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Record of Decision

Golden Hand No. 1 and No. 2 Lode Mining Claims Project

Krassel Ranger District, Payette National Forest
Valley and Idaho County, Idaho

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RECORD OF DECISION
for the
GOLDEN HAND NO. 1 AND NO. 2 LODE MINING CLAIMS PROJECT

USDA Forest Service
Payette National Forest
Krassel Ranger District
Valley and Idaho County, Idaho

INTRODUCTION

The Final Environmental Impact Statement (EIS) discloses the environmental impacts of a proposed action and alternative actions to support claim validation work consisting of road maintenance/reconstruction, temporary road use authorization on unauthorized roads and confirmation sampling on the Golden Hand No. 1 and No. 2 lode mining claims, along with activities/equipment associated with accomplishing the aforementioned on the Krassel Ranger District of the Payette National Forest in Valley and Idaho Counties, Idaho.

The Final EIS has been prepared pursuant to the requirements of the National Environmental Policy Act (NEPA, 40 CFR 1500-1508), the National Forest Management Act (NFMA implementing regulations of 2005, including transition language at 36 CFR 219.14), the 2003 Payette National Forest Land and Resource Management Plan, as amended (USDA 2003, 2010)(Forest Plan)and the 2003 Frank Church-River Of No Return Wilderness Management Plan (also referred to as the Wilderness Plan). The Forest Plan incorporated the Wilderness Plan with a 2003 amendment and both plans will hereafter be referred to as the Forest Plan Formal planning for this project was initiated on November 21, 2008 with a Notice of Intent to prepare an EIS appearing in the Federal Register.

PURPOSE AND NEED

Law, regulation, agency policy, and court rulings define the purpose and need for the Forest Service response to American Independent Mines and Minerals Company (AIMMCO)'s proposed plan of operations. The major laws and regulations governing such responses include the following:

- The 1872 Mining Law as amended (also referred to as the U.S. Mining Law[s]), provides in part that, "...all mineral deposits in land belonging to the United States are free and open to exploration and the lands in which they are found are open to occupation and purchase." This granting of statutory rights to explore, develop, and gain title to the minerals estate of federal lands open to mineral entry, remain in effect today.

- The 1897 the Organic Administration Act (16 USC 478, 551) created the National Forest System, and at the same time opened these lands to entry under the 1872 Mining Law. This law also gives the Secretary of Agriculture authority to regulate activities conducted under the Mining Law.

- The Multiple Use Mining Act of 1955 (30 USC 612) reserved to the United States the right to use the surface of unpatented mining claims providing such use did not endanger or materially interfere with prospecting, mining or processing operations or reasonably incident uses.

- Regulations defining Forest Service authority to manage locatable mineral activities were adopted in 1974, and are codified in 36 CFR 228A. In accordance with these regulations, an approved plan of operation is required for any locatable mineral activity on National Forest System land that would cause a significant disturbance of surface resources. These regulations also require the Forest Service to conduct an analysis that meets the requirements of the National Environmental Policy Act (NEPA) for each plan of operation received. Forest Service responses to a proposed plan of operation are defined by regulation at 36 CFR 228.5. The overall purpose of these regulations as stated in 36 CFR

228.1, is to manage operations so as to minimize adverse environmental impacts on National Forest System surface resources.

The Wilderness Act of 1964 requires the Forest Service to ensure that valid mineral rights exist, prior to approving locatable mineral activities inside a congressionally designated Wilderness area. To establish valid existing rights, mining claimants must show they have made a discovery of a valuable mineral deposit on the claim(s) prior to the withdrawal date, and have maintained that discovery. The Wilderness Act allows for surface disturbing activities that are reasonably incident to mining or processing operations when valid rights have been found to exist (U.S. Congress 1964, Section 4[d-3]). The mining activities described may be implemented if such activity is carried on in a manner compatible with the preservation of the wilderness environment (U.S. Congress 1964, Section 4[d-2]). In the case of valid mining claims or other valid occupancies, the Secretary of Agriculture shall permit ingress and egress to such surrounded areas by mean which have been or are being customarily enjoyed with respect to other such areas similarly situated (U.S. Congress 1964, Section 5[b]). The Wilderness Act also states that mineral leases, permits, and licenses covering lands within National Forest Wilderness, shall contain reasonable stipulations as may be prescribed by the Secretary of Agriculture for the preservation of the wilderness character and consistent with the use of the land for the purposes for which they are leased, permitted, or licensed.

The Forest Service response is also guided by the following rulings:

- AIMMCO and Jim Collord located Golden Hand No's. 1-5 lode mining claims in 1979. In 1983, AIMMCO located Golden Hand No's. 6-8. Mr. Collord subsequently deeded his interest in claims No. 1-5 to AIMMCO. On December 31, 1983 the Frank Church River of No Return (FC-RONR) Wilderness was withdrawn from entry under the mining law. Prior to any further mineral development activity on the claims a determination of the validity of the claims was required. Following a validity examination, a hearing before the Department of Interior- Office of Hearings and Appeals, and subsequent appeals by both parties, the Interior Board of Land Appeals (IBLA) ruled in 1992 that the Golden Hand No's. 3 and 4 lode mining claims within the FC-RONR Wilderness were valid. Claim No. 8 is also valid because the government withdrew its contest against claim No. 8 in 1999. In summary, Golden Hand No's. 3, 4, and 8 lode mining claims have valid existing rights.

- On August 12, 2002, the U.S. District Court in Idaho ordered the Forest Service to complete the Environmental Impact Statement (EIS) on AIMMCO's proposed operating plan for Golden Hand No. 3 and No. 4 lode mining claims. That decision was signed on May 1, 2003 and was vacated on March 14, 2011. The court also directed that in regards to Golden Hand No. 1 and No. 2 lode mining claims "the Forest Service must recognize AIMMCO's right to prepare for (a) validity hearing, and allow work to that end, while requiring adherence to all applicable rules and regulations."

Other state and federal laws and regulations may apply to plans submitted under 36 CFR 228A, depending on the nature of the proposal and resources affected. Such laws include the Clean Water Act, Clean Air Act, Endangered Species Act, National Historic Preservation Act, and others. Forest Service planning direction also defines the purpose to be achieved by the Forest Service action.

AIMMCO has the legal right to develop the mineral resources on their Wilderness claims where valid existing rights have been established, and the Forest Service has the legal authority to manage those activities to minimize, where feasible, environmental impacts on surface resources, including Wilderness. AIMMCO's right to develop is limited to activities that are reasonably incident to mining and not needlessly destructive, and by the obligation to comply with applicable state and federal laws. The Forest Service's right to manage AIMMCO's activity is limited in that it may not deny a plan of operation for development of such resources provided that it is reasonably incident and not needlessly destructive, and complies with applicable federal mining laws and regulations, and applicable state and federal laws and regulations related to air, water, and solid waste.

The **Purpose** of the Forest Service in proposing this action is to minimize adverse environmental impacts to surface resources by regulating the functions, work, and activities connected with the miner's plan to remove locatable minerals from National Forest System lands. The compelling **Need** for the Forest Service

to take this action is to comply with the legal requirements to respond to the claimant's reasonable Plan of Operations (36 CFR 228.4), and to ensure that "operations are conducted so as, where feasible, to minimize adverse environmental impacts on National Forest surface resources" (36 CFR 228.8).

CHANGES BETWEEN THE DRAFT AND FINAL EIS

In addition to minor edits and corrections, a number of changes were made to the Draft EIS in preparing the Final EIS. These changes are reflected throughout the Final EIS and summarized in Section 4.6 of Chapter 4. I do not believe that the edits, corrections, and/or additional analysis necessitate issuance of a supplemental Draft EIS. The updated information disclosed in the Final EIS falls within the scope of the analysis depicted in the Draft EIS and in most cases simply provides additional explanation. In the case of additional Project Design Features PDFs, these were added to better insure that effects stayed within those limits disclosed in the Draft EIS or were assigned through consultation with U.S. Fish and Wildlife Service and National Oceanic and Atmospheric Administration (NOAA) Fisheries. The Intermountain Regional Forester reviewed objections to the FEIS/DROD and provided instructions to the Forest. Resulting changes or additions to the FEIS and ROD are in Attachment E and the instruction response is in Attachment F.

DECISION

I have reviewed the analysis presented in the Final EIS for the Golden Hand No. 1 and No. 2 Lode Mining Claims Project, considered the comments received on the Draft EIS, discussed the project's anticipated effects with both the Interdisciplinary Team and Forest Staff and followed Regional Forester instructions. I have considered and modified the design to incorporate the comments and input raised in staff to staff and Government to Government Consultation with Tribes, and comments from the public received on the Draft EIS, and discussed the project's anticipated effects with the staff at the Intermountain Regional Office. As a result I have decided to implement **Alternative C.** My decision includes road maintenance/reconstruction, temporary road use authorization on unauthorized roads and confirmation sampling on the Golden Hand No. 1 and No. 2 lode mining claims, design features, and a monitoring plan. **Attachment A** of this document describes the details of my decision, including incorporated PDFs. **Attachment B** documents monitoring associated with my decision.

My decision was made following a review of the project's record that reflects consideration of relevant scientific information, consideration of responsible opposing views, and the acknowledgement of incomplete or unavailable information where pertinent to the decisions being made. Specifically, I am making the following decisions:

1) Should the mining proponent be notified of changes or additions to the plan necessary to minimize, where feasible, adverse environmental impacts on National Forest surface resources?

My decision will allow AIMMCO to collect subsurface geologic information in order to prepare for a new mineral examination by the Federal Government. Except for one drill location, which is off claim on an existing roadbed to avoid the surface disturbance associated with construction of a new road, the proposed drilling operations, rock chip sampling, and Ella Mine opening will occur on Golden Hand No. 1 and No. 2 lode mining claims (EIS, Section 2.4.3). **Attachment A** of this document describes the details of my decision.

The following is a brief summary of the actions that will occur as a result of my decision (EIS, Section 2.4.3):

- Maintain portions of Forest Roads (FR) 371 and 373 between the Big Creek Trailhead and Pueblo Summit and maintain approximately 4.1 miles of temporary road, including 4.0 miles within the FC-RONR Wilderness. Reconstruct one short approach to a crossing of the North Fork of Smith Creek on FR 373.
- Repair a ford on a tributary to Coin Cr. and repair a ford on Coin Cr.
- Authorize up to 571 wheeled motor vehicle trips into the FC-RONR Wilderness annually. Wheeled motor vehicle trips within the Wilderness claim operating area to transport needed items from the storage area to work sites will be kept to the minimum necessary.

- Construct 11 drill pads from which 13-18 core holes will be drilled.
- Collect rock chip samples from pits excavated to bedrock at several locations in the temporary roads.
- Reopen and timber a caved mine adit (the "Ella") to allow access for underground mapping and sampling. Excavated material will be placed on the existing flat disturbed area in front of the portal location.
- Use a variety of vehicles and equipment including, but not limited to, four-wheel-drive pickup trucks, a 7 cubic yard dump truck, flatbed truck, D-8 (or equivalent) bulldozer, 3-cubic yard loader or small excavator, a track or skid-mounted drill rig, air compressor, small jackhammer, and generators.
- Store fuel at Werdenhoff.
- Establish a temporary camp at Werdenhoff.
- Obtain water from Coin Creek in accordance with the water right, which will not exceed 25,000 gallons per day. The water will be obtained and used in accordance with a temporary water right issued by the Idaho Department of Water Resources.
- Conduct defined reclamation activities at the end of each season.

My decision includes a number of Project Design Features (PDFs) incorporated to minimize or avoid effects on a variety of resources such as soil, water quality, vegetation, wetland and riparian resources, wildlife, fish, noxious weeds, cultural resources, transportation and public safety, wilderness and recreation, visuals, air quality/noise, socioeconomics, fire safety, and fuel transport (EIS, Section 2.4.3.2 and 2.4.4). In many cases these PDFs were recommended by AIMMCO, regulatory, Tribal partners, and the public. **Attachment A** of this document describes the details of my decision, including incorporated PDFs. As described in the EIS, most of these PDFs were not included in the original plan of operations and were added to the project to further minimize or avoid effects to surface resources (EIS, Section 2.4.3.2 and 2.4.4).

2) **Should minor amendments to the Forest Plan be made at this time; and if so, what amendments?**

In order to implement my decision, an amendment of the Forest Plan will be necessary (EIS, Section 2.4.3.1). This will be a one time, site specific, non-significant amendment that will not change overall Forest Plan goals, objectives, Desired Future Conditions, or associated outputs.

Amend Forest Plan Standard SCST01 to allow for activities not meeting Visual Quality Objectives associated with the Golden Hand No. 1 and No. 2 Lode Mining Claims Project to occur, by appending the following:

"For the Golden Hand No. 1 and No. 2 Lode Mining Claims Project allow activities within that portion of the project area, approximately 291 acres within the FC-RONR Wilderness, which will not meet the Visual Quality Objective of Preservation."

Attachment C of this document contains the project-specific Forest Plan Amendment associated with this decision and discloses my finding that the amendment will be non-significant.

3) **What monitoring should be applied to the project?**

My decision includes a number monitoring requirements for minerals administration, water quality, wilderness access/social, and fisheries. Reference **Attachment B** for associated monitoring plans.

RATIONALE FOR THE DECISION

I have selected **Alternative C** because it provides the greatest attainment of the project's purpose and need while still being sensitive to other resource concerns within the project area, and using the minimum tools necessary for administration of the area. In making a decision on this project, I evaluated the purpose and need for the project, the effects disclosed in the EIS, and comments received in staff to staff and Government to Government consultation, during scoping, the 45-day notice (with extension) and comment period (36 CFR 218), and comments heard during the most recent objection resolution meeting. The following discussion summarizes the rational for my decision.

1) Should the mining proponent be notified of changes or additions to the plan necessary to minimize, where feasible, adverse environmental impacts on National Forest surface resources?

I have decided to approve the Plan of Operations with PDFs for mitigation as necessary to protect non-mineral surface resources. My decision will allow AIMMCO to finalize a Plan of Operation and fulfills my responsibility to respond to the court's direction and allow for these activities on NFS lands as part of a reasonable plan (EIS, Section 1.5). My decision includes the operation of 11 drill pads, three trenches, the opening of the Ella adit, approximately 4.1 miles of temporary road authorization, road maintenance and reconstruction, and reclamation (EIS, Section 2.4.3). Of the 11 drill pads, three trenches, and Ella adit all are located in the FC-RONR Wilderness and one drill pad is located off claims No. 1 or No. 2 to avoid the construction of temporary road in the Wilderness (EIS, Section 2.4.3). One section of road on Forest Road 373 will be reconstructed to facilitate the placement of box culvert/steel arch pipe that is capable of aquatic organism passage and will eliminate a ford (EIS, Section 2.4.3). Staging and housing of crews will occur at Werdenhoff (EIS, Section 2.4.3). **Attachment A** of this document describes the details of my decision.

Biological Assessments (BA) consistent with requirements of Section 7 of the Endangered Species Act were prepared and submitted to the US Fish and Wildlife Service (USFWS) and NOAA Fisheries on May 31, 2013. Determinations disclosed in the wildlife BA have concluded that my decision may affect but is not likely to adversely affect Canada lynx and will have no effect to northern Idaho ground squirrel (EIS, Section 2.5.4). The fish BA concluded that my decision is likely to adversely affect steelhead, bull trout, and Chinook salmon (EIS, Section 2.5.4). The USFWS submitted a biological opinion to the Forest Service on October 30, 2013 and NOAA on November 13, 2013 (EIS, Section 2.5.4). The 2013 NOAA opinion concluded that my decision is not likely to jeopardize the continued existence of steelhead or Chinook salmon and is not likely to result in the destruction or adverse modification of designated critical habitat (EIS, Section 2.5.4). The 2013 USFWS opinion concluded that my decision will not jeopardize the continued survival and recovery of bull trout and will not destroy or adversely modify designated critical habitat (EIS, Section 2.5.4). **Attachment A** of this document describes the Terms and Conditions that were identified in the 2013 biological opinions and are incorporated into my decision to further reduce impacts to surface resources. Reinitiation of consultation with the USFWS and NOAA Fisheries began in November 2014. This amendment documented changes from the DEIS to FEIS for the fisheries analysis area, added a sediment analysis for project access routes, added fuel quantity estimates, and incorporated additional Project Design Features. The BA amendment was submitted to USFWS and NOAA Fisheries in April 2015 and biological opinions are expected in July 2015. The Final Plan of Operations will not be approved until final biological opinions are completed and any additional requirements are incorporated.

My decision will impact the Wilderness character in the area (EIS, Section 3.3), but has been determined to be the minimum necessary for the administration of the area considering the outstanding legal rights in the project area and the 2002 Court decision. The wilderness user will see physical impacts to the land, motorized and mechanized equipment, and hear noise and could see dust from these machines from July to November for up to 3 years (EIS, Section 2.5.2.1). This type and amount of development will adversely affect the Wilderness users' sense of solitude and remoteness and enjoyment of a primitive recreation experience in the Beaver Creek and Hand (Coin) Creek drainages, and the surrounding ridge tops that encompass the project area (EIS, Section 2.5.2.1). The actual use and the knowledge of these activities will adversely impact the Wilderness character by compromising the natural integrity and untrammeled conditions of the FC-RONR Wilderness (EIS, Section 2.5.2.1). A Minimum Requirements Decision Guide was completed for the project, and is contained in the Project Record. My decision will reduce the negative impacts to Wilderness character to the greatest possible extent while complying with the legal mandate to authorize activities reasonably incident to mineral development on valid claims (EIS, Section 2.5.2.1).

My decision is not expected to have undue impacts to any sensitive, proposed, or candidate species (EIS, Sections 3.4, 3.6, and 3.8). My decision may impact individuals but would not likely contribute to a trend toward Federal Listing or cause a loss of viability to the population or species of whitebark pine candidate species (EIS, Section 2.5.5). My decision will have no impact on any other candidate, proposed, or sensitive plant species (EIS, Section 2.5.5). My decision may impact individuals but would not likely contribute to a trend towards Federal Listing or cause a loss of viability to the population or species of westslope cutthroat trout (EIS, Section 2.5.5). With regard to wildlife species, my decision may impact individuals but would not likely contribute to a trend toward Federal Listing or cause a loss of viability to

the population or species of American three-toed woodpecker, boreal owl, fisher, northern goshawk, pileated woodpecker, flammulated owl, wolverine, gray wolf, Townsend's big-eared bat, or Columbia spotted-frog (EIS, Section 2.5.5). My decision will have no impact on white-headed woodpecker, great gray owl, mountain quail, rocky mountain bighorn sheep, peregrine falcon, spotted bat, greater sage grouse, southern Idaho ground squirrel, Columbian sharp-tailed grouse, bald eagle, yellow-billed cuckoo, or common loon (EIS, Section 2.5.5).

My decision is consistent with the Clean Water Act and its amendments. My decision will reduce the modeled interstitial sediment from approximately 6,200 pounds to roughly 182 pounds (EIS, Section 2.5.2.3). My decision is not expected to result in contamination of groundwater by drilling fluids, surface runoff, or aquifer crossflow (Project Record).

Furthermore, my decision is not expected to have any undue impacts to other important resources. My decision is consistent with the Idaho Roadless Rule and impacts are restricted to temporary impacts from noise and tree cutting to establish drill pads (EIS, Section 3.7). While my decision will contribute pollutants to the air shed, it is not expected to noticeably affect air quality in the vicinity of any Class I or II areas or at regional monitoring sites and will not be expected to have measurable impacts on overall visibility, nor have measurable impacts on water quality of surface water from deposition (EIS, Section 3.10).

Within the FC-RONR Wilderness my decision will not be consistent the primitive ROS classification due to impacts on wilderness character and increased likelihood of frequent encounters with users expecting a primitive setting (EIS, Section 3.13). However, my decision is considered to be a setting inconsistency and being conducted pursuant the 1872 Mining Law (EIS, Section 3.13). Following project activities, the portion of analysis area in a primitive ROS setting will return to conditions indicative and consistent with the setting (EIS, Section 3.13). Outside of the FC-RONR Wilderness activities such as, but not limited to, the staging area, road use, road maintenance/reconstruction, harvest of trees for timbers are consistent with this ROS setting (EIS, Section 3.13).

Although I do not have the authority to select the No Action Alternative as my decision, the No Action Alternative was included in the environmental analysis as a baseline for which to evaluate the environmental effects of the action alternative (EIS, Section 2.4.1). The No Action Alternative would not be consistent with authority provided in the 1872 Mining Law as amended, which gives citizens the right to enter public land to locate and claim valuable minerals and Forest Service regulation that requires me to approve a plan of operation. When compared to Alternative B, my decision will reduce the number of daily wheeled motor vehicle trips in the FC-RONR Wilderness, provide for fuel storage outside the FC-RONR Wilderness, not allow for storage at the Penn Ida, and prohibit the use of the Golden Hand bunkhouse as an office (EIS, Section 2.4.2 and Section 2.5). My decision better responds to issues and the defined indicators when compared to Alternative B (EIS, Section 1.10.1 and Section 2.5). Overall, my decision when compared to the No Action Alternative and Alternative B, meets the purpose and need of the project while responding to issues (EIS, Section 1.5 and Section 2.5).

