

Appendix A

Payette National Forest and Boise National Forest Land and Resource Management Plans Consistency Review and Amendments

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1.0 FOREST PLAN CONSISTENCY

The Payette National Forest (PNF) and the Boise National Forest (BNF) are managed under separate Land and Resource Management Plans: The Payette National Forest Land and Resource Management Plan (Payette Forest Plan) (U.S. Forest Service [Forest Service] 2003), and the Boise National Forest Land and Resource Management Plan (Boise Forest Plan) (Forest Service 2010). Both Forest Plans were revised in 2003, and the Boise Forest Plan was amended in 2010, under the 1982 planning rule.

The National Forest Management Act (NFMA) requires that proposed projects on National Forest System (NFS) lands, including third-party proposals subject to permits, be consistent with Forest Plan direction. The PNF and BNF took into consideration consistency of the Proposed Action with Forest Plan desired conditions, goals, objectives, standards, and guidelines. These plan components are identically defined in the Payette and Boise Forest Plans (Ch. III, pp. III-2 to III-3).

As stated in Chapter 1 of the EIS, locatable minerals operations are governed by the Forest Service Locatable Minerals regulations at 36 Code of Federal Regulations (CFR) 228 Subpart A, and the United States Mining Laws (30 U.S.C. 2154). The Forest Service received the original SGP Plan in 2016, (Midas Gold Idaho, Inc. [Midas Gold] 2016) for review and approval in accordance with 36 CFR 228 Subpart A. A revised Plan, also known as ModPRO¹, was submitted to the Forest Service in 2019 (Brown and Caldwell 2019). A further modified Plan, also known as ModPRO², was initially submitted in December 2020 with a revised submittal in October of 2021 (Perpetua 2021). Midas Gold changed their name to Perpetua Resources Ltd (Perpetua) in February 2021³.

The Plan submitted by Perpetua aligns with the forest-wide goals and objectives for the PNF and BNF as they relate to Minerals and Geology resources (Payette Forest Plan, pp. III-48 to III-49; Boise Forest Plan, pp. III-50 to III-51). It is recognized that not all proposals would move towards or achieve desired conditions, goals, or objectives and there may be tradeoffs between moving towards or achieving these for one resource or another.

Most areas of the PNF and BNF are open to mineral activities, including the SGP area. The desired condition for mineral projects is that operating plans include appropriate mitigation measures and contain bonding requirements commensurate with the costs of anticipated site reclamation. Where practicable, sites are returned to a condition consistent with management emphasis and objectives. (Payette Forest Plan, p. III-48; Boise Forest Plan, p. III-50)

¹ Associated project documents may reference the Revised Plan as the ModPRO.

² Associated project documents may reference the Modified Plan as the ModPRO2.

³ Documents provided by Perpetua prior to the February 2021 name change will still be cited and referenced as Midas Gold.

As Forest Plan management direction, a standard is a binding limitation placed on management actions and must be within the authority and ability of the Forest Service to enforce. The Forest Plans clarify that a project or action that varies from the relevant standard may not be authorized unless the Forest Plan is amended to modify, remove, or waive application of the standard. When a project is not consistent with Forest Plan standards applicable to the location of a project and/or the types of activities proposed, the Forest Service has the following options:

(1) modify the proposed project to make it consistent with the Forest Plan; (2) reject the proposal; (3) amend the Forest Plan so that the project would be consistent with the Forest Plan as amended; or (4) amend the Forest Plan contemporaneously with the approval of the project so the project would be consistent with the Forest Plan as amended (i.e., project-specific Forest Plan amendment). The fourth option is limited to apply only to the project (36 CFR 219.15(c)).

The Payette and Boise Forest Plans define guidelines “As Forest Plan management direction, a guideline is a preferred or advisable course of action generally expected to be carried out.

Deviation from compliance does not require a Forest Plan amendment (as with a standard), but rationale for deviation must be documented in the project decision document” (Payette Forest Plan, p. GL-17 and Boise Forest Plan, p. IV-21).

Additional information on the consideration of Forest Plan consistency, including guidelines, is contained in the Project Record. The following subsection describes those aspects of the Forest Plans where the proposed activities under the SGP were found to be inconsistent with relevant standards, and for which project-specific Forest Plan amendments are proposed.

2.0 LAND AND RESOURCE MANAGEMENT PLAN AMENDMENTS

The purpose of the amendments is to ensure consistency between the SGP and the Forest Plans. The 2012 Planning Rule (36 CFR 219) requires the decision document to explain how the responsible official for the amendment determined the scope and scale of the Forest Plan amendment and which specific requirements of the 2012 Planning Rule within Sections 219.8 through 219.11 apply to the amendment and how they were applied. Because the Forest Plan amendments are project-specific, the scope of the amendments would only be for the SGP. The scale of the amendments is the area directly, indirectly, and cumulatively affected by the SGP.

