

DECISION MEMO

Garnet Gemstone Exploration

For Recreational Digging

June, 2002

U.S.D.A. Forest Service

Idaho Panhandle National Forests

St. Joe Ranger District

Latah & Shoshone Counties, Idaho

DECISION

It is my decision to implement testing and exploration for gemstone garnets in Wood Creek and the East Fork Emerald Creek drainage (281 Gulch, Garnet Gulch, PeeWee Creek, No Name Creeks, Strom Gulch and an unnamed drainage – see attached map). The project area lies approximately 26 miles southeast of St. Maries, Idaho. The project is categorically excluded from documentation in an EA or EIS by Forest Service Handbook 1909.15 Chapter 31.2 category 8 – *“Short Term (one year or less) mineral, energy or geophysical investigations and their incidental support activities that may require cross-country travel by vehicles and equipment, construction of less than one mile of low standards road (Service Level D, FSH 7706.56), or use and minor repair of existing roads.”*

Gemstone Exploration for Recreational Digging Areas

Seven drainages will be tested for gemstone garnets using a combination of auger holes (approximately 12 inches in diameter), hand (8 feet in diameter and 4 feet deep) or machine – dug (5-15 feet deep, 5 feet wide and 15 feet long at intervals of at least 100 feet apart) trenches. It is estimated that each drainage could potentially require up to 60 test sites in some combination of auger holes, hand –dug pits and machine trenches. No road construction is needed. The Design Criteria listed in the following pages will be followed. This work will be completed in the field season of 2002.

Forest Plan Direction and Purpose and Need

The purpose and need for this project is based on Forest Service policy and direction given in the Idaho Panhandle National Forest’s Forest Plan (1987 – referred to as the Forest Plan from here on). The St. Joe Ranger District is reviewing land management for National Forest lands overlying the garnet resource in the Garnet Stars & Sands EIS. The Draft EIS has been published (October, 2001) and after reviewing comments and beginning further alternative development, the decision maker has determined that more information is needed to proceed. Part of that information will be determined from this gemstone garnet exploration. This information is needed in order to determine the full extent of the gemstone resource. Forest Plan direction is as follows:

Forest Plan Direction

1. The Forest Plan specifically states that the Emerald Creek Garnet Area will be managed to provide a unique rockhound experience (See below under Management Area 4).

Some of the Forest-wide standards (pg II-24) for recreation are:

1. The Forest will continue to provide a share of recreation opportunities and diversity in relation to other public and private entities;
2. Provide a broad spectrum of dispersed and developed recreation opportunities in accord with identified needs and demands.

The project area is located in the following Forest Plan Management Areas (MA):

- MA 1 and MA 4: under MA1 and MA 4, the Forest Plan states “The Emerald Creek Garnet area will be managed to provide a unique recreation rockhound experience and in accord with its current management direction.
- MA 15 (grazing uses)
- MA 16 (riparian areas)

There are no specific standards for minerals in the Forest Plan by individual Management Area. More information for each Management Area can be found in the Forest Plan.

Purpose and Need

The garnet resource is finite and valuable. There is considerable public support for present and future recreational garnet digging to continue.

The Purpose and Need for this project is as follows:

Identify and test areas for garnet gemstones and collect information for the Forest Service in order to determine how best to provide this unique recreational digging opportunity.

The garnet digging area in Emerald Creek is one of the most popular attractions on the St. Joe Ranger District. These gemstone deposits within the current Forest Service recreational digging area in 281 Gulch are becoming depleted. We estimate that there are 2-5 years left of digging in this gulch. A study done in conjunction with the United States Geological Survey was completed to determine the location of known or suspected deposits of both forms of garnet. This study was used as a basis for analysis but the full extent of the garnet resource needs to be mapped and proven with field-testing.

