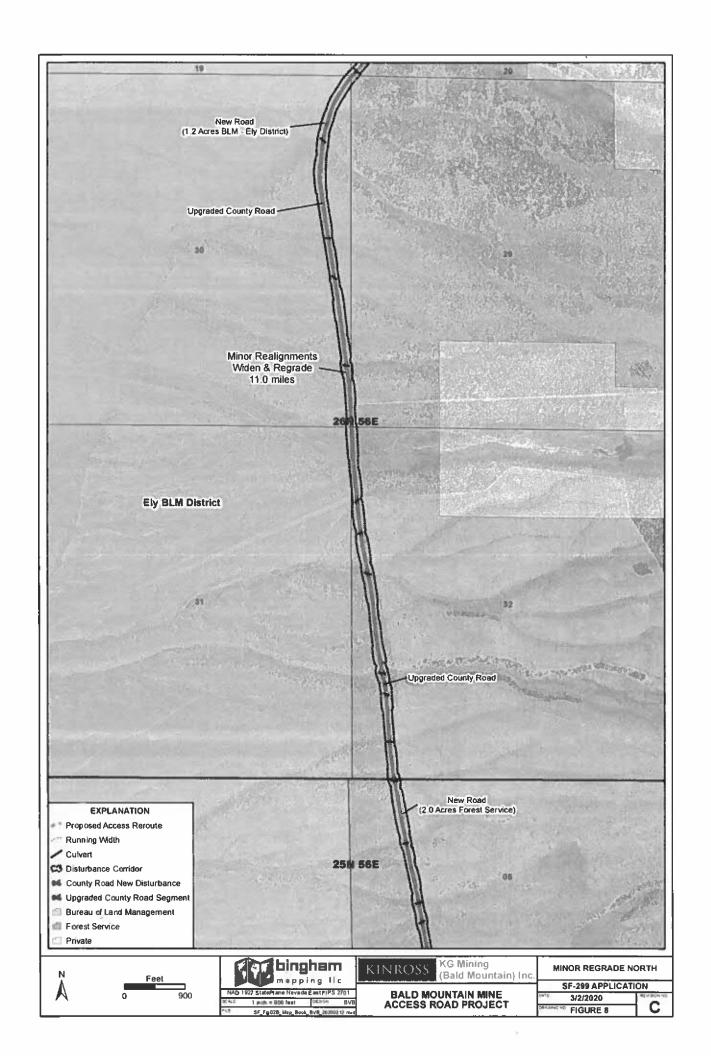


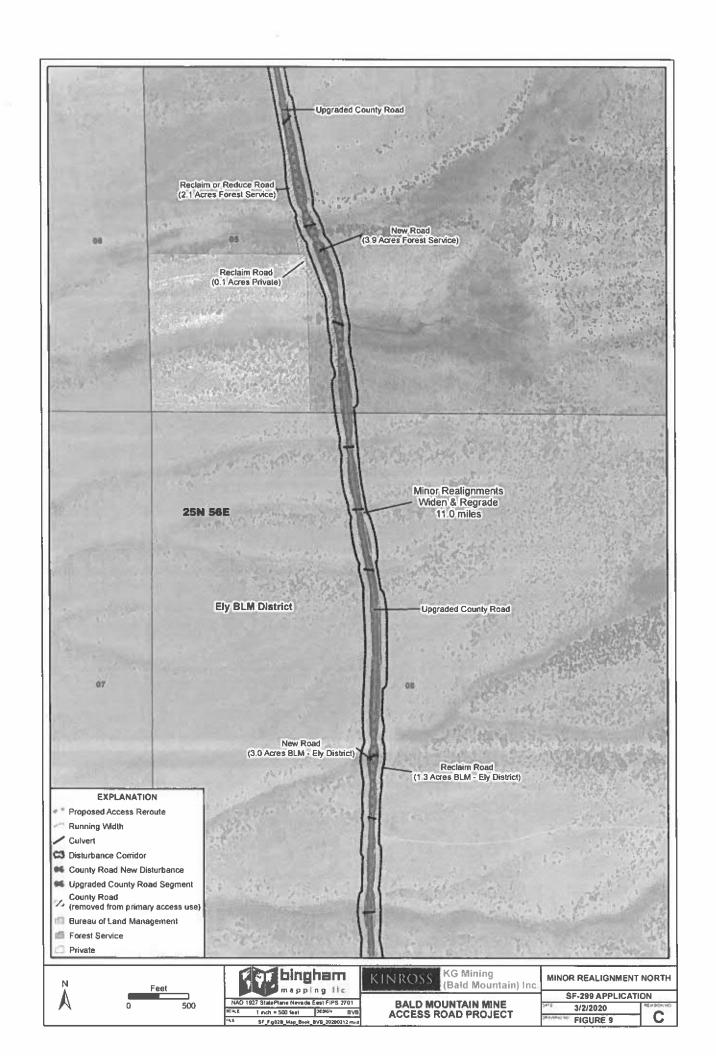


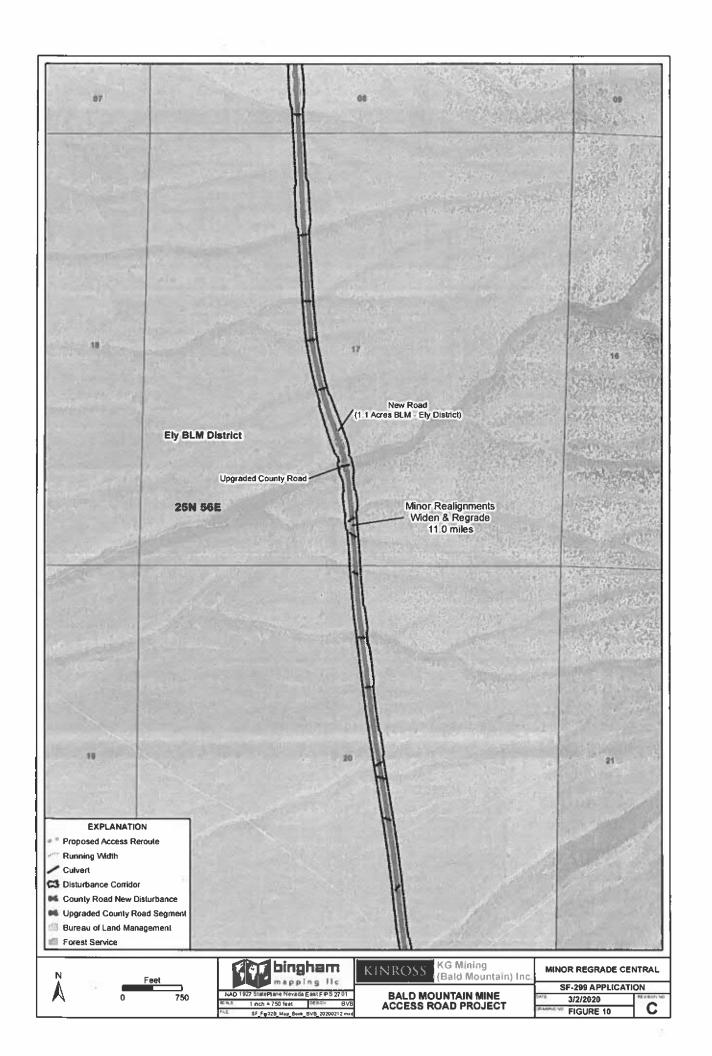