My decision also helps carry out Forest Plan direction for minerals and geology resources, including forest wide goal (USDA, 2003 and 2010, p. III-48):

> **MIGO01:** Facilitate orderly and environmentally sound exploration, development, and production of mineral and energy resources.

Attachment A of this document describes the details of my decision, including incorporated Project Design Features (PDFs). A key part of my decision to fulfill my obligation under 36 CFR 228.8 is to assign and ensure that PDFs and mitigation are designated through this process and implemented during project implementation. Many of these PDFs are designed to reduce the risk to watershed and fish resources (EIS, Section 2.4.4). Several reduce the impacts to the wilderness resource and character (EIS, Section 2.4.3.2 and 2.4.4). Many are designed to protect wildlife, fish, and plant species (EIS, Section 2.4). Others reduce/prevent impacts or protect cultural resources, visuals, noxious weeds, air quality, and wildland fire (EIS, Section 2.4.4). Following discussions with the IDT and other parties, I believe the incorporation of mitigations/PDFs has a greater likelihood of reducing impacts identified as part of the purpose and need and have added them to the EIS and throughout the process. I have included these

mitigation measures/PDFs and monitoring (**Attachment B**) to assure that environmental surface impacts of the project remain within acceptable limits. The inclusion of these PDFs and mitigations fulfill my responsibilities for stewardship of the land and resources defined in the Purpose and Need for this project.

To ensure implementation of this project stays within the range of the environmental effects described in the EIS, I have required the Forest Service Minerals Administrator and, as needed, qualified resource specialists, to monitor implementation during the life of this project (**Attachment B**). These on-site monitors will ensure that PDFs and mitigation described in **Attachment A** are met during project implementation.

In summary, I have decided to notify the proponent of changes or additions to the plan necessary to minimize, where feasible, adverse environmental impacts on National Forest surface resources. I have done this for of the following reasons:

- Alternative C responds to issue indicators while still allowing for all project objective indicators to be met. Alternative C allows for the needed 11 drill sites, 3 trenches, and the opening of the Ella (EIS, Section 2.5 and 2.5.1.1). It also provides needed access(EIS, Section 2.5 and 2.5.1.2), fuel storage(EIS, Section 2.5 and 2.5.1.3), crew housing(EIS, Section 2.5 and 2.5.1.4), equipment and vehicles(EIS, Section 2.5 and 2.5.1.5), water(EIS, Section 2.5 and 2.5.1.6), and mine timbers(EIS, Section 2.5 and 2.5.1.7) to conduct the plan of operations. While allowing for all project objectives to be met, Alternative C better responds to wilderness issue indicators by reducing the number of wheeled motor vehicle trips within the FC-RONR Wilderness, eliminating the use of the Penn Ida for storage, and eliminating the use of the Golden Hand Bunkhouse for Office Space (EIS, Section 2.5.2.1). It also better responds to scenic issue indicators, by not authorizing use of the Golden Hand Bunkhouse (EIS, Section 2.5.2.2). Lastly, Alternative C responds better to watershed, soil, and fisheries issue indicators by reducing motorized use (EIS, Section 2.5.2.3). My selection of Alternative C not only responds issue indicators while meeting project objectives, it furthers my responsibility to minimize impacts to the surface as identified in the Purpose and Need (EIS, Section 1.5).
- Alternative C also incorporates many additional PDFs to reduce or prevent undesirable effects resulting from proposed management activities. **Attachment A** of this document describes the details of my decision, including incorporated Project Design Features (PDFs). I have included PDFs to assure that environmental surface impacts of the project remain within acceptable limits as described in the paragraphs above. Most of these PDFs were approved by me for the explicit purpose of reducing a variety of impacts and were not included in the plan of operation (EIS, Sections 2.4.3.2 and 2.4.4). The EIS identifies those PDFs added by the Forest Service. The project record contains a table that outlines all project PDFs, the objective of the PDF, and the effectiveness of each. The inclusion of additional PDFs not included in the plan of operation fulfills my responsibilities for stewardship of the land and resources defined in the Purpose and Need for this project (EIS, Section 1.5).

2) **Should minor amendments to the Forest Plan be made at this time; and if so, what amendments?**

In order to implement my decision, an amendment of the Forest Plan will be necessary (EIS, Section 2.4.3.1). This will be a one time, site specific, non-significant amendment that will not change overall Forest Plan goals, objectives, Desired Future Conditions, or associated outputs. Due the very restrictive nature of the preservation VQO and my obligations to meet applicable law as described in the purpose and need (EIS, Section 1.5) an amendment was necessary. My decision will amend Forest Plan Standard SCST01 to allow for activities not meting Visual Quality Objectives associated with the Golden Hand No. 1 and No. 2 Lode Mining Claims Project to occur, by appending the following:

> "For the Golden Hand No. 1 and No. 2 Lode Mining Claims Project allow activities within that portion of the project area, approximately 291 acres within the FC-RONR Wilderness, which will not meet the Visual Quality Objective of Preservation."

Attachment C of this document contains the Forest Plan Amendment associated with this decision and discloses my finding that the amendment will be non-significant.

Alternative C would require me to amend the Forest Plan to allow for activities within the Frank Church River of No Return Wilderness because Alternative C along with assigned PDFs would still be inconsistent with a VQO of preservation. As described above I have included additional PDFs and mitigation to the plan of operation to fulfill my responsibilities for minimizing disturbances to the surface. There are no practical means to minimize the activities to a degree that would meet a VQO of preservation. A VQO of preservation is the most restrictive, but simply cannot accommodate activities in wilderness as allowed under the Act in all cases. To meet the purpose and need of the project, I have fulfilled my responsibility to minimize impacts to the surface where feasible; but, in doing so must amend the plan to allow for activities that are consistent with the Wilderness Act and not consistent with a VQO of preservation that was assigned to this area.

3) **What monitoring should be applied to the project?**

My decision includes a number monitoring plans for minerals administration, water quality, wilderness access/social, and fisheries. To ensure implementation of this project stays within the range of the environmental effects described in the EIS, I have required the Forest Service Minerals Administrator and, as needed, qualified resource specialists, to monitor implementation during the life of this project (**Attachment B**). **Attachment B** includes reporting mechanisms. These on-site monitors will ensure that PDFs and mitigation described in **Attachment A** are met during project implementation. I am confident that any variance in activities approved will only be allowed where the resulting effect falls within the range disclosed in the EIS. If for some unforeseen reason monitoring reports affects outside of the range disclosed in the EIS, I will use those reports to determine the degree of variance, determine the necessary course of action per FSH 1909.15, Chapter 10, Section 18, and use guidance in 36 CFR 228.4(e).

PUBLIC AND OTHER INVOLVEMENT

Public Involvement

Public involvement has been extensive throughout the planning and analysis process leading to this document. Formal planning for this project was initiated on November 21, 2008 with a Notice of Intent to prepare an Environmental Impact Statement (EIS) appearing in the Federal Register.

In addition to the Notice of Intent, a scoping package describing the Proposed Action was mailed to more than 300 individuals, agencies, and/or groups on March 16, 2010. In response to these scoping efforts more than 20,500 oral and written comments were received.

The Draft EIS was released for a 45-day comment period in June of 2012. A Notice of Availability of the Draft EIS appeared in the *Federal Register* on June 29, 2012. Legal notice announcing the availability of the Draft EIS appeared in *The Idaho Statesman* on June 29, 2012. The comment period was extended in August of 2012. A Notice of Availability (Amended Notices) of the Draft EIS appeared in the *Federal Register* on August 17, 2012 and extended the comment period to September 17, 2012. Legal notice announcing the extension appeared in *The Idaho Statesman* on August 17, 2012. 312 letter and 20,952 emails were sent to notifying interested parties of the availability of the Draft EIS on June 15, 2012. 312 letters and 20,939 emails were sent to notify interested parties of the extension on August 6, 2012. Over 17,000 comments were received in response to these efforts.

Commenters voiced a variety of concerns including, but not limited to, potential adverse impacts on wildlife and wildlife habitat, proper bonding levels, season of operation, minimum tools needed to accomplish the project, public access, affects to historic properties, approval of off-claim drill pads, and contaminants. The planning record contains all written comments received relative to this project and discloses how the Interdisciplinary Team addressed those concerns.

Regulatory Consultation

Endangered Species Act consultation began with U.S. Fish and Wildlife Service and NOAA Fisheries began in 2011. Biological Assessments (BA) consistent with requirements of Section 7 of the Endangered Species Act were prepared and submitted to the US Fish and Wildlife Service (USFWS) and NOAA Fisheries on May 31, 2013. Determinations disclosed in the wildlife BA have concluded that my decision may affect but is not likely to adversely affect Canada lynx and will have no effect to

northern Idaho ground squirrel (EIS, Section 2.5.4). The fish BA concluded that my decision is likely to adversely affect steelhead, bull trout, and Chinook salmon (EIS, Section 2.5.4). The USFWS submitted a biological opinion to the Forest Service on October 30, 2013 and NOAA on November 13, 2013 (EIS, Section 2.5.4). The 2013 NOAA opinion concluded that my decision is not likely to jeopardize the continued existence of steelhead or Chinook salmon and is not likely to result in the destruction or adverse modification of designated critical habitat (EIS, Section 2.5.4). The 2013 USFWS opinion concluded that my decision will not jeopardize the continued survival and recovery of bull trout and will not destroy or adversely modify designated critical habitat (EIS, Section 2.5.4). Reinitiation of consultation with the USFWS and NOAA Fisheries began in November 2014. This amendment documented changes from the DEIS to FEIS for the fisheries analysis area, added a sediment analysis for project access routes, added fuel quantity estimates, and incorporated additional Project Design Features. The BA amendment was submitted to USFWS and NOAA Fisheries in April 2015 and biological opinions are expected in July 2015. The Final Plan of Operations will not be approved until final biological opinions are completed and all requirements are incorporated.

Individual scoping packages were forwarded to Valley and Idaho County Commissioners in March of 2010. Letters notifying both counties of the availability of the Draft EIS were sent on June 15, 2012. Letters notifying both counties of the comment extension for the Draft EIS were sent on August 6, 2012.

Government to Government Tribal Consultation

A proposal of the project was presented to representatives at the April 8, 2010, June 10, 2010, April 12, 2012, February 13, 2014, and December 5, 2014 Wings and Roots formal consultation meetings with the Shoshone-Paiute Tribe. Individual scoping packages were also forwarded to representatives of the Shoshone-Bannock and Nez Perce Tribes in March of 2010. The project was presented to the Shoshone – Bannock Tribes in Fort Hall on June 22, 2011 and again on September of 2013. The project was also presented at the Nez Perce Tribe and Payette National Forest Staff to Staff informal consultation meetings on May 11, 2010, June 7, 2012, and December 4, 2014. A letter notifying the Nez Perce Tribe and Shoshone-Bannock Tribe of Draft EIS availability was sent on June 11, 2012. A letter notifying the Shoshone-Bannock Tribe and the Nez Perce Tribe of the comment extension was sent on August 6, 2012. The project was discussed with the Nez Perce Tribe Executive Council on April 8, 2014, and again on May 26, 2015. Additional coordination and/or consultation with the Tribes will be conducted as needed or requested before a decision on this project is made to ensure that the Tribes' interests are considered.

OTHER ALTERNATIVES CONSIDERED

In addition to the selected Alternative C, two alternatives were developed and analyzed in detail in the EIS: Alternative A (No Action) and Alternative B (Proposed Action). The discussion below summarizes my rationale for not selecting Alternative A (No Action) or B (Proposed Action).

Alternative A (No Action) - This alternative is required by the National Environmental Policy Act and also serves as an environmental baseline for comparing action alternatives. Under this alternative no new management activities will occur, but ongoing activities will continue. Under the no action alternative, no activities would occur relative to this project. The No Action Alternative would not be consistent with authority provided in the 1872 Mining Law as amended, which gives citizens the right to enter public lands to locate and claim valuable minerals and Forest Service regulation that requires me to approve a plan of operation.

Alternative B (Proposed Action) - This alternative is based on the proposed plan of operations submitted by American Independence Mines and Minerals Company to the Forest Service on June 4, 2010, along with subsequent revisions. Alternative B would allow for more daily motor vehicle trips in the FC-RONR Wilderness, provide for fuel storage inside the FC-RONR Wilderness, allow for storage at the Penn Ida in the FC-RONR Wilderness, and allow the use of the Golden Hand bunkhouse within the FC-RONR Wilderness as an office (EIS, Section 2.4.2 and Section 2.5). I did not select Alternative

B because, although it would meet the project's purpose and need, it would not respond to identified issues, specifically effects to wilderness character, as well as the Selected Alternative.

In addition to alternatives considered in detail, I also considered other management approaches in response to concerns identified through internal and external scoping efforts. These alternatives, which were considered but eliminated from detailed study, are described in Chapter 2 of the Final EIS and include:

1. Helicopter Transport of Personnel and Equipment (EIS, Section 2.3.1)
2. Non-Mechanized with Access by Foot and Pack Stock (EIS, Section 2.3.2).
3. Winter Operations (EIS, Section 2.3.3).
4. Temporary Bridges in FC-RONR Wilderness (EIS, Section 2.3.4).
5. Reduced Motorized Access (EIS, Section 2.3.5).
6. Modifications to Use Electric Vehicles, Wind/Solar Charged Equipment (EIS, Section 2.3.6).
7. Removal of Ella Excavated Material from the Wilderness (EIS, Section 2.3.7).
8. Helicopter Transport for Drill Rigs (EIS, Section 2.3.8).
9. No Adverse Effects to ESA (EIS, Section 2.3.9).

CONSISTENCY WITH THE FOREST PLAN, NFMA, AND OTHER LAWS

FOREST PLAN

Long-term management direction for the project area is provided in the Land and Resource Management Plan for the Payette National Forest (Forest Plan) and the *Southwest Idaho Ecogroup Land and Resource Management Plans Final Environmental Impact Statement* (2003 and 2010). Chapter III of the Forest Plan describes management direction to guide Forest personnel to achieve desired outcomes and conditions for both land stewardship and public service. This direction is presented in two sections: (1) Forest-wide Management Direction, and (2) Management Area Description and Direction. The Forest-wide management direction provides general direction for all Forest resources and the foundation for more specific direction at the management area level. The management area description and direction describes these areas in detail, highlights resource areas of importance or concern, and prescribes specific management direction to address these concerns. Activities within the various management areas are further directed by management prescription categories (MPCs). MPCs are broad categories of management prescriptions that indicate the general management emphasis prescribed for a given area. The project area lies within Management Area 14 (Frank Church – River of No Return Wilderness), discussed on pages III-269 through III-274 in the Forest Plan and within Management Area 13 (Big Creek/Stibnite) discussed on pages III-257 through III-267.

The FC-RONR Wilderness Management Plan (also referred to as the Wilderness Plan) provides management direction for each of the four National Forests (Bitterroot, Salmon-Challis, Nez Perce, and Payette) administering portions of the FC-RONR Wilderness. The Wilderness Plan direction for minerals states:

> "Use Forest Service Mineral Examiners to assess the proposed mineral development in determining:
> a. Status of the asserted rights of the claimant
> b. That proposed methods of development are needed and reasonable and that the proposed operation is the next logical step in the orderly development of the mineral resources
> c. Which alternative methods are possible and reasonable to minimize or mitigate impacts on surface resources" (USDA 2003, p. 2-44).

The Wilderness Plan includes standards for mineral access, "Reasonable access is allowed to valid mineral claims established before December 31, 1983. Such access is only for essential and exclusive use for the valid mining operations." (USDA 2003, p. 2-43). Additionally, the Wilderness Plan states "Reasonable access will be located to have the least lasting impact in wilderness values. To accomplish this, the use of motorized access by ground or air to claims shall be authorized only when proven essential. Road, trail, bridge, or aircraft landing area construction or improvements is limited to those clearly identified as essential to the operation." (USDA 2003, p 2-43) (EIS, Section 1.7.4).

I have evaluated the features of my decision against the Forest Plan goals, objectives, standards, and guidelines for consistency with the Forest Plan. As documented in the Final EIS (Chapters 1, 2, and 3),

outside of the amendment to standard SCST01 discussed elsewhere in this decision, my decision will be consistent with direction in the Forest Plan, FC-RONR Wilderness Plan, and the Reasonable and Prudent Measures identified in the 2003 Biological Opinion (BO) issued by NOAA Fisheries for the Agency's Forest Plan. Detailed Forest Plan consistency documentation is included in the project record.

NATIONAL FOREST MANAGEMENT ACT (NFMA)

Determination of Forest Plan consistency is based on the recognition that the Forest Service has limited authority to influence activities submitted under the 1872 Mining Law, as amended (USDA, 2003 and 2010, p. III-4). The Forest Service is limited in that it may not deny AIMMCO's Plan of Operations, provided that the proposed activities are reasonably incident to mining, not needlessly destructive, and otherwise comply with applicable federal law. This consistency determination also recognizes that the Forest Service does not have the authority to impose unreasonable requirements that would have the effect of denying the statutory right to explore for mineral resources, provided the plan otherwise meets the intent of applicable laws and regulations (30 USC 612; 36 CFR 228A).

I have determined that the PDFs added in this decision represent reasonable requirements that I can impose for managing surface resources on affected NFS lands, and application of these PDFs for mitigation provides consistency with management direction in the 2003 Payette Nation Forest Plan, as amended in 2003 and 2010, insofar as my authority allows and relative to the needed amendment of standard SCST01. Detailed Forest Plan consistency documentation is included in the project record.

OTHER LAWS

As summarized below, my decision is consistent with Federal, State, and local laws or requirements imposed for the protection of the environment. In addition, AIMMCO will obtain permits and/or approvals from other agencies as needed and appropriate.

Endangered Species Act
The Final EIS discloses the effects of my decision to threatened or endangered species. No habitat for any threatened or endangered plant species occurs in the project analysis area (Section 3.8). Biological Assessments (BA) consistent with requirements of Section 7 of the Endangered Species Act were prepared and submitted to the US Fish and Wildlife Service (USFWS) and National Oceanic and Atmospheric Administration (NOAA) Fisheries on May 31, 2013. Determinations disclosed in the wildlife BA have concluded that my decision may affect but is not likely to adversely affect Canada lynx and will have no effect to northern Idaho ground squirrel (EIS, Section 2.5.4). The fish BA concluded that my decision is likely to adversely affect steelhead, bull trout, and Chinook salmon (EIS, Section 2.5.4). The USFWS submitted a biological opinion to the Forest Service on October 30, 2013 and NOAA on November 13, 2013 (EIS, Section 2.5.4). The 2013 NOAA opinion concluded that my decision is not likely to jeopardize the continued existence of steelhead or Chinook salmon and is not likely to result in the destruction or adverse modification of designated critical habitat (EIS, Section 2.5.4). The 2013 USFWS opinion concluded that my decision will not jeopardize the continued survival and recovery of bull trout and will not destroy or adversely modify designated critical habitat (EIS, Section 2.5.4). Reinitiation of consultation with the USFWS and NOAA Fisheries began in November 2014. An amendment to the BA was completed and agreed to by the USFWS and NOAA Fisheries in April 2015. This amendment documented changes from the DEIS to FEIS for the fisheries analysis area, added a sediment analysis for project access routes, added fuel quantity estimates, and incorporated additional Project Design Features. The BA amendment was submitted to USFWS and NOAA Fisheries in April 2015 and biological opinions are expected in July 2015. The Plan of Operations will not be approved until final biological opinions are completed and all requirements are incorporated.

Central Idaho Wilderness Act (CIWA) and the Wilderness Act
The US Congress designated the FC-RONR Wilderness in 1980 with the passage of the CIWA. The CIWA mandated the development of a comprehensive wilderness management plan. The CIWA includes mining direction prohibitions for areas of the FC-RONR Wilderness but specific direction is provided in the Wilderness Act (US Congress 1964, 16 USC 1131-1136).

The Wilderness Act of 1964 (amended in 1978) was enacted by Congress to "secure for the American people, an enduring resource of wilderness for the enjoyment of present and future generations". This act was passed "in order to ensure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas within the United States and its possessions, leaving no lands designated for preservation and protection in their natural condition..."(Section 2 [a]). The Wilderness Act contains provisions for mining that include: "Mining locations lying within the boundaries of said wilderness areas shall be held and used solely for mining or processing operations and uses reasonably incident hereto...subject to valid existing rights" (Section 4 [d-3]). Additional provisions in the Act and affects are described in the Minerals and Geology and Wilderness Resources section of the Final EIS, Chapter 3.

A Minimum Requirements Decision Guide was completed for the project and my decision has been determined to be the minimum necessary for the administration of the area considering the outstanding legal rights in the project area and the 2002 Court decision. My decision will reduce the negative impacts to wilderness character to the greatest possible extent while complying with the legal mandate to authorize activities reasonably incident to mineral development on valid claims. My decision will reduce the negative impacts to wilderness character to the greatest possible extent while complying with the legal mandate to authorize activities reasonably incident to mineral development on valid claims.

