

APPENDIX F

NATIVE AMERICAN CONSULTATION DOCUMENTATION

Mount Hope Project Native American Contact List

<i>Name of Tribe or Other Group</i>	<i>Date of Contact</i>	<i>Follow-Up Contact</i>
Battle Mountain Band of the Te-Moak Tribe of Western Shoshone	February 6, 2007	March 14, 2007 July 25, 2007 July 27, 2007
Bridgeport Indian Colony (request by tribe)	July 25, 2007	
Bureau of Indian Affairs	February 6, 2007	
Duck Valley Shoshone-Paiute Tribes of Idaho and Nevada	February 6, 2007	
Duckwater Shoshone Tribe	February 6, 2007	March 14, 2007 July 17, 2007 July 24, 2007 July 26, 2007 July 30, 2007 July 31, 2007 August 15, 2007 September 6, 2007 September 19, 2007 September 24, 2007 September 27, 2007 October 1, 2007 October 2, 2007 October 9, 2007 October 10, 2007 October 16, 2007 October 27, 2007 November 16, 2007 December 19, 2007 January 30, 2008 February 12, 2008 February 21, 2008 February 28, 2008 March 4, 2008 March 21, 2008 April 1, 2008 April 14, 2008 April 30, 2008 May 1, 2008 May 30, 2008 June 2, 2008 June 6, 2008 June 22, 2008 August 4, 2008 August 25, 2008 October 2, 2008 January 6, 2009 February 2, 2009 March 4, 2009 September 8, 2009 December 1, 2009 February 23, 2010 March 2, 2010 March 22, 2010 April 12, 2010 June 21, 2010 August 2, 2010 August 31, 2010 September 1, 2010 September 3, 2010 September 9, 2010 October 12, 2010 December 1, 2010 January 1, 2011 January 18, 2011 February 17, 2011 August 30, 2012
Elko Band of the Te-Moak Tribe of Western Shoshone	February 6, 2007	July 25, 2007 August 8, 2007 August 28, 2007 September 6, 2007
Ely Shoshone Tribe	February 6, 2007	July 24, 2007 March 21, 2008 April 15, 2008 September 25, 2008
Southfork Band	February 6, 2007	January 12, 2007 April 2, 2007 May 8, 2007 July 24, 2007 September 6, 2007
Summit Lake Paiute Tribe (request by tribe)	March 27, 2007	
Te-Moak Tribe of the Western Shoshone	February 6, 2007	July 25, 2007 March 21, 2008
Timbisha Shoshone Tribe	February 6, 2007	
Wells Band of the Te-Moak Tribe of Western Shoshone	February 6, 2007	February 13, 2007 May 8, 2007 June 14, 2007 July 20, 2007 July 24, 2007
Western Shoshone Committee of Duck Valley	February 6, 2007	
Western Shoshone Defense Project (WSDP)	February 6, 2007	
Yomba Shoshone	February 6, 2007	March 14, 2007 July 24, 2007 March 21, 2008 September 10, 2008
Western Shoshone Descendents of Smoky Valley (Site visit with Felix Ike)		July 22, 2009



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Mount Lewis Field Office
50 Bastian Road
Battle Mountain, Nevada 89820
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3809 (NVB0100)
NVN-082096
NV063-EIS07-019

DEC 01 2009

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Virginia Sanchez - Chair
Duckwater Shoshone Tribe
P.O. Box 140068
Duckwater, Nevada 89314

Dear Ms. Sanchez:

The Bureau of Land Management (BLM), Mount Lewis Field Office, proposes to re-engage the Duckwater Shoshone Tribe in discussions concerning the Eureka Moly LLC Mount Hope Molybdenum Mine plan of operations. You may have been involved in the past as a former Council member. As the recently elected Chairperson, I would like to extend an invitation to meet with you, if the Duckwater Shoshone Tribe still wishes to participate in the project. I will provide a brief timeline of past coordination/communications specific to this project and the tribe.