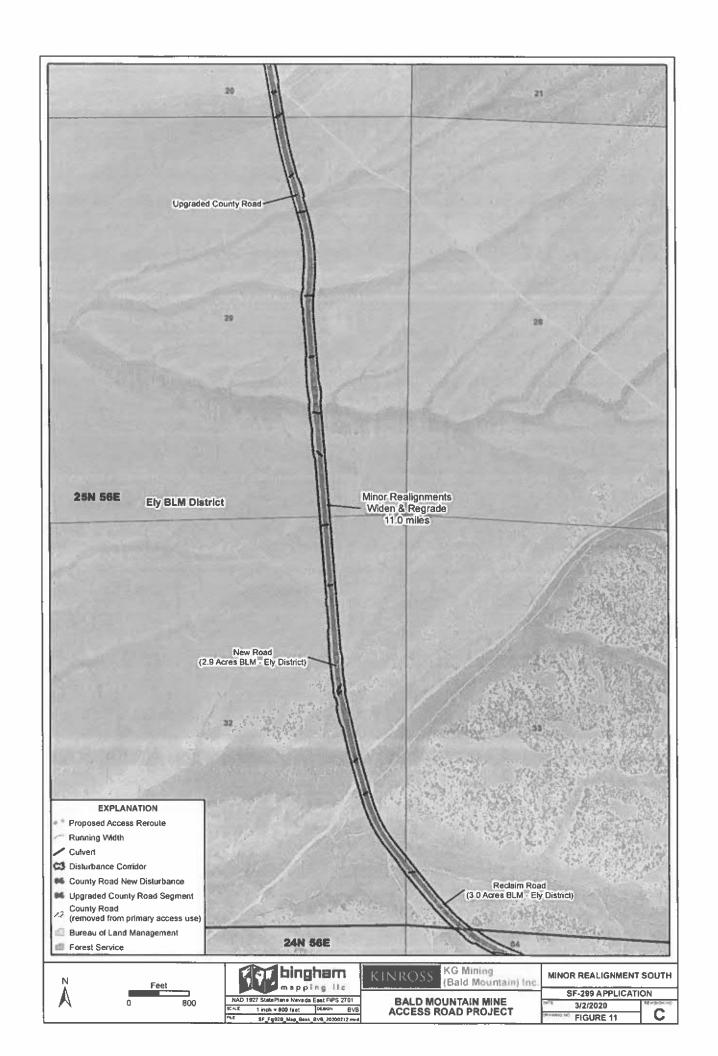


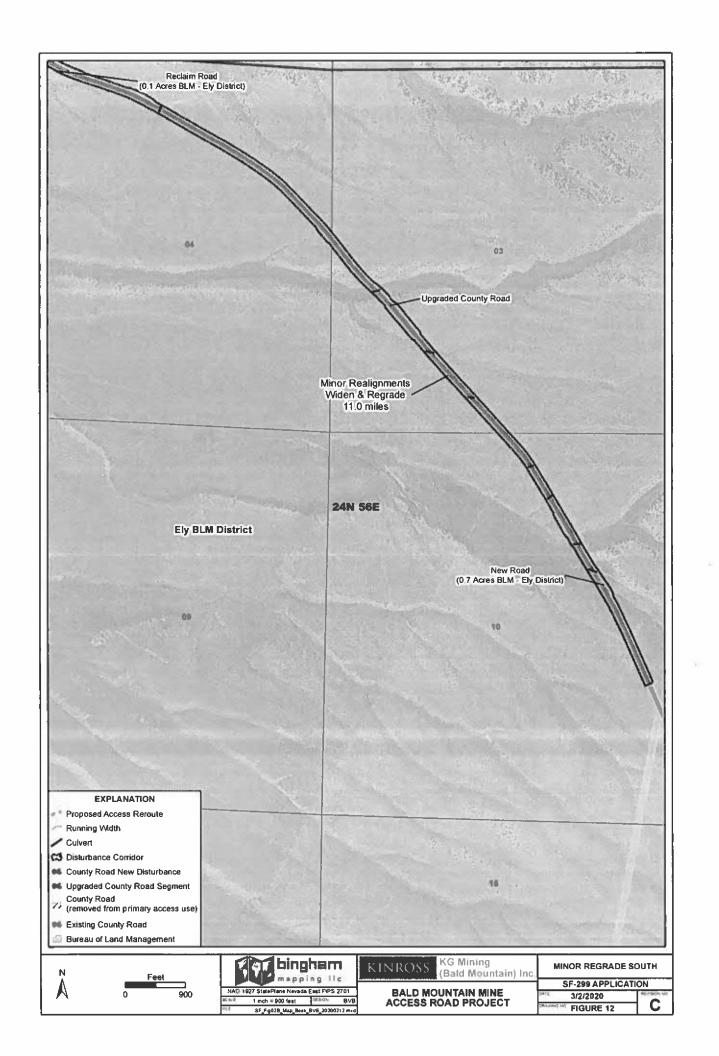












Spring Creek, NV 89815



Date: April 23, 2020

To: Alicia Hankins – Land Law Examiner

Bureau of Land Management

From: Beth Ericksen -- Principal Advisor - Permitting

KG Mining (Bald Mountain) Inc.

