Small NEPA Minerals Projects

Those attending: Jeff Chynoweth, Lois Hill, Marty Jones, Quentin Smith, Terry Nevius, Scott Godfrey, Curtis Caton, Steve Lucas, Jeff Shinn. Via conference line: Stefani Spencer, Brandon Knapton, Kurt Steele.

Jeff - Intro

15 projects ongoing; will review 11 of them this morning.

Max #2 Placer Exploration completed.

Projects: Status Quo

Steamboat Placer Exploration

Marty – should drop, Travis Holland has picked up claims, probably best to start over. Jeff S– agree, should drop. Doesn't expect Travis Holland to apply. Original claimant is not involved any more. Application needs to come from the person who owns the claim. New operator may do things differently.

Scott – How recent is that? Marty – original claimant has been out of the picture 6-7 years, Travis only picked it up recently. Scott – Projects in the list are being worked on. If something like that changes we need to make the decision to pull them off the list right away, or keep them on and change them. Some of the minerals projects have been on the list for years. Need to shepherd them more closely. This has been an issue particularly for minerals. Have any of the other 5 changed? Marty – new info within the last couple of weeks.

Decision: Drop Steamboat Placer Exploration

Center Star Exploration

Gold Bug AML, Gold Dust Mining – waiting for SHPO. Stefani – Make sure they have gone to SHPO. Steve L. – they have.

Sally Exploration – should continue.

AML Closures Forestwide

6 adits will be closed, - bat gates. 3 shafts will be closed – polyethylene collar else bat gate if evidence of bat use. Steve's crew had problems finding the sites.

Steve L. – Crew was able to get to them all except the two Badger sites. Reports will probably come when they get snowed out. Hope for TEAMS projects concurrence from SHPO by Christmas. Two Badger sites won't get done.

Curtis C. – Need exact coordinates for those two locations? Steve – yes. Curtis – will send people out to get exact locations. Polyurethane foam – people are going out and finding the closures and sawing through them with a saw. We need to find a better plan for blocking access. Maybe backfilling or use explosives to permanently collapse the shafts unless there are bats. Safety concern. People go in and find old artifacts, rocks, minerals, etc. and sell them. They are trying to get a TV program going – e.g. discovery channel. One adit that is flooded has guided tours, people need to jump out before a waterfall…. Rafts are abandoned down there. Curtis – recommend permanent closure unless bats.

Quentin – because we have so many abandoned mining claims, we have 100's across the forest. Need standard language in the sup/DM re – if there's bats do this, if >50 years old need SHPO consultation. Have that language ready to go. North side of the forest has been surveyed.

Curtis – if new claimants did not cause that disturbance we can require them to prevent access to those areas in future plans – suggest having new claimants do that. Terry – do that through bonding? Curtis – do it through reclamation plan.

Scott – similar to Forestwide PCT/programmatic approach. Steve – it would be a little more difficult than PCT approach but could be done, would help with process. Scott – could write if/then statements for SHPO? Steve – yes, could, but most of these will be past that point. Probably wouldn't save much time. But could look to see what the issues are.

Decision: Curtis will work with Steve/others to write programmatic statements, identify closer look needed for each resource. Suggest one Forestwide.

Baldy Creek Placer

Typical placer exploration, 10-12 pits, process materials using water, 2 settling ponds. Issues are Baldy Creek Placer proposes to access by going up Newsome Creek. Similar to the two Heritage projects? Fisheries has LAA for BT and SH. Need site visits to locate other stream crossings, needs to go to level 1.

Terry – what's the decision to be made? Jeff – whether to go up Newsome creek, USFS and Tribe partnered on restoration work, scoped in 2013, tribe commented – how will proposed affect restoration efforts? Bigger issue than fisheries probably. Terry – small NEPA used to be a "filter," especially for minerals, to figure out if they actually met small NEPA. However, some of these that are going into small NEPA when we know full well they won't fit there and then they languish. Marty – Baldy Creek is below restoration area. Access is through Newsome Town site. Baldy is tributary to Newsome, old stock trail road goes up Newsome, they want to use crossings. Could make a temp road possibly to avoid crossings. Terry – if vehicles will go up a creek, question whether it meets small nepa to start with. Jeff – question is whether there are significant effects. Marty – possible cumulative effect. Terry – it's anadromous. Even though it's test drilling, access is going up creek bottoms. Question whether it fits small NEPA. Scott – project description talks about going up Newsome creek. What did the specialists look at when they found adverse effects? Also, from the tribe – if they read the description as is, vehicles would go up Newsome creek, not the same as going up Baldy creek. Curtis will work

with line officers on projects going forward to determine if they belong in small nepa, have that conversation before the proposal is submitted. Conversation needs to happen between project proponent and rangers. Terry – some POO's tend to be pie in the sky, once they find out about env. analysis they get less serious about it. To Marty – is this guy serious? Marty – thinks he is sincere about wanting to go up there, but how serious he is might be different. Curtis – when we get a proposal we should look at it, some are about mining rather than just exploration. Look at it from the beginning, need exact locations, better maps. Kurt – agree with Scott, Terry. Curtis – using small nepa as a filter, doesn't agree. If we know it's not small nepa we should refine it until we think it might fit small nepa rather than sending it through small nepa and letting it sit there for years. Need to figure out a way to move forward. If proponent (to Marty) seems insincere/unsure, we are going through a lot of work for nothing.