The determination of purpose is based on the purpose of the Forest Plan component being amended. For a project-specific amendment, purpose also includes the purpose of the SGP.

2.1 General Management Actions Project Specific Amendment

Forest: Payette and Boise National Forest

Alternatives: 2021 MMP and Johnson Creek Route Alternative

2.1.1 Plan Component

PNF: Standard 1301 (MA 13, MPC 3.1); Standard 1306 (MA 13, MPC 3.2)

BNF: Standard 2010 (MA 20, MPC 3.2); Standard 2113 (MA 21, MPC 3.2); Standard 1919 (MA 19, MPC 3.2); Standard 2005 (MA 20, MPC 3.1)

Management actions, including salvage harvest, may only degrade aquatic, terrestrial, and watershed resource conditions in the temporary time period (up to 3 years), and must be designed to avoid resource degradation in the short term (3-15 years) and long term (greater than 15 years).

2.1.2 Proposed Amendment

The project specific amendments waive the following plan components in the portions of MA 13 (PNF) and MA 19, 20, and 21 (BNF) that are affected by the proposed SGP through the duration of project implementation.

PNF: Standard 1301 (MA 13, MPC 3.1); Standard 1306 (MA 13, MPC 3.2)

BNF: Standard 2010 (MA 20, MPC 3.2); Standard 2113 (MA 21, MPC 3.2); Standard 1919 (MA 19, MPC 3.2); Standard 2005 (MA 20, MPC 3.1)

The waiving of the above standards meets the following purpose and needs for the SGP:

- The Forest Service's purpose is to consider approval of the Plan, to mine and process gold, silver, and antimony from deposits at the mine site in central Idaho for commercial sale. The purpose of the SGP is consistent with Congress' declaration in the Mining and Mineral Policy Act of 1970 (Public Law 91-631 as amended through Public Law 106-193)
- The Forest Service's need for action is established by the agency's responsibilities under the Locatable Minerals regulations at 36 CFR 228 Subpart A, which were promulgated under authority granted by the Mining Law of 1872 (Mining Law) (30 USC 22 et seq.) and the Organic Administration Act of 1897 (16 USC 478, 482, and 551). These regulations require that all locatable mineral prospecting, exploration, development, mining and processing operations, and associated means of access, shall be conducted in a manner that minimizes adverse environmental effects on NFS surface resources.

The SGP has a proposed timeline of construction being approximately 3 years, operations approximately 12 years, and closure and reclamation approximately 5 years. Due to the nature of proposed SGP activities, impacts to aquatic, terrestrial, and watershed resource conditions would be expected to occur for the length of the proposed SGP. Impacts to aquatic resources are analyzed in **Sections 4.8.2** (Surface and Groundwater Quantity), **4.9.2** (Surface and Groundwater Quality), and **4.12.2** (Fish Resources and

Fish Habitat); terrestrial resources in **Sections 4.10.2** (Vegetation) and **4.13.2** (Wildlife and Wildlife Habitat); and watershed resource conditions are analyzed in **Sections 4.5.2** (Soils and Reclamation Cover Materials) and **4.11.2** (Wetlands and Riparian Resources). These sections analyze impacts to the specific resources during construction, operations, and closure and reclamation. During construction and operations, design features and mitigations are included to reduce impacts to various resources (**Section 2.4.9**). Reclamation actions are described in the SGP Reclamation and Closure Plan (Tetra Tech 2021) and impacts to the various resources are described in the sections listed above.

The following table provides documentation for the review of substantive requirements of planning regulations for the SGP project-specific amendment to waive the timeframe period within the proposed SGP area. This amendment is proposed to take effect for the life of the SGP and would expire when project activities have been completed.