Re: Amendment to APP-299: Request for Upgrade of County Roads 1000 and 719, White Pine County and Elko County, NV from KG Mining (Bald Mountain) Inc.

APP-299 and attachments submitted to the BLM March 23, 2020

This amendment addresses the potential for KG-BM (or their contractor) to install BLM-approved wild horse type fencing in the right of ways associated with the proposed road improvements for county roads 1000 and 719 as outlined below. Figures 3 through 12 showing the locations of the upgrades are located as part of the March 23, 2020 submittal package:

- <u>White Cross Corner</u> or Block House (see **Figure 3**). Reroute a road section through a private ranch to avoid ranch buildings facilities but continue to provide ranch access.
- Y Corner (see Figure 4). Eliminate a blind corner on BLM administered land (BLM Elko District) to improve traffic visibility and safety.
- <u>Cowboys Rest</u> (see Figures 5 and 6). Reroute a road section on Forest Service administered land to eliminate a bind curve and widen existing narrow road stretches to improve safety and traffic flow.
- <u>Curve 21</u> (see Figure 7). Eliminate a blind corner on Forest Service administered land to improve traffic visibility and safety, while still maintaining ranch access.
- Minor Regrade North (see Figure 8). Straighten several short segments
 of existing county road to improve traffic flow, in conjunction with overall
 improvement of the sub-base of the road and widening/grading to improve
 road safety.
- Minor Realignment North (see Figure 9). Straighten several segments
 of existing county road to improve traffic flow, in conjunction with overall
 improvement of the sub-base of the road and widening/grading to improve
 road safety.
- Minor Regrade Central (see Figure 10). Straighten several segments of existing county road to improve traffic flow, in conjunction with overall

- improvement of the sub-base of the road and widening/grading to improve road safety.
- <u>Minor Realignment South</u> (see Figures 11). Straighten several segments of existing county road to improve traffic flow, in conjunction with overall improvement of the sub-base of the road and widening/grading to improve road safety.
- <u>Minor Regrade South</u> (see Figures 12). Straighten several short segments of existing county road to improve traffic flow, in conjunction with overall improvement of the sub-base of the road and widening/grading to improve road safety.

The target would be to install the fencing in the most vulnerable areas as the need arises with notification to the BLM by KG-BM prior to installation of any length. It is expected to have stipulations in addition to the NEPA coverage.

Appendix C: White Pine County Road Maintenance Agreement

HC 33, Box 33203 78 McGill Highway Ely, NV 89301 (775) 289-4767 (775) 289-1553 fax

WHITE PINE COUNTY PUBLIC WORKS DEPARTMENT

ROAD MAINTENANCE AGREEMENT
BETWEEN
WHITE PINE COUNTY
AND
KG MINING (BALD MOUNTAIN) INC.

THIS ROAD MAINTENANCE AGREEMENT (this "Agreement") is made effective as of the 22 day of May , 2017 (the "Effective Date") by and between WHITE PINE COUNTY, a political subdivision of the STATE OF NEVADA ("County"), and KG MINING (BALD MOUNTAIN) INC., a Delaware corporation ("KGBM").

- A. Whereas the parties understand that White Pine County Road 3 between US-50 and County Road 6 as well as White Pine County Roads 4, 6, 54, 1000, 1001, and 73 from SR-892 and to the intersection of the Standard section of 1006, the Standard section of 1006, and the Non-Standard section of 1006 from 54 to the south end of the Yankee heap leach pad (the "Subject Roads") are utilized in part to serve as access to the Bald Mountain Mine.
- B. Whereas the parties agree that it is in their mutual interests to conduct periodic maintenance on the Subject Roads as provided for in this agreement.
- C. The parties agree the obligations of County Ordinance 7.08.020 must be met and agree to create a working relationship between KG MINING (BALD MOUNTAIN) INC. and WHITE PINE COUNTY for the purpose of road maintenance and/or improvements.

NOW THEREFORE, for good and valuable consideration, including the mutual promises and covenants set forth herein, the parties hereby agree as follows.