Each of the activities described in **Attachment A** of my decision is reasonably incident to mining or processing operations (U.S. Congress 1964, Section 4[d-3]). My decision will meet the proponent's objectives to conduct activities incident to mining by allowing for 11 drill pads, three trenches, and the opening of the 'Ella' portal. Fuel storage needs are met outside the Wilderness and still allow for daily delivery of fuel to equipment. Minimum access needs are met to conduct activities. Crew housing needs are met outside the Wilderness and allow for reasonable commute times to claims. Equipment needs minimally necessary to conduct activities incident to mining are met along with the needed water diversions, water storage, and delivery methods. Mine timbers are provided for the 'Ella' opening outside the Wilderness.

My decision takes into account both the need to preserve the wilderness character (U.S. Congress 1964, Section 4[d-2]) and the need to permit ingress and egress which have been or are being customarily enjoyed (U.S. Congress 1964, Section 5[b]). As detailed in **Attachment A**, my decision provides needed motorized access but limits the trips annually to those minimally necessary to accomplish a full season of work. Fuel storage will be outside the Wilderness, delivery of core samples out of the Wilderness will occur with shift changes, and miscellaneous trips will be curtailed to the minimum possible. Furthermore project design features limit daily trips, unless otherwise authorized, to ensure that daily intrusions are kept to the minimum necessary. By not allowing the use of Penn Ida for storage, my decision reduces storage needs to the minimum required within the Wilderness and further reduces travel to the minimum necessary to accomplish activities. My decision does not allow the use of the bunkhouse and its associated improvements thereby eliminating impacts to wilderness character from improvements to existing structures. My decision restricts motorized use and other impacts to wilderness character to the minimum necessary to preserve the wilderness character and allow for ingress and egress to pursue activities reasonably incident.

Although I analyzed a range of alternatives for access to the site in a Minimum Requirements Analysis, I have determined that the scope and type of activity associated with this project will necessitate motorized access. As such, motorized activity will take place on a daily basis to allow for activities reasonably incident to mining or processing operations. By allowing for the minimum needed motorized intrusions and activities while allowing for motorized activities reasonably incident, my decision will reduce the overall time the activities occur and minimize impacts to wilderness character.

Project design features further minimize the effects to the extent feasible. Where feasible, non-mechanized means of travel will be utilized to obtain supplies or perform other functions. The gate at Pueblo summit will remain closed to restrict unauthorized motorized access by other parties. The Forest Service will not have motorized access for administration of the project with all administration being conducted through non-motorized means. Mobilization and demobilization have timing restrictions and will occur annually to reduce the amount of time moving of equipment and infrastructure impact wilderness character.

Equipment will have noise dampening devices installed and maintained to reduce the distance noise can be distinguished. Public access on Forest Trail #013 will be maintained to the degree possible. All mining timbers will be cut outside the Wilderness. The clearing or constructing of new trails to access operations will not be permitted. Cameras or road counters will be installed at the entrance to the Wilderness to ensure that unauthorized trips are not incurred.

Clean Water Act, The Federal Water Pollution Control Act of 1972 (PL 92-500) as amended in 1977 (PL 95-217) and 1987 (PL 100-4)
My decision is consistent with the Clean Water Act and its amendments. Effects to water quality and fish are disclosed in the EIS (EIS, Section 3.4). My decision will reduce the modeled interstitial sediment from approximately 6,200 pounds to roughly 182 pounds (EIS, Section 2.5.2.3). The reduction in sediment delivery to streams would be from road maintenance activities (EIS, Section 3.4.2.1). My decision is not expected to result in contamination of groundwater by drilling fluids, surface runoff, or aquifer crossflow (Project Record). **Attachment A** of my decision includes a full list of PDFs included with the decision. Relative to water quality and fish, my decision will comply with existing management direction including Forest Plan and Wilderness Plan Standards and Guidelines, as well as Terms and Conditions prescribed in the BO prepared for the Forest Plan and project specific Terms and Conditions described in **Attachment A** of my decision.

General Mining Law of 1872, as amended (30 USC 22, et seq.) and The Multiple Use Mining Act of July 23, 1955 (30 USC 611, et seq.)
The Plan of Operations was submitted under the authority of the 1872 Mining Law as amended. The Forest Service derives the authority to regulate such activities from the 1897 Organic Act (16 USC 478, 551), the Multiple Use Mining Act of 1955 (30 USC 612), and Mining and Mineral Policy Act of 1970 as reissued in the 1990s. Forest Service decisions regarding such Plans of Operation must be in accordance with its mining regulations at 36 CFR 228A and are issued after compliance with requirements of the NEPA.

In accordance with 36 CFR 228.8, this decision approves AIMMCO's Plan of Operation, with modifications and exclusions described in this decision and designed to minimize impacts to the surface.

Migratory Bird Treaty Act
My decision will comply with the Migratory Bird Treaty Act (EIS, Section 3.15). This project may however result in an "unintentional take" of individuals during proposed activities. However the project complies with the U.S. Fish and Wildlife Service Director's Order #131 related to the applicability of the Migratory Bird Treaty Act to federal agencies and requirements for permits for "take". In addition, this project complies with Executive Order 13186 because the analysis meets agency obligations as defined under the January 16, 2001 Memorandum of Understanding between the Forest Service and U.S. Fish and Wildlife Service designed to complement Executive Order 13186. If new requirements or direction result from subsequent interagency memorandums of understanding pursuant to Executive Order 13186, this project will be reevaluated to ensure that it is consistent.

National Historic Preservation Act
Consultation with The State Historic Preservation Officer (SHPO) is required. The State Historic Preservation Officer (SHPO) has reviewed the resource report and concurred with the no adverse effects determination. No historic properties will be affected within the project area. SHPO has concurred with the determination. While the decision authorizes the use of the Werdenhoff mine complex, it does not authorize rehabilitation of buildings within the mine complex. Any alterations to buildings within the mine complex would require additional consultation with Idaho SHPO. PDFs that will halt all degrading activities will be included to prevent adverse impacts to any unknown sites discovered during implementation (*EIS, Section 2.4.4*).

Idaho Stream Channel Protection Act
In general terms, the Stream Channel Protection Act applies to any type of alteration work, including recreational dredge mining, done inside the ordinary high water marks of a continuously flowing stream.

A stream channel alteration is defined as any activity that will obstruct, diminish, destroy, alter, modify, relocate or change the natural existing shape or direction of water flow of any stream channel. This includes taking material out of the channel or placing material or structures in or across the channel where the potential exists to affect flow in the channel.

My decision will adhere to the requirements of the Idaho Stream Channel Protection Act and the 404 Permit Process of the Corp of Engineers. The goals of Executive Orders 11988 and 11990 will be met.

The Clean Air Act, as amended in 1990
While my decision will contribute pollutants to the air shed, it is not expected to noticeably affect air quality in the vicinity of any Class I or II areas or at regional monitoring sites and will not be expected to have measurable impacts on overall visibility, nor have measurable impacts on water quality of surface water from deposition (EIS, Section 3.10). My decision includes measures to reduce impacts to air quality (EIS, Section 2.4.4)

American Indian Religious Freedom Act, Executive Order 12875, Executive Order 13007, Executive Order 13175, and Native American Graves Protection and Repatriation Act
The American Indian Religious Freedom Act, Public Law No. 95-341, 92 Stat. 469 (Aug. 11, 1978) (commonly abbreviated to AIRFA), is a United States federal law and a joint resolution of Congress that was passed in 1978. AIRFA was enacted to protect and preserve the traditional religious rights and cultural practices of American Indians, Eskimos, Aleuts, and native Hawaiians. Executive Order 13175 established a requirement for regular and meaningful consultation between federal and tribal government officials on federal policies that have tribal implications. Executive Order 12785 was enacted in order to reduce unfunded mandates upon State, local, and tribal governments; to streamline the application process for and increase the availability of waivers to State, local, and tribal governments; and to establish regular and meaningful consultation and collaboration with State, local, and tribal governments on Federal matters that significantly or uniquely affect their communities. Executive Order 13007 was enacted in order to protect and preserve Indian religious practices. The Native American Graves Protection and Repatriation Act provides a process for museums and Federal agencies to return certain Native American cultural items, such as human remains, funerary objects, sacred objects, or objects of cultural patrimony, to lineal descendants, and culturally affiliated Indian tribes and Native Hawaiian organizations.

Three federally recognized Native American tribes have expressed interest in activities proposed in this area; Nez Perce, Shoshone-Paiute, and Shoshone-Bannock Tribes. The Payette National Forest has established both a staff to staff relationships with resource management departments with these Tribes and formal Government to Government consultations to have early and often communication regarding proposed actions on the Forest and potential effects to sensitive Tribal resources or traditional cultural properties. Mailings, meetings, and consultation are summarized above in the Government to Government Tribe Consultation Section of this Decision.

Nez Perce Treaty of 1855 and 1863, Shoshone-Bannock Tribes Fort Bridger Treaty of 1868, Shoshone-Paiute Tribes Executive Order of 1877
The Nez Perce, Shoshone-Bannock, and Shoshone-Paiute interests goes beyond that of spiritual, cultural, and economic to the unique legal relationship that the United States government has with American Indian tribal governments. Federally recognized tribes are sovereign nations who work with the Federal government and its agencies through the process of government-to-government consultation. The Federal trust relationship with each tribe was recognized by, and has been addressed through, the Constitution of the United States, treaties, executive orders, statutes, and court decisions. The ancestors of the modern day Nez Perce, Shoshone-Bannock, and Shoshone-Paiute were present in the area long before the establishment of the Payette National Forest and continue to use the land to this day. Many of the treaties and executive orders signed by the United States government in the mid-1800s reserved homeland for the tribes. Additionally, the treaties with the Nez Perce and Shoshone-Bannock reserved certain rights outside of established reservations, including fishing, hunting, gathering, and grazing rights.

Concerns regarding portions of the proposed action have been raised consistently by tribal staffs and leadership during regularly scheduled meetings and during formal consultation. Responses to written comments are included in the project record and FEIS. Additional mitigation thru Project Design Features (PDFs) is based on what was heard during discussion with the Tribes and their staffs, as well as public comment. Concerns from Tribal partners were primarily of potential impacts of the project to sensitive and ESA listed fish, disturbing roads naturally recovering, FC-RONR Wilderness, and cultural resources, among others. Understanding the sensitivity of these plant, animal and cultural resources, the Agency added protections measures such as, but not limited to, the PDFs added for fuel haul and core drilling procedures to supplement the original Plan of Operations and respond to the purpose and need. While I may not fully comprehend all aspects, I understand the importance of fish to tribal culture, subsistence, and economy. As described above, the project has been modified and mitigated to a high degree, although some negative effects still exist and implementation has been determined to likely to adversely affect listed fish (EIS, Section 2.5.4). The project will also reduce overall sediment contributions from access roads and eliminate a ford on Forest Road 373. I am also aware that the EIS and project record may not specifically address all resources important to the Tribes, but I have heard, understood and made sincere effort to address comments regarding sensitive resources brought to the Forests attention during consultation. The project area may also contain wildlife, plants, roots, berries (primarily *Vaccinium* sp.) and possibly other vegetative resources used by the Tribes; however, the project will have negligible overall impacts to any vegetative resources when viewed at a stand level. Access to the area will remain open and as guided by the Motor Vehicle Use Map (MVUM) for motorized travel with no changes to the existing access available for motorized use (*EIS, Section 2.4.3*). Only the area immediately adjacent to active drilling will be closed to tribal access during drilling activities. The Forest Service is aware of no known conflicts with needed access in regard to those areas as a result of consultation. No pasture or grazing needs for livestock are known to occur in the area. The Forest has taken a hard look at information and concerns gathered in staff-to-staff meetings, field trips and discussions as well as Consultation and made project modifications to protect the tribal resources and interests. This information has been used to modify the proposal to protect known tribal resources. Analysis and consultation have shown that trust resources would be minimally or not affected by this project.

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)
The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, was enacted by Congress on December 11, 1980. This law created a tax on the chemical and petroleum industries and provided broad Federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment.

Nothing in the EIS, this decision, or in the approval of a Plan of Operations by the USDA Forest Service authorizes or in any way permits a release or threat of a release of hazardous substances into the environment that will require a response action or result in the incurrence of response costs. All designs, monitoring plans, and analyses required by the Plan of Operations are subject to the requirement of 36 CFR 228.8 that mining operations be conducted so as, where feasible, to minimize adverse environmental impacts on National Forest surface resources. However, the operator's compliance with such requirement in no way insulates or releases it from any liability or obligations which may arise with respect to its operations under any applicable environmental law, including but not limited to the CERCLA, 42 U.S.C. 9601 et seq. The United States reserves its rights and claims under CERCLA to seek performance of response actions and/or reimbursement of response costs that may be incurred as a result of any release or threat of a release of a hazardous substance, or any ancillary operation for the confirmation activity.

Environmental Justice (Executive Order 12898)
My decision will have no disproportionately high and adverse human health impact, including social and economic impacts, on minority or low-income human populations (EIS, Section 3.15).

Best Available Science
The conclusions disclosed in the EIS and summarized in this document are based on a review of the project's record that reflects consideration of relevant scientific information and responsible opposing

views where raised by internal or external sources, and the acknowledgement of incomplete or unavailable information, scientific uncertainty, and/or risk where pertinent to the decision being made.

Idaho Roadless Rule
My decision will be consistent with the Idaho Roadless Rule (*EIS, Section 3.7.4*).

ENVIRONMENTALLY PREFERRED ALTERNATIVE

An environmentally preferred alternative is one that causes the least adverse impact on the biological and physical environment and best meets the goals of Section 101 of the National Environmental Policy Act. Social and economic factors are not considered when identifying the environmentally preferred alternative. Identification of the environmentally preferred alternative is required by 40 CFR 1505.2(b) in a record of decision.

Alternative C, Selected Alternative is considered the environmentally preferred alternative because it best meets the purpose and need for this project while still being sensitive to other resource concerns. **Attachment A and D** of this document detail the design features incorporated into Alternative C to protect resource values within the project area.

IMPLEMENTATION

Development of the Final Plan of Operations (the Plan) may begin immediately following the signing of this Record of Decision pursuant to 36 CFR 218.12. The Plan will incorporate all of the PDFs identified through the NEPA analysis along with any requirements in the Biological Opinions.

/s/ Keith B. Lannom
Keith B. Lannom
Forest Supervisor
Payette National Forest

06/19/2015
Date

ATTACHMENT A

DETAILS OF DECISION
GOLDEN HAND NO. 1 AND NO. 2 LODE MINING CLAIMS PROJECT

Alternative C

Access, Road Maintenance, Temporary Roads

Access to the claims will be on Forest Roads (FR) 371 and 373 to the FC-RONR Wilderness boundary at Pueblo Summit, north of Edwardsburg. Maintenance activities will occur on approximately 8.0 miles of system road, from the trailhead at Big Creek to Pueblo Summit. On Forest Roads (FR) 371 and 373, the road maintenance and reconstruction proposed to facilitate project activities and reduce sediment will:

- Construct drivable dips where appropriate along FR 371 and 373.
- Place coarse and well graded aggregate on approximately 500 feet of road surface.
- Construct an insloped ditch on FR 373 for approximately 450 feet.
- Repair a small (approximately 50 linear feet of road) section of road fill on FR 373 by adding additional material. At the same location, widen a section of FR 373 by further cutting into the slope.
- Install a box culvert/steel arch pipe capable of Aquatics Organism Passage (AOP) on FR 373 at the North Fork Smith Creek near Werdenhoff. Improve the road alignment on both sides of the stream to straighten the approaches.
- Armor, by placing coarse gravel, approaches to several North Fork Smith Creek crossings of FR 371.
- Raise the road surface where substantial portions of road with poor drainage exist.
- Rock/ surfacing material used outside the wilderness will be sourced outside the wilderness.
- Rock/ surfacing material used within the wilderness will be sourced in the wilderness portion of the project area.
- No mine waste rock will be used for materials needs in the wilderness.
- Any mine waste rock used outside the wilderness (from the Werdenhoff mine) will be tested prior to use using the Synthetic Precipitation Leaching Procedure (SPLP) test).

Proposed ongoing maintenance along these roads will include clearing loose rock to the original road width, removing fallen trees, and clearing brush to provide access to vehicles and equipment described in Table 2. Any brush and trees cleared for road maintenance will be placed along the side of the road and serve as a slash-filter windrow. Additionally, a 0.1 mile temporary road to provide access to the Werdenhoff will be authorized along an existing unauthorized road. Temporary access will be provided by clearing loose rock to the original road width, removing fallen trees, and clearing brush, if necessary. Table 1 displays the mileage of individual segments of road maintenance and reconstruction needed to accomplish proposed activities.

Within the FC-RONR Wilderness, this alternative proposes to authorize 4.0 miles of temporary road to facilitate proposed activities. Temporary road authorization will occur on roughly 1.0 mile of existing unauthorized roads, all of which were built as roads prior to the designation of the FC-RONR Wilderness. While these unauthorized roads are not part of the current National Forest system of roads, they remain in very good condition overall. Approximately 3.0 miles of Forest Service System Trail #13 will be authorized as a temporary road. Forest Service Trail #13 was originally a road accessing the Golden Hand claims and has been maintained as a foot and packstock trail following the designation of the FC-RONR Wilderness. Table 1 displays the mileage of individual segments of temporary road authorization needed to accomplish proposed activities. Maintenance activities required on these temporary roads will include the removal of brush from existing roadbeds, the casting of rock debris in the prism to the fill side of the road, the clearing of loose rock slough to the original road width, and the placement of slash from brushing activities on the fill side of the road. Temporary roads accessing

several of the drill locations will have drainage improved where water has saturated the road by reestablishing drainage from the road surface and/or reinforcing the road bed with geotextile fabric.

A ford on a tributary to Coin Cr. will require repair to provide access. The repair will consist of filling the hole with large rock, a layer of rock sandwiched in filter fabric, and a layer of finer material with larger rock to armor the channel. Fill rock will be sourced from the talus slope located on the road from the Golden Hand bunkhouse to the Ella Portal or the Penn Ida site. No mine waste rock will be used.

Additionally, the ford at Coin Creek will be repaired to provide passage. The rock substrate in the creek will require no further armoring. Approaches to the stream will be armored. If needed, native, coarse rock material will be obtained from the talus slope located on the road from the Golden Hand bunkhouse to the Ella Portal or the Penn Ida site. No mine waste rock will be used. An intermittent stream channel intersecting the road approximately 50 feet southeast of this ford will have drainage features maintained/installed to allow proper drainage of the channel where it intersects the road.

Table 1. Proposed Temporary Roads and Maintenance for the Golden Hand Mine Project under Alternative C.

Route	Activity	Mileage	Within the FC-RONR
013	Authorization of Temporary Road and Maintenance	3.0	Yes
371	Road Maintenance	4.1	
373	Road Maintenance and Reconstruction	3.9	
503731000	Authorization of Temporary Road and Maintenance	0.1	
503739000	Authorization of Temporary Road and Maintenance	0.3	Yes
503739500	Authorization of Temporary Road and Maintenance	0.3	Yes
503739800	Authorization of Temporary Road and Maintenance	0.3	Yes
503739900	Authorization of Temporary Road and Maintenance	0.1	Yes

Table 2-4 Equipment Needs in the FC-RONR Wilderness

Equipment/Vehicle Needs Alternative C
• 1940 era International Harvester 6x6 Truck with 7 Cubic Yard Dump • 1940 era GMC 6x6 Truck with Flatbed • Dodge Ram 3500 Quad-Cab 4x4 with 8 foot box or Equivalents, Multiple, including DOT approved truck mounted tank • ATV and/or UTV, including DOT approved truck mounted tank • Bulldozer, Cat D-8 or Smaller • Air Compressor (≤600 cfm) • Light Plant • 3 Yard Loader Tracked or Rubber Tire • Excavator • Skid Mounted Core Drill • Telescopic Forklift, 10,000 lb. Capacity • Drill Rod Baskets • Mud Trailer • Service Trailer • 50 Gallon Hydraulic Oil Storage • Bean Supply Pump • Drilling Fluid Storage • Saws • Generators

Equipment/Vehicle Needs Alternative C
• Small Jackhammer • Toilets at worksite • Water pump, water storage tanks, water pipe

Confirmation Activity

Core Drilling

Core drilling will occur on eleven drill sites in the project area (Figure 2-1). Temporary roads will be used to access 11 drill sites (with 13-18 drill holes). Drilling will be conducted by one drilling rig on a 24 hour basis utilizing two crews on 12 hour shifts. Drill pads will be constructed by widening the temporary roadways to provide a 20 foot by 20 foot drill pad.

