



MEMORANDUM

DATE: January 3, 2023

TO: State of Oregon, Technical Review Team

FROM: Glen van Treek, President, Calico Resources USA Corp./Paramount Gold Nevada Corp.

ATT: Proposed Edits (Attachment 1: redlines; Attachment 2: “clean” copy)

RE: Grassy Mountain Mine Environmental Baseline Study Work Plans
Modification Request to the Cultural Resources Baseline Work Plan

Introduction

Calico Resources USA Corp. (Calico) respectfully requests modifications to the Grassy Mountain Mine Environmental Baseline Study Work Plans (EM Strategies, 2017), Section 3.13, Cultural Resources Environmental Baseline Work Plan (Work Plan). A Work Plan modification is proposed to move the evaluation of historic significance, effects analysis, and detailed developed effects treatment (avoidance, minimization, and mitigation of effects) from the Cultural Resources Baseline Data Report (BDR) and defers it to the Environmental Evaluation. Doing so will allow for the National Environmental Policy Act (NEPA) Environmental Impact Statement (EIS) to proceed and will accommodate ongoing National Historic Preservation Act (NHPA) Section 106 consultation between the Bureau of Land Management (BLM) and the Oregon State Historic Preservation Office (SHPO), appropriate Native American tribes and interested parties.

The State of Oregon Technical Review Team (TRT) accepted the Work Plan in a letter to Calico dated December 7, 2017. In the Work Plan, Calico outlined procedures to comply with NHPA Section 106 and Oregon Bureau of Land Management (BLM) requirements. The Work Plan described a cultural resource baseline study that would provide information on the occurrences of and historic significance of cultural resources in and near the project area.

The Cultural Resource BDR finalized in 2019, provided an inventory of cultural resources within 830 acres in and near the Grassy Mountain Mine Project (Project). The SHPO concurred with the majority of findings in the report. For a few of the cultural resources identified, the SHPO did not concur with National Register of Historic Places eligibility (historic significance) recommendations, stating additional information or additional evaluation was needed. A Grassy Mountain Tribal Study developed through Section 106 of the National Historic Preservation Act (Section 106) consultation between BLM and the Burns Paiute Tribe is intended to assist in evaluating site eligibility, project effects, and potential mitigation measures.

Approach

Proposed changes to the Cultural Resource Work Plan include minor changes to the text. References to the significance or effects of the proposed Project on cultural resources will be updated to state that the evaluation of significance and effects analysis of the proposed Project on cultural resources will be addressed in the Environmental Evaluation. The following sections will be modified to include:

- Section 3.13.1, Purposes and Objectives

The purpose and objectives of the BDR will be restated to focus on identifying cultural resources within the Project's area of potential effect (APE). This section will state that the historical significance of cultural resources will be addressed in the Environmental Evaluation using the National Register of Historic Places criteria.

- Section 3.13.4, Study Methodology

The proposed changes to the methodology are minor and will preserve the inventory methods of obtaining sufficient information for later cultural resource evaluation and treatment decisions. Within the description of the Class III inventory, language will be modified to state the effects of the proposed Project on cultural resources will be addressed in the Environmental Evaluation. Thus, the effects on cultural resources evaluation will align with the evaluations of effect on other resources.

- Section 3.13.7, Baseline Characterization

Proposed changes to this section will not change purpose of collecting data or content of the resulting BDR. Collected cultural resource data will inform on past human activity, location, occupation, and use of the landscape, as previously stated. Text will be added to clarify that general recommendations to avoid, minimize, or mitigate effects on cultural resources may be described in the BDR, but specific strategies and effects evaluation will be addressed in the Environmental Evaluation.

Corresponding edits are attached to this memo.

Deferring the evaluation of significance will allow BLM to address SHPO comments on those few cultural resources noted above and incorporate Section 106 consultation discussions and activities. Cultural resources for which National Register of Historic Places (NRHP) eligibility has not been evaluated and for which SHPO did not concur will be considered unevaluated and treated as eligible, per SHPO guidance, until such time NRHP eligibility is evaluated. These unevaluated and treated as eligible sites include:

- Two sites and one isolated identified by the 2019 inventory survey
- Five sites and one isolate previously identified, and
- One built environment resource described in the BDR.

Additional data to support BLM evaluations of eligibility or of non-eligibility will be established through additional research and methods established through ongoing Section 106 consultation, such as those implemented in the Tribal Study. With additional information, prehistoric and historic contexts can be expanded, individual cultural resources can be better understood, or cultural importance of the cultural resources can be better explained.