Table 1 General Management Actions Project Specific Plan Amendment Review

Planning Regulation Section	Part	Subpart	Does the plan amendment meet this planning rule requirement? (Add rationale if Yes or No and cite EIS/EA)
219.8 Sustainability	(a) Ecological Sustainability	(1) Ecosystem Integrity	<p>The proposed plan amendment maintains the intent of the original plan standard, while allowing for the implementation of the proposed SGP. Some of the impact to various resources would extend for the length of the activities (including reclamation) associated with the proposed SGP (e.g., impacts to individual wildlife (Section 4.13.2), while other impacts could extend further into the future (e.g., total soil resource commitment (Sections 4.5.2.2 and 4.5.2.3). Post-closure, surface water and groundwater quantity would return to similar baseline flow patterns (Section 4.8.2) and water quality (with treatment) would meet standards for surface waters and groundwater, except for areas under the Tailings Storage Facility (TSF)/TSF Buttress and in the vicinity of backfilled open pits where some metal concentrations are predicted to exceed baseline conditions (Section 4.9.2.2).</p> <p>Habitat for listed fish species in upper Meadow Creek would be blocked due to the TSF/TSF Buttress while other habitat would made available by the removal of fish-passage barriers (Section 4.12.2). Impacts to wetland and riparian areas are expected to be offset by reclamation activities and compensatory mitigation (Section 4.11.3). The mitigations and reclamation actions developed for each resource are created to maintain and restore ecosystem integrity.</p>
		(2) Air, Soil, and Water	<p>The plan amendments waive the time frame for the impacts but retain the plan components to maintain or restore these resources (Sections 4.3.2, 4.5.2, 4.8.2, and 4.9.2).</p>
		3) Riparian Areas	<p>The plan amendments waive the time frame for the impacts but retain the plan components to maintain or restore these resources. Impacts to riparian areas are expected to be offset by reclamation activities and compensatory mitigation (Section 4.11.3).</p>
		(4) Best Management Practices for Water Quality	<p>The plan amendments waive the time frame for the impacts but retain the plan components requiring implementation of water quality BMPs (Section 4.9.2).</p>
	(b) Social and Economical Sustainability	(1) Social, cultural, and economic conditions	<p>This requirement is not directly related to this project-specific amendment.</p>

Planning Regulation Section	Part	Subpart	Does the plan amendment meet this planning rule requirement? (Add rationale if Yes or No and cite EIS/EA)
		(2) Sustainable recreation, including recreation settings, opportunities, and access; and scenic character.	This requirement is not directly related to this project-specific amendment.
		(3) Multiple uses that contribute to local, regional, and national economies in a sustainable manner	This requirement is not directly related to this project-specific amendment.
		(4) Ecosystem services	This requirement is not directly related to this project-specific amendment.
		(5) Cultural and historic resources and uses	This requirement is not directly related to this project-specific amendment.
		(6) Opportunities to connect people with nature	This requirement is not directly related to this project-specific amendment.
219.9 Diversity of plant and animal communities	(a) Ecosystem plan components	(1) Ecosystem integrity	The proposed plan amendment maintains the intent of the original plan standard, while allowing for the implementation of the proposed SGP. Some of the impact to various resources would extend for the length of the activities (including reclamation) associated with the proposed SGP (e.g., impacts to individual wildlife [Section 4.13.2]) while other impacts could extend further into the future (e.g., total soil resource commitment [Sections 4.5.2.2 and 4.5.2.3]). Post-closure, surface water and groundwater quantity would return to similar baseline flow patterns post-reclamation (Section 4.8.2.2), and water quality (with treatment) would meet standards for surface waters and groundwater, except for areas under the TSF/TSF Buttress and in the vicinity of backfilled open pits where some metal concentrations are predicted to exceed baseline conditions (Section 4.9.2.2). Habitat for listed fish species in upper Meadow Creek would be blocked due to the TSF/TSF Buttress under the 2021 MMP and Johnson Creek Route Alternative, while other habitat would be made available by the removal of fish-passage barriers (Section 4.12.2). Impacts to wetlands and riparian areas are expected to be offset by reclamation activities and compensatory mitigation (Section 4.11.3). The mitigations and reclamation actions developed for each resource are created to maintain and restore ecosystem integrity.