1. Maintenance/Administration. County shall continue its current level of road maintenance activities on the Subject Roads, as set forth in more detail on Exhibit A attached hereto under the heading "White Pine County" (collectively, "County Activities"), and KGBM shall provide road maintenance and repairs on the Subject Roads, as reasonably determined by County and as set forth in more detail on Exhibit A under the heading "KGBM" (collectively, "KGBM Activities" and, together with County Activities, the "Road Work"). The Road Work performed

pursuant to this Agreement will be performed pursuant to the provisions of NRS 403.470. County will be the administrator of all of the Road Work performed pursuant to this Agreement.

- 2. **Commencement of Work**. After the effective date of the Agreement by the Parties, KGBM shall commence performing KGBM Activities.
- 3. Maintenance and Repair Standards. All Road Work shall be at the reasonable discretion of the County Road Department conforming to County Road Standards, following consultation with KGBM. Road Work performed by either party under this Agreement shall be consistent with "Standard Specifications for Public Works Construction" 1992 edition or subsequent editions, know as the "Orange Book". In addition, KGBM may develop additional specifications for KGBM Activities utilizing standards in the industry. KGBM shall submit such specifications, if any, to County for approval prior to their implementation.
- 4. **County Contributions**. County shall supply all permits, authorizations and easements ("Approvals"), personnel, materials, and equipment as necessary to perform County Activities. In addition, if County has personnel available to do so, it shall supply personnel to assist KGBM in the planning of KGBM Activities.
- 5. A. KGBM Contributions. KG MINING (BALD MOUNTAIN) INC. shall provide funding and/or in kind services to perform road maintenance as reasonably determined by a designated County representative (Public Works Director/Road Superintendent) in consultation with KGBM. The County may perform maintenance activities on the roads impacted by KG MINING (BALD MOUNTAIN) INC. and require reimbursement for such maintenance and/or improvements. The County may also allow KG MINING (BALD MOUNTAIN) INC.to provide maintenance and/or improvements on such roads at the reasonable discretion of the County with location, safety and convenience being a deciding factor in any such activity.
 - B. KGBM Obligations. County will not create binding obligations for KGBM without consulting with and agreeing to work with KGBM on road maintenance. KGBM will prepare a budget item for road maintenance and consult with County on the budget items before seeking corporate approval.
 - C. Consultation Obligations. At the beginning of each Calendar Year KGBM and County will consult on work needed to maintain access roads, levels of use, speed and weight limits to be imposed during the subsequent 12 months. The agreed Calendar Year Work Plan will be attached to this Agreement as Exhibit B.
- 6. **Permits and Easements.** County shall, within the availability of funds and personnel, assist KGBM in obtaining all Approvals necessary or appropriate for KGBM to perform KGBM Activities.

- 7. **Term of Agreement and Termination**. This Agreement shall remain in effect for a period of five (5) years from the Effective Date, and may be renewed thereafter by mutual written consent of the parties. Either party may terminate this Agreement by giving written notice of such termination to the other party. Such voluntary termination shall be effective on the ninetieth (90th) day following receipt of the notice by the non-terminating party. Prior to termination, the terminating party shall be required to perform each and every of its obligations under this Agreement accrued to the effective date of termination.
- 8. Indemnification by County. County shall save, defend, indemnify and hold KGBM harmless from and against any and all claims, liabilities, injuries, and damages, of whatever nature and kind, whether or not now known or anticipated, asserted against KGBM by any person or entity which are related to performance of County Activities by County or the equipment, services, supplies, or materials supplied by KGBM pursuant to the provisions to this Agreement; provided, however that the forgoing indemnification obligations shall not apply to the extent any such claims liabilities, injuries, or damages were caused by the gross negligence or willful misconduct of KGBM. The obligations set forth in this Section shall survive the expiration or termination of the Agreement.

9. General Provisions.

- **a. Binding Effect.** All of the covenants, conditions and terms of this Agreement shall be binding upon and inure to the benefit of the parties and their respective successors.
- **b.** Notices. Unless otherwise provided in the Agreement, any notice or other correspondence required or permitted by this Agreement shall be deemed to have been properly given and delivered when made in writing and hand delivered to the party to whom directed, or when sent by certified mail with all necessary postage or charges fully prepaid, or when sent by electronic transmission, with written confirmation of delivery of transmission, and addressed or delivered to:

County:

White Pine County Road Superintendent 78 N. McGill Highway Ely, Nevada 89301 Telephone No. (775) 293-6541 KGBM:

KG MINING (BALD MOUNTAIN) INC.
General Manager
PO Box 2706
Elko, Nevada 89303

Any party may change its address for the purpose of notices or communication by furnishing notice thereof to the other party in the manner provided in this Section.