While the significance of cultural resources is influenced by the Section 106 consultation process, general NRHP criteria will guide the evaluation. These criteria will be applied to cultural resources within the Project APE. The criteria, described in 36 CFR 60.4, are as follows:

- Criterion a. Association with events that have made a significant contribution to the broad patterns of our history.
- Criterion b. Association with the lives of person significant in our past.
- Criterion c. Embodying the distinctive characteristics of a type, period, or method of construction, or representing the work of a master, or possessing high artistic values, or representing a significant and distinguishable entity whose components may lack individual distinction.
- Criterion d. Yielded or has (have) the potential to yield information important to prehistory or history.

Effects on the sites determined eligible or treated as eligible will be evaluated concurrent with the Environmental Evaluation. What constitutes an adverse effect depends on particular Project activities in relation to specific cultural resources and is also informed by Section 106 consultation. Generally, an adverse effect is an effect that results in a direct, indirect, or cumulative alteration of any of a historic property's characteristics that qualify the property for inclusion in the NRHP.

Rationale

Baseline studies are intended to provide a preliminary understanding of the resources in the project area. The Cultural Resources BDR met this intent by presenting an inventory of cultural resources within the APE. Section 106 consultation with the Burns Paiute Tribe and the Tribal Study will provide additional information on the prehistoric context, cultural value, and expectantly, on specific identified sites. As a result, more comprehensive evaluations of NRHP eligibility will be conducted and additional SHPO-requested information can be provided.

The modified Work Plan will recognize the completed Cultural Resource BDR as finalized and the NRHP eligibility recommendations with which the SHPO concurred. Deferring evaluation of significance and effect analyses to the Environmental Evaluation will allow these evaluations to continue, informed by Section 106 consultation, as the NEPA process continues. This will result in more engaging evaluation process and provide a greater opportunity for consensus among consulting and interested parties.

Attachment 1
Proposed Cultural Resources Baseline Work Plan (redlines)

3.13 Cultural Resources

CULTURAL RESOURCES ENVIRONMENTAL BASELINE WORK PLAN
CALICO RESOURCES USA CORP.
GRASSY MOUNTAIN PROJECT
SEPTEMBER 2017

3.13.1 Purposes and Objectives

The cultural resource baseline study will provide information on the occurrences ~~and significance~~ of cultural resources in and near the project area. ~~The historical significance of these cultural resources will be addressed in the Environmental Evaluation using the National Register of Historic Places criteria.~~ All services discussed herein are in compliance with Section 106 of the National Historic Preservation Act (NHPA) and Oregon BLM requirements.

3.13.2 Project Study Area

The Grassy Mountain Project area (Permit Area) is located in Malheur County, Oregon, approximately 22 miles south-southwest of Vale (**Figure 1**), and consists of two parcels: the Mine and Process Area, and the Access Road Area (**Figure 2**).

The Mine and Process Area parcel is located on three patented lode mining claims and unpatented lode mining claims that cover an estimated 886 acres. These patented and unpatented lode mining claims are part of a larger land position that includes 419 unpatented lode mining claims and nine mill site claims on lands administered by the BLM (**Figure 2**). All proposed mining would occur on the patented claims. The Mine and Process Area is located in all or portions of Sections 5-8, Township 22 South, Range 44 East (Willamette Meridian).

The Access Road Area parcel is located on public land managed by the BLM, and private land controlled by others (**Figure 2**). A majority of the access road is a Malheur County Road named Twin Springs Road. The access road extends north from the Mine and Process Area to Russell Road, a paved Malheur County Road. The Access Road Area parcel is located in portions of: Section 5, Township 22 South, Range 44 East; Sections 3, 10, 11, 14, 21- 23, 28, 29, and 32, Township 21 South, Range 44 East; Sections 1, 12-14, 23, 26, 27, and 34, Township 20 South, Range 44 East; and Sections 23, 26, 35, and 36, Township 19 South, Range 44 East (Willamette Meridian). The width of the Access Road Area is 300 feet (150 feet on either side of the access road centerline). This width is used to accommodate possible minor widening or re-routing, and a potential power line adjacent to the access road. There are several areas shown that are significantly wider than 300 feet on the Permit Area Map (**Figure 2**), which are areas where the final alignment has not yet been determined. The final engineering of the road will be consistent throughout, and within the Permit Area shown on **Figure 2**.