Planning Regulation Section	Part	Subpart	Does the plan amendment meet this planning rule requirement? (Add rationale if Yes or No and cite EIS/EA)
		(2) Ecosystem diversity	The proposed plan amendment maintains the intent of the original plan standard, while allowing for the implementation of the proposed SGP. The plan amendments waive the time frame for the impacts but retain the plan components requiring maintenance or restoration of key characteristics associated with terrestrial and aquatic resources (Sections 4.9.2 – Surface Water and Groundwater Quality, 4.12.2 – Fish Resources and Fish Habitat, and 4.13.2 – Wildlife and Wildlife Habitat); rare aquatic and terrestrial plant and animal communities (Vegetation Section 4.10.2 ; Fish Section 4.12.2 ; and Wildlife Section 4.13.2); and the diversity of native tree species (Section 4.10.2).
	Additional species-specific plan components	(1) and (2) components to provide the ecological conditions necessary to contribute to the recovery of federally listed or proposed species (<i>and viable species of conservation concern</i>) beyond those required at part (a) of this section	The proposed plan amendment maintains the intent of the original plan standard, while allowing for the implementation of the proposed SGP. The mitigations and reclamation actions are developed to minimize impacts to fish and wildlife and maintain and/or restore terrestrial and aquatic habitat. There would be impacts to individual Endangered Species Act (ESA)-listed wildlife and fish species and habitat, but the implementation of the SGP would not result in jeopardy (pending Section 7 consultation) (Fisheries and Aquatic Habitat Sections 4.12.2.2 and 4.12.2.3 , and Wildlife Sections 4.13.2.2 and 4.13.2.3). The SGP would not result in a trend towards listing for ESA proposed species (Sections 4.13.2.2 and 4.13.2.3).
	(c) Species of conservation concern		There are no species known to occur within the proposed SGP area with a substantial concern about the species capability to persist over the long-term in the Forest Plan area (Vegetation Sections 4.10.2.2 and 4.10.2.3 ; Fish Section 4.12.2 ; and Wildlife Sections 4.13.2.2 and 4.13.2.3).

Planning Regulation Section	Part	Subpart	Does the plan amendment meet this planning rule requirement? (Add rationale if Yes or No and cite EIS/EA)
219.10 Multiple Use	(a) Integrated resource management for multiple use	(1) Aesthetic values, air quality, cultural and heritage resources, ecosystem services, fish and wildlife species, forage, geologic features, grazing and rangelands, habitat and habitat connectivity, recreation settings and opportunities, riparian areas, scenery, soil, surface and subsurface water quality, timber, trails, vegetation, viewsheds, wilderness, and other relevant resources and uses.	The proposed plan amendment maintains the intent of the original plan standard, while allowing for the implementation of the proposed SGP. The effects of the proposed SGP, as well as mitigations and reclamation actions developed to reduce impacts of the proposed SGP, are analyzed in the EIS for the duration of the proposed SGP (approximately 20 years) (Sections 4.3 - Air Quality; 4.5 – Soils and Reclamation Cover Materials; 4.8 - Surface Water and Groundwater Quantity; 4.9 Surface Water and Groundwater Quality; 4.10 - Vegetation; 4.11 - Wetland and Riparian Resources; 4.12 - Fish Resources and Fish Habitat; 4.13 - Wildlife and Wildlife Habitat; 4.14 – Timber Resources; 4.17 - Heritage Resources; 4.19 - Recreation; 4.20 - Scenic Resources; 4.23 - Special Designations).
		(2) Renewable and nonrenewable energy and mineral resources.	The proposed plan amendment maintains the intent of the original plan standard, while allowing for the implementation of the proposed SGP, which is mining of mineral resources.
		(3) Appropriate placement and sustainable management of infrastructure, such as recreational facilities and transportation and utility corridors.	This requirement is not directly related to this project-specific amendment.
		(4) Opportunities to coordinate with neighboring landowners to link open spaces and take into account joint management objectives where feasible and appropriate.	This requirement is not directly related to this project-specific amendment.

Planning Regulation Section	Part	Subpart	Does the plan amendment meet this planning rule requirement? (Add rationale if Yes or No and cite EIS/EA)
		(5) Habitat conditions, subject to the requirements of § 219.9, for wildlife, fish, and plants commonly enjoyed and used by the public; for hunting, fishing, trapping, gathering, observing, subsistence, and other activities (in collaboration with federally recognized Tribes, Alaska Native Corporations, other Federal agencies, and State and local governments).	The proposed plan amendment maintains the intent of the original plan standard, while allowing for the implementation of the proposed SGP. The mitigations and reclamation actions are developed to minimize impacts to fish and wildlife and maintain and restore terrestrial and aquatic habitat. Impacts over the life of the proposed SGP to traditional resource collection sites (Section 4.24.2), big game species (Section 4.13.2), and fish (Section 4.12.2) are disclosed in the EIS.
		(6) Land status and ownership, use, and access patterns relevant to the plan area.	This requirement is not directly related to this project-specific amendment.
		(7) Reasonably foreseeable risks to ecological, social, and economic sustainability.	The proposed plan amendment maintains the intent of the original plan standard, while allowing for the implementation of the proposed SGP. The effects of the proposed SGP, as well as mitigations and reclamation actions developed to reduce impacts of the proposed SGP, are analyzed in the EIS for the duration of the proposed SGP (approximately 20 years) (Sections 4.5 – Soils and Reclamation Cover Materials; 4.8 - Surface Water and Groundwater Quantity; 4.9 Surface Water and Groundwater Quality; 4.10 - Vegetation; 4.11- Wetland and Riparian Resources; 4.12 - Fish and Fish Habitat; 4.13 - Wildlife and Wildlife Habitat; 4.14 – Timber Resources; 4.18 – Public Health and Safety; 4.19 - Recreation; 4.21- Social and Economic Conditions; and 4.22 - Environmental Justice).
		(8) System drivers, including dominant ecological processes, disturbance regimes, and stressors, such as natural succession, wildland fire, invasive species, and climate change; and the ability of the terrestrial and aquatic ecosystems on the plan area to adapt to change (§ 219.8);	The effects of climate change in relation to the proposed SGP and impacts to other resources (e.g., water quality, fish, wildlife) (Section 4.4.2) and the potential for the expansion of invasive species (Section 4.10.2) are analyzed in the EIS.