- c. Entire Agreement. This Agreement, along with the Exhibit attached hereto and made a part hereof, contains the entire agreement between the parties, and it shall supersede all prior discussions or negotiations between them. This Agreement may be modified only in writing signed by the parties.
- d. Governing Law. This Agreement shall be governed by and interpreted in accordance with the laws of the State of Nevada, excepting Nevada law pertaining to choice of law or conflicts of law.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the Effective Date.

WHITE PINE COUNTY
By: Kichard Som
Its:
KG MINING (BALD MOUNTAIN) INC.
By: Ly Buse off
Its. WIGH- 166 Mining (Bald Mta)

Exhibit A Duties under this Agreement

A. White Pine County

- 1. Inspect Subject Roads utilized by KGBM
- 2. Notify KGBM representative to establish a suitable maintenance plan.
- 3. Dust Suppressant
 - A. Assess preparation and application plan.
 - B. Coordinate the plan with KGBM.
 - C. County will cease involvement at the Elko County line.

4. Snow Removal

- A. The County does conduct snow removal on some of the Subject Roads, however, the Subject Roads may not be a priority for snow removal for White Pine County.
- B. Coordinate a snow removal plan with KGBM.
- 5. Supervision: Provide supervision of its employees and/or contractors performing KGBM activities.
- B. KGBM: Subject to annual maintenance plan.
 - 1. Routinely grade and water the Subject Road as set forth in the agreed Annual Maintenance Plan filed with the County Road Department.
 - 2. Maintain and keep ditches and back slopes free from obstructions.
 - 3. Repair or replace permanent structures on the Subject Roads, such as cattle guards, bridges and culverts, which are damaged by or necessary for the road infrastructure for the purposes of KGBM's industrial use of the Subject Road.
 - 4. Dust Suppressant
 - A. Plan for and provide all resources necessary to apply dust suppressant as deemed necessary by KGBM.

- B. Mail copies of all arrangements made with the supplier (i.e., number of trucks, product to be supplied per day, concentration of product and application rate) to White Pine County.
- 5. Supply and/or grant access to construction water and materials to county in support of subject roads.

6. Snow Removal

- A. Plan for and provide all resources necessary to carry out snow removal as deemed necessary by KGBM.
- 7. Perform reasonable repairs identified by White Pine County.
- 8. Supervision: Provide supervision of its employees and/or contractors performing KGBM activities.

Exhibit B Calendar Year Work Plan

Future KGBM Maintenance Tasks	Duties as described in Exhibit A above	Duties as described in Exhibit A above	No Change	Duties as described in Exhibit A above	Duties as described in Exhibit A above	Duties as described in Exhibit A above
Triggering Event	Add bus routes to this section and or increase trucking to more than 4 heavy trucks per day during normal operations	Construction of improved section to access Vantage Mine site	None	Add bus routes to this section and or increase trucking to more than 4 heavy trucks per day during normal operations	ΝΑ	N/A
Current KGBM Maintenance Tasks	Snow removal and pre- approved reimbursement to county of materials for road maintenance	Occasional maintenance and snow removal	Occasional maintenance and snow removal	None	Duties as described in Exhibit A above	Duties as described in Exhibit A above
Segment	US50 to Mine Site	Entire section except the eastwest route through "Rattlesnake"	From CR1000 on the west to CR3 on the east "Overland Pass"	Entire Section	Entire Section	Entire Section
Road	County Road 3 (CR3)	County Road 4 (CR4)	County Road 6 (CR6)	County Road 54 (CR54)	County Road 1000	County Road 1001

County Road	Entire Section	None	Add bus routes to this	Add bus routes to this Duties as described in Exhibit A
9001			section and or	above
			increase trucking to	
			more than 4 heavy	
			trucks per day during	
			normal operations	
County Road 73 From SR892 to	From SR892 to	Duties as described in Exhibit	N/A	Duties as described in Exhibit A
	CR1000	A above		above
County Road 73	County Road 73 CR1000 to CR1006 None	None	Add bus routes to this	Duties as described in Exhibit A
			section and or	above
			increase trucking to	
			more than 4 heavy	
			trucks per day during	
			normal operations	

Appendix D: Elko County Road Maintenance Agreement	

ROAD MAINTENANCE AGREEMENT BETWEEN COUNTY OF ELKO AND KG MINING (BALD MOUNTAIN) INC.