SCOPING AND PUBLIC INVOLVEMENT

This exploration is listed as part of the proposed actions in the Garnet Stars & Sands EIS. Public scoping for the Garnet Stars and Sands Project began in February 2001 when it was listed on the Quarterly Schedule of Proposed Actions. On February 18, 2001, a scoping notice was mailed to rock clubs, people interested in Emerald Creek Garnet Area, residents of Clarkia, Idaho (a nearby town) and known interested parties such as neighboring landowners, environmental groups, other government agencies and school teachers who are known to conduct garnet area field trips. The notice was also posted on the Idaho Panhandle National Forests web site. News releases were sent to regional and local papers such as the *Spokesman–Review*, *St. Maries Gazette Record*, *Moscow–Pullman Daily News*, *Lewiston*

Morning Tribune and *Shoshone News Press*. A Notice of Intent (NOI) to publish an Environmental Impact Statement was printed in the Federal Register on May 1, 2001. Both the scoping notice and NOI described the purpose and need and proposed action for this project. Forty responses were received. The Draft EIS was published and available on October 12, 2001. Twenty –two comments were received. An additional update letter (March 6, 2002) including information for this Decision Memo was sent to the mailing list.

Internal scoping was accomplished through the interdisciplinary team.

FINDINGS OF NO EXTRAORDINARY CIRCUMSTANCES

I have incorporated consideration of all elements including the design criteria of the action in my determination that there would be no extraordinary circumstances or significant direct, indirect or cumulative effects based on the scale and duration of the activity of the proposed activities, the low risk of environmental impact, and the minimal visual and environmental change expected.

The District wildlife and fisheries biologist and botanist evaluated the proposed action with regard to sensitive species. With the current information available, implementation of the proposed federal action will have no impact on sensitive plants, wolverine, Coeur d'Alene salamander, flammulated owl, northern leopard frog, common loon, harlequin duck, peregrine falcon, and Townsend's big-eared bat. The project may impact individuals or habitat but is not likely to cause a trend toward federal listing or loss of viability to the population or species for the boreal toad, fisher, northern goshawk, black-backed woodpecker, torrent sculpin and westslope cutthroat trout.

These activities are being completed within the riparian areas because the gemstone deposits are found mainly in the drainage bottoms. These activities were also explored in the Draft EIS and extensive analysis was completed. Design criteria was carefully planned to avoid impacts as much as possible. I expect the impacts to be very small, of short duration and temporary and the value of the information collected to be of immense help for final decisions regarding the garnet resource. The project will be completed with the supervision of the Idaho Panhandle National Forests Geologist, the St. Joe Ranger District Fisheries Biologist and a number of other qualified specialists.

After review of the biological assessments/evaluations, cultural resource report, and other documents in the Garnet Stars and Sands Draft Environmental Impact Statement and project file, I find that there are no extraordinary circumstances that indicate a presence of possible significant effects as documented below.

1. Steep slopes or highly erosive soils.

There are no steep slopes within the exploration area. The landtypes in the drainage have low surface erosion hazard rating and high subsurface erosion hazard ratings and mass failure potential. The proposed action does not include road or skid trail construction. Several of the drainages may have testing done with equipment such as a backhoe or spyder hoe. The affected area will be very small and temporary with topsoil and vegetation being replaced immediately after the testing (duration expected to be approximately one day or less). Given the short –term nature of the disturbances, limits on number and location of test holes and reclamation requirements (see Design Criteria), no effect is expected.

2. Threatened or endangered species or their critical habitat

The proposed action may impact, but is not likely to adversely affect the Bull Trout or its habitat; and will have no effect on Canada lynx, bald eagle, gray wolf, grizzly bear, woodland caribou, Ute ladies'-tresses, Spalding's catchfly and water howellia (Biological Assessments, 2002). USDI Fish and Wildlife Service visited the area with the Interdisciplinary team last year. They have concurred with these findings for this exploration on June 21, 2002.