Planning Regulation Section	Part	Subpart	Does the plan amendment meet this planning rule requirement? (Add rationale if Yes or No and cite EIS/EA)	
		(9) Public water supplies and associated water quality.	This requirement is not directly related to this project-specific amendment.	
		(10) Opportunities to connect people with nature.	This requirement is not directly related to this project-specific amendment.	
219.11 Timber requirements based on the NFMA	(a) Lands not suited for timber production		This requirement is not directly related to this project-specific amendment.	
	(b) Timber harvest for purposes of timber production.		This requirement is not directly related to this project-specific amendment.	
	(c) Timber harvest for purposes other than timber production.		This requirement is not directly related to this project-specific amendment.	
	(d) Limitations on timber harvest	(1) No timber harvest for the purposes of timber production may occur on lands not suited for timber production.		This requirement is not directly related to this project-specific amendment.
		(2) Timber harvest would occur only where soil, slope, or other watershed conditions would not be irreversibly damaged.		This requirement is not directly related to this project-specific amendment.
		(3) Timber harvest would be carried out in a manner consistent with the protection of soil, watershed, fish, wildlife, recreation, and aesthetic resources.		This requirement is not directly related to this project-specific amendment.

Planning Regulation Section	Part	Subpart	Does the plan amendment meet this planning rule requirement? (Add rationale if Yes or No and cite EIS/EA)
		(4) Where plan components will allow clearcutting, seed tree cutting, shelterwood cutting, or other cuts designed to regenerate an even-aged stand of timber, the plan must include standards limiting the maximize size for openings that may be cut in one harvest operation, according to geographic areas, forest types, or other suitable classifications.	This requirement is not directly related to this project-specific amendment.
		(5) Timber will be harvested from NFS lands only where such harvest would comply with the resource protections set out in sections 6(g)(3)(E) and (F) of the NFMA (16 U.S.C. 1604(g)(3)(E) and (F)).	This requirement is not directly related to this project-specific amendment.
		(6) The quantity of timber that may be sold from the national forest is limited to an amount equal to or less than that which can be removed from such forest annually in perpetuity on a sustained yield basis.	This requirement is not directly related to this project-specific amendment.
		(7) The regeneration harvest of even-aged stands of trees is limited to stands that generally have reached the culmination of mean annual increment of growth.	This requirement is not directly related to this project-specific amendment.

2.2 Total Soil Resource Commitment Project Specific Amendment

Forest: Payette National Forest

Alternatives: 2021 MMP and Johnson Creek Route Alternative

2.2.1 Plan Component

PNF: Standard SWST03

Management activities that may affect Total Soil Resource Commitment (TSRC) shall meet the following requirements:

- In an activity area where existing conditions of TSRC are below 5 percent of the area, management activities shall leave the area in a condition of 5 percent or less TSRC following completion of the activities.
- In an activity area where existing conditions of TSRC exceed 5 percent of the area, management activities shall include mitigation and restoration so that TSRC levels are moved back toward 5 percent or less following completion of activities.
- To estimate TSRC it is essential that the glossary definitions for “activity area, detrimental soil disturbance and total soil resource commitment” are clearly understood.

2.2.2 Proposed Amendment

PNF: Standard SWST03

- In the PNF Activity Area for the SGP, which is comprised of the PNF portion of the Headwaters East Fork South Fork Salmon River, Sugar Creek, and No Man’s Creek- East Fork South Fork Salmon River subwatersheds where existing conditions of TSRC are below 5 percent of the area, waive the requirement that management activities shall leave the area in a condition of 5 percent or less TSRC following completion of the activities.