A mud pit with an approximate capacity of 4,000 gallons of drilling fluid and cuttings will be constructed in the road at each drill pad or a portable pit will be used. After drilling at each site is completed, drill cuttings will be excavated from the pit and placed on the road to complete drying. After drilling at each site is completed, the sump will be back-filled, recontoured, seeded and mulched.

Silt fences will be placed down slope of drill pads.

Drill holes will be approximately 500 to 800 feet in depth. The principle drilling fluid will be a mixture of a naturally occurring clay (sodium bentonite) and water along with minor amounts of additives. If necessary, other drilling fluids containing, but not limited to, sodium bentonite, polyacrylamide, silica, mineral or vegetable oil, and gypsum products may also be used. Drill core will be boxed and transported daily to Werdenhoff for logging. Additionally, Werdenhoff will serve as a staging area for supplies. Drill core will be stored at Werdenhoff until transported off Forest for assay or permanent storage.

Rock Chip Sampling

Rock chip samples will be collected from three pits excavated to bedrock (Figure 2-1). Constructed pits will occur within roadways with a dimension of approximately 6 feet wide by 15 feet long by 10 feet deep. Excavated material will be temporarily stockpiled on roadways. Rock chip samples will be collected from the pit using a small jackhammer and transported to Werdenhoff. Following sample collection the pit will be backfilled with the stockpiled material.

Ella Mine Opening

The Ella adit will be opened to allow for rock chip sampling and geologic mapping (Figure 2-1). The currently caved adit will be opened using a small excavator or equivalent to remove caved/sloughed material from the portal. This material will be removed until bedrock is reached. If bedrock is not reached within approximately 30 feet, a technique called spiling will be used to advance the excavation through unconsolidated ground. The portal and adit will be timbered to provide safe working conditions. Timbers will be brought from outside the FC-RONR Wilderness. Rock samples will be transported to Werdenhoff.

The disturbed area around the portal (the plaza) will be cleared of larger rock to provide a work area and store excavated material in lifts of appropriate size. A locked gate or door will be installed at the portal to prevent unauthorized entry and screened to exclude bats.

Vehicles and Equipment

Alternative C proposes to bring supplies, equipment, and personnel from the Werdenhoff staging area to the project area using four-wheel drive vehicles. All-Terrain Vehicles (ATVs/UTVs) could also be used to move personnel around the site. Regular motorized access to the mine site will include the use of two larger 6x6 vintage 1940 era trucks. Drill rigs will consist of skid or track-mounted core or

reverse circulation types. A complete list of vehicles and equipment expected to be used during the course of the project is provided in Table 2-4.

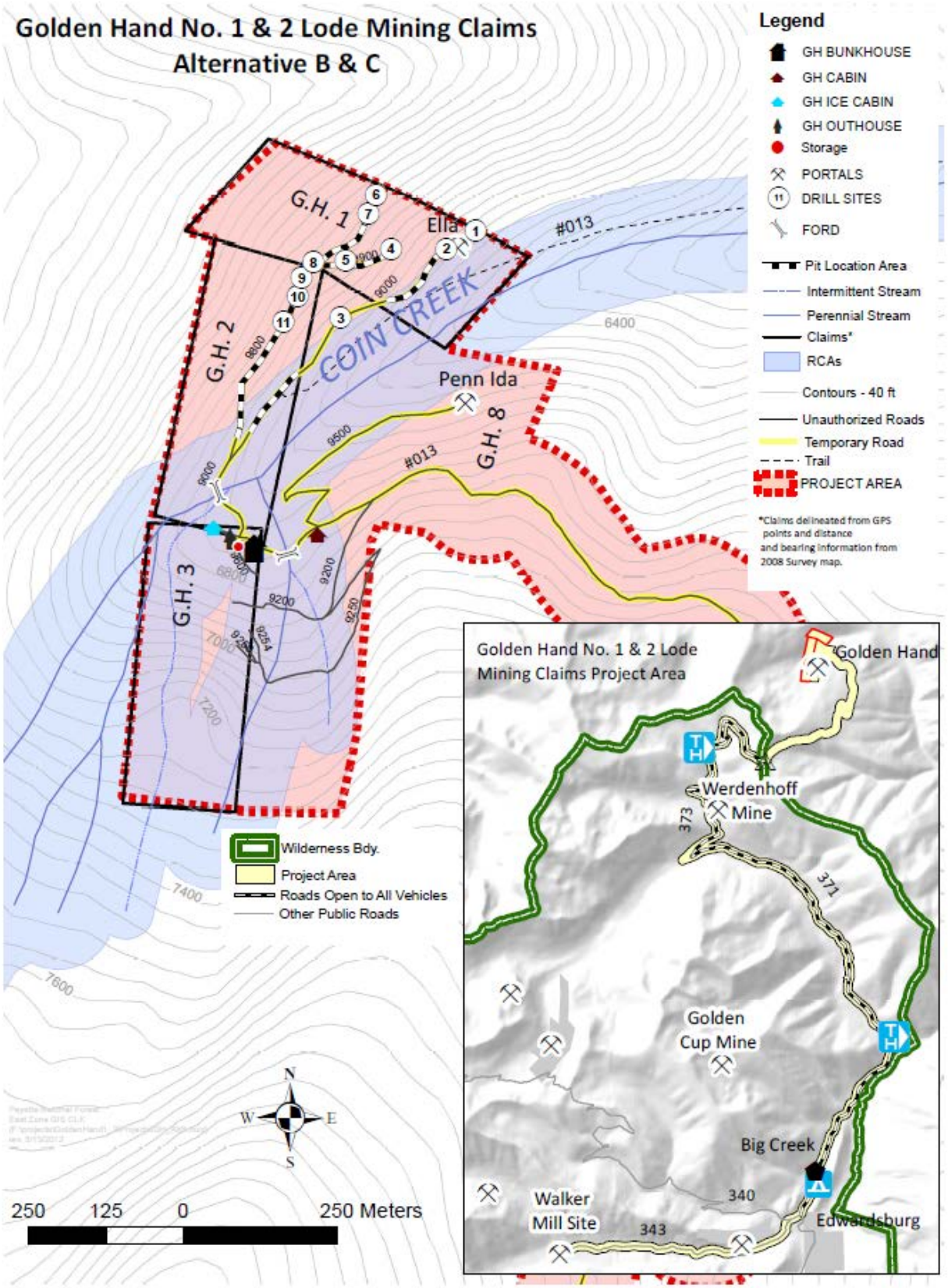

Figure 1 Alternative C

Travel to and from the site will be kept to the minimum necessary. It is anticipated that following each shift a pickup/service truck (two vehicles) will make a twice daily round trip from the operations area to the Werdenhoff staging area on average over the season. Additionally, a miscellaneous trip to transport needed drill core (consistent with needed chain of custody), consultants, management, and supplies will be authorized every other day on average over the season. The GMC 6x6 will move equipment in and out at the beginning and end of each season and will transports goods such as timbers and other equipment associated with the operation. Drilling and related equipment will be brought in at the beginning of the season, remain on site, and be removed at the end of the season.

Once on site within the wilderness, crews will be authorized to travel back and forth from the work sites to the wilderness storage area (Golden Hand Bunkhouse) to obtain necessary equipment to conduct activities using motorized vehicles. These trips will be considered part of a round trip as described above for shift change. These wheeled motor vehicle trips to transport needed items from the storage area to work sites will be kept to the minimum necessary and to extent practicable be accomplished as trips described above pass the storage area and proceed to the work areas.

It is reasonable to expect that a vehicle or piece of equipment that was not anticipated may be needed. Those that fall within a 96 inch by 161 inch wheelbase will be approved for use after the Forest Service is notified.

Hazardous Materials
Hazardous substances associated with the project will include, but are not limited to, diesel fuel and gasoline. In compliance with all state and federal hazardous substance regulations, any hazardous substance spills will be cleaned immediately and resulting waste will be transferred off-site in accordance with all applicable local, state, and federal regulations. The Forest Service and State of Idaho will be notified of reportable spills immediately. A Spill Prevention Containment and Countermeasures (SPCC) plan will be prepared in accordance with EPA regulation prior to project implementation. Contract drillers will maintain spill kits on site for use in case of a spill. All mechanical equipment will be inspected to ensure good working condition and determination of no visible leaks. Unless specifically approved by a Forest Service Fishery Biologist, storage of fuel and other toxicants will be located outside of RCAs.

Fuel will be transported by 4,000 gallon commercial fuel trucks and will use the Landmark/Johnson Creek Route with an estimated two trips per operating season. Fuel haul would be coordinated to the extent possible with other activities (examples are Golden Meadows or Morgan Ridge) into fuel convoys of four 4,000 gallon tankers. Fuel would be stored at the Potter Claim (private land) south of Walker Mill Site, which has an aboveground storage tank (AST) with a 4,000 gallon capacity and is located just outside the RCA of Logan Creek. The AST will be placed in secondary containment and have an appropriate management and spill response plan. Up to 500 gallons of diesel fuel will be transported to the Werdenhoff staging area no more than every other day in a DOT approved truck mounted tank. The diesel will be stored in a 1,320 gallon (maximum) double-walled trailer mounted tank and transferred as needed for each shift. The 1,320 gallon (maximum) tank will be transported empty and placed in lined containment at Werdenhoff. Gasoline for vehicles will be transported from Logan Creek to Werdenhoff in DOT approved truck mounted tanks (<300 gallons) on an as needed basis, likely to be weekly.

Timbers
Timbers will be transported from outside the Wilderness.

Work Crew Housing and Storage
The work crew will include approximately seven people. Larger crews may be necessary at times; for example, field crews may temporarily increase to nine or ten during drilling crew cycle changes and management personnel may be added to this number on a temporary and irregular basis. The work crew will be housed at Werdenhoff. Travel trailers, the Werdenhoff bunkhouse, and/or platform tents will be used to house crews and provide needed cooking and sanitation facilities. Trailers or tents will also serve as needed office space at Werdenhoff.

Toilets (self-contained) will be placed on the relatively level, open ground west of the Golden Hand Bunkhouse. Minor leveling of about 4000 square feet of the area west of the bunkhouse may be needed to accommodate the storage of drilling supplies and a service trailer.

Water
The operation will utilize water from Coin Creek near the bunkhouse location for drilling operations. Water will be directed from the creek to the point of use via a plastic pipe. Water delivered by pump or gravity from Coin Creek will be contained in multiple (approximately two) 5,000 gallon capacity tanks, located on the temporary road, and then conveyed to drill sites through PVC pipes by pump or gravity. Overall, it is expected that the proposed drilling activities will use between 4,000 and 8,000 gallons of water per day. Regardless of the expected daily use for actual drilling, water diversion will not exceed 25,000 gallons of water per day for drilling and recharging storage tanks.

Timing and Duration
The general field season for the activity is during the summer and fall months, but typically only lasts for four months out of the year. The project is projected to be completed within 3 field seasons, unless unanticipated delays occur.

Reclamation and Bonding
Alternative C proposes a number of reclamation activities at the end of various operations. All drill holes will be abandoned to state standards. The following will apply:

- All holes will be plugged with low-permeability bentonite-based grout
- The top 3 feet of the hole will be cemented, unless artesian flow is encountered. In which case, the holes will be cemented from the bottom to the top.
- Trenches and sumps will back-filled and recontoured to the approximate original slope.
- The laydown area adjacent to the Golden Hand bunkhouse will be recontoured to the approximate original slope.
- Drill pad locations will be recontoured to the approximate original slope.
- All disturbed areas will be seeded with an appropriate seed mix approved by the Forest Service and mulched with an approved, weed-free material.
- Biosol will be applied to all seeded areas at an application rate approved by the Forest Service.

Under Forest Service Mining Regulations at 36 CFR 228 Subpart A, reclamation bonds that are required must be posted with the Forest Service prior to final approval of the plan of operation.

Project Design Features incorporated into the project contain other reclamation specifics.

The unusual legal nature of this project precludes development of a final reclamation plan. After this project is completed the Federal government will perform a mineral examination and validity determination. If the claims are determined to be valid it is possible that mining development proposal could be submitted. If the claims are determined to be not valid, then protracted court proceedings could result. When validity of the claims is finally resolved then final reclamation can occur.

Design Features

In addition to Forest Plan standards and guidelines designed to mitigate impacts, the following measures will be applicable to all action alternatives. These design features will be incorporated to reduce or prevent undesirable effects resulting from proposed management activities.

Wilderness/Recreation

Once mobilization has occurred motorized access into the wilderness will be limited to two trips per day for shift change. Additionally, a miscellaneous trip to transport needed drill core (consistent with needed chain of custody), consultants, management, and supplies will be authorized every other day on average over the season. Wheeled motor vehicle trips inside the FC-RONR Wilderness for other purposes or in excess of that described will only occur with prior approval from the Forest Service.

Following excavation and sampling of the Ella Portal, the first sets of timbers will be removed and the portal backfilled.

Operators will remove trash generated from project activities. All trash will be removed from National Forest System lands.

All equipment usage, including UTV/ATV, within the FC-RONR Wilderness will be kept to a practicable minimum to accomplish project activities and will only be used to accomplish actions described specifically under either action alternative. Where feasible, non-mechanized means of travel will be utilized to obtain supplies or perform other functions, e.g. obtaining small items from supplies at the Golden Hand Bunkhouse supply area needed to support drill operations.

Informational signs will be posted to inform users of the project activities. Signs will be posted at Pueblo Summit, north and east of the project area on Forest Trail #013, and in the Big Creek area at location(s) deemed appropriate.

The gate at Pueblo Summit will remain closed and locked immediately after use.

Mobilization inside the wilderness will begin no more than 15 days prior to the commencement of actual operations each operating season. Project activities will not commence until all mobilization is completed and approved. Demobilization from the wilderness will be completed no more than 10 days following completion of each operating season. To the extent practicable, mobilization of equipment will be convoyed within the FC-RONR Wilderness.

Gray water will be disposed of in accordance with the Frank Church plan, and outside of the RCA .

To the extent practicable, all equipment used within the FC-RONR Wilderness will be fitted with devices that provide maximum noise dampening. Noise dampening devices will be maintained for utmost effectiveness.

Unless approved by the Forest Service, the clearing of brush and trees will be limited to hand powered tools within the FC-RONR Wilderness.

Ensure that disruptions to public access and use of Forest Trail #013 will be avoided or minimized.

Ensure the borrow source for road maintenance on the talus slope located on the road from the Golden Hand bunkhouse to the Ella Portal is out of view of Forest Trail #013 .

Any drainage structures constructed as part maintenance on Forest Trail #013 will use native non-treated materials.

Firewood, if needed, will be cut outside the FC-RONR Wilderness and hauled in. Only a small amount of firewood should remain at the end of each operating season. Firewood will not be cut

and stored in anticipation of next season's activity. Firewood gathering will be consistent with current permit requirements for personal use gathering on the Payette National Forest.

Cameras or road counters will be installed at or near Pueblo Summit and at appropriate locations near confirmation activities to record trips.

The clearing or constructing of new trails will not be permitted.

Air Quality
Operations will comply with federal and state air quality standards.

To the extent practicable, dust from use of roads will be minimized by minimizing vehicular traffic and using prudent vehicle speeds.

When drilling or trenching activities create fugitive dust at levels impacting overall visibility in the FC-RONR Wilderness, water to abate dust will be applied at appropriate intervals.

To the extent practicable, all equipment used within the FC-RONR Wilderness will be fitted with appropriate devices for that type of equipment to reduce emissions, i.e. catalytic converter or other suitable devices. Emission reducing devices will be maintained for utmost effectiveness.

Watershed/Fisheries (Transportation)

Upon completion of activities, ford approaches on temporary roads within the FC-RONR Wilderness will be rehabilitated and decommissioned. Approximately 200 to 300 feet either side of the fords will be rehabilitated and decommissioned by reducing the contributing area for sediment by converting the road to a trail. Rehabilitation will include some or all of the following activities:

- Create a single track trail by scarifying/ripping the road to a depth of up to 18 inches until a single tread remains.
- Retain fords for foot and stock travel.
- Following scarifying/ripping, some or all of the subsequent activities will take place on the disturbed area:
    - Distribute slash and large wood material, where available, in an effort to cover at least 30 percent of the exposed surface.
    - Place plugs, using a backhoe, of adjacent native vegetation randomly throughout the disturbed area.
    - Mulch the surface using a noxious weed free straw or other suitable material.
    - Fertilize the scarified surface with BioSol or similar fertilizer.
    - Seed with native seed mixture appropriate for the elevation and habitat.

Where practicable, roads will not be widened beyond the original cleared width.

At the reconstructed ford crossing of the North Fork of Smith Creek an equivalent area of RCA will be rehabilitated at the abandoned crossing. Rehabilitation will include re-establishing drainage patterns of the seeps with emphasis on reducing sediment delivery, decompaction of old ford approaches and planting riparian vegetation such as alder or willow where appropriate.

Construction material needed for road maintenance may be taken from a borrow source at the talus slope located on the road from the Golden Hand bunkhouse to the Ella Portal, Werdenhoff, or Penn Ida. Sources within the FC-RONR Wilderness will only be utilized for road maintenance within the wilderness. A metals leachability test (Synthetic Precipitation Leaching Procedure or equivalent) will be completed prior to use of waste rock as aggregate. If used, the Werdenhoff gravel source used for this project will be reclaimed at the end of the project by recontouring the site, mulching, and seeding with native seed.

Transport of equipment, supplies, or personnel will not use the South Fork Salmon Road, Lick Creek Road, or Elk Creek Road. All transport of equipment and supplies would use the Johnson Creek Route.

The road to Penn-Ida (FR 503739500) will not be bladed.

Alder thickets cleared during road maintenance activities will be cut rather than uprooted.

Motorized travel on roads will be restricted when roads are saturated with water and rutting could occur.

All road maintenance will require Forest Service approval.

The following will apply to maintenance activities occurring along Forest Roads #371 and #373:

Berms will not be left along the outside edge of roads.

Grading and shaping will be done in a manner to conserve surface material. Grading will be accomplished in a manner that maintains or improves the surface drainage.

Ditches and culverts will be inspected on a regular basis and cleaned when needed. Cleaning will be conducted in a manner that removes the debris, while minimizing sediment production. With the exception of one site on Forest Road #373,the cut slope and ditch back slope will not be undercut. Debris obstructing any drainage system will be removed promptly.

When blading roads, avoid side-casting excess fine material on to the fill slope. Excessive fine material that cannot be bladed into the surface will be hauled to an approved storage or disposal site.

Coarse rocks (approx. Cobble size or greater) could be cleared (usually bladed) from the road except within 300 feet of perennial stream and 100 feet of an intermittent stream.

Road maintenance activities will be avoided during times in which listed fish eggs or alevins are in gravels near enough to be affected. Unless agreed otherwise, a Forest Service Fish Biologist will determine those times and areas where maintenance will be avoided.

Road maintenance will not occur when surface material is saturated with water.

Road clearing of encroaching vegetation will not be in excess of that needed to provide access or adequate site distance.

Large woody debris located in RCAs requiring removal for road maintenance will be placed on the down slope side of roads.

Existing drain gullies on the road sites will be repaired to direct runoff away from streams.

Water drafting locations will require prior approval from a journey level fisheries biologist. Intake will be screened with a mesh size of 3/32 inch or smaller.

Watershed/Fisheries (Fuel/Contaminants)

Unless specifically approved by a Forest Service Fishery Biologist, locate fuel and other toxicant storage outside of RCAs.

Pumps and fuel containers will be placed in spill containment.

The maximum shipment of fuel on Forest Roads #371 and #373 will be 500 gallons. Fuel shipments in excess of 500 gallons into the project area, will use Johnson Creek Road.

Crews will maintain spill kits on site for use in case of a spill.

Appropriate spill containment will be provided for all stored toxicants. The operator will adhere to the guidelines pertaining to transport, storage, handling, and disposal of hazardous materials and spill response cited in the Best Management Practices for Mining in Idaho. A Spill Prevention Containment and Countermeasures (SPCC) plan will be prepared in accordance with EPA regulation prior to project implementation. If prepared, a copy will be made available to the Forest Service.

Unless specifically approved by a Forest Service Fishery Biologist, the fuel tank will be placed in a liner capable of containing 120 percent of the tanks volume.

The fuel plan will be followed for all activities associated with fuel delivery.

Road clearing and maintenance activities on County Roads will be coordinated with Valley County as necessary.

Fuel haul will not occur during spring break up and will not commence until the annual weight restrictions for road protection during the break up period are lifted by Valley County.

The Forest Service project administrator and Valley County sheriff dispatch will be notified a minimum of 48 hours in advance of the fuel delivery.

Adequate support personnel will be scheduled, including -trained spill responders.

