



General Guidelines for Filing and Processing Proposed Locatable Mineral Operations

Forest Service regulations establish three categories of locatable mineral operations, based on the potential disturbance to National Forest resources:

Category I: Notice of Intent (NOI) or Plan of Operations (POO) is not required.

Category II: NOI is required.

Category III: POO is required.



Category I: No NOI or POO Required

Examples:

- Where vehicles stay on existing roads open to the public,
- Search for and occasional removal of small mineral samples or specimens, and
- Staking of a mining claim.
- In general, where the disturbance is the same as from other Forest users where no permit or approval is required.

Category II: Notice of Intent Required

- The purpose of a NOI is to give the District Ranger enough information to tell if the level of disturbance will require a POO and a detailed environmental analysis.
- Within 15 days of NOI receipt, the District Ranger will evaluate it and notify the operator if a POO is required.
- If uncertain, the operator should file a NOI.
- A NOI can simply be a letter to the District Ranger.

Contents of the NOI:

1. **Name, address, and telephone number of the operator.** The NOI should be signed and dated by the operator.
2. **Area involved.** Include township, range, and $\frac{1}{4}$ section of where proposal will occur and how to find the area on the ground. Enclose a detailed map or sketch with the NOI showing operations location and scale.
3. **Nature of proposed operations. Describe (a) what you plan to do, and (b) when and how you will be operating; (c) the proposed start-up date; and (d) the expected duration of the activities.** The District Ranger may contact you regarding the following information: the number of people involved in the operation, equipment you intend to use (sizes, capacity, and frequency of use), area and depth of proposed excavation, how waste material will be handled, what vegetation will be removed, size of total area to be disturbed, quantity of material to be removed, and whether storage or camping facilities are to be used.

4. **Access route to the area of operations.**
5. **Method of transport.** Describe the vehicles or other transport used to carry people, equipment, supplies, and living quarters.

Category III: Plan of Operations Required

- If the District Ranger determines that the proposed mineral operation will likely cause a significant surface disturbance, a Plan of Operations (POO) is required.
- Information required for a POO is more extensive than for an NOI.
- Some examples of activities that require a POO:
 - use of mechanized earth moving equipment (backhoe, dozer, dredge),
 - constructing, placing, or maintaining roads, trails, structures, fences, or other improvements,
 - occupancy or use of structures,
 - cutting trees,
 - digging of pits, trenches, or adits,
 - storage or discharge of hazardous materials or mine waste,
 - activities that might affect water quality or quantity, and
 - activities that might affect species protected under Endangered Species Act.

Contents of the Plan of Operations:

1. **Name and address of operator/claimant.**
2. **Map of the proposed operating area.**
Describe location, size of disturbed area, dates of operation, trenches, pits, ponds, streams, dumps, drill pads, timber disposal, etc.
3. **Access** (road/trail routes, and needs), describe maintenance and/or reconstruction, specifications with widths, grades, culverts, type of vehicle use, etc.
4. **Project description.**
What is the proposed mining, milling, and/or exploration method?
Describe materials, equipment, and workforce. What is the schedule for construction and/or when are operations proposed to start up?
Describe power requirements, what vegetation clearing will be necessary.
Describe how you will stockpile topsoil removed for reclamation.
Identify waste rock/tailings placement and disposal, the design of liners, and any engineered facilities, as well as structures, tanks, pipelines, power, sewage, etc.
5. **Environmental protection measures.** The POO must detail what measures will be taken to protect:
 - Air quality (dust abatement, emissions).
 - Water quality (storm water, discharges, etc.).
 - How diversions, storage, and treatment of materials will be designed.
 - Monitoring.
 - Seasonal closures, interim reclamation.



- Solid wastes.
- Scenic values.
- Fish and wildlife.
- Cultural Resources.
- Hazardous substances.
- Reclamation.

POO Processing:

1. The Authorized Officer (usually the District Ranger) must promptly acknowledge receipt of a POO, and
2. Within 30 days, evaluate it and notify the operator of one of the following:
 - a. The POO has been approved.
 - b. No POO is needed.
 - c. The operator needs to provide additional information and/or make changes in the POO.
 - d. The Forest Service needs more time to complete the POO review (up to 60 days except when the area is inaccessible or other legal constraints involved (Endangered Species Act)).
 - e. The Forest Service must prepare an Environmental Impact Statement.
3. The District Ranger will determine when all the information necessary to evaluate the POO has been received.
4. The District Ranger will also determine if a reclamation bond is required, and what the amount should be.
5. Any operator aggrieved by a Forest Service decision may file an appeal under 36 Code of Federal Regulations 251 Subpart C.
6. The information presented in this handout is in accordance with 36 Code of Federal Regulations 228.A, Locatable Minerals.