Jeff – how to move baldy forward? Quentin – we have access via fs road 1858, parallels stream, has some fords across the stream. Have travel mgt. decision coming out soon – no date right now – if current mgt. matches future mgt. we need to consider that. DRAMVU decision takes into account which roads will be open, which closed, effects of the roads on the landscape. If this road will remain open to motorized and we won't let the miner use it, that's inconsistent. OTOH, if there are seasonal restrictions, 50 inches or less, etc. we could ask miner to modify proposal to be consistent with restrictions the rest of the public has to meet. Important to know if proposal would be outside the confines of the travel mgt. decision. Terry – it's mostly closed roads that come up when Marty brings a proposal forward. We allow miners to go behind closed roads if nepa has been done properly. Open roads are not a problem. Marty – those roads are open – public uses them now. Terry – issue is not the use of the road, it's going up Newsome creek.

Scott – sounds like Terry/Team needs more info on the route, it's not up Newsome it's actually up Baldy, it's on an existing route the public is using. All resources checked off except fisheries, still waiting for BA/consult on LAA unless Derrick changes that. Change would only come as the result of better info. If it's still a LAA after that we still need to consider the path forward. Kurt – agree.

Marty – there are no crossings on Newsome creek at all, they are all on Baldy creek, project description only says "travel up 1858 to baldy creek 2-track." 1858 road up to just past private land, turn onto Baldy. Not actually traveling up the Newsome creek bottom. Crossings are on baldy creek (below restoration area) 2-track. However stream is still anadromous.

Scott – Marty, Terry talk to Derrick, clean-up project description, decide if LAA call still.

Cherry Exploration

Fisheries issues, does not meet programmatic, would need a BA. Need site visit to determine alternate crossing. An assignment more than a decision – need Derrick here.

Blue Ribbon Test Drilling and **Lost Bench Placer**

Unauthorized mining in Siegel Creek. Currently being investigated by LEO.

Curtis – even if projects move forward, not sure how investigation might affect them. Combined effects from user-created trail and …

Lost Bench Placer – just trenching within rectangle on map, trails begins there. Operator brought in a mini-excavator at each crossing. Marty – original claimant no longer owns the claim, new operator is trying to get a lease from the new owners. Jeff – will they need to resubmit a new POO? Marty – new operator would just get a lease agreement from new owners.

Curtis – blue ribbon straddles both sides of drainage. Drilling, so effects are different than trenching. Unauthorized operation is right at streambank for Siegel creek. Probably a couple acres of disturbance. Settling pond, trenches. Stripped all the vegetation in that area right up to the creek. Mini excavator came in and sampled. Need to look at overall effects of those two operations. Need derrick/fisheries input. Notice of noncompliance – wanted operator to reclaim the area, reseed, bmp's etc., claimant was willing to do reclamation but law enforcement asked us to rescind that requirement. So disturbance is wide open at this point and not clear when it will be done. Derrick estimated $50K to do reclamation. Terry – they have until about Oct 30. Anadromous stream – BT, SK, SH. Lost bench LAA for SH, but NLAA but BT critical habitat. – those were original calls. Lost bench will require BA and a Bio Opinion. Lois – LAA doesn't mean significant nepa effect so CE might be possible, but need fisheries call re significance. Jeff - Derrick thinks that with reclamation, effects might not be significant.

Marty – operator/premium exploration/Justin Ledrew? – has other projects to do now

Kurt - need talking points from Jeff for winter miners' meeting. We have told people we would move forward with the 4? If two more are on hold, need to talk to them about that.

Decision – put both on hold until reclamation is done, then resubmit to IDT as a revised proposal with reclamation work in place. If effects are significant after reclamation, queue up for bigger nepa. Jeff will develop talking points for winter miners' meeting.

NO BREAK – Stefani and Brandon sign off

Rex Placer

17 test pits along gold creek and/or Ozark creek. Area is historic industrial landscape, lots of heritage sites. Difficult for Steve to make nonsignificant call without knowing where test pits will be.

Steve – normally we do site management but in that location we need to do feature management – need to know within 5 feet where the pits will be. Steve/Marty have offered to go to field with the operator. Jeff – 17 pits, how to indicate to operator where he can dig or not? Steve – thinks they could find a way to move forward, identify OK sites with a field visit. Doesn't want to say no without making an effort. Marty – there is normally latitude for adjusting sites. Jeff S – fits small nepa if we can work through. Scott – could probably operate this spring if they are willing to accommodate our needs. Steve – very sensitive area for Chinese mining sites. Rex placer is right on top of it.

Steve – not sure if we will monitor during implementation, might be necessary but don't want to commit to that if not needed. Very difficult to coordinate. Marty/Curtis will do field visits/ inspections.

Decision: keep as CE in small nepa. Field trip this fall, identify sites, allow concurrence process to play out over the winter. Marty/Curtis will set up with proponent.