The day of the trip:

- Prior to the trip leaving Cascade, a health and safety meeting will be conducted with the trip staff. Topics to be discussed at a minimum include:
    i. Anticipated road conditions and weather forecast.
    ii. Roles and responsibilities of all participants.
    iii. Communication plan protocols (including truck to truck radios, satellite phones, site communication when the trip reaches Yellow Pine and notification protocol in event of accident or fuel release).
    iv. Emergency response procedures and available equipment. Goals of on-site first responders, safety issues, and protocols.
    v. Emergency numbers and call order.
    vi. SPOT™ GPS Messenger operation (provides satellite tracking of trip location and has emergency notification capabilities).
    vii. Discussion of proper pace (speed), driver fatigue, scheduled, and unscheduled stops.
- Setup and confirmation of caches for spill response equipment will occur along portions of Johnson Creek Road, the Stibnite Road, and Profile Gap Road.
- Road signs will be established at the Landmark and the Yellow Pine ends of Johnson Creek Road and at the Stibnite Road and Logan Creek Road ends of the Profile Gap Road indicating to the public that a fuel trip is in progress and to use caution.

During the trip:

- A safe speed of travel will be maintained. Speed will be determined by the trip leader, will not exceed posted speed limits and will be based on road conditions.
- Communication with management will occur by using the SPOT™GPS Messenger – signal check-in/OK at least hourly, and signal arrival (custom message) upon reaching the site camp, and upon safely returning to Cascade. The Forest Service project administrator will be notified upon safe return to Cascade.
- A SPOT™GPS Messenger button will be used in an emergency to alert emergency responders.

- Site security will clear all oncoming traffic before proceeding up or down Stibnite Road between the Yellow Pine guard station and Profile Gap Road. Trip progress will be radioed to security according to established protocols.

A scheduled delivery will be delayed if driving visibility is poor.

Trips will travel during daylight hours.

The pilot truck will be responsible for communicating to the fuel trucks locations of road hazards and if necessary placing flagging around the hazards. All trip vehicles will be equipped with radio communication.

The trip lead will be responsible for knowing road conditions prior to travel, including areas of road hazards such as soft shoulders and wash out areas.

Trips will not occur if there are flooding conditions on roads or the imminent threat of a flood.

Overall emphasis on timing of convoy trips will be during snow-free conditions in an effort to limited trips during snow/ice conditions. Weather forecast will be evaluated and incorporated into travel "go/no go" decisions.

Tire chains will be required for snow or ice road conditions. The need for chains will be determined by the trip lead. All trucks will be equipped with properly sized chains for both steering and drive tires.

Documented annual inspections of commercial transport vehicles are required in 49 CFR 396.17-23. Inspections will be conducted by a qualified DOT inspector. Commercial transport vehicles will also be inspected at Landmark by the driver prior to accessing Johnson Creek. Transport companies are required to document DOT annual inspections and Landmark vehicle inspections.

Drivers will be experienced in fuel truck hauling on NFS roads.

The pilot truck will warn oncoming traffic of the trip and request that oncoming traffic pull aside (or wait) for the trucks. The truck will be made aware of any oncoming traffic through radio communication with the pilot truck. Radio communication will be maintained between trucks and pilot vehicle.

Drivers will be experienced in fuel truck hauling on NFS roads and will be familiar with the travel routes including locations of steep slopes that require downshifting (for vehicles with manual transmissions). Radio communication will be used to warn drivers of upcoming steep grades and also of any oncoming traffic that may require trucks to slow down or stop.

Drivers will be DOT-licensed and adhere to driver log and driving time restrictions as set by DOT.

The trip lead will be responsible for assessing driver physical condition. Rest stops will occur during the trip and the frequency of stops will be determined by the trip lead as well as request by drivers.

Trucks will maintain safe distances between trucks based on speed, road conditions, and stopping distances. Trip leader will be responsible for ensuring safe separation between trucks. Separation distance requirements will be discussed in driver training and during the pre-trip meeting.

Watershed/Fisheries (Water Withdrawal)
Water will be conducted from a stream or tanks to the drill pads by means of a flexible plastic pipe laid slightly inclined to the land contour to avoid excess head pressure at discharge end. A shut-off valve will be installed at the pipe discharge.

The Forest Service will approve the use of a waterline to be placed in Coin Creek.

The rate of diversion must be measured with a flow meter approved by the Forest Service. Daily in stream flow monitoring will be performed throughout the period of operation. Flow in Coin Creek will be measured on a daily basis below the point of diversion and upstream of the tributary that joins Coin Creek downstream of FSST 013. AIMMCO will report measured withdrawal rates and daily flow monitoring to the Forest Service. The water diversion rate will be reduced if the flow at the point of measurement dropped below 0.4 cfs in order to maintain a removal of less than 10 percent of the flow.

If water use at the pad is not anticipated for more than twelve hours, the intake end of the line will be removed from the stream after each use period.

Water for activities at the Werdenhoff site will be brought in from off site.

Watershed/Fisheries/Soils (Operations)
Road surface drainage improvements, and repair of fords on Coin Creek including drainage improvements will occur prior to mobilization of equipment to drilling areas.

All drill pads and trenches will utilize silt fence with metal posts and wire mesh backing below the disturbed area.

Any excavated material will be placed on the road bed or sidecast. If sidecast onto the slope below the constructed drilling pad/trench the material will be placed close enough to the pad edge that it could all be retrieved for placement back into the cutslope during reclamation.

If a pit is to be used for drilling fluid disposal (unlined), it will be located in a part of the pad which was not constructed from fill material (e.g. in the old roadbed).

No additives for drilling fluids, outside of those identified in the plan of operations, will be used without prior approval.

Settling basins at drill pads will be excavated at lowest point of pad, downslope of all potential discharge sources, and will be of a size that is sufficient to contain 120% of the maximum volume expected to be used.

All mechanical equipment will be inspected by PNF to ensure good working condition and determination of no visible leaks.

Oil absorbent pads will be on site and placed, prior to any activities, under the drilling platform and any possible sources of fuel, oil, or hydraulic fluid leakage. Soiled pads will be disposed of per applicable Federal and/or State requirements.

Reclamation of the project area will include recontouring to the original slope shape where this project has altered slopes and revegetation of the disturbed ground. Roads will not be fully recontoured, but will be returned to the original width at drill pad locations. All disturbed areas will be seeded with a certified weed-free native seed mix and mulched.

A Forest Service Minerals Administrator will be on site during the opening of the Ella adit.

Prior to excavating the collapsed material, a small sediment trap will be excavated on the plaza in front of the Ella adit at a location approved by Forest Service personnel.

If water seepage is encountered on the working face during excavation the following actions will be taken. :

- Work will be immediately suspended and a Forest Service representative will be called on site.

- A wellpoint with a shutoff valve (or similar device) will then be driven into the remaining material to act as a probe for stored water.
- If it is determined that a substantial volume of water is likely to be present behind the collapsed material, a sample will be taken for chemical analysis.
- If the water quality meets State groundwater standards, excavation will proceed to release the water in a controlled manner to the sediment trap to infiltrate.
- There will be no discharge to surface water.
- After the adit is opened, any water that is deemed necessary to be pumped out for disposal will have to meet groundwater standards.
- If any water to be discharged does not meet groundwater standards, operations will be suspended until an appropriate disposal method was approved by the Forest Service.

Watershed/Fisheries (General Erosion Control Measures)
All ground disturbance will require erosion control measures as determined by the Forest Service (e.g., soil movement barriers, water control devices, mulch or erosion control matting, revegetation plants and grass seed).

Mulch and native grass seed will be used on all disturbed areas, unless specified otherwise.

Generic avoidance/minimization measures that can be used include: silt fence and filter barriers; straw-bale sediment barriers; erosion control blankets and mats; hydro-mulching; mulching; waterbars and rolling dips; temporary sediment basins; straw rolls; straw bale dikes; slash filter windrows; scattered slash; brush layering; and shrub planting. If using silt fence, fence should be considered only a temporary sediment control measure; restored vegetation will be the preferred final erosion control. Silt fences will be maintained by removing stored sediment, and fence will be removed as soon as vegetative erosion control measures have effectively reduced sediment production.

Watershed/Fisheries (Arched/Box Culvert)
Sediment entering streams will be minimized by: using silt-fence, or straw bales between structures and stream.

Stream fording will be minimized during installation as much as is practicable.

Structures and any needed abutments will be installed well outside of the active stream channel. A Forest Service fisheries biologist or hydrologist will determine the extent of active stream channel.

Fisheries (Biological Opinion Terms and Conditions)
At least a three pass method is employed when electroshocking to ensure the greatest level of fish salvage, unless previously approved by the appropriate Level 1 Team to perform fewer passes.

Work is halted if turbidity levels exceed 50 NTU above background for more than 1 hour at a location 600 feet downstream of the project area (i.e., culvert installation site). Halting work will allow time for the turbidity plume to dissipate.

Vehicles and heavy equipment fording the lower portion of NF Smith Creek at the beginning and end of each operating season do so as closely (timing) as practicable (i.e., groups) in order to minimize the number of fish that could move into or immediately below the ford area between crossings and thus potentially be crushed or harassed.

All erosion control and water management is in place before the end of the operating season to minimize sediment delivery to streams.

If revegetation efforts on disturbed areas are not successful the first year, continue to apply mulch in subsequent years until natural vegetation is established.

The water line used to convey water from Coin Creek to storage tanks is in good working condition and free of leaks.

Inspection of road improvements and stream crossing improvements are inspected annually during the life of the project. If sediment delivery is occurring, then maintenance will be performed to minimize the delivery of sediment to streams.

All captured, handled, injured, and killed ESA-listed fish shall be identified, counted, and recorded.

Turbidity monitoring shall be conducted to assess the intensity and duration of the turbidity plume to ensure the extent of take is not exceeded. Turbidity monitoring shall occur during cofferdam installation and removal activities. Turbidity readings shall be collected at the following locations: (1) Upstream of the project area; and (2) 600 feet downstream of the project area. Turbidity at the downstream sample location shall be recorded every 30 minutes until the plume has dissipated. Project activities will adjusted to ensure that turbidity levels do not, at any time, reach a level of 50 NTUs for a duration of one hour.

Turbidity monitoring shall be conducted to assess the extent and duration of turbidity plumes associated with fording of the lower NF Smith Creek during mobilization and demobilization of heavy equipment the first operating season. This monitoring shall occur once in NF Smith Creek, approximately 300 feet downstream of the ford. Monitoring shall be performed immediately following fording (i.e., when the plume reaches the monitoring location), and occur every 5 minutes until the plume dissipates. Background turbidity shall be collected prior to fording, and may be collected at the downstream monitoring location. The type and number of vehicles/heavy equipment fording the stream shall also be recorded.

A post-project report summarizing the results of the monitoring above shall be submitted to NMFS by December 31 of the year in which activities were implemented. The post-project report shall also include a statement that all the terms and conditions of this Opinion were successfully implemented.

If a steelhead or salmon becomes sick, injured, or killed as a result of project-related activities, and if the fish will not benefit from rescue, the finder should leave the fish alone, make note of any circumstances likely causing the death or injury, location and number of fish involved, and take photographs, if possible. If the fish in question appears capable of recovering if rescued, photograph the fish (if possible), transport the fish to a suitable location, and record the information described above. Adult fish should generally not be disturbed unless circumstances arise where an adult fish is obviously injured or killed by proposed activities, or some unnatural cause. The finder must contact the Boise Field Office of NMFS Law Enforcement at (208) 321-2956 as soon as possible. The finder may be asked to carry out instructions provided by Law Enforcement to collect specimens or take other measures to ensure that evidence intrinsic to the specimen is preserved.

The project will only conduct work in the flowing channel during daylight hours to minimize disturbance to migrating bull trout.

Inspection of road improvements and stream crossing improvements shall occur annually during the life of the project. If sediment delivery is occurring, then maintenance will be performed to minimize the delivery of sediment to streams prior to commencement of that seasons work.

The North Fork Smith Creek AOP site will not be crossed once the ford becomes unusable and before the open-bottom culvert or bridge is safe to cross.

Noxious Weeds
Equipment used for drilling, road construction, reclamation, and similar activities will be thoroughly cleaned prior to entering National Forest System lands.

Source sites for gravel and borrow materials will be inspected prior to use for noxious weeds.

Wildlife
To the extent practicable, trees found to contain nesting cavities or nests would not be disturbed or cut. No trees with active nests would be cut.

Any gate or door installed at the Ella would have screening suitable to exclude entry and colonization by bats.

Equipment and drill rigs will have limited external lighting and will employ noise-minimizing practices (e.g. mufflers).

The Forest Service wildlife biologist will be notified of any occupied sensitive species nests or dens encountered during implementation that may be associated with listed or sensitive species. If necessary to maintain key features of nesting/denning habitat or to avoid disruption of nesting/denning activities, prescribed activities will be modified.

Restrict activities within a 650 foot radius of an active goshawk nest tree to avoid disturbance and retain vegetative structure around the nest site. In addition, no drill pad construction, drilling operations, or roadwork activities would occur within a 1,500-foot buffer (Jones 1979) around active goshawk nest tree(s) from April 1 to August 15 to avoid disrupting nesting activities. Exact distance for which restrictions apply would be determined by a Wildlife Biologist based upon topography and vegetative screening on a site-specific basis. Timing restrictions would only be required for active nest sites. Timing restrictions would not restrict planned road use patterns, public access or fuel hauling. Because goshawks commonly move to alternate nest sites within a territory, the nest site location would be re-identified annually.

Personnel and contractors traveling in vehicles will be encouraged to observe posted speed limits or state secondary road speed limits and to drive at speeds appropriate to reduce the possibility of vehicle-wildlife accidents.

Mud sumps used for drilling operations will contain perimeter fencing to keep wildlife from accidently falling into the excavation and will have escape ramps in the event this occurs.

Any adverse wildlife encounters will be reported to appropriate state and federal wildlife managers.

Sightings of listed or sensitive wildlife species will be reported to the Forest Service.

Cultural

The project covers the use of existing structures on National Forest for a variety of activities associated with the project, but does not authorize rehabilitation. Any alterations to structures on National Forest administered lands would require additional consultation with Idaho SHPO to ensure compliance with the National Historic Preservation Act and implementing regulations (36CFR800 as amended).

If previously undiscovered cultural resources (historic or prehistoric objects, artifacts, or sites) are exposed on NFS land as a result of project operations, those operations will not proceed until notification is received from the Forest Service that the proponent has complied with provisions for mitigating unforeseen impacts as required by 36 CFR 228.4(e) and 36 CFR 800.

Visuals

To the extent practicable, within the FC-RONR Wilderness temporary facilities such as storage units or tents will be colored to blend with the characteristic landscape (natural or neutral color).

During night operations, lighting fixtures will be pointed downward to the extent practicable to

reduce light impacts within the FC-RONR Wilderness.

All stumps from the cutting of trees for timbers will be within six inches of the ground on the high side.

Slash associated with the cutting of trees for timbers will be lopped and scattered to within one foot of the ground.

Along that portion of Forest Road #50371 having a VQO of retention, 70 percent or more of the merchantable trees will be retained in areas where trees for timbers are cut.

Botanical

Seed with native seed mixtures appropriate for the elevation and habitat.

Where practicable, avoid removal or heavy trimming whenever possible of whitebark pine.

Fire

All applicable federal and state fire laws and regulations will be adhered to during operations.

Reasonable measures to prevent and suppress fires in the project area will be taken by employees, contractors, and sub-contractors.

All vehicles and equipment will have spark arrestors and fire suppression tools and supplies.

The base camp will have a fire tools cache on site.

Smoking and the building of fires by persons engaged in project operations will be prohibited, except at established camps. At the request of the operator the Forest Service will designate places where campfires may be built or (2) smoking may be permitted. Such designated places will be cleared of flammable material to mineral soil prior to use.

Sufficient fire tools of a kind and type satisfactory for fire suppression will be made available to equip persons engaged in project operations. Fire tools will be used only for suppressing fires. Tools will be stored in fireboxes and be readily available to employees. Each toolbox will be marked "Tools for Fire Only," painted red and kept sealed.

Each piece of equipment, truck, or other form of vehicle used in conjunction with activities will be equipped with one size 0, or larger, round-pointed shovel. Shovels will be so placed on the machines that they could be readily obtained at all times.

Each gasoline or diesel internal combustion engine, except powersaws, will be equipped with a spark-arresting device which has been approved by Forest Service. After installation, spark-arresting devices will be kept in a satisfactory working condition.

Each gasoline powersaw will have a spark arrester muffler affixed and in good working condition. Said spark arrester-muffler will be of the construction and maintained to the standards approved by Forest Service. In addition, one chemical pressurized fire extinguisher of not less than 8-ounce capacity, by weight, and one size 0, or larger, round-pointed shovel will also be provided to the powersaw operators when in use. The spark arrester-muffler, extinguisher, and shovel will be maintained in good working condition at all times. The shovel and extinguisher will be readily available.

If gasoline, oil, grease, or other highly flammable materials are stored in a building, all flammable debris will be cleared away within a radius of 25 feet.

A suitable shovel, and dry sand in a covered container of not less than 25-gallon capacity in the aggregate (or a fire extinguisher of not less than 2-quart capacity of a type approved by the Underwriter Laboratory for gasoline and oil fires), will be placed at each gasoline, diesel, and oil shed or storage site, or other motor-fueling station. Mobile servicing units will be equipped with a fire extinguisher of not less than 2-quart capacity of a type approved by the Underwriter Laboratory for gasoline and oil fires.

Stoves, stovepipes, chimneys, and electric wiring will be located and maintained to the safety standards set forth in applicable sections of the Forest Service Health and Safety Code, dated March l970, as revised.

Minerals
All water associated with drilling will be contained on or near the drill pads.

Where practicable, minimize the number of total mud pits by consolidating drill site use of sumps.

The Forest Service will identify and mark trees to be cut for timbers. Trees cut for this purpose will be within the project area, outside the FC-RONR Wilderness, standing dead, and outside of Riparian Conservation Areas (RCAs). Any milling or processing of the timbers will occur outside the wilderness.

Applicable Best Management Practices for Mining in Idaho will be utilized.

No additives for drilling fluids, outside of those identified in the plan of operations, will be used without prior approval.

Drill pads will be leveled and graded to drain surface runoff to a point where the water can be managed.

Mud sumps will be excavated for recirculation and ultimate disposal of drill cuttings and drilling fluid. Self-contained holding tanks could be substituted for the mud sump.

Silt fencing, straw bales, and/or sediment traps will be used for water management and erosion control on the drill pads.

Petroleum products will be kept in containment and spill prevention kits will be available on site.

The drilling rig will be placed on an impervious material (such as HDPE liner material) to retain any leaked or spilled petroleum products.

Lubricants, such as pipe thread lubricant, will be a food grade vegetable product.

Surface casing will be set once the hole has penetrated sufficiently into solid bedrock.

The annular space will be sealed with a bentonite-based grout.

Bentonite products used for annular seals or abandonment will have a permeability rating no greater than 10-7 cm/sec.

The surface casing will be rotated during the sealing process to ensure an effective seal.

The top three feet of grout filling the annular space will be removed and replaced with neat cement.

Water-based bentonite drilling fluid will be used.

All drilling fluid additives will be certified (NSF/ANSI Stan dard 60) for use in domestic water supply wells.

Lost circulation zones and water entry zones encountered during drilling will be promptly sealed.

Boreholes will be promptly abandoned after completion using a bentonite-based grout.

Surface casing will be removed before abandonment.

The top three feet of a borehole will be sealed with cement during abandonment.

Any borehole that produces artesian flow at the surface will be promptly abandoned using neat cement grout to fill the entire depth of the borehole.

Discharge occurring from any surface flowing artesian borehole prior to abandonment will be prevented from entering surface water by storage in sumps or tanks, or by infiltrating into the ground.

Emergency packers for artesian flow control will be available on all drill rigs.

ATTACHMENT B

MONITORING PLAN
GOLDEN HAND NO. 1 AND NO. 2 LODE MINING CLAIMS PROJECT

The following monitoring will occur with implementation of Alternative C.

Minerals and Geology Monitoring

Program: Minerals and Geology

Activity, Practice, or Effect: Project monitoring and minerals administration.

Project Name: Golden Hand No. 1 and No. 2 Lode Mining Claims Project

Location: Sec 26, T22N, R9E Boise Meridian

Objectives: Ensure compliance with approved plan of operations, including the implementation of PDFs

Monitoring Type: Compliance

Parameters:

- Any material non-compliance documented. If resolved in field without written Notice of Non-compliance, provide written documentation of issue, resolution, and photographs (if applicable) for approval of FS authorized officer
- Provide daily documentation of work progress, effects, visitor conflicts

Methodology:

- Site visits
- Photo log
- Video documentation
- Report copies to District Ranger, Wilderness Program Manager, AIMMCO authorized representative

Frequency/Duration: Daily, life of project

Data storage: Forest Minerals files

Analysis: Interdisciplinary (Wilderness, Soil and Water, Fisheries, Planning)

Report: Monthly summary; Annual, after seasonal closeout

Cost: $12,000/year

Personnel: Forest Minerals and Wilderness personnel

Responsible Individual: Minerals & Geology Program Manager

Responsible Official: Krassel District Ranger

Prepared by: Jim Egnew, Minerals & Geology Program Manager **Date:** 02/28/2012

Water Quality Monitoring

Program: Minerals Administration/Soil and Water

Activity, Practice, or Effect: Project monitoring, Minerals management. Implementation Monitoring of Mining BMP's, and project PDFs.