Consultation with area tribes was initiated on February 6, 2007, with a certified letter to tribal Chairs and designated staff. The initial letter described the project location, proposed activities, introduced the contracted ethnographer, and asked for any resource issues/concerns the tribe may have, along with meeting/field tour dates.

After a considerable review and comment period and multiple follow up phone calls, a field visit was arranged for September 27, 2007, with the Duckwater Shoshone Tribe. The BLM sent a follow up letter on October 17, 2007, describing the topics of discussion during the September 2007 field visit and inviting the tribe to enter into a data sharing agreement or Memorandum of Understanding (MOU). Field visits continued to occur with various interested tribal entities and community members.

During the Duckwater field visit, general issues/concerns discussed were: impacts to archaeological/cultural resources, impacts to spring sources and pine trees, visual intrusions, cumulative effects study areas, and potential economic opportunities. As was understood by this office, the Duckwater Shoshone Tribe was to formally respond in writing soon after the September 27, 2007, field tour. Also discussed during the field visit was the opportunity for the Duckwater Tribe to review cultural resources inventory reports.

On March 21, 2008, a letter was sent from this office to the Duckwater Shoshone Tribe inviting the tribe to participate as a concurring party to a Programmatic Agreement (PA) between the BLM Battle Mountain Office and the Nevada State Historic Preservation Office (SHPO) regarding the treatment of historic properties. At the time, the tribe declined the invitation and chose to continue to work toward developing a separate data sharing agreement or Memorandum of Understanding (MOU) with the BLM.

On November 25, 2008, BLM received Resolution No. #08-D-33 and attached MOU both signed by Chairman Millet on August 25, 2008.

A letter was sent to the tribe from this office on February 2, 2009, in response to Resolution No. #08-D-33. This resolution supported the signing of an attached MOU. However, the signed MOU appeared to be an older version, which did not include input from this specific office. Our staffs developed several draft MOUs; however, it was decided by the tribe that a BLM Nevada Statewide MOU was preferred over a District, Field Office, or Mount Hope project specific MOU. I am not aware of the tribe's progress in developing a statewide agreement with our BLM Nevada State Office.

A historical background was also sent to the tribe in September 2009 titled, *Historic and Prehistoric Occupation in Central Nevada: Mount Hope, Eureka County, Nevada*.

We are currently developing a Draft Environmental Impact Statement for public review and comment with a target completion date of April 2010. We have not received any further input or participation from the Duckwater Shoshone Tribe, who, until recently, has been actively participating in the permitting process.

Please feel free to contact Gerald Dixon at 775-635-4161 if you have any questions or wish to schedule a project briefing, status update, or to continue our partnership development. I ask that you please respond within 30 days upon your receipt of this letter.

Sincerely,

/s/ Douglas W Furtado

Douglas W. Furtado
Field Manager
Mount Lewis Field Office



United States Department of the Interior

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Mount Lewis Field Office

50 Bastian Road

Battle Mountain, Nevada 89820

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GD 1-28-09

FEB 02 2009

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NVN-082096
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3809
(NV-063)

CERTIFIED MAIL: 7008 0150 0001 6431 7209 RETURN RECEIPT REQUESTED

Jerry Millet – Chair
Duckwater Shoshone Tribe
P.O. Box 140068
Duckwater, Nevada 89314

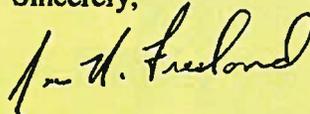
Dear Chairman Millet:

I am in receipt of Duckwater Shoshone Tribal Resolution No. #08-D-33, which was signed by you on August 25, 2008, supporting a memorandum of understanding (MOU) between the Tribe and this office for the proposed Mount Hope Molybdenum mining operation near Eureka, Nevada. An MOU was attached to this resolution and also signed by you on August 25, 2008.

I appreciate your review of this MOU and the time invested presenting to your Council and gaining their vote during the August 25th, 2008, Council meeting. However, it appears an earlier draft version of the MOU was signed. It was my understanding that both our staffs had drafted numerous versions of the MOU for information sharing and had finally compiled those drafts into a single project specific version that met both the Tribe's and BLM's needs. This office's management team reviewed and endorsed this particular draft version of the MOU, but the MOU signed by you on August 25, 2008, is not the version we had reviewed.