The amendment of this standard meets the following purpose and needs for the SGP:

- The Forest Service’s purpose is to consider approval of the Plan to mine and process gold, silver, and antimony from deposits at the mine site in central Idaho for commercial sale. The purpose of the proposed SGP is consistent with Congress’ declaration in the Mining and Mineral Policy Act of 1970 (Public Law 91-631 as amended through Public Law 106-193).
- The Forest Service’s need for action is established by the agency’s responsibilities under the Locatable Minerals regulations at 36 CFR 228 Subpart A, which were promulgated under authority granted by the Mining Law of 1872 (Mining Law) (30 USC 22 et seq.) and the Organic Administration Act of 1897 (16 USC 478, 482, and 551). These regulations require that all locatable mineral prospecting, exploration, development, mining and processing operations, and

associated means of access, shall be conducted in a manner that minimizes adverse environmental effects on NFS surface resources.

The definition of TSRC in the Payette Forest Plan is “TSRC is the conversion of a productive site to an essentially non-productive site for a period of more than 50 years. Examples include classified or unclassified roads, inadequately restored haul roads, designated skid roads, landing areas, parking lots, mining dumps or excavations, dedicated trails (skid trails also), developed campgrounds, other dedicated facilities, and some stock driveways. Productivity on those areas ranges from 0 to 40 percent of natural (Payette Forest Plan GL-37 and 38).

The majority of construction, mining production, and closure activities would involve excavation, grading, and/or filling of the existing soils that would reduce or eliminate soil productivity.

Currently there is 3% existing TSRC within the PNF Activity Area, which is comprised of the PNF portion of the Headwaters East Fork South Fork Salmon River, Sugar Creek, and No Man’s Creek-East Fork South Fork Salmon River subwatersheds. TSRC under the 2021 MMP and Johnson Creek Alternative within the PNF Activity Area would be 17%.

All the SGP-related disturbance at the mine site would be subject to reclamation activities, with the exception of approximately 278 acres associated with the Hangar Flats high walls, the West End pit lake and high walls, the Midnight pit lake, and Yellow Pine pit high walls (Tetra Tech 2021). The stated goal of the SGP Reclamation and Closure Plan (RCP) (Tetra Tech 2021) is to stabilize and reclaim areas of proposed exploration, mining, and processing activities (which would include areas within the footprint of disturbance that have been impacted by historical mining activities) “to productive conditions that sustain long-term, post-SGP wildlife, fisheries, land, and water resources.” “Productive conditions” are not further defined in the RCP, and there is no direct correlation with moving TSRC towards 5 percent or less in the activity area (i.e., a greater than 40 percent recovery of natural background soil productivity within 50 years of disturbance). The RCP proposes reclamation strategies to return a site to a stable condition that would not require ongoing maintenance or inputs over the long term and would not contribute to erosion or sedimentation that would adversely impact post-mining uses or downstream resources. Many of the reclamation activities proposed relate to achieving soil and slope stability through management and best management practices (BMPs) of surface and groundwater; grading and slope configurations; and establishing persistent vegetation cover.

Planting prescriptions are primarily intended to provide fast-growing native ground cover that would initiate the long-term process of succession towards native forest communities.

Performance monitoring would be tied to slope and soil stability, sediment, and vegetation cover.

Achieving persistent vegetation cover and slope stabilization also would benefit soil amelioration processes. However, the rate of restoration of soil productivity would vary greatly based on the quality of the reclamation cover materials, and site characteristics including slope position, shape and gradient, aspect; elevation, parent materials, seed and propagule sources, and other considerations. As a general rule, the processes responsible for restoration of soil productivity occur over a very long timeframe (centuries) and do not directly correlate to successful reclamation, which is mainly oriented to short-term

objectives. The short target timeframe for achievable reclamation measures (e.g., 5 to 10 years) would not be sufficient to establish trends in soil resources and productivity that would take many centuries and up to millennia to develop within the conditions that pertain to the activity area, especially with respect to the short growing season and harsh winters (**Section 4.5.2.2**, Total Soil Resource Commitment – Payette National Forest).

A full analysis of the impacts of TSRC is provided in **Section 4.5** (Soils and Reclamation Cover Materials) in the EIS. It would not be appropriate to conduct a programmatic amendment because the project level assessment of TSRC identified changed conditions only in the PNF Activity Area where this project-specific amendment is proposed. This project-specific amendment to waive the exceedance of 5 percent TSRC would only apply to the area disclosed in the EIS.

Table 2 provides documentation for the review of substantive requirements of planning regulations for the SGP project-specific amendment to waive the TSRC threshold within the proposed SGP PNF Activity Area.