The approximate acreages of the two parcels described above are as follows:

Mine and Process Area:	886 acres
Access Road Area:	876 acres
Total Permit Area:	1,762 acres

Anticipated Project Disturbance (excluding access road): 400 acres

The cultural resources study area is the Cultural Area of Potential Effects (APE) shown in **Figure 23, Cultural Resources Study Area and Permit Area**.

3.13.3 Regulatory Framework

In cooperation with the federal Advisory Council on Historic Preservation (ACHP), the Oregon State Historic Preservation Office (SHPO) works with federal agencies and those agencies receiving federal funds to assist them in complying with Section 106 of the NHPA of 1966. Oregon SHPO is also responsible for assisting local governments in compliance with Oregon Revised Statutes (ORS) 358.653. Also,

archaeological resources are protected on non-federal, public land and private land under ORS 358.905. ORS 97.740 protects Native American graves, burial items, and items of cultural patrimony. Excavation of archaeological sites requires an Oregon archaeological permit as per ORS 390.235 and Oregon Administrative Rule (OAR) 736-051-0080 and OAR 736-051-0080.

The location of cultural resources will be maintained as confidential and exempt from the Oregon Public Records Law under ORS 192.501(11).

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3.13.4 Study Methodology

A preliminary online search of the Oregon Archaeological Records Remote Access (OARRA) system indicates that at least ten previous cultural resource studies have been performed for the Cultural APE (see Literature Review, below). Most recently, in 2016 Archaeological Services, LLC (ASCC) performed a Class III cultural resources inventory encompassing most Mine and Process Area and a 100-foot corridor along Twin Springs Road (see Smith et al. 2016). The remaining inventories primarily cover small sections of the proposed Access Road Area. The study methodology for the Grassy Mountain Project involves the following:

- A literature review of the Cultural APE and a one-mile radius, consisting of an online records search using the OARRA system and an in-person search at the BLM Vale District Office in Vale, Oregon. The literature search will provide information about known cultural resources within the Cultural APE. EM Strategies personnel will also review available historic topographic and General Land Office (GLO) maps, and a Mining Claim Geographic Report will be generated using the BLM's LR2000 System, which provides a list of both active and closed mining claims in the area by Section.
- A Class III cultural resource inventory of the Cultural APE will be conducted on the Permit Area to ~~assess the effects of the proposed Project on cultural resources~~—identify cultural resources that may be affected by the project. The effects of the proposed Project on cultural resources will be addressed in the Environmental Evaluation. The intensive pedestrian survey will be carried out in accordance with applicable agency guidelines, and will be accomplished by archaeologists walking 30-meter interval transects across the Cultural APE. All previously recorded and newly identified archaeological sites, features, and isolates encountered during the survey will be appropriately mapped, documented, and photographed in accordance with BLM guidelines. SHPO field survey forms will be completed in the field; these forms are included in Appendix D. The survey crew will use Trimble GeoXT Global Positioning System (GPS) units to map cultural resources and important geographic features using customized data dictionaries that conform to the BLM standards. There will be no collection of cultural resources from BLM-administered land.
- Information will be obtained from BLM as to how the visual resources protection plan matches with the cultural resources inventory.

3.13.4.1 Literature Review

- Archaeological Services. 2016. *Cultural Resource Reconnaissance Survey of the Twin Springs Road and Grassy Mountain Processing Parcel Project Areas*.