For your convenience, I have attached the most recent version of the MOU/Information Sharing Agreement for the Mount Hope project along with the documents received by this office on November 25, 2008. I ask that you please review these documents and contact me or Gerald Dixon of my staff at 775-635-4000, at your earliest convenience, if you require further information. I look forward to entering into an MOU/information sharing agreement with the Tribe for this very complex project.

Sincerely,

A handwritten signature in black ink, appearing to read "Gerald M. Smith". The signature is written in a cursive style with a large initial "G" and "S".

Gerald M. Smith
District Manager

Attachments:

Cc: Annette George Harris
Maurice Frank Churchill

Gdixon:GD1/28/09



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Battle Mountain Field Office

50 Bastian Road

Battle Mountain, NV 89820

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(775) 635-4000 or bmfoweb@nv.blm.gov

MAR 21 2008



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3809/1790 (NV063)
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NV063-EIS07-019

CERTIFIED MAIL: 7002 0510 0000 4044 4504 - RETURN RECEIPT REQUESTED

Wayne K. Dyer - Chair
Yomba Shoshone Tribe
HC 61 Box 6275
Austin, Nevada 89310

Dear Mr. Dyer:

This is an invitation to the Yomba Shoshone Tribe to participate as a concurring party to a Programmatic Agreement (PA) between the Bureau of Land Management (BLM) Battle Mountain Field Office (BMFO) and the Nevada State Historic Preservation Office (SHPO) regarding the treatment of historic properties during the implementation of the Mt. Hope Molybdenum Mine treatment activities. Specific project activities and an invitation to participate in formal government-to-government consultation were mailed certified to your tribal offices on February 6, 2007.

The BLM BMFO, has determined that the Mt. Hope Molybdenum Mine Project may have an effect upon properties eligible for inclusion in the National Register of Historic Places. Therefore, a PA between the BLM and SHPO must be developed, which may reduce or eliminate negative impacts to historic properties. The BLM, as part of its consultation responsibilities, is providing the Tribe the opportunity to be a concurring party for this PA between the BLM and SHPO.

Please review the enclosed draft PA and let the BLM know what role you wish to take in this portion of the project. Participating as a concurring party does not legally bind the Tribe to this PA. BLM seeks your involvement in this agreement, which will provide for more efficient and effective cultural resource management between the BLM and SHPO.

Please contact Gerald Dixon at 775-753-0383 or 775-635-4161, within 30 days upon your receipt of this letter, if you wish to participate in this BLM/SHPO process.

Please contact Gerald Dixon at 775-753-0383 or 775-635-4161, within 30 days upon your receipt of this letter, if you wish to participate in this BLM/SHPO process.

Sincerely,

/s/ Stephen C. Drummond

Stephen C. Drummond
Assistant Field Manager
Non-Renewable Resources

Enclosure

cc: James Birchim



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Battle Mountain, NV 89820
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S. Seidler
3/21/08

MAR 21 2008

In Reply Refer To:
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NVN-082096
NV063-EIS07-019

CERTIFIED MAIL: 7002 0510 0000 4044 4498 - RETURN RECEIPT REQUESTED

Davis Gonzales - Chair
Te-Moak Tribal Council
525 Sunset Street
Elko, NV 89801

Dear Mr. Gonzales:

This is an invitation to the Te-Moak Tribe of Western Shoshone to participate as a concurring party to a Programmatic Agreement (PA) between the Bureau of Land Management (BLM) Battle Mountain Field Office (BMFO) and the Nevada State Historic Preservation Office (SHPO) regarding the treatment of historic properties during the implementation of the Mt. Hope Molybdenum Mine treatment activities. Specific project activities and an invitation to participate in formal government-to-government consultation were mailed certified to your tribal offices on February 6, 2007.