To ensure protection the design criteria will be adhered to. (see the Design Criteria section in this document)

3. Flood plains, wetlands or municipal watershed.

To meet the intent of Executive Order 11990, exploration for garnet gemstone deposits should avoid wetlands where possible. Where no practicable alternative exists exploration may occur in wetlands. Any activity in wetlands should be limited to the smallest areal extent necessary. Because garnet gemstone deposits are found mainly in drainage bottoms, where they collected over geologic time, it is impossible to explore for or extract these gemstones without activity conducted in intermittent and perennial wetlands. As such this meets the no practicable alternative of the E.O.

Exploration activities are not expected to cause destruction, loss or degradation of wetlands nor destroy natural wetland values because: 1) Wetlands will not be drained; 2) No alteration of the hydrologic cycle will take place; 3) Material excavated from pits will be returned to the same pit; 4) Topsoil and wetland vegetation will be stockpiled and used to restore the surface layer of the disturbed site; 5) The activity per test site should be of short duration; 6) The short duration of activities and replacement of wetland vegetation will allow rapid site recovery – sedge root masses or other wetland vegetation roots are expected to bind the vegetation in place within a short time period (a few weeks); and 7) Activities will occur in the low flood-risk period of June -September.

The proposed project will not adversely impact any flood plains and wetlands or municipal watershed.

4. Congressionally designated areas such as: wilderness, wilderness study areas, or National Recreation Areas.

The Proposed action is not in any Congressionally designated areas.

5. Inventoried roadless areas.

The project area does not contain, nor is it near an inventoried roadless area.

6. Research Natural Areas

The proposed action is not part of a Research Natural Area.

7. Native American religious or cultural sites, archeological sites, or historic properties or areas.

Systematic inventory and reports are complete for this project area and Native American groups have been given the opportunity to comment. There are no specific heritage sites that would be impacted. The potential does exist for finding additional sites during project implementation. If additional sites are discovered, the sites would be inventoried and then protected if found to be of cultural significance. See the following Design Criteria.

DESIGN CRITERIA

The testing and exploration will utilize applicable Best Management Practices identified in relevant provisions of the Surface Mining and Dredge and Placer Operations (State of Idaho Department of Lands – Bureau of Minerals, “Manual of Best Management Practices for the Mining Industry in Idaho, 1992). In addition, the following measures will also be adhered to. Where these criteria may overlap with the State of Idaho BMPs, these project -specific criteria will supersede the State of Idaho provisions.

Operational and Mitigation Measures

General

Existing roads will be used for motor vehicle access; no new road construction would occur. No hazardous material storage on –site and emergency spill equipment will be kept on hand where any equipment is operating.

Fish

Operations in riparian areas would occur between May 1 and September 30.

No test holes will be located within the stream channel and stream bank integrity will be maintained.

Cutting of trees for access to test sites is considered unlikely but possible. However, no stream shading trees will be cut and where possible, stream shading shrubs will be protected. Any other trees that are cut would be left on site and used for reclamation.

The District Fisheries Biologist will be present during the initial digging of each method of exploration and periodically throughout the project.

Heritage Resources

Heritage resources will be protected. Heritage resources in the area have been inventoried and will be avoided. If there is discovery of a new Cultural Resource site, we will stop activities and report the find. The site will be avoided and an inventory will be completed. Consultation with the State Historic Preservation Officer and, if necessary, the Advisory Council on Historic Preservation and appropriate Native American tribes will be conducted to protect the site.

Plants

Field surveys for “Plant Species at Risk” will be conducted where necessary, prior to project activities, to verify or negate presence. Measures to protect population viability and habitat for all known and newly discovered occurrences will include the following: altering or dropping proposed areas from activity, modifying the proposed activity and implementing buffers around plant occurrences.

Noxious Weeds

A number of preventative measures will be taken to reduce the risk of noxious weed introduction and spread in accordance with the St. Joe Weed EIS (ROD, 10/12/99) Measures include:

Mulching agents such as hay or straw will be certified noxious weed-free before being allowed on the project area.

