



Exploring, Prospecting and Mining for Minerals on the Boise National Forest

United States Department of Agriculture
Boise National Forest
1249 S. Vinnell Way, Suite 200
Boise, ID 83709

Notice of Intent (NOI): Except as provided in 36 CFR 228.4(a)(1), a notice of intent to operate is required from any person proposing to conduct operations which might cause significant disturbance of surface resources. Anyone proposing to prospect, explore or mine for locatable minerals (gold/silver, gems, etc.) which might disturb surface resources **must file at minimum an NOI** with the local District Ranger. Any person not well-versed and knowledgeable about environmental concerns such as ESA Species and Archaeological concerns on the forest would be well advised to file an NOI. Activities which are limited to operation of vehicles on existing (open) forest roads (see BNF [Motor Vehicle Use Maps](#)), removal of small mineral specimens or marking/monumenting mining claims normally do not require an NOI. Upon receipt, the District Ranger has 15 days to notify the operator whether an approved Plan of Operation is required prior to commencement of operations.

Plan of Operations: The District Ranger will review the Plan of Operations and notify the operator whether a more detailed Plan of Operations will be required. An approved Plan of Operations is required if the activities proposed will likely cause or are causing significant disturbance to surface resources. Because surface resources vary across the Forest, for very similar activity(ies), an NOI may be sufficient in one location and an approved Plan may be required in another. To avoid problems and delays, contact the local District Ranger or Minerals Program staff well in advance of planned operations if you have any questions about whether an NOI or approved Plan will be required for your activities. Use of mechanized equipment, cutting of trees, or occupancy of National Forest lands usually requires a Plan of Operations.

How long does it take to get an approved Plan of Operation? The length of time to process the Plan of Operations depends on the complexity of the proposal and the degree and type of surface-disturbing activities being proposed. Given that it may take over a year to process and approve a Plan, it is standard agency advice that an operator should submit a Plan for USFS review as early as possible, *at least* during the operating season **prior to** desired start-up date.

HOW DOES THE PROCESS WORK?

Step	Information	Timeframe
1. Contact us by phone or stop by the office for a visit	<u>Minerals Program</u> Rick Wells, 208-373-4136 (Boise) ricky.wells@usda.gov Maggie Holahan, 208-373-4159 (Boise) maragaret.holahan@usda.gov Travis Whitman, 208-392-3719 (Idaho City) travis.whitman@usda.gov Emily Loucks, 208-392-3718 (Idaho City) emily.loucks@usda.gov	The earlier, the better.
2. Submit your Plan of Operations	FS-2800-5 (Plan Form)	District Ranger will respond within 30 days from receiving.
3. Arrange a site visit of your proposal with the minerals program staff	<u>Minerals Program</u> Contact someone in the minerals program above	As soon as weather conditions permit. If your POO is submitted in late September and the weather and road conditions do not allow for a site visit until the following season, this will delay processing of your POO.
4. Forest Service specialists will review your proposal and visit the site	Specialists usually include a hydrologist, wildlife biologist, fisheries biologist, and an archaeologist. Other specialists may be needed depending on the proposal.	Usually during the same fiscal year, when conditions allow.



Exploring, Prospecting and Mining for Minerals on the Boise National Forest

United States Department of Agriculture
Boise National Forest
1249 S. Vinnell Way, Suite 200
Boise, ID 83709

Step	Information	Timeframe
5. Forest Service specialists conduct an environmental analysis.	If your proposal includes the use of water, you will need to obtain a temporary water right from the State of Idaho. You may also need permits from the U.S. Army Corps of Engineers or the Environmental Protection Agency if your proposal may otherwise impact watercourses.	During the fiscal year following the review of the proposal and site visit.
6. Consultation with other agencies	If fish or wildlife species or cultural resources are likely to be impacted by your proposal, extra time will be needed to consult with agencies regulating those resources.	During the fiscal year following the review of the proposal and site visit.
7. Environmental documentation	<p>Determine type of environmental analysis:</p> <p>The Decision Maker will determine the analysis needed -- Categorical Exclusion (CE), Environmental Assessment (EA) or Environmental Impact Statement (EIS). A Decision Memo (DM) associated with a CE is not subject to the objection process detailed below and takes the least amount of time to process but is only good for one year. An EIS can take several years or longer.</p> <p>Scoping: The Forest Service publishes notice of your proposal in a local newspaper to inform interested parties and provide an opportunity for them to comment on your proposal.</p> <p>Legal Notice and Comment: Following scoping, design criteria will be developed to address concerns received by the public. The project description and draft design criteria will be provided to all who commented during scoping.</p> <p>Notice of Decision: The deciding official (typically the District Ranger) will sign a decision document and notice of it will be published in the Legal Notices section of the newspaper of record.</p>	<p>As early as possible during the fiscal year following the review of the proposal and site visit. Occasionally this can be done earlier.</p> <p>Scoping is typically done for 30 days, but shorter times are possible.</p> <p>30 days, timed at the deciding official's discretion, for interested parties to comment on whether the Forest Service addressed the concerns raised during scoping. If no parties comment during this period, there will be no objection period.</p> <p>Following the NOD, those who provided comments during the Legal Notice and Comment period have 45 days to object to the decision.</p> <p>36 CFR 218 (Objection Process)</p>
8. Implementation	USFS administration = receipt of a Plan that complies with the final NEPA decision, acceptance of an actual cost estimate and financial assurance for reclamation, Plan approval, and compliance inspections.	Dependent on the outcome of objection resolution. If no objections are received, implementation may begin sooner. Minerals Staff can help you with this process.