The BLM BMFO, has determined that the Mt. Hope Molybdenum Mine Project may have an effect upon properties eligible for inclusion in the National Register of Historic Places. Therefore, a PA between the BLM and SHPO must be developed, which may reduce or eliminate negative impacts to historic properties. The BLM, as part of its consultation responsibilities, is providing the Tribe the opportunity to be a concurring party for this PA between the BLM and SHPO.

Please review the enclosed draft PA and let the BLM know what role you wish to take in this portion of the project. Participating as a concurring party does not legally bind the Tribe to this PA. BLM seeks your involvement in this agreement, which will provide for more efficient and effective cultural resource management between the BLM and SHPO.

Please contact Gerald Dixon at 775-753-0383 or 775-635-4161, within 30 days upon your receipt of this letter, if you wish to participate in this BLM/SHPO process.

Please contact Gerald Dixon at 775-753-0383 or 775-635-4161, within 30 days upon your receipt of this letter, if you wish to participate in this BLM/SHPO process.

Sincerely,

/s/ Stephen C. Drummond

Stephen C. Drummond
Assistant Field Manager
Non-Renewable Resources

Enclosure

cc: Pat Stevens



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50 Bastian Road
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MAR 21 2008



**TAKE PRIDE
IN AMERICA**

D. S. [Signature]
3/2/08

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NV063-EIS07-019

CERTIFIED MAIL: 7002 0510 0000 4044 4481 - RETURN RECEIPT REQUESTED

Dianna Buckner – Chair
Ely Shoshone Tribe
16 Shoshone Circle
Ely, Nevada 89301

Dear Ms. Buckner:

This is an invitation to the Ely Shoshone Tribe to participate as a concurring party to a Programmatic Agreement (PA) between the Bureau of Land Management (BLM) Battle Mountain Field Office (BMFO) and the Nevada State Historic Preservation Office (SHPO) regarding the treatment of historic properties during the implementation of the Mt. Hope Molybdenum Mine treatment activities. Specific project activities and an invitation to participate in formal government-to-government consultation were mailed certified to your tribal offices on February 6, 2007.

The BLM BMFO, has determined that the Mt. Hope Molybdenum Mine Project may have an effect upon properties eligible for inclusion in the National Register of Historic Places. Therefore, a PA between the BLM and SHPO must be developed, which may reduce or eliminate negative impacts to historic properties. The BLM, as part of its consultation responsibilities, is providing the Tribe the opportunity to be a concurring party for this PA between the BLM and SHPO.

Please review the enclosed draft PA and let The BLM know what role you wish to take in this portion of the project. Participating as a concurring party does not legally bind the Tribe to this PA. BLM seeks your involvement in this agreement, which will provide for more efficient and effective cultural resource management between the BLM and SHPO.

Please contact Gerald Dixon at 775-753-0383 or 775-635-4161, within 30 days upon your receipt of this letter, if you wish to participate in this BLM/SHPO process.

Please contact Gerald Dixon at 775-753-0383 or 775-635-4161, within 30 days upon your receipt of this letter, if you wish to participate in this BLM/SHPO process.

Sincerely,

/s/ Stephen C. Drummond

Stephen C. Drummond
Assistant Field Manager
Non-Renewable Resources

Enclosure

cc: Cindy Marques



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B. Seibert
3/21/08

In Reply Refer To:
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MAR 21 2008

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Jerry Millet – Chair
Duckwater Shoshone Tribe
P.O. Box 140068
Duckwater, Nevada 89314

Dear Mr. Millet:

This is an invitation to the Duckwater Shoshone Tribe to participate as a concurring party to a Programmatic Agreement (PA) between the Bureau of Land Management (BLM) Battle Mountain Field Office (BMFO) and the Nevada State Historic Preservation Office (SHPO) regarding the treatment of historic properties during the implementation of the Mt. Hope Molybdenum Mine treatment activities. Specific project activities and an invitation to participate in formal government-to-government consultation were mailed certified to your tribal offices on February 6, 2007.