All seed used for re-vegetation and erosion control purposes will be certified noxious weed-free.

Off-road testing equipment will be cleaned and inspected before moving onto the site.

Soils and Watershed

Total test sites (combination of auger holes, hand –dug pits and machine trenches) per drainage will be limited to no more than 60. Machine –dug trenches will be limited to 20 per drainage.

Cutting of trees for access to test sites is considered unlikely but possible. No stream shading trees will be cut. If a tree must be felled, it will remain in place and not be removed.

Test holes will filled in immediately **after** testing is completed. Test holes will have existing vegetation replaced, be seeded with mixes including native vegetation and be mulched. Hand –dug pits and machine –dug trenches will include stockpiling the topsoil and replacing it, retaining native vegetation where possible and seeding and mulching. Each trench or pit will be refilled prior to digging another trench.

Wildlife

Use of a restricted road will be approved by the wildlife biologist and the gate /barrier will be left in a fully functioning condition after each exit on gated roads and after access is no longer needed on barriered roads. There will be no use of restricted roads past August 30.

Operations will not cause an increase in motorized access by road or trail construction.

Reclamation Plan

Re-vegetate using native vegetation from the site as much as possible and maintain the existing or historic vegetative composition. This includes trees, shrubs, and forbs.

A mix of native and non-native annual grasses (potential forage) will be used in rehabilitation of sites. The non-native annual grasses are very valuable in re-vegetating the sites quickly to avoid erosion.

The topography will be returned to its present slope and elevation. The existing amount of persistent pooled water (for amphibian habitat) will be maintained or increased.

Overburden will be excavated in soil layers and stockpiled to return to pre-existing condition. See above under operations, soil /water for more detail.

COMPLIANCE WITH OTHER LAWS AND REGULATIONS

This project is consistent with the Idaho Panhandle Forest Plan and other laws governing the management of National Forest. The National Forest Management Act and accompanying regulations require that several specific findings be documented at the project level.

National Forest Management Act

No vegetation management is planned.

Forest Plan Direction

INFISH

The project is consistent with INFISH standards as they apply to the project area and the type of project (Fisheries Biological Assessment).

Soils

The IPNF Forest Plan direction for soils will be met because soil productivity is not expected to change if the design criteria are followed, which includes applicable BMPs.

Wildlife

The project is consistent with applicable goals, direction, standards, and guidelines from the Forest Plan for the management of wildlife habitat and species populations.

These activities comply with other direction and recommendations regarding management of the various components of wildlife habitat.

Water

Riparian Habitat Conservation Area Management Objectives will not be compromised because the design criteria will be applied.

Endangered Species Act

The project complies with applicable Conservation Strategies for wildlife species, and is consistent with the ESA, NFMA and other laws providing direction and requirements for the management of wildlife species and habitat. See earlier discussion under Findings of No Extraordinary Circumstances.

Clean Water Act

Compliance with the Clean Water Act and Idaho Water Quality Law are expected as design criteria will be followed.

Historic Preservation

The decision to avoid, protect or mitigate impacts to heritage resource sites is in accordance with the National Historic Preservation Act.

Implementation date and appeal rights

This decision is not subject to appeal in accordance with 36 CFR part 215.8(a)(4). The District can begin implementing this decision immediately in accord with 36 CFR part 215.10(c). This project is planned for implementation beginning in summer 2002.

Contact person

Information pertaining to this decision is recorded in a project file, which is available for public review at the St. Joe Ranger District, in Avery, Idaho. For further information regarding this decision contact Tracy Gravelle, Project Leader (208-245-4517) or George Bain, St. Joe District Ranger at (208) 245-2531 or by mail at HC Box 1, Avery, Idaho 83802.

/s/ Pete Ratcliffe for District Ranger

July 1, 2002_____

GEORGE M. BAIN

Date

District Ranger
St. Joe Ranger District