THIS ROAD MAINTENANCE AGREEMENT (this "Agreement") is made effective the 7th day of January, 2019 by and between the COUNTY OF ELKO, a political subdivision of the STATE OF NEVADA (hereinafter referred to as "County"), and KG MINING (BALD MOUNTAIN) INC. (hereinafter referred to as "the COMPANY").

RECITALS

- A. Whereas the parties understand that Elko County Roads or a portion of Elko County Roads: as described within Elko County Planning Application No. CR719 and the first 4 miles of CR717(Jiggs Highway), (the "Subject Roads"), may require minor maintenance repairs such as pothole patching on CR717 and routinely grade and apply dust suppressant to CR719 as a result of Company construction and private use activities
- B. Whereas the parties agree that it is in their mutual interests that periodic maintenance of the Subject Roads, be a combination of efforts between County and the COMPANY.

AGREEMENT

For good and valuable consideration, including the mutual promises and covenants set forth herein, the parties hereby agree as follows:

- 1. Maintenance/Administration. County shall continue its current level of road maintenance activities on the Subject Road(s), as set forth in more detail on Exhibit A attached hereto under the heading "Elko County" (collectively, "County Activities"), and the COMPANY shall provide road maintenance and repairs on the Subject Road, as determined through the consultation described in sections 3 and 7 below and as set forth in more detail on Exhibit A under the heading "the COMPANY", (collectively, "COMPANY activities") together with County Activities, the ("Road Work"). The Road Work performed pursuant to this Agreement will be performed pursuant to the provisions of NRS 403.470. County will be the administrator of all of the Road Work performed pursuant to this Agreement.
- 2. Commencement of Work. After execution of this Agreement by the parties, The COMPANY shall commence performing COMPANY activities as set forth in Exhibit "A".
- 3. Maintenance and Repair Standards. Road Work performed by either party under this Agreement shall be consistent with "Standard Specifications for Public Works Construction" 1992 edition or subsequent editions, known as the "Orange Book". If The COMPANY plans to make any repairs outside of the Orange Book, the

COMPANY shall submit such specifications/revisions, to County for approval prior to their implementation. Road work performed by either party under this Agreement shall be consistent with the current edition of the MUTCD (Manual of Uniform Traffic Control Devices).

- 4. County Contributions. County shall supply all permits, authorizations and easements ("Approvals"), personnel, materials, and equipment as necessary to perform County Activities. In addition, if County has personnel available to do so, it shall supply personnel to assist the COMPANY in the planning of COMPANY activities.
- 5. The COMPANY. The COMPANY shall provide all approvals, materials, personnel, and equipment as necessary to perform COMPANY activities.
- Permits and Easements. County shall, within the availability of funds and personnel, assist the COMPANY in obtaining all approvals necessary or appropriate for the COMPANY to perform COMPANY activities on the subject roads.
- 7. Provision. Prior to the COMPANY's use of the subject roads, the COMPANY and Elko County will have an on-site inspection to determine the condition of the subject roads. At the conclusion of this inspection, both parties will sign off on a summary of the overall condition of the road. At the completion of the maintenance portion of the Road Work the COMPANY and County will schedule joint onsite meetings to inspect the Subject Roads to determine the extent and type of repairs, if any that will be necessary to return the roads as close as practical to conditions that existed immediately prior to use by the COMPANY (hereinafter referred to as "Prior Conditions"). It is understood that all repairs will be mutually agreed upon by the COMPANY and County. If the parties are unable to agree on the conditions of the repair work completed under Exhibit "A", or repairs necessary to return the road to Prior Conditions, the parties will submit the dispute to mediation.
- 8. Term of Agreement and Termination. This Agreement shall remain in effect for a period of five (5) years from the Effective Date, and may be renewed thereafter by mutual written consent of the parties. Either party may terminate this Agreement by giving written notice of such termination to the other party. Such voluntary termination shall be effective on the ninetieth (90th) day following receipt of the notice by the non-terminating party. Prior to termination, the terminating party shall be required to perform each and every of its obligations under this Agreement accrued to the effective date of termination.
- 9. Indemnification by County. County shall save, defend, indemnify and hold the COMPANY harmless from and against any and all claims, liabilities, injuries, and damages, of whatever nature and kind, whether or not now known or anticipated, asserted against the COMPANY by any person or entity and related to performance