- BLM, Vale District Office. April 2001. *Proposed Southeastern Oregon, Resource Management Plan and Final Environmental Statement*. <http://www.blm.gov/or/districts/vale/plans/files/seormp/SEORMP-FEIS-Vol1Txt.pdf>
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- Holschuh, Dana L. 2015. *Cultural Resource Reconnaissance Survey of the Grassy Mountain Mine Project Area, Malheur County, Oregon*. Prepared by Archaeological Services LLC for HDR Engineering. Report No. 27108 on file at BLM Vale District, Vale, Oregon.
- Oregon State Historic Preservation Office (SHPO). 2011. *State of Oregon Archaeological Reporting Guidelines*. http://www.oregon.gov/oprd/HCD/ARCH/docs/state_of_oregon_archaeological_survey_and_reporting_standards.pdf
- Oregon State Historic Preservation Office (SHPO). 2013. *Guidelines for Conducting Field Archaeology in Oregon*. Oregon State Historic Preservation Office, Salem. Electronic document, http://www.oregon.gov/oprd/HCD/ARCH/docs/final_field_guidelines%202013.pdf, accessed February 27, 2017.
- Peterson, Robert R. 1991. *A Class III Cultural Resources Inventory of the Atlas Precious Metals Project, Malheur County, Oregon*. Prepared by Western Cultural Resource Management, Inc. for Atlas Precious Metals, Inc. Report No. 12112 on file at BLM Vale District, Vale, Oregon.
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- Senco-Phenix (September 1989). *Cultural Resource Survey – Grassy Mountain Site*.
- Senulis, John A. 1989. *Intensive Cultural Resource Block Survey and Inventory of the Proposed Grassy Mountain Mine Addendum Adjacent Exploration Areas, Malheur County, Oregon*. Prepared by Senco-Phenix for Atlas Precious Metals. Report No. 11906 on file at BLM Vale District, Vale, Oregon.
- Smith, Michael, Dana Holschuh, Julie Wilt, and Alexander Gall. 2016. *Cultural Resource Reconnaissance Survey of the Twin Springs Road and Grassy Mountain Processing Parcel Project Areas, Malheur County, Oregon*. Prepared by Archaeological Services LLC for HDR Engineering. Report on file at BLM Vale District, Vale, Oregon.
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- Western Cultural Resource Management, Inc. (MY 15, 1991). *A Cultural Resource Inventory of Proposed Access Roads and Shovel Testing of Previously Recorded Sites in the Grassy Mountain Project Area*. <http://www.oregon.gov/oprd/HCD/ARCH/Pages/index.aspx>

The previous field work and subsequent documentation (see Literature Review, above) will be reviewed to determine the number and type of archaeological sites that have been identified within the Cultural APE. Field work will be conducted per the 2013 *Oregon SHPO Guidelines for Conducting Field Archaeology in Oregon* (or most current version at the time the field work is conducted)

3.13.5 Timing and Duration of Baseline Data Collection and Verification

The cultural resources field work will be completed no later than 2018. The appropriate SHPO field survey protocols and reporting guidelines will be followed per the 2011 *State of Oregon Archaeological Reporting Guidelines*, and SHPO field forms will be used.

3.13.6 Further Anticipated Studies

If additional information is determined to be necessary, it will be collected using approved methodologies, gathered from documented sources, and coordinated with appropriate agencies, including Oregon SHPO.

3.13.7 Baseline Characterization

Cultural resource baseline data will provide information on past human location, activity, occupation, and use, and historic and prehistoric cultural resources reflect past human activities on the landscape. A cultural resources assessment will be conducted to identify cultural resources within the Cultural APE and to ~~provide information for later evaluation of assess~~ the effects of the proposed Project on cultural resources. The cultural resources inventory report will be prepared following SHPO field and reporting guidelines and will include the required Cultural Resources Survey Cover Sheet that is included in Appendix D. If cultural resources are present in the APE, ~~recommendations will be made to avoid, minimize, or mitigate adverse effects~~ general recommendations may be made to avoid, minimize, or mitigate adverse effects on cultural resources from the proposed Project until specific effects evaluations can be developed. Strategies to avoid, minimize or mitigate effects to NHRP eligible sites will be addressed in the Environmental Evaluation.

3.13.8 Bibliography

Archaeological Services. 2016. *Cultural Resource Reconnaissance Survey of the Twin Springs Road and Grassy Mountain Processing Parcel Project Areas*.

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3.13.9

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Attachment 2
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3.13.5 Timing and Duration of Baseline Data Collection and Verification

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If additional information is determined to be necessary, it will be collected using approved methodologies, gathered from documented sources, and coordinated with appropriate agencies, including Oregon SHPO.

3.13.7 Baseline Characterization

Cultural resource baseline data will provide information on past human location, activity, occupation, and use, and historic and prehistoric cultural resources reflect past human activities on the landscape. A cultural resources assessment will be conducted to identify cultural resources within the Cultural APE and to provide information for later evaluation of the effects of the proposed Project on cultural resources. The cultural resources inventory report will be prepared following SHPO field and reporting guidelines and will include the required Cultural Resources Survey Cover Sheet that is included in Appendix D. If cultural resources are present in the APE, general recommendations may be made to avoid, minimize, or mitigate adverse effects on cultural resources from the proposed Project until specific effects evaluations can be developed. Strategies to avoid, minimize or mitigate effects to NHRP eligible sites will be addressed in the Environmental Evaluation.

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3.13.9

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