Project Name: Golden Hand No. 1 and No. 2 Lode Mining Claims Project

Locations: Smith Creek and Coin Creek subwatersheds. Drill pad, trenching, and Ella adit. Forest Roads 371, 373 and Forest Trail 013.

Objectives: Determine if site-specific BMPs and PDFs identified are being implemented. Provide qualitative assessment of effectiveness.

Monitoring Type: Compliance

Parameters: Various, depending on activity being monitored.

Methodology: The parameters will be observed ocularly. The project hydrologist and minerals administrator will review the BMP's and PDFs, develop a checklist of pertinent BMP's and PDFs, and review the implementation on the ground. Monitoring will include direction in the Payette National Forest Travel Management Plan Biological Opinion concerning the need to visually observe sediment travel distances from fording.

Frequency/Duration: When on-site, during mineral administrator visits. Qualified PNF personnel will monitor all project activities during implementation; road improvement and maintenance will be monitored daily, all other activities will be monitored at least weekly if not daily

Data storage: All data will be presented and summarized in a seasonal monitoring report summary stored in hard files and in the 2550 Soil Management files.

Analysis: Field forms and photographs will be analyzed to answer the following questions:

1. Which of the BMP's and PDFs were implemented?
2. Which of the BMP's and PDFs appear to be effective at this time?
3. Which of the BMP's and PDFs need to be improved?

Report: All data will be reported yearly on the monitoring summary results table for the Payette Forest. Written reports will be retained on the Krassel Ranger District.

Cost: $2,000.00/year

Personnel: Forest Minerals and Wilderness personnel

Responsible Individual: Minerals & Geology Program Manager

Responsible Official: Krassel District Ranger

Prepared by: John Dixon, Krassel/McCall Soil Scientist/Hydrologist

Date: 12/05/2014

Wilderness Monitoring (Access)

Program: Wilderness/Recreation/Trails

Activity, Practice, or Effect: Visitor Use monitoring and compliance check

Project Name: Golden Hand No. 1 and No. 2 Lode Mining Claims Project

Locations: FC-RONR Wilderness on Trail #013

Objectives: Gather visitor use data and check for compliance regarding motorized and mechanized use

Monitoring Type: Camera

Parameters: Number of visitors entering and number of vehicles

Methodology: Camera

Frequency/Duration: Each season over the life of the project.

Data storage: Krassel Ranger District files

Analysis: Change in amount of visitor use and unauthorized motorized /mechanized use

Report: Krassel District Visitor Use Data

Cost: $2500 for camera system and $1,000/year to monitor

Personnel: Forest Minerals and Wilderness personnel

Responsible Individual: Minerals & Geology Program Manager

Responsible Official: Krassel District Ranger

Prepared by: Clem Pope, Recreation and Wilderness Specialist

Date: 02/28/2012

Wilderness Monitoring (Social Impacts)

Program: Wilderness/Recreation/Trails

Activity, Practice, or Effect: Social impact monitoring

Project Name: Golden Hand No. 1 and No. 2 Lode Mining Claims Project

Location: Along Mosquito Ridge, Cow Corrals, Crane Meadows and/or Ramey Ridge

Objectives: Monitor the impacts of operations on wilderness experience by sight and sound.

Monitoring Type: On site travel

Parameters: Sights and sounds of impacts along ridges surrounding the Golden Hand

Methodology: Make observations of the effects of the visual and audible impacts while hiking along ridges surrounding project area.

Frequency/Duration: 1 trip per season for the duration of the project

Data storage: District files

Analysis: Effect to Wilderness user's experience

Report: Wilderness Impact Monitoring

Cost: $500/year

Personnel: Forest Minerals and Wilderness personnel

Responsible Individual: Minerals & Geology Program Manager

Responsible Official: Krassel District Ranger

Prepared by: Clem Pope, Recreation and Wilderness Specialist

Date: 02/28/2012

Fisheries Monitoring

Program: Fisheries monitoring

Activity, Practice, or Effect: Turbidity monitoring shall be conducted to assess the intensity and duration of the turbidity plume to ensure the extent of take is not exceeded. Turbidity monitoring shall occur during cofferdam installation and removal activities. Turbidity readings shall be collected at the following locations: (1) Upstream of the project area; and (2) 600 feet downstream of the project area. Turbidity at the downstream sample location shall be recorded every 30 minutes until the plume has dissipated. Project activities will adjusted to ensure that turbidity levels do not, at any time, reach a level of 50 NTUs for a duration of one hour. (Biological Opinion Term and Condition).

Turbidity monitoring shall be conducted to assess the extent and duration of turbidity plumes associated with fording of the lower NF Smith Creek during mobilization and demobilization of heavy equipment the first operating season. This monitoring shall occur once in NF Smith Creek, approximately 300 feet downstream of the ford. Monitoring shall be performed immediately following fording (i.e., when the plume reaches the monitoring location), and occur every 5 minutes until the plume dissipates. Background turbidity shall be collected prior to fording, and may be collected at the downstream monitoring location. The type and number of vehicles/heavy equipment fording the stream shall also be recorded. (Biological Opinion Term and Condition)

The rate of diversion must be measured with a flow meter approved by the Forest Service. In stream flows will be measured at a point about 100 meters downstream of the confluence of Coin Creek and the unnamed tributary downstream of Forest Trail #013. Flow in Coin Creek will be measured on a daily basis below the point of diversion and upstream of the tributary that joins Coin Creek downstream of Forest Trail 013. AIMMCO will report measured withdrawal rates and daily flow monitoring to the Forest Service. The water diversion rate will be reduced if the flow at the point of measurement dropped below 0.4 cfs in order to maintain a removal of less than 10 percent of the flow. (PDFs in Biological Assessment)

Monitor revegetation efforts on disturbed areas for acceptable vegetation establishment and cover. If vegetation is not established project design will reinitiate vegetation efforts and subsequent monitoring. (Biological Opinion Term and Condition)

Road and stream channel crossing improvements will annually be inspected for the life of the project to determine if sediment delivery is occurring (Biological Opinion Term and Condition). Rutting, rilling, and turbidity plumes emanating from crossings or delivery points from roads will be used as an indicator of sediment delivery.

A Forest Service fisheries biologist or hydrologist (or Forest Service representative who will report back to the fisheries biologist) will periodically monitor project activities such as road improvements and maintenance, ford repair on Coin Creek, and water diversion from Coin Creek. (Section VII of Biological Assessment)

A Forest Service fisheries biologist will review and must approve the stream simulation design of the crossing structure on North Fork Smith Creek (Section VII of Biological Assessment).

During fish relocation for installation of stream crossing structure on North Fork Smith Creek all captured, handled, injured, and killed ESA-listed fish shall be identified, counted, and recorded (Biological Opinion Term and Condition).

Project Name: Golden Hand No. 1 and No. 2 Lode Mining Claims Project

Location: Stream fords and diversion site

Objectives: Monitor the impacts of operations on turbidity, sediment delivery, and streamflow.

Monitoring Type: Turbidity, sediment delivery, and rate of diversion

Parameters: Described above

Methodology: Described above

Frequency/Duration: Described above

Data storage: District files

Analysis: Describe if measurements exceed established thresholds.

Report: A post-project report summarizing the results of the monitoring above shall be submitted to the Forest Service by December 31 of the year in which activities were implemented. The post-project report shall also include a statement that all the terms and conditions of the Biological Opinion were successfully implemented.

Cost: Forest Service = $4,000/year, and $2,500 one-time cost for fish relocation/stream simulation oversight). AIMMCO cost unknown.

Personnel: AIMMCO and Forest Service (Annual monitoring, GS-11 Fish Bio 8 field days, 2 days for report, supplies/transportation and field per diem = total $4,000)(Fish relocation/stream simulation, GS-11 Fish Bio 4 field days, Fish Tech 2 days, supplies/transportation and field per diem = total $2,500)

Responsible Individual: AIMMCO and Forest Service

Responsible Official: Krassel District Ranger

Prepared by: Jeff Hunteman/Caleb Zurstadt

Date: 12/18/2013

Water (Ground) Quality Monitoring

Program: Minerals Administration/Soil and Water

Activity, Practice, or Effect: Implementation Monitoring of relevant data and water quality.

Project Name: Golden Hand No. 1 and No. 2 Lode Mining Claims Project

Locations: Smith Creek and Coin Creek subwatersheds. Drill pad and seeps on Forest road 503739800.

Objectives: Determine if drilling fluid losses, water entries, and borehole abandonment records are within the range of effect anticipated. Determine if changes in water quality occur over the course of a season and remain within the range of effect anticipated.

Monitoring Type: Compliance

Parameters: Various, depending on activity being monitored.

Methodology: The project hydrologist and minerals administrator will review drill data against the anticipated effects. Water quality will be collected and analyzed for contaminants of concern regulated by State or Federal code.

Frequency/Duration: Review of drilling data will occur at regular intervals throughout the drill season. Water quality sampling will take place at the beginning and end of each season's activities.

Data storage: All data will be presented and summarized in a seasonal monitoring report summary.

Analysis: The project hydrologist and minerals administrator will review drill data against the anticipated effects. Water quality will be collected and analyzed for contaminants of concern regulated by State or Federal code.

Report: All data will be reported seasonally in monitoring report summary.

Cost: $4,000.00/year

Personnel: Forest Minerals and Hydrology personnel

Responsible Individual: Minerals & Geology Program Manager

Responsible Official: Krassel District Ranger

Prepared by: John Rygh

Date: 12/13/2013

ATTACHMENT C
Forest Plan Amendment for Management Area 14
Finding of Non-significant Amendment

C.1 Background Information

Forest Plan standards are binding limitations placed on management actions. Standards are typically action restrictions designed to prevent degradation of resource conditions, or exceeding a threshold of unacceptable effects, so that conditions can be maintained or restored over time. However, exceptions are made in some cases to allow temporary or short term degrading effects in order to achieve long term goals. Standards must be within the authority and ability of the Forest Service to enforce. A project or action that varies from a relevant standard may not be authorized unless the Forest Plan is amended to modify, remove, or waive application of the standard (*Forest Plan, page III-3*).

As disclosed in Chapter 2 of the Environmental Impact Statement (EIS), Alternative C will not comply with a Visual Quality Objective (VQO) of preservation within the Frank Church River of No Return Wilderness and therefore would not comply with Forest Plan Standard SCST01 (EIS, Section 2.4.3.1). As discussed in the Purpose and Need my authority is restricted to that necessary to minimize adverse environmental impacts to surface resources by regulating the functions, work, and activities connected with the miner's plan to remove locatable minerals from National Forest System lands (EIS, Section 1.5). Additionally, the project is responding to the U.S. District Court in Idaho direction that in regards to Golden Hand No. 1 and No. 2 lode mining claims "the Forest Service must recognize AIMMCO's right to prepare for (a) validity hearing, and allow work to that end, while requiring adherence to all applicable rules and regulations (EIS, Section 1.5)." To be consistent with authority provided in the 1872 Mining Law as amended, which gives citizens the right to enter public lands to locate and claim valuable minerals, and Forest Service regulation, a plan of operation must be approved (EIS, Section 2.4.2). Given the limits of my authority with regard to projects conducted pursuant the 1872 Mining Law and my need to respond the U.S. District Court direction, I have decided to amend this standard.

Project activities that would be evident to the casual observer by creating disturbed soil could include maintenance of temporary roads, confirmation work (core drilling on 11 pads, pit-rock chip sampling, and the Ella mine opening), and needed clearing near the bunkhouse. These activities would create a disturbed area including bare soil and would constitute clear evidence of deviation from the natural appearance in the foreground. Given the expectation of the casual observer, these activities would not meet a VQO of preservation. Because of the ground disturbance involved with these activities, the effects would slowly fade over time as natural processes occur and the vegetation again reclaims roads and other disturbed sites to a point the disturbance again appears to be indicative the era when past mining occurred. In the short term, it would be expected that the appearance of disturbed areas would gradually appear more natural as natural processes occur and the sites become more indicative of the current condition, however these management induced disturbances would linger as a deviation to a casual observer in the wilderness. It would be expected that in the long term, the area would again meet a VQO of preservation as the disturbed areas again appear indicative of the era when mining occurred in the FC-RONR wilderness. (EIS, Section 3.11.3)

C.2 Project Specific Forest Plan Amendment

The following section discloses the existing management direction and the project specific Forest Plan amendment:

C.2.1 Page III-67 of the 2003 Forest Plan discloses the following Forest-wide standard (SCST01):

"*All projects shall be designed to meet the adopted Visual Quality Objectives (VQOs) as displayed on the Forest VQO maps.*"

C.2.2 Project Specific Forest Plan Amendment

Based on the analysis summarized in Chapter 3 of the EIS, my decision will not comply with Forest Plan standard SCST01 regarding VQO (EIS, Section 3.11). I have determined that implementation will require a project specific, non-significant amendment of the Forest Plan. This non-significant amendment will amend standard SCST01 to allow for this project. Specifically, I am making a decision to amend Forest Plan Standard SCST01 to allow for activities not meting Visual Quality Objectives associated with the Golden Hand No. 1 and No. 2 Lode Mining Claims Project to occur, by appending the following: "For the Golden Hand No. 1 and No. 2 Lode Mining Claims Project allow activities within that portion of the project area, approximately 291 acres within the FC-RONR Wilderness, which would not meet the Visual Quality Objective of Preservation."

Amending this standard through this project specific amendment only applies for the duration of the estimated three year project. When this plan of operation is complete, consistency with standard SCST01 will be required within the portion of the FC-RONR Wilderness that is affected. Any new plan of operation received would be evaluated for consistency; and, if not consistent a new project specific amendment with supporting rationale will be necessary.

C.3 Policy and Analysis

Under the National Forest Management Act [NFMA, 16 USC 1604(f)(4)], forest plans may "*be amended in any manner whatsoever after final adoption and after public notice, and, if such amendment would result in a significant change in such plan, be in accordance with subsections (e) and (f) of this section and public involvement comparable to that required by subsection (d) of this section.*"

As required in the 2012 National Forest Land Management Planning Rule implementing the NFMA:

- "*Projects and activities authorized after approval of a plan, plan amendment, or plan revision must be consistent with the plan as provided in paragraph (d) of this section*" (36 CFR 219.15(b)).

- "*When a proposed project or activity would not be consistent with the applicable plan components, the responsible official shall take one of the following steps, subject to valid existing rights:*

  (1) Modify the proposed project or activity to make it consistent with the applicable plan components;
  (2) Reject the proposal or terminate the project or activity;
  (3) Amend the plan so that the project or activity will be consistent with the plan as amended; or
  (4) Amend the plan contemporaneously with the approval of the project or activity so that the project or activity will be consistent with the plan as amended. This amendment may be limited to apply only to the project or activity." (36 CFR 219.15(c))

As identified above and consistent with 36 CFR 291.15(c)(4), the Forest Plan will be amended for this project specific activity. This non-significant plan amendment will amend standard SCST01 for this project.

As required at 36 CFR 219.16, public notification of this non-significant amendment was made consistent with the requirements at 36 CFR 218.

As allowed at 36 CFR 219.16(b), when a plan amendment is approved in a decision document approving a project or activity and amendment applies only to the project, the notification requirements of 36 CFR 218, Subpart A, apply.

As allowed at 36 CFR 219.17(a)(3), the effective date of this project specific amendment will be on the date the project may be implemented in accordance with administrative review regulations at 36 CFR 218.

Finally, as allowed at 36 CFR 219.17(b)(2), "*…with respect to plans approved or revised under a prior planning regulation, including the transition provisions of the reinstated 2000 rule (36 CFR part 209, published at 36 CFR parts 200 to 209, revised as of July 1, 2010), plan amendments may be initiated under*

the provisions of the prior planning regulation for 3 years after May 9, 2012, and may be completed and approved under those provisions…"

As allowed at 36 CFR 219.17(b)(2), the Forest Plan amendment has been completed consistent with transition provisions of the reinstated 2000 rule. Determination as to whether the amendment is significant or non-significant is based on Forest Service Handbook policy in place prior to 2000 (Forest Service Handbook 1909.12, Section 5.32, effective date 8/3/1992). This handbook lists four factors to be used when determining whether a proposed change to a forest plan is significant or non-significant: (a) timing; (b) location and size; (c) goals, objectives, and outputs, and; (d) management prescriptions.

C.3.1 Timing

The timing factor examines at what point over the course of the forest plan period that the plan is amended. Both the age of the underlying document and the duration of the amendment are relevant considerations. The handbook indicates that the later in the time period, the less significant the change is likely to be. The decision to revise the Payette Forest Plan was made in July 2003 and implemented in September 2003. The Regional Forester was instructed to supplement the FEIS and amend the Forest Plan in March 2005; only 2 years into the life of the plan. Most recently the Forest Plan was amended by the Record of Decision for the: Final Supplemental Environmental Impact Statement and Forest Plan Amendment Identifying Suitable Rangeland for Domestic Sheep and Goat Grazing to Maintain Habitat for Viable Bighorn Sheep Populations in July 2010. Management direction contained in the Forest Plan will be in place for the remainder of the planning period; 2013 – 2018 based on 10-15 year plan life.

The proposed amendment will be in place for the duration of the estimated three year project after which the wording of the standard would revert to the original language disclosed in the Forest Plan.

C.3.2 Location and Size

The key to the location and size criteria is context or "the relationship of the affected area to the overall planning area", "the smaller the area affected, the less likely the change is to be a significant change in the forest plan." As previously discussed the activities would encompass approximately a 291 acre area. This acreage would represent far less than one percent of the roughly 2.3 million acres of National Forest System land within the Payette National Forest and far less than one percent of the roughly 768,000 acres of the FC-RONR Wilderness administered by the Payette National Forest.

C.3.3 Goals, Objectives, and Outputs

The goals, objectives, and outputs factor involves the determination of "whether the change alters the long-term relationship between the level of goods and services in the overall planning area" (Forest Service Handbook 1909.12, Section 5.32(c)). This criterion concerns analysis of the overall forest plan and the various multiple-use resources that may be affected.

Given the MA 14 direction associated with FC-RONR Wilderness and its limited supply of outputs, the impacts of this amendment would be limited. The amendment will not alter the long-term relationships between the level of goods and serviced projected for that area. The amendment would forgo the opportunity to enjoy a scenic environment which appears altered by only ecological processes in a very limited portion of the FC-RONR Wilderness. The area was altered in the past through mining activity and this amendment would allow further alterations of the scenic environment. As stated above, incorporation of the proposed amendments would not change or alter the long-term relationship between the level of goods and services in the overall planning area.

C.3.4 Management Prescription

The management prescription factor involves the determination of (1), "whether the change in a management prescription is only for a specific situation or whether it would apply to the future decisions throughout the planning area" and (2), "whether or not the change alters the desired future

condition of the land and resources or the anticipated goods and services to be produced" (Forest Service Handbook 1909.12, Section 5.32(d)).

The proposed amendments would not change the management prescription or desired future condition for MA 14, nor would any other MA within the total forest planning area be affected. The amendment would be specific to 291 acres of the project area where activities would not be consistent with forest VQOs, would only apply for the approximately three years project duration, and as disclosed in Chapter 1 of the FEIS allow a plan of operation conducted pursuant the 1872 Mineral Law in the MA.

C.4 Finding of Significance

On the basis of the information and analysis contained in the EIS, associated planning record, and my evaluation of the amendment under the four factors outlined above, it is my determination that adoption of the plan amendment described in Section 1.2 does not constitute a significant amendment to the 2003 Forest Plan.

ATTACHMENT D
Project Design Features Effectiveness Table

Project Design Features

The Project Design Features (PDFs) listed in Table 1were developed to address site-specific environmental concerns. Each PDF identifies the objective, an effectiveness rating, and the basis for that rating. Effectiveness is rated as follows:

HIGH The mitigation is highly effective (estimated at greater than 90 percent probability) at meeting the objective, and one or more of the following types of documentation are available.

- Research or literature: should be applicable to the project area.
- Administrative studies: should be applicable to the project area.
- Experience: past experience and/or professional judgment of an expert.

MODERATE The mitigation is moderately effective (estimated at 60 to 90 percent probability), and its effectiveness is supported either by past experience or professional judgment. Implementation of this mitigation needs to be monitored, and the mitigation may be modified if needed to achieve its objective.

LOW The mitigation is somewhat effective (estimated at less than 60 percent probability), but its effectiveness is not supported by substantial evidence, or past experience and/or professional judgment suggests limited success in implementing or meeting objectives. Implementation of this mitigation needs to be monitored, and the mitigation may be modified if necessary to achieve its objective.