Table 2 TSRC Project Specific Plan Amendment Review

Planning Regulation Section	Part	Subpart	Does the plan amendment meet this planning rule requirement? (Add rationale if Yes or No and cite EIS/EA)
219.8 Sustainability	(a) Ecological Sustainability	(1) Ecosystem Integrity	<p>This amendment is consistent with moving toward restoring ecological integrity, post-project activities, by requiring mitigation and restoration of the PNF Activity Area for the SGP. The RCP does not address soil productivity which would not move the PNF Activity Area to a condition of 5 percent or less TSRC. However, the reclamation plan is designed to achieve soil and slope stability through management and BMPs of surface water and groundwater; grading and slope configurations; and establishing persistent vegetation cover (Section 4.5.2.2).</p> <p>Reclamation would occur on all areas of SGP-attributed TSRC except for where pit lakes and pit highwalls occur on NFS lands.</p> <p>The restoration of soil productivity could take an extremely long period of time, but reclamation would benefit soil improvement processes in the area.</p>
		(2) Air, Soil, and Water	<p>This amendment is consistent with moving toward restoring ecological integrity, post-project activities, by requiring mitigation and restoration of the PNF Activity Area for the SGP. The RCP does not address soil productivity which would not move the PNF Activity Area to a condition of 5 percent or less TSRC. However, the reclamation plan is designed to achieve soil and slope stability through management and BMPs of surface water and groundwater; grading and slope configurations; and establishing persistent vegetation cover. Leaving the PNF Activity Area in a condition of 5 percent or less TSRC following completion of the activities (as stated in the Payette Forest Plan) is not feasible due to the nature of the mining activities (Section 4.5.2.2).</p>
		(3) Riparian Areas	<p>This requirement is not directly related to this project-specific amendment.</p>
		(4) Best Management Practices for Water Quality	<p>This requirement is not directly related to this project-specific amendment.</p>
	(b) Social and Economical Sustainability	(1) Social, cultural, and economic conditions	<p>This requirement is not directly related to this project-specific amendment.</p>

Planning Regulation Section	Part	Subpart	Does the plan amendment meet this planning rule requirement? (Add rationale if Yes or No and cite EIS/EA)
		(2) Sustainable recreation, including recreation settings, opportunities, and access; and scenic character.	This requirement is not directly related to this project-specific amendment.
		(3) Multiple uses that contribute to local, regional, and national economies in a sustainable manner	This requirement is not directly related to this project-specific amendment.
		(4) Ecosystem services	This requirement is not directly related to this project-specific amendment.
		(5) Cultural and historic resources and uses	This requirement is not directly related to this project-specific amendment.
		(6) Opportunities to connect people with nature	This requirement is not directly related to this project-specific amendment.
219.9 Diversity of plant and animal communities	(a) Ecosystem plan components	(1) Ecosystem integrity	<p>This amendment is consistent with moving toward restoring ecological integrity, post-project activities, by requiring mitigation and restoration of the PNF Activity Area for the SGP. The RCP does not address soil productivity which would not move the PNF Activity Area to a condition of 5 percent or less TSRC. However, the reclamation plan is designed to achieve soil and slope stability through management and BMPs of surface water and groundwater; grading and slope configurations; and establishing persistent vegetation cover (Section 4.5.2.2).</p> <p>Reclamation would occur on all areas of SGP-attributed TSRC except for where pit lakes and pit highwalls occur on NFS lands.</p> <p>The restoration of soil productivity could take an extremely long period of time, but reclamation would benefit soil improvement processes in the area.</p>
		(2) Ecosystem diversity	This requirement is not directly related to this project-specific amendment.
	(b) Additional species-specific plan components	(1) and (2) components to provide the ecological conditions necessary to contribute to the recovery of federally listed or proposed species (<i>and viable species of conservation concern</i>) beyond those required at part (a) of this section	This requirement is not directly related to this project-specific amendment.

