



**File Code:** 1570-1 (215)  
#05-01-00-0024  
**Date:** June 29, 2005

Justin Hayes  
Program Director  
Idaho Conservation League  
P.O. Box 844  
Boise, ID 83701

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Dear Mr. Hayes:

This is my decision on disposition of the appeal you filed on behalf of the Idaho Conservation League regarding the Silver Strand Underground Lode Mine Project Decision Notice (DN) on the Idaho Panhandle National Forests.

My review of your appeal was conducted pursuant to, and in accordance with, 36 CFR 215.17 to ensure the analysis and decision are in compliance with applicable laws, regulations, policy, and orders. I have reviewed the appeal record, including your arguments, the information referenced in the District Ranger's May 31, 2005, transmittal letter, and the Appeal Reviewing Officer's analysis and recommendation (copy enclosed). The transmittal letter provides the specific page references to discussions in the Environmental Assessment (EA), the DN and project file, which bear upon your objections. I specifically incorporate in this decision the appeal record, the references and citations contained in the transmittal letter, and the Appeal Reviewing Officer's analysis and recommendation.

The Appeal Reviewing Officer has considered your arguments, the appeal record, and the transmittal letter and recommends the District Ranger's decision be affirmed (with instructions) and your requested relief be denied.

Based upon a review of the references and citations provided by the District Ranger, I find the objections were adequately considered in the EA/DN. I agree with the Appeal Reviewing Officer's analysis and conclusions in regard to your appeal objections. I find the District Ranger has made a reasoned decision and has complied with all laws, regulations, and policy.



After careful consideration of the above factors, I affirm (with instructions below) the District Ranger's decision to implement the Silver Strand Underground Lode Mine Project. Your requested relief is denied.

Instructions:

1. Ensure, as stated under the Implementation section of the DN (p. 28), that the operator is required to obtain State of Idaho certification for all CWA permits prior to approval of the POO.
2. Do not approve the waste water injection well under the proposed POO. In the event that the operator and/or agencies decide that a waste water injection well should be further investigated and proposed for use, the operator would be required to submit a new or supplemental POO that would be subject to the public involvement and disclosure requirements of NEPA. Also require the operator to obtain State of Idaho certification for this potential project prior to approval of this POO.

My decision constitutes the final administrative determination of the Department of Agriculture [36 CFR 215.18(c)].

Sincerely,

/s/ Ranotta K. McNair  
RANOTTA K. MCNAIR  
Appeal Deciding Officer

Enclosures (1)

cc:  
Appeal Reviewing Officer  
Responsible Official  
Forest Appeal Coordinator