

## **Approval of the Golden Hand Mine Proposed Plan of Operations**

Questions & Answers June 23, 2015

### **1. When did mining first occur in the area of the Golden Hand mining claims?**

J. M. Hand originally discovered the Golden Hand deposit in about 1889. The Hand brothers reportedly recovered \$1200 in gold. Bureau of Mines production records show that 1368 ounces of gold and 301 ounces of silver were produced from 1648 tons of high-grade oxidized ore during 1932-34. An additional 200 ounces of gold and 50 ounces of silver were recovered from about 485 tons of ore in 1938. Minor production was recorded in 1940 and 1941.

### **2. How can mining be allowed in a wilderness area?**

The 1964 Wilderness Act allows mining within congressionally designated wilderness on claims determined to be valid prior to the withdrawal of the wilderness area to entry under the mining laws. After several years of administrative and legal proceedings, Golden Hand lode mining claims #3, #4, and #8 have been determined to be valid. The current project is the validation work for lode mining claims #1 and #2.

### **3. What is the background on this project?**

The Golden Hand lode mining claims are located within the Frank Church – River of No Return Wilderness (FCRONRW). They are owned by American Independence Mines and Minerals Company (AIMMCO). The claims were located after designation of the FCRONRW in 1980 but before withdrawal from entry under United States mining laws took effect on December 31, 1983. The claims may therefore be developed in accordance with the Wilderness Act and Forest Service regulations at 36 CFR 228.15. A mineral examination was completed by the Forest Service in 1986 as required by regulation. The mineral examiner recommended a mineral contest be initiated against Golden Hand claims 1 through 8.

After numerous proceedings before the Office of Hearings and Appeals, Interior Board of Land Appeals, Federal District Court for Idaho and the Ninth Circuit Court of Appeals, valid rights have been established for claims 3, 4 and 8. Claims 5, 6 and 7 are invalid and the validity of claims 1 and 2 will be determined after this project is completed.

In 1995 AIMMCO submitted a plan of operations (POO) to the Forest Service for road construction, drilling and underground mining operations on Golden Hand claims 3 & 4.

In August of 2002, Idaho Federal District Court Judge B. Lynn Winmill issued a decision ordering the Forest Service to complete an Environmental Impact Statement (EIS) and approve AIMMCO's plan of operations for Golden Hand claims 3 and 4 by May 1, 2003. The Record of Decision (ROD) was signed on May 1, but AIMMCO never initiated activities in accordance with that decision. That decision was rescinded March 14, 2011, at the request of AIMMCO.

Judge Winmill's 2002 decision also required AIMMCO and the Forest Service to "work out a solution" allowing AIMMCO to perform assessment work on Golden Hand 1 & 2 as first proposed in 1987 and thereby prepare for a new validity hearing.

AIMMCO submitted a plan of operations for Golden Hand claims 1 and 2 in August, 2007. The Forest worked with AIMMCO to confirm claim boundaries and clarify their proposal. A notice of intent to prepare an EIS was published in the Federal Register on November 21, 2008.

On June 4, 2010, AIMMCO submitted a revised POO for Golden Hand 1 & 2. The POO included:

- Improvements to Forest Road 317 and Motorized Trail 013
- Repairing/reconstructing part of the Werdenhoff Mill building and associated bunkhouses
- Motorized use of about three miles of the non-motorized portion of trail 013 within the FCRONRW.
- Construct 11 drill pads on existing, abandoned roadbeds within the FCRONRW and drill 1-3 core holes from each pad.
- Excavate several sample pits within the existing roadbeds within the FCRONRW.
- Reopen the collapsed Ella adit within the FCRONRW in order to collect underground samples.
- A request to withdraw the 2003 ROD on Golden Hand 3 & 4.

During the initial public scoping period, over 20,000 comments were received. The majority of these requested the Forest Service to deny the proposal because of the impacts to wilderness.

The Forest Service released a Draft EIS in June, 2012. Approximately 20,000 comments were received. A Final EIS and Draft Record of Decision were published in the Federal Register on January 2, 2015. Five objections were received and the Objection Resolution meeting was held on April 13, 2015.

**4. How can a road and motorized travel be allowed in a wilderness area?**

A road and motorized travel can be approved as part of "reasonable access" to the mining claims under the Plan of Operations (POO). The FS can require that any roads to the mine would be gated and locked to prevent vehicle access by the general public.

**5. What regulations direct Forest Service management of mining operations?**

The Forest Service manages the use of the surface resource in accordance with regulations found at 36 CFR 228 subpart A.

**Sec. 228.1 Purpose.**

*It is the purpose of these regulations to set forth rules and procedures through which use of the surface of National Forest System lands in connection with operations authorized by the United States mining laws (30 U.S.C. 21-54), which confer a statutory right to enter upon the public lands to search for minerals, shall be conducted so as to minimize adverse environmental impacts on National Forest System surface resources. It is not the purpose of these regulations to provide for the management of mineral resources; the responsibility for managing such resources is in the Secretary of the Interior.*

**Sec. 228.2 Scope.**

These regulations apply to operations hereafter conducted under the United States mining laws of May 10, 1872, as amended (30 U.S.C. 22 et seq.), as they affect surface resources on all National Forest System lands under the jurisdiction of the Secretary of Agriculture to which such laws are applicable: Provided, however, That any area of National Forest lands covered by a special Act of Congress (16 U.S.C. 482a-482q) is subject to the provisions of this part and the provisions of the special act, and in the case of conflict the provisions of the special act shall apply.