Table 1: **Project Design Features**

Project Design Features	Objective	Effectiveness Rating Basis
Wilderness Recreation		
Operators would remove trash generated from project activities. All trash would be removed from National Forest System lands.	Maintain quality of environment	High - experience
All equipment usage, including UTV/ATV, within the FC-RONR Wilderness would be kept to a practicable minimum to accomplish project activities and would only be used to accomplish actions described specifically under either action alternative. Where feasible, non-mechanized means of travel would be utilized to obtain supplies or perform other functions, e.g. obtaining small items from supplies at the Golden Hand Bunkhouse supply area needed to support drill operations	Restrict motorized to that necessary to conduct the approved operation	Low to Moderate – equipment use will occur, determination of "need" in the context of the approved operation will be difficult & subjective – experience
Informational signs would be posted to inform users of the project activities. Signs would be posted at Pueblo Summit, north and east of the project area on Forest Trail #013, and in the Big Creek area at location(s) deemed appropriate by the Forest Service	Inform visitors to provide realistic user expectations or opportunities to avoid the area	Moderate - visitors may arrive from "out of area" or miss the signs - experience
The gate at Pueblo Summit would remain closed and locked immediately after use	Ensure motorized access is restricted to that authorized by FS for operation – discourage use NOT associated with the approved operations	High - experience

Project Design Features	Objective	Effectiveness Rating Basis
Mobilization inside the wilderness would begin no more than 15 days prior to the commencement of actual operations each operating season. Project activities would not commence until all mobilization is completed and approved. Demobilization from the wilderness would be completed no more than 10 days following completion of each operating season. To the extent practicable, mobilization of equipment would be convoyed within the FC-RONR Wilderness	Minimize amount and period of use to that authorized.	High - experience, with understanding that determination of "minimal" in the context of the approved operation will be difficult and subjective
Gray water would be disposed of in accordance with the Frank Church plan, and outside of the RCA	Ensure gray water does not contaminate streams	High – Literature, Belt et al. 1992
To the extent practicable, all equipment used within the FC-RONR Wilderness would be fitted with devices that provide maximum noise dampening. Noise dampening devices would be maintained for utmost effectiveness	Minimize sound pollution - & impacts to "natural" environment	Low to moderate – there will be equipment noise
Unless approved by the Forest Service, the clearing of brush and trees would be limited to hand powered tools within the FC-RONR Wilderness	Minimize impacts to the environment and Wilderness conditions	Low to moderate - there will be disruption - the determination of necessary & minimal will be difficult and subjective
Ensure that disruptions to public access and use of Forest Trail #013 would be avoided or minimized	Protect the visitors access and experience	Low to moderate - there will be disruptions
Ensure the borrow source for road maintenance on the talus slope located on the road from the Golden Hand bunkhouse to the Ella Portal is out of view of Forest Trail #013	Minimize negative visual effects to Wilderness users.	Moderate to High – existing impacts will be expanded
Any drainage structures constructed as part maintenance on Forest Trail #013 would use native non-treated materials	Minimize negative effects to Wilderness users.	Moderate – procurement of native materials could have on-site impacts if allowed
Firewood, if needed, would be cut outside the FC-RONR Wilderness and hauled in. Only a small amount of firewood should remain at the end of each operating season. Firewood would not be cut and stored in anticipation of next season's activity. Firewood gathering would be consistent with current permit requirements for personal use gathering on the Payette National Forest	Minimize negative effects to the area's visitors.	High – experience
Cameras or road counters would be installed at or near Pueblo Summit and at other appropriate locations to assist monitoring use activities & record trips associated with the mining operations	Monitor activities for compliance with approved operation	Moderate – provides point monitoring, functionality is variable and potential for tampering is high
The clearing or constructing of new trails – not directly associated with approved mining and deemed the minimum necessary - will not be permitted	Minimize negative effects to Wilderness environment	High – experience
FS Administrators and representatives of other regulatory agencies – will access the mining operations in the Wilderness using non-motorized, non-mechanical means and avoid "hitching" rides with mining operators	Minimize negative effects to Wilderness environment, minimize use of motorized transport and demonstratively adhere to wilderness mgmt. ethic	Moderate to High – experience
Air Quality		
Operations would comply with federal and state air quality standards.	Comply with law and reduce emissions	HIGH: Experience
To the extent practicable, dust from use of roads would be minimized by minimizing vehicular traffic and using prudent vehicle speeds.	Reduce dust emissions from vehicle travel	HIGH: Experience, Literature, EPA 1995.
When drilling or trenching activities create fugitive dust at levels impacting overall visibility in the FC-RONR Wilderness, water to abate dust would be applied at appropriate intervals	Reduce dust emissions from drilling and trenching	HIGH: Experience, Literature, EPA 1995.

Project Design Features	Objective	Effectiveness Rating Basis
To the extent practicable, all equipment used within the FC-RONR Wilderness would be fitted with appropriate devices for that type of equipment to reduce emissions, i.e. catalytic converter or other suitable devices. Emission reducing devices would be maintained for utmost effectiveness	Reduce exhaust emissions from vehicles	HIGH: Literature, Schnakenberg 2002 and Pukalskas, et al. 2013.
Watershed/Fisheries (Transportation)		
Upon completion of activities, ford approaches on temporary roads within the FC-RONR Wilderness would be rehabilitated and decommissioned. Approximately 200 to 300 feet either side of the fords would be rehabilitated and decommissioned by reducing the contributing area for sediment by converting the road to a trail. Rehabilitation would include some or all of the following activities: ▪ Create a single track trail by scarifying/ripping the road to a depth of up to 18 inches until a single tread remains. ▪ Retain fords for foot and stock travel. ▪ Following scarifying/ripping, some or all of the subsequent activities would take place on the disturbed area: • Distribute slash and large wood material, where available, in an effort to cover at least 30 percent of the exposed surface. • Place plugs, using a backhoe, of adjacent native vegetation randomly throughout the disturbed area. • Mulch the surface using a noxious weed free straw or other suitable material. • Fertilize the scarified surface with BioSol or similar fertilizer. • Seed with native seed mixture appropriate for the elevation and habitat.	Reduce sediment delivery to streams and improve riparian productivity	High: Experience, Model WEPP, Payette National Forest Soil, Water and Fisheries Monitoring Results, Belt et al. 1992, Switalski et al. 2004. Nelson et al. 2010.
Where practicable, roads would not be widened beyond the original cleared width	Minimize disturbance	High: Experience
The armored aggregate for the fords located in the wilderness (Coin Creek and its tributary) will be monitored at the beginning and midway through each operating season. If the aggregate is breaking down and not providing for sediment stability, the aggregate will be replaced with additional aggregate.	Reduce sediment delivery to streams	High: Experience
At the reconstructed ford crossing of the North Fork of Smith Creek an equivalent area of RCA would be rehabilitated at the abandoned crossing. Rehabilitation would include re-establishing drainage patterns of the seeps with emphasis on reducing sediment delivery, decompaction of old ford approaches and planting riparian vegetation such as alder or willow where appropriate	Reduce sediment delivery to streams and improve riparian productivity.	High: Experience, Model WEPP, Administrative Studies, Payette National Forest Soil, Water and Fisheries Monitoring Results. Nelson et al. 2010.
Construction material needed for road maintenance may be taken from a borrow source at the talus slope located on the road from the Golden Hand bunkhouse to the Ella Portal, Werdenhoff, or Penn Ida. Sources within the FC-RONR Wilderness would only be utilized for road maintenance within the wilderness. A metals leachability test (Synthetic Precipitation Leaching Procedure or equivalent) would be completed prior to use of waste rock as aggregate. If used, the Werdenhoff gravel source used for this project would be reclaimed at the end of the project by recontouring the site, mulching, and seeding with native seed	SPLP screening reduces risk of surface water contamination. Reclamation of Werdenhoff rock source minimizes erosion, improves long-term soil productivity.	SPLP – MODERATE: Literature, Maest & Kuipers, 2005. Reclamation – MOD-HIGH: Experience.

Project Design Features	Objective	Effectiveness Rating Basis
Transport of equipment, supplies, or personnel would not use the South Fork Salmon Road, Lick Creek Road, or Elk Creek Road. All transport of equipment and supplies would use the Johnson Creek Route.	Minimize risk of accident or spill.	High: Fuel Risk Assessment on file Project Record, Professional Judgment
The road to Penn-Ida (FR 503739500) would not be bladed.	Minimize unnecessary soil disturbance and erosion.	High: Luce and Black 2001
Alder thickets cleared during road maintenance activities would be cut rather than uprooted	Maintain soil stability	High: Experience
Motorized travel on roads would be restricted when roads are saturated with water and rutting could occur	Minimize road damage and erosion.	Moderate: Experience, Literature, Burroughs and King 1989
All road maintenance would require Forest Service approval	Ensure policy is followed	Moderate: Experience
The following would apply to maintenance activities occurring along Forest Roads #371 and #373: Berms would not be left along the outside edge of roads. Grading and shaping would be done in a manner to conserve surface material. Grading would be accomplished in a manner that maintains or improves the surface drainage Ditches and culverts would be inspected on a regular basis and cleaned when needed. Cleaning would be conducted in a manner that removes the debris, while minimizing sediment production. With the exception of one site on Forest Road #373,the cut slope and ditch back slope would not be undercut. Debris obstructing any drainage system would be removed promptly When blading roads, avoid side-casting excess fine material on to the fill slope. Excessive fine material that cannot be bladed into the surface would be hauled to an approved storage or disposal site Coarse rocks (approx. Cobble size or greater) could be cleared (usually bladed) from the road except within 300 feet of perennial stream and 100 feet of an intermittent stream Road maintenance activities would be avoided during times in which listed fish eggs or alevins are in gravels near enough to be affected. Unless agreed otherwise, a Forest Service Fish Biologist would determine those times and areas where maintenance would be avoided Road maintenance would not occur when surface material is saturated with water Road clearing of encroaching vegetation would not be in excess of that needed to provide access or adequate site distance Large woody debris located in RCAs requiring removal for road maintenance would be placed on the down slope side of roads Existing drain gullies on the road sites would be repaired to direct runoff away from streams Water drafting locations would require prior approval from a journey level fisheries biologist. Intake would be screened with a mesh size of 3/32 inch or smaller	Minimize unnecessary disturbance, erosion, sediment delivery to streams, alterations of riparian vegetation, and impacts to fish during road maintenance activities.	Moderate – Experience, Literature, Luce and Black 2001, Burroughs and King 1989, Belt et al. 1992.
Watershed/Fisheries (Fuel Haul and Storage/Contaminants)		
Unless specifically approved by a Forest Service Fishery Biologist, locate fuel and other toxicant storage outside of RCAs	Minimize potential of chemical contamination of streams	High: Experience

Project Design Features	Objective	Effectiveness Rating Basis
Pumps and fuel containers would be placed in spill containment	Minimize potential of chemical contamination of streams	High: Experience
The maximum shipment of fuel on Forest Roads #371 and #373 would be 500 gallons. Fuel shipments into the project area would use Johnson Creek Road	Minimize risk of a spill.	High: Fuel Risk Assessment on file Project Record, Professional Judgment
Crews would maintain spill kits on site for use in case of a spill	Minimize potential of chemical contamination of streams	Moderate: Experience
Appropriate spill containment would be provided for all stored toxicants. The operator would adhere to the guidelines pertaining to transport, storage, handling, and disposal of hazardous materials and spill response cited in the Best Management Practices for Mining in Idaho. A Spill Prevention Containment and Countermeasures (SPCC) plan would be prepared in accordance with EPA regulation prior to project implementation. If prepared, a copy would be made available to the Forest Service	Minimize potential of chemical contamination of streams	High: Experience
Unless specifically approved by a Forest Service Fishery Biologist, the fuel tank would be placed in a liner capable of containing 120 percent of the tanks volume	Minimize potential of chemical contamination of streams	Moderate: Experience
The fuel plan would be followed for all activities associated with fuel delivery	Minimize risk of a spill.	High: Fuel Risk Assessment on file Project Record, Professional Judgment
Road clearing and maintenance activities on County Roads would be coordinated with Valley County as necessary	Minimize unnecessary disturbance, erosion, sediment delivery to streams, alterations of riparian vegetation, and impacts to fish during road maintenance activities.	Moderate – Experience, Literature, Luce and Black 2001, Burroughs and King 1989, Belt et al. 1992.
Fuel haul would not occur during spring break up and would not commence until the annual weight restrictions for road protection during the break up period are lifted by Valley County	Avoid pavement damage	High: Experience
The Forest Service project administrator and Valley County sheriff dispatch would be notified a minimum of 48 hours in advance of the fuel delivery	Minimize risk of a spill.	Moderate: Fuel Risk Assessment on file Project Record, Professional Judgment
Adequate support personnel would be scheduled, including -trained spill responders	Minimize risk of a spill.	Moderate: Fuel Risk Assessment on file Project Record, Professional Judgment

Project Design Features	Objective	Effectiveness Rating Basis
The day of the fuel haul trip [(1)]: • Prior to the trip leaving Cascade, a health and safety meeting would be conducted with the trip staff. Topics to be discussed at a minimum include: viii. Anticipated road conditions and weather forecast. ix. Roles and responsibilities of all participants. x. Communication plan protocols (including truck to truck radios, satellite phones, site communication when the trip reaches Yellow Pine and notification protocol in event of accident or fuel release). xi. Emergency response procedures and available equipment. Goals of on-site first responders, safety issues, and protocols. xii. Emergency numbers and call order. xiii. SPOT™ GPS Messenger operation (provides satellite tracking of trip location and has emergency notification capabilities). *xiv*. Discussion of proper pace (speed), driver fatigue, scheduled, and unscheduled stops. • Setup and confirmation of caches for spill response equipment would occur along portions of Johnson Creek Road, the Stibnite Road, and Profile Gap Road. • Road signs would be established at the Landmark and the Yellow Pine ends of Johnson Creek Road and at the Stibnite Road and Logan Creek Road ends of the Profile Gap Road indicating to the public that a fuel trip is in progress and to use caution.	Minimize risk of a spill.	High: Fuel Risk Assessment on file Project Record, Professional Judgment
During the fuel haul trip [(1)]: • A safe speed of travel would be maintained. Speed would be determined by the trip leader, would not exceed posted speed limits and would be based on road conditions. • Communication with management would occur by using the SPOT™GPS Messenger – signal check-in/OK at least hourly, and signal arrival (custom message) upon reaching the site camp, and upon safely returning to Cascade. The Forest Service project administrator would be notified upon safe return to Cascade. • A SPOT™GPS Messenger button would be used in an emergency to alert emergency responders. • Site security would clear all oncoming traffic before proceeding up or down Stibnite Road between the Yellow Pine guard station and Profile Gap Road. Trip progress would be radioed to security according to established protocols.	Minimize risk of a spill.	High: Fuel Risk Assessment on file Project Record, Professional Judgment
A scheduled fuel delivery would be delayed if driving visibility is poor	Reduce accident risk	High - See GH Fuel Haul Analysis
Fuel haul would travel during daylight hours	Reduce accident risk	High - See GH Fuel Haul Analysis
The fuel haul pilot truck would be responsible for communicating to the fuel trucks locations of road hazards and if necessary placing flagging around the hazards. All trip vehicles would be equipped with radio communication	Minimize risk of a spill.	Moderate: Fuel Risk Assessment on file Project Record, Professional Judgment

Project Design Features	Objective	Effectiveness Rating Basis
The fuel haul trip lead would be responsible for knowing road conditions prior to travel, including areas of road hazards such as soft shoulders and wash out areas	Minimize risk of a spill.	Moderate: Fuel Risk Assessment on file Project Record, Professional Judgment
Fuel haul trips would not occur if there are flooding conditions on roads or the imminent threat of a flood	Minimize risk of a spill.	Moderate: Fuel Risk Assessment on file Project Record, Professional Judgment
Overall emphasis on timing of convoy trips would be during snow-free conditions in an effort to limited trips during snow/ice conditions. Weather forecast would be evaluated and incorporated into travel "go/no go" decisions	Minimize risk of a spill.	Moderate: Fuel Risk Assessment on file Project Record, Professional Judgment
Tire chains would be required for snow or ice road conditions during fuel haul. The need for chains would be determined by the trip lead. All trucks would be equipped with properly sized chains for both steering and drive tires	Minimize risk of a spill.	Low - Fuel Risk Assessment on file Project Record, Professional Judgment
Documented annual inspections of commercial transport vehicles are required in 49 CFR 396.17-23. Inspections would be conducted by a qualified DOT inspector. Commercial transport vehicles would also be inspected at Landmark by the driver prior to accessing Johnson Creek. Transport companies are required to document DOT annual inspections and Landmark vehicle inspections	Minimize risk of a spill.	Moderate: Fuel Risk Assessment on file Project Record, Professional Judgment
Drivers would be experienced in fuel truck hauling on NFS roads	Minimize risk of a spill.	Moderate: Fuel Risk Assessment on file Project Record, Professional Judgment
The fuel haul pilot truck would warn oncoming traffic of the trip and request that oncoming traffic pull aside (or wait) for the trucks. The truck would be made aware of any oncoming traffic through radio communication with the pilot truck. Radio communication would be maintained between trucks and pilot vehicle	Minimize risk of a spill.	Moderate: Fuel Risk Assessment on file Project Record, Professional Judgment
Drivers would be experienced in fuel truck hauling on NFS roads and would be familiar with the travel routes including locations of steep slopes that require downshifting (for vehicles with manual transmissions). Radio communication would be used to warn drivers of upcoming steep grades and also of any oncoming traffic that may require trucks to slow down or stop	Minimize risk of a spill.	Moderate: Fuel Risk Assessment on file Project Record, Professional Judgment
Drivers engaged in fuel haul would be DOT-licensed and adhere to driver log and driving time restrictions as set by DOT	Minimize risk of a spill.	Moderate: Fuel Risk Assessment on file Project Record, Professional Judgment
The fuel haul trip lead would be responsible for assessing driver physical condition. Rest stops would occur during the trip and the frequency of stops would be determined by the trip lead as well as request by drivers	Minimize risk of a spill.	Moderate: Fuel Risk Assessment on file Project Record, Professional Judgment
Trucks would maintain safe distances between trucks based on speed, road conditions, and stopping distances. Fuel haul trip leader would be responsible for ensuring safe separation between trucks. Separation distance requirements would be discussed in driver training and during the pre-trip meeting	Minimize risk of a spill.	Moderate: Fuel Risk Assessment on file Project Record, Professional Judgment
Watershed/Fisheries (Water Withdrawal)		
Water would be conducted from a stream or tanks to the drill pads by means of a flexible plastic pipe laid slightly inclined to the land contour to avoid excess head pressure at discharge end. At the water diversion intake, no excavation or stream channel modifications other than hand placement of rocks would be permitted. A shut-off valve would be installed at the pipe discharge	Minimize likelihood of water system failure that would cause resource damage, and avoid impacts to stream channel	Moderate: Experience
The Forest Service would approve the use of a waterline to be placed in Coin Creek	Minimize likelihood of water system failure that would cause resource damage.	Moderate: Experience

Project Design Features	Objective	Effectiveness Rating Basis
The rate of diversion must be measured with a flow meter approved by the Forest Service. Daily in stream flow monitoring would be performed throughout the period of operation. Flow in Coin Creek would be measured on a daily basis below the point of diversion and upstream of the tributary that joins Coin Creek downstream of FSST 013. AIMMCO would report measured withdrawal rates and daily flow monitoring to the Forest Service. The water diversion rate would be reduced if the flow at the point of measurement dropped below 0.4 cfs in order to maintain a removal of less than 10 percent of the flow	Insure water withdrawal is limited less than 10 percent of flow.	Moderate: Experience, Literature, Orth and White 1993, Tennant 1976.
If water use at the pad is not anticipated for more than twelve hours, the intake end of the line would be removed from the stream after each use period	Minimize effects from water withdrawal	Moderate: Experience, Literature, Orth and White 1993, Tennant 1976.
Water for activities at the Werdenhoff site would be brought in from off site.	Avoid water withdrawal from project area streams other than Coin Creek.	High: Experience
Watershed/Fisheries/Soils (Operations)		
Road surface drainage improvements, and repair of fords on Coin Creek including drainage improvements would occur prior to mobilization of equipment to drilling areas	Minimize sediment delivery to streams and provide access where road is washed out.	Moderate: Experience, Literature, Burroughs and King 1989.
All drill pads and trenches would utilize silt fence with metal posts and wire mesh backing below the disturbed area	Prevent off-site sediment transport to surface water.	HIGH: Experience, Literature, Holloway,
Any excavated material would be placed on the road bed or sidecast. If sidecast onto the slope below the constructed drilling pad/trench the material would be placed close enough to the pad edge that it could all be retrieved for placement back into the cutslope during reclamation	Prevent off-site sediment transport to surface water and facilitate reclamation.	HIGH: Experience.
If a pit is to be used for drilling fluid disposal (unlined), it would be located in a part of the pad which was not constructed from fill material (e.g. in the old roadbed)	Minimize risk of saturation-induced mass failure.	MOD-HIGH: Experience
No additives for drilling fluids, outside of those identified in the plan of operations, would be used without prior approval	Minimize risk of groundwater contamination.	HIGH: Literature, National Sanitation Foundation, 2013.
Settling basins at drill pads would be excavated at lowest point of pad, downslope of all potential discharge sources, and would be of a size that is sufficient to contain 120% of the maximum volume expected to be used	Prevent drilling fluid transport to surface water.	HIGH: Experience
All mechanical equipment would be inspected by PNF to ensure good working condition and determination of no visible leaks	Prevent petroleum product contamination of soil/water.	HIGH: Experience
Oil absorbent pads would be on site and placed, prior to any activities, under the drilling platform and any possible sources of fuel, oil, or hydraulic fluid leakage. Soiled pads would be disposed of per applicable Federal and/or State requirements	Prevent petroleum product contamination of soil/water.	HIGH: Experience
Reclamation of the project area would include recontouring to the original slope shape where this project has altered slopes and revegetation of the disturbed ground. Roads would not be fully recontoured, but would be returned to the original width at drill pad locations. All disturbed areas would be seeded with a certified weed-free native seed mix and mulched	Reduce erosion and minimize sediment transport to surface water	MOD-HIGH: Experience
A Forest Service Minerals Administrator would be on site during the opening of the Ella adit	Ensure compliance with Ella adit opening PDFs	HIGH: Experience
Prior to excavating the collapsed material, a small sediment trap would be excavated on the plaza in front of the Ella adit at a location approved by Forest Service personnel	Capture and infiltrate any water released from Ella adit.	MODERATE: Experience