of County Activities by County or related to equipment, services, supplies or materials supplied by the COMPANY pursuant to the provisions to this Agreement; provided, obligations shall not apply to the extent any such claims, liabilities, injuries, or damages were caused by the gross negligence or willful misconduct of the COMPANY. The obligations set forth in this Section shall survive the expiration or termination of this Agreement.

10. General Provisions.

- A. **Binding Effect**. All of the covenants, conditions and terms of this Agreement shall be binding upon and inure to the benefit of the parties and their respective successors.
- B. Notices. Unless otherwise provided in this Agreement, any notice or other correspondence required or permitted by this Agreement shall be deemed to have been properly given and delivered when made in writing and hand delivered to the party to whom directed, or when sent by certified mail with all necessary postage or charges fully prepaid, or when sent by electronic facsimile transmission, with written confirmation of delivery of transmission, and addressed or delivered to:

County of Elko
Rob Stokes,
Elko County Manager
540 Court Street, Suite 101
Elko, Nevada 89801
Phone (775) 753-7073

County of Elko
Terry Lister,
Elko County Road Supervisor
994 River Street
Elko, NV 89801
Phone (775) 738-5036

KG MINING (BALD MOUNTAIN) INC.

Dale Thompson 435 Jiggs Highway Unit 16 Spring Creek, NV 89815 Phone: (775) -934-4010

Any party may change its address for the purpose of notices or communication by furnishing notice thereof to the other party in the manner provided in this Section.

C. Entire Agreement. This Agreement, along with the Exhibit "A" attached hereto and made a part hereof, contains the entire agreement between the parties, and it shall supersede all prior discussions or negotiations between them. This Agreement may be modified only in writing signed by the parties.

D. Governing Law. This Agreement shall be governed by and interpreted in accordance with the laws of the State of Nevada. Jurisdiction and venue shall be in the Fourth Judicial District Court, County of Elko, in and for the State of Nevada.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the Effective Date.

COUNTY OF ELKO

By: ________ Rex Stemnger, Elko County Commissioner Chair

ATTEST

By: Meman, Clerk of the County of Elko

KG Mining (Bald Mountain) Inc.

Bruce H. Thieking, VP/GM Kinross Bald Mountain Mine

Exhibit A: Duties under this Agreement

A. Elko County:

- 1. County shall continue its current level of road maintenance activities on the Subject Road(s) that at a minimum shall include, but not be limited to the following:
 - a. Undertaking Snow Removal for County Activities
- 2. Inspect COMPANY activities once initiated and completed by The COMPANY and/or its contractors and/or assignees. Work with The COMPANY representative to identify needed repairs pursuant to sections 3 and 7 as noted in the Agreement.
- 3. Supervision: Provide appropriate supervision of its employees, contractors, and/or assignees performing County Activities.

B. The COMPANY:

- 1. Grade and water the Subject Roads if needed to repair damage to the road surface caused by the COMPANY.
- 2. Maintain and keep ditches and back slopes free from obstructions caused by the COMPANY use of the subject roads grading under B-1 above. Repair or replace permanent structures on the Subject Roads, such as cattle guards, bridges and culverts, and roads to the extent necessary to repair damage caused by the COMPANY use.
- 3. Dust Suppressant Products:
 - A. Provide water and other chemical dust suppressants if necessary due to COMPANY use.
- 4. Snow Removal:
 - A. Provide primary snow removal from the Subject Road CR719
 - B. Provide secondary snow removal from the Subject Road CR717
 - C. Snow shall be removed to provide a safe driving surface for COMPANY activities
- 5. Post COMPANY use: Perform repairs identified pursuant to Exhibit A.2, above, and prior to termination of this Agreement as set forth in section 8. Supervision: Provide appropriate supervision of its employees and/or contractors performing COMPANY

B of recitals.

6. Provide and install truck traffic warning signs on Subject Roads as identified in A and

Subject Roads