The BLM BMFO, has determined that the Mt. Hope Molybdenum Mine Project may have an effect upon properties eligible for inclusion in the National Register of Historic Places. Therefore, a PA between the BLM and SHPO must be developed, which may reduce or eliminate negative impacts to historic properties. The BLM, as part of its consultation responsibilities, is providing the Tribe the opportunity to be a concurring party for this PA between the BLM and SHPO.

Please review the enclosed draft PA and let the BLM know what role you wish to take in this portion of the project. Participating as a concurring party does not legally bind the Tribe to this PA. BLM seeks your involvement in this PA, which will provide for more efficient and effective cultural resource management between the BLM and SHPO.

On September 27, 2007, Gerald Dixon, of my staff, conducted a field tour with the Duckwater Council to the Mt. Hope Molybdenum Mine project area.

On February 12, 2008, Gerald Dixon met with Maurice Churchill and Annette George to work on combining a draft Duckwater and BLM Information Sharing Agreement. Also at this time, Gerald presented a copy of the attached Mt. Hope Molybdenum Mine PA. As indicated at the February 12, 2008, meeting, the Tribe may wish to utilize the upcoming combined BLM/Duckwater Mt. Hope Information Sharing Agreement or Memorandum of Understanding (MOU) rather than sign this PA, as a concurring party.

Please contact Gerald Dixon at 775-753-0383 or 775-635-4161, within 30 days upon your receipt of this letter, if you wish to participate in the BLM/SHPO process. You should also soon be receiving a draft BLM/Duckwater Tribe combined Information Sharing Agreement, which may serve a similar purpose as that of this PA.

Sincerely,

/s/ Stephen C. Drummond

Stephen C. Drummond
Assistant Field Manager
Non-Renewable Resources

Enclosure

cc: Annette George
Maurice Churchill



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OCT 17 2007

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3809/1790 (NV063)
NVN-082096
NV063-EIS07-019

CERTIFIED MAIL: 7006 2150 0000 0369 8533

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Ruby Sam – Chair
Duckwater Shoshone Tribe
P.O. Box 140068
Duckwater, Nevada 89314

Dear Ms. Sam,

On September 27, 2007, Gerald Dixon, of my staff, conducted a field tour with you and your Council to the Mt. Hope Molybdenum Mine Environmental Impact Statement (EIS) project area. As it was explained to me, Duckwater Shoshone Tribe will respond formally to the proposed project and will work with Gerald Dixon to create a final Cumulative Effects Study Area (CESA) for Native American Resources or Concerns. However, Duckwater Shoshone Tribe first wishes to review the cultural resources inventory report.

In order to fulfill your request, BLM Battle Mountain Field Office (BMFO) would first like to enter into an information sharing agreement or Memorandum of Understanding (MOU). This MOU is meant to foster communication, cooperation, and coordination between BMFO and the Duckwater Tribe in planning, identification, evaluation, protection, and interpretation to ensure that historic/prehistoric properties and traditional uses within the Mt. Hope Molybdenum Mine EIS project boundary are dealt with in an appropriate manner.

It is the federal agency's responsibility to collect information on cultural resources as defined in Manual 8100 CRM and maintain that information in a secure environment. This information is used to evaluate the significance of these resources and to develop appropriate protection measures. However, by law and tradition the Duckwater Shoshone Tribe also has a significant interest in the proper management and preservation of cultural resources. Please see the attached MOU, which applies to this particular land management project (Mt. Hope Molybdenum Mine).

If you find the terms of agreement and language applicable and appropriate, please feel free to sign and mail the document back to me at the address given above. Once we receive the MOU, signed by you, BLM BMFO can release the cultural resources survey report. If you have any questions or would like to make any changes to the MOU, please call Gerald Dixon at 775-753-0383. I look forward to establishing a proactive and productive working relationship with you and your Council.

Sincerely,

/s/ Stephen C. Drummond

Stephen C. Drummond
Acting Assistant Field Manager
Nonrenewable Resources

cc: Annette George
Duckwater Shoshone Tribe
P.O. Box 140068
Duckwater, NV 89314

SDRUMMOND:cc:10/17/2007:\\Blm\dfs\nv\bm\pub\nonrenewable\minerals\letters\LETTERS
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