Project Design Features	Objective	Effectiveness Rating Basis
If water seepage is encountered on the working face during excavation the following actions would be taken [(1)] : • Work would be immediately suspended and a Forest Service representative would be called on site. • A wellpoint with a shutoff valve (or similar device) would then be driven into the remaining material to act as a probe for stored water. • If it is determined that a substantial volume of water is likely to be present behind the collapsed material, a sample would be taken for chemical analysis. • If the water quality meets State groundwater standards, excavation would proceed to release the water in a controlled manner to the sediment trap to infiltrate. • There would be no discharge to surface water. • After the adit is opened, any water that is deemed necessary to be pumped out for disposal would have to meet groundwater standards. • If any water to be discharged does not meet groundwater standards, operations would be suspended until an appropriate disposal method was approved by the Forest Service.	Prevent rapid release of any stored mine water that may be present. Prevent transport of sediment and/or dissolved metals to surface water.	MODERATE: Experience
Watershed/Fisheries (General Erosion Control Measures)		
All ground disturbance would require erosion control measures as determined by the Forest Service (e.g., soil movement barriers, water control devices, mulch or erosion control matting, revegetation plants and grass seed)	Minimize erosion.	Moderate: Experience, Literature, Foltz 2007; Grace 2002; Payette National Forest Soil, Water and Fisheries Monitoring Results.
Mulch and native grass seed would be used on all disturbed areas, unless specified otherwise	Minimize erosion.	Moderate: Experience, Literature, Foltz 2007; Grace 2002; Payette National Forest Soil, Water and Fisheries Monitoring Results.
Generic avoidance/minimization measures that can be used include: silt fence and filter barriers; straw-bale sediment barriers; erosion control blankets and mats; hydro-mulching; mulching; waterbars and rolling dips; temporary sediment basins; straw rolls; straw bale dikes; slash filter windrows; scattered slash; brush layering; and shrub planting. If using silt fence, fence should be considered only a temporary sediment control measure; restored vegetation would be the preferred final erosion control. Silt fences would be maintained by removing stored sediment, and fence would be removed as soon as vegetative erosion control measures have effectively reduced sediment production	Minimize erosion.	Moderate: Experience, Literature, Foltz 2007; Grace 2002; Payette National Forest Soil, Water and Fisheries Monitoring Results.
Watershed/Fisheries (Arched/Box Culvert)		
Sediment entering streams would be minimized by: using silt-fence, or straw bales between structures and stream.	Minimize erosion.	Moderate: Experience, Literature, Foltz 2007; Payette National Forest Soil, Water and Fisheries Monitoring Results.
Stream fording would be minimized during installation as much as is practicable	Minimize turbidity	Moderate: Experience

Project Design Features	Objective	Effectiveness Rating Basis
Structures and any needed abutments would be installed well outside of active stream channel. A Forest Service fisheries biologist or hydrologist would determine the extent of active stream channel	Minimize stream channel disturbance	High: Experience
Noxious Weeds		
Equipment used for drilling, road construction, reclamation, and similar activities would be thoroughly cleaned prior to entering National Forest System lands	Limit invasive and noxious weed infestations.	HIGH: Experience, USDA 2003, 2010. (*Forest Plan p. III-36, NPST03)*
Source sites for gravel and borrow materials would be inspected prior to use for noxious weeds	Limit invasive and noxious weed infestations.	HIGH: Experience, USDA 2003, 2010. (*Forest Plan p. III-36, NPST03)*
Wildlife		
Restrict activities within a 650 foot radius of an active goshawk nest tree to avoid disturbance and retain vegetative structure around the nest site. In addition, no drill pad construction, drilling operations, or roadwork activities would occur within a 1,500-foot buffer (Jones 1979) around active goshawk nest tree(s) from April 1 to August 15 to avoid disrupting nesting activities. Exact distance for which restrictions apply would be determined by a Wildlife Biologist based upon topography and vegetative screening on a site-specific basis. Timing restrictions would only be required for active nest sites. Timing restrictions would not restrict planned road use patterns, public access or fuel hauling. Because goshawks commonly move to alternate nest sites within a territory, the nest site location would be re-identified annually.	Limit disturbance to northern goshawk during nesting season.	High –Experience, Jones 1979.
To the extent practicable, trees found to contain nesting cavities or nests would not be disturbed or cut.	Protect tree/cavity nesting species and habitat.	High - Experience
Any gate or door installed at the Ella would have screening suitable to exclude entry and colonization by bats	Prevent harm to bats.	High - Experience
No trees with active nests would be cut.	Limit disturbance to wildlife species during nesting season.	High - Experience
Equipment and drill rigs will have limited external lighting and will employ noise-minimizing practices (e.g. mufflers).	Protect wildlife resources	Low -Experience
The Forest Service wildlife biologist will be notified of any occupied sensitive species nests or dens encountered during implementation that may be associated with listed or sensitive species. If necessary to maintain key features of nesting/denning habitat or to avoid disruption of nesting/denning activities, prescribed activities will be modified	Protect wildlife resources	High - Experience
Personnel and contractors traveling in vehicles will be encouraged to observe posted speed limits or state secondary road speed limits and to drive at speeds appropriate to reduce the possibility of vehicle-wildlife accidents.	Prevent wildlife-vehicle collisions	Moderate - Experience
Mud sumps used for drilling operations will contain perimeter fencing to keep wildlife from accidently falling into the excavation.	Prevent wildlife drowning	High - Experience
Any adverse wildlife encounters will be reported to appropriate state and federal wildlife managers.	Protect wildlife resources	Low - Experience
Sightings of listed or sensitive wildlife species will be reported to the Forest Service.	Protect wildlife resources	Low - Experience
Cultural		
If previously undiscovered cultural resources (historic or prehistoric objects, artifacts, or sites) are exposed on NFS land as a result of project operations, those operations would not proceed until notification is received from the Forest Service that the proponent has complied with provisions for mitigating unforeseen impacts as required by 36 CFR 228.4(e) and 36 CFR 800	Protect Cultural resources	HIGH – Experience 36 CFR 228.4(e) and 36 CFR 800
Visuals		

Project Design Features	Objective	Effectiveness Rating Basis
To the extent practicable, within the FC-RONR Wilderness temporary facilities such as storage units or tents would be colored to blend with the characteristic landscape (natural or neutral color)	Reduce visual impact	LOW: Experience USDA 2003, 2010. (*Forest Plan p. III-68, SCGU13)*
During night operations, lighting fixtures would be pointed downward to the extent practicable to reduce light impacts within the FC-RONR Wilderness	Reduce the distance and overall area which lights may be viewed in the Wilderness	LOW: Experience
All stumps from the cutting of trees for timbers would be within six inches of the ground on the high side	Keep activities within established VQO	MOD: Experience USDA 2003, 2010. (*Forest Plan p. III-67, SCGU03)*
Slash associated with the cutting of trees for timbers would be lopped and scattered to within one foot of the ground	Keep activities within established VQO	MOD: Experience USDA 2003, 2010. (*Forest Plan p. III-68, SCG043)*
Along that portion of Forest Road #50371 having a VQO of retention, 70 percent or more of the merchantable trees would be retained in areas where trees for timbers are cut	Keep activities within established VQO	MOD: Experience
Botanical		
Seed with native seed mixtures appropriate for the elevation and habitat	Maintain native plant	MOD: Experience USDA 2003, 2010. *(Forest Plan p.III-34, BTGU03)*
Where practicable, avoid removal or heavy trimming whenever possible of whitebark pine	Maintain and protect federal candidate plant species.	MOD: Experience USDA 2003, 2010. *(Forest Plan p.III-9,TEOB07)*
Fire		
All applicable federal and state fire laws and regulations would be adhered to during operations	Fire precautions	HIGH: Experience, USDA 1979.
Reasonable measures to prevent and suppress fires in the project area would be taken by employees, contractors, and sub-contractors.	Fire precautions	HIGH: Experience, USDA 1979.
All vehicles and equipment would have spark arrestors and fire suppression tools and supplies.	Fire precautions	HIGH: Experience, USDA 1979.
The base camp would have a fire tools cache on site	Fire precautions	HIGH: Experience, USDA 1979.
Smoking and the building of fires by persons engaged in project operations would be prohibited, except at established camps. At the request of the operator the Forest Service would designate places where (1) campfires may be built or (2) smoking may be permitted. Such designated places would be cleared of flammable material to mineral soil prior to use	Fire precautions	HIGH: Experience, USDA 1979.
Sufficient fire tools of a kind and type satisfactory for fire suppression would be made available to equip persons engaged in project operations. Fire tools would be used only for suppressing fires. Tools would be stored in fireboxes and be readily available to employees. Each toolbox would be marked "Tools for Fire Only," painted red and kept sealed	Fire precautions	HIGH: Experience, USDA 1979.
Each piece of equipment, truck, or other form of vehicle used in conjunction with activities would be equipped with one size 0, or larger, round-pointed shovel. Shovels would be so placed on the machines that they could be readily obtained at all times	Fire precautions	HIGH: Experience, USDA 1979.
Each gasoline or diesel internal combustion engine, except powersaws, would be equipped with a spark-arresting device which has been approved by Forest Service. After installation, spark-arresting devices would be kept in a satisfactory working condition	Fire precautions	HIGH: Experience, USDA 1979.

Project Design Features	Objective	Effectiveness Rating Basis
Each gasoline powersaw would have a spark arrester muffler affixed and in good working condition. Said spark arrester-muffler would be of the construction and maintained to the standards approved by Forest Service. In addition, one chemical pressurized fire extinguisher of not less than 8-ounce capacity, by weight, and one size 0, or larger, round-pointed shovel would also be provided to the powersaw operators when in use. The spark arrester-muffler, extinguisher, and shovel would be maintained in good working condition at all times. The shovel and extinguisher would be readily available	Fire precautions	HIGH: Experience, USDA 1979.
If gasoline, oil, grease, or other highly flammable materials are stored in a building, all flammable debris would be cleared away within a radius of 25 feet	Fire precautions	HIGH: Experience, USDA 1979.
A suitable shovel, and dry sand in a covered container of not less than 25-gallon capacity in the aggregate (or a fire extinguisher of not less than 2-quart capacity of a type approved by the Underwriter Laboratory for gasoline and oil fires), would be placed at each gasoline, diesel, and oil shed or storage site, or other motor-fueling station. Mobile servicing units would be equipped with a fire extinguisher of not less than 2-quart capacity of a type approved by the Underwriter Laboratory for gasoline and oil fires	Fire precautions	HIGH: Experience, USDA 1979.
Stoves, stovepipes, chimneys, and electric wiring would be located and maintained to the safety standards set forth in applicable sections of the Forest Service Health and Safety Code, dated March l970, as revised	Fire precautions	HIGH: Experience, USDA 1979.

- - The enforcement mechanism for each of the PDFs is the Final Plan of Operation. Monitoring of the plan would be completed as defined in the FEIS, Appendix C Monitoring

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ATTACHMENT E

FEIS ERRATA

Page 3-26, Figure 3-4a replace Figure title "Fishery and Watershed Analysis Area" with "Original analysis area prior to including project haul/access routes."
Page 3-27, Figure 3-4b replace Figure title "Fishery and Watershed Analysis Area" with "Project haul and access routes which have been added to the analysis area. The increased analysis area includes all streams adjacent to the haul routes including Big Creek, Johnson Creek, EFSFSR, Secesh River, Lick Creek, Profile Creek, and Big Creek. All streams are within the SFSR Subbasin or MFSR Subbasin except for Lick Creek and Big Creek which are located in the North Fork Payette River Subbasin."

Page 3-48, Section 3.4.5, 1st paragraph, should be replaced with "The Fisheries and Watershed Resource cumulative effects area is identical to the analysis area (Figure 3-4a and 3-4b). Cumulative effects are not expected outside of the analysis area, including lower Big Creek in the Wilderness."

FEIS Page 3-48, Section 3.4.5 Cumulative Effects, 7th paragraph, last sentence should read as follows: Reference Appendix A "and the Soil and Water Technical Report" for additional information and maps related to the cumulative effects analyses completed for this project.

FEIS Page Appendix A-6, Table A-3. Add the following:

Foreseeable Future Actions	Description	Year	Acres / Miles	Resources Affected
Golden Meadows Exploration Project	The proposed action would conduct exploration drilling in 26 drill areas within NFS land. Roughly 139 drill pads would be used to conduct drilling activities. Associated activities include access road construction and authorization and rock source.	Est. 2016	4 acres	Watershed/ Soils/ Fisheries, Wildlife, Noxious Weeds, Roadless, Scenic Environment, Air Quality

ATTACHMENT F
Forest Response to Reviewing Officer's Instructions:

Objection Point	**Reviewing Officer's Instructions**	**Forest Response**
You allege there is no mention as to how the traffic is to be monitored.	Clarify the language in the Wilderness Monitoring (Access) section of the FEIS and ROD to include protocols specific to monitoring the agency-authorized use of motorized equipment and mechanical transport for nonemergency purposes (i.e., mineral rights). The Technical Guide for Monitoring Selected Conditions Related to Wilderness Character (Forest Service, June 2009, pp. 168-177) gives direction that could be (i.e., equipment type, actual number of pieces of motorized equipment and mechanical transport and the number of days of actual use of motorized equipment and mechanical transport.	ROD Attachment D (p. 47)
You allege the Forest Service should provide details for the reclamation plan and must be substantive enough to cover the worst possible impacts.	Reclamation Plan needs to be completed and either be part of the ROD or in the project record and be referenced in the ROD.	Attachment A to the ROD, Reclamation and Bonding, has been changed to include more detail of the reclamation requirements.
You allege the Forest Service has not adequately addressed the effects of sediment produced by vehicles hauling the fuel. *You are concerned about the transportation of fuels, lubricants, solvents and other toxic chemicals as it pertains to the effects on streams, intermittent streams and drainages due to the presence of listed fish species.*	• Page 3-26 of the FEIS includes a map that implies the analysis area is limited to the subwatersheds closer to the Golden Hand claim, and excludes those further to the south and west, where project access would occur. This is the smaller analysis area that was also used for the original BA. However, on page 3-27 the map shows the entire area that includes access routes, with routes highlighted as the activity area. This map	ROD, p. 61, FEIS Errata Fisheries Technical Report, PR Doc # 1040 Soil & Water Resource Technical Report, PR Doc # 1168 BA Amendment, PR Doc # 041

Objection Point	**Reviewing Officer's Instructions**	**Forest Response**
	matches with the one included in the draft amendment to the fisheries BA for the project, which specifically speaks to an expanded analysis area in response to the need to analyze access routes. Change the map description (map title) on page 3-26 in errata to explain that this is a smaller area that was part of the original analysis/BA, to be clear where the expanded analysis area was, and be more consistent with the draft amendment to the BA and the analysis area narrative description on page 3-23. • Add a clearly readable copy of the BA amendment in the final project record.	
You allege the FEIS fails to provide the quantified assessment of the cumulative impacts of all past, present and foreseeable future actions in the area.	• Add Golden Meadows Exploration Project to the Cumulative Effects table in Appendix A. • Within the Cumulative Effects section for each of the resources, clarify the spatial and temporal bounds that were used, particularly for those resources whose temporal bounds do not coincide with the project's duration. • Fisheries and watershed resource: "Subwatersheds downstream of the selected analysis area were not included because they are located in Wilderness where management related watershed effects are relatively small" (FEIS p.	The Golden Meadows Exploration project has been added to the cumulative effects table. ROD, p. 61, FEIS Errata When necessary, the spatial and temporal bounds for cumulative effects have been clarified in the resource technical reports, PR Doc Nos.: Minerals & Geology, FEIS p. 3-12, PR Doc # 1414 (revised) Wilderness Resources, FEIS p. 3-22, PR Doc # 812 Fisheries & Watershed Resource, FEIS p. 3-48, PR Doc # 1040 (revised), 1195 Soil Resource, FEIS p. 3-54, PR Doc # 1168 (revised), 1546

Objection Point	**Reviewing Officer's Instructions**	**Forest Response**
	3-48). The effects overlap in space and time therefore this section should include a discussion of effects in Wilderness. • Cumulative impacts analysis for Botany Resources does not provide adequate rationale for the determinations made.	Wildlife Resources, FEIS p. 3-61 – 3-72 Roadless Resources, FEIS p. 3-80, PR Doc # 1489 Botanical Resources, FEIS p. 3-87, PR Doc # 662 (revised) Noxious Weeds, FEIS p. 3-91, PR Doc # 748 Air Quality, FEIS p. 3-96, PR Doc # 622 Scenic Environment, FEIS p. 3-106, PR Doc # 766 Cultural Resources, FEIS p. 3-111, PR Doc # 665 Recreation Opportunity Spectrum, FEIS p. 3-115, PR Doc # 811
You allege there is inadequate discussion of mitigation effectiveness in the Draft ROD and FEIS.	The Project Design Features – Effectiveness Table, contained within the project record will be included in the Final ROD.	ROD, p. 47, Attachment D
You allege the Forest Service needs to characterize and analyze the waste rock found in the project area and the rock used as construction materials for fords.	• The DEIS Response to Comments says Ella Portal material is "mostly" colluvium (pp. 55), and FEIS says it is "all colluvium" (pp.3-43 and 2-4). Be clear about what is waste rock and what is not and why, if possible. • Clearly state what would be a candidate for use as aggregate and what would not and where material from each source could be used (i.e. talus slope on way to Ella portal or from the Penn Ida site used in the FC-RONR vs material from Werdenhoff used outside the wilderness) unless at this point there needs to be flexibility in aggregate source. • The FEIS, on page 2-19, gets at this (states that sources within the FC-RONR would be used only	• Mineral material sources, locations of use and rock characterization: • FEIS @ 2.3.7 – Material excavated from the Ella adit portal – "…the excavated material is all unmineralized colluvium…" • FEIS @ 2.4.3 –"A ford on a tributary to Coin Cr. would require repair… Fill rock would be sourced from the talus slope located on the road from the Golden Hand bunkhouse to the Ella Portal or the Penn-Ida site." • "…the ford at Coin Cr. would be repaired… …coarse rock would be sourced from the talus slope located on the road from the Golden Hand bunkhouse to the Ella Portal or the Penn-Ida

Objection Point	**Reviewing Officer's Instructions**	**Forest Response**
	for road work inside the wilderness boundary) but does not make it entirely clear that material outside the wilderness could not be hauled in (ie, from Werdenhoff). • While it is apparent from the project map and discussion with the Forest geologist that hauling material over Pueblo Summit from outside the wilderness is not practical, the document could better clarify this. • Specifics about each source should be clear; the talus slope on the road between the Ella Portal and Golden Hand bunkhouse sounds like a natural source, but the origins of the material from the Penn Ida site is less clear. Aggregate from the Werdenhoff site would be derived from waste rock. Using a specific location associated with a specific term (i.e. talus, excavated material, or waste rock) to characterize each proposed aggregate source would provide clarity regarding when effects analysis would need to include discussion of waste rock and when the source would rule out completely this possibility.	site." • FEIS @ 2.4.4 – "Sources within the FC-RONR Wilderness would only be used for road maintenance within the wilderness." Attachment A to the ROD has been changed to include clear descriptions of rock sources, where the material from each source will be used and when testing is required. Decommissioning of Temporary Roads • ROD @ Attachment A, Watershed/Fisheries (Transportation) – "Upon completion of activities, ford approaches will be rehabilitated and decommissioned. Approximately…" • ROD @ Attachment A, Watershed/Fisheries/Soils (Operations) – "Reclamation of the project area will include recontouring to the original slope shape where this project has altered slopes and revegetation of the disturbed ground. Roads will not be fully recontoured, but will be returned to the original width at drill pad locations. All disturbed areas will be seeded with a certified weed-free native seed mix and mulched."

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