Devine pioneer exploration

Jeff – proposal does not meet the category as proposed. Two 20-acre claims will divide into 8 zones, will do one zone per year, want to reconstruct decommissioned road. This would be road construction, almost 1 mile, FR 9823. Includes installing 3 culverts. Proposal is to leave the road open for 8 years then do all the reclamation of the 8 sites and road all at once. Category 8 requires all reclamation done in one year. Could go with 8 consecutive years of CE's. could look like segmentation, might need to be an EA. Scoped 2011 as a different project … same name but different. Jeff – need to figure out what original IDT actually analyzed. Kurt- important thing is the road work.

Kurt – only concern is, doesn't fit the category. Possible to do a streamlined EA? Suggest Terry think through it. Might be worth thinking through it, if there are no effects other than not fitting CE category, possible to do in 3-4 months?

Curtis – possible to start with a CE, go one year, move forward to an EA? Marty – road is the major issue. Jeff – everything has to be reclaimed within one year. Originally planned to use hand tools, reconstruct road, using machine for road probably takes it out of CE world. Wants to use a scissor trailer, haul stuff offsite. Kurt has small project EA template w/no significant effects; EA was 26 pages, most is canned language. Spec reports very short. Might be able to get by with just Derrick. Use CE checklist but add language needed for an EA. Would still have to go through objections. Could scope, produce EA one month later, DN/FONSI shortly after. Kurt will send template to Jeff C, he will redistribute. Lois – combined scoping/comment could work, need to re-scope though for objection language, objections could be 90-120 days unless no objections are received.

Marty – could take on the EA over the winter to get a product out quicker. Kurt - would need to work with Lois/Jennie to make sure language is OK. Jeff – willing to be team leader. Scott- good, Jeff was about to be volunteered. ☺

Terry – use small nepa team or SZ nepa team?

Scott – already have no sign effects checks from IDT.

Decision: bring it to regular nepa program for a simple/focused ea. Jeff team lead, Marty technical expert. Derrick could get consultation through by spring. Terry/Jeff will figure out who can be on the team. Re-scope, get correct language in it. Get consultation going simultaneously. Call it a "checklist EA." No spec reports, tie in checklist process, move forward. Analyses are done except for fisheries. Put it on pow.

Heritage Gulch Placer and Heritage 2 Placer

Heritage 2 scoped 2012, heritage Gulch scoped 2013. Placer exploration, test pits using skid steer loader and small excavator for gulch. Heritage 2 stacked on top of Gulch. Tim Hoskins and Gordon Burger operators. Issues = fisheries (starting with KT) – determined both projects would have sig. effect on fisheries, critical habitat. Want to drive up Newsome creek, out and up and out, through heritage gulch first then heritage 2, want to use same access points. Would go through Newsome creek restoration area, tribe will be concerned. Issues are moving equipment up and down the creek, and restoration.

Derrick: Occupied, designated critical habitat, known occupancy – BT and SH.

Marty – hasn't been able to find an alternative route. Possible temporary bridges? Temp crossings – 6 or 7. Need about ¾ mile of new road construction if coming down from the top. Existing trails are too steep to be a good option. Temp road was built to do Newsome creek restoration. Could access Burger's claim (HG) upstream, would only eliminate one crossing. Some crossings would actually be within the stream. Constructing road, would be >1 year, doesn't fit category. Derrick – temp roads could go through consultation OK. Terry – also other cumulative actions in drainage. Derrick – LAA as written, heavy equipment in the stream. Effects on restoration. Discussion - Just saying "no" to the operator isn't an option.

Quentin – as written looks like at least an EA, possibly an EIS. Maybe a site visit with the proponent, explain that, could help. Curtis – possible to do env. analysis for an entire area? That way when we have proponents, exact locations, would help specialists. Scott – possibly have proponents pay for nepa – offer to them/ask them. Considering sign issues, tribe concerns, etc.

Kurt – are crossings hardened? Marty – crossings were hardened for restoration project, probably still are. Derrick – could de-escalate effects just for crossings, problem is driving through habitat and through restoration project. One vehicle driving through not different from 100 vehicles. Effects could be modified with temp road, temporary crossings. Intent would be to remove them, need to build them correctly. > possible EA. Derrick – LAA in Newsome would also be LAA in Baldy, cumulatively downstream in Newsome.

Scott – not appropriate for small nepa. Need to discuss with proponents about modifying proposal. Kurt – discuss with Christine/Cheryl about tribe buying claim? Scott – going down that path, it would be best for FS to just stay out of it; no need for FS to be the "broker."

Kurt – Scott/Quentin – want overview of where the projects ended up, for discussion at miners meeting – 1 pager. Lois – send notes to this group after meeting.

Decision: Marty will discuss modifying the proposal with the proponent. Projects will be put on hold in pals. No longer in small nepa – at least an EA or EIS. Retain work that has been done by IDT already to use if proposal resurfaces. Suggest that proponent talk to the tribe. Also discuss possibility of a temp road with the proponent.

Jeff Chynoweth workspace/Small NEPA Minerals Meeting:
https://usfs.app.box.com/folder/53412143853