Planning Regulation Section	Part	Subpart	Does the plan amendment meet this planning rule requirement? (Add rationale if Yes or No and cite EIS/EA)
	(c) Species of conservation concern		This requirement is not directly related to this project-specific amendment.
219.10 Multiple Use	(a) Integrated resource management for multiple use	(1) Aesthetic values, air quality, cultural and heritage resources, ecosystem services, fish and wildlife species, forage, geologic features, grazing and rangelands, habitat and habitat connectivity, recreation settings and opportunities, riparian areas, scenery, soil, surface and subsurface water quality, timber, trails, vegetation, viewsheds, wilderness, and other relevant resources and uses.	This amendment is consistent with moving toward restoring ecological integrity, post-project activities, by requiring mitigation and restoration of the PNF Activity Area for the SGP. The RCP does not address soil productivity which would not move the PNF Activity Area to a condition of 5 percent or less TSRC. However, the reclamation plan is designed to achieve soil and slope stability through management and BMPs of surface water and groundwater; grading and slope configurations; and establishing persistent vegetation cover. Leaving the PNF Activity Area in a condition of 5 percent or less TSRC following completion of the activities (as stated in the Payette Forest Plan) is not feasible due to the nature of the mining activities (Section 4.5.2.2).
		(2) Renewable and nonrenewable energy and mineral resources.	The proposed plan amendment allows for the implementation of the proposed SGP, which is mining of mineral resources. Requiring mitigation and reclamation post-project activities allows for extraction of mineral resources while returning the site to a stable condition that would not require ongoing maintenance or inputs over the long term and would not contribute to erosion or sedimentation that would adversely impact post-mining uses or downstream resources (Section 4.5.2.2).
		(3) Appropriate placement and sustainable management of infrastructure, such as recreational facilities and transportation and utility corridors.	This requirement is not directly related to this project-specific amendment.
		(4) Opportunities to coordinate with neighboring landowners to link open spaces and take into account joint management objectives where feasible and appropriate.	This requirement is not directly related to this project-specific amendment.

Planning Regulation Section	Part	Subpart	Does the plan amendment meet this planning rule requirement? (Add rationale if Yes or No and cite EIS/EA)
		(5) Habitat conditions, subject to the requirements of § 219.9, for wildlife, fish, and plants commonly enjoyed and used by the public; for hunting, fishing, trapping, gathering, observing, subsistence, and other activities (in collaboration with federally recognized Tribes, Alaska Native Corporations, other Federal agencies, and State and local governments).	This requirement is not directly related to this project-specific amendment.
		(6) Land status and ownership, use, and access patterns relevant to the plan area.	This requirement is not directly related to this project-specific amendment.
		(7) Reasonably foreseeable risks to ecological, social, and economic sustainability.	This requirement is not directly related to this project-specific amendment.
		(8) System drivers, including dominant ecological processes, disturbance regimes, and stressors, such as natural succession, wildland fire, invasive species, and climate change; and the ability of the terrestrial and aquatic ecosystems on the plan area to adapt to change (§ 219.8);	This requirement is not directly related to this project-specific amendment.
		(9) Public water supplies and associated water quality.	This requirement is not directly related to this project-specific amendment.
		(10) Opportunities to connect people with nature.	This requirement is not directly related to this project-specific amendment.

Planning Regulation Section	Part	Subpart	Does the plan amendment meet this planning rule requirement? (Add rationale if Yes or No and cite EIS/EA)
219.11 Timber requirements based on the NFMA	(a) Lands not suited for timber production		This requirement is not directly related to this project-specific amendment.
	(b) Timber harvest for purposes of timber production.		This requirement is not directly related to this project-specific amendment.
	(c) Timber harvest for purposes other than timber production.		This requirement is not directly related to this project-specific amendment.
	(d) Limitations on timber harvest	(1) No timber harvest for the purposes of timber production may occur on lands not suited for timber production.	This requirement is not directly related to this project-specific amendment.
		(2) Timber harvest would occur only where soil, slope, or other watershed conditions would not be irreversibly damaged.	This requirement is not directly related to this project-specific amendment.
		(3) Timber harvest would be carried out in a manner consistent with the protection of soil, watershed, fish, wildlife, recreation, and aesthetic resources.	This requirement is not directly related to this project-specific amendment.

Planning Regulation Section	Part	Subpart	Does the plan amendment meet this planning rule requirement? (Add rationale if Yes or No and cite EIS/EA)
		(4) Where plan components will allow clearcutting, seed tree cutting, shelterwood cutting, or other cuts designed to regenerate an even-aged stand of timber, the plan must include standards limiting the maximize size for openings that may be cut in one harvest operation, according to geographic areas, forest types, or other suitable classifications.	This requirement is not directly related to this project-specific amendment.
		(5) Timber will be harvested from NFS lands only where such harvest would comply with the resource protections set out in sections 6(g)(3)(E) and (F) of the NFMA (16 U.S.C. 1604(g)(3)(E) and (F)).	This requirement is not directly related to this project-specific amendment.
		(6) The quantity of timber that may be sold from the national forest is limited to an amount equal to or less than that which can be removed from such forest annually in perpetuity on a sustained yield basis.	This requirement is not directly related to this project-specific amendment.
		(7) The regeneration harvest of even-aged stands of trees is limited to stands that generally have reached the culmination of mean annual increment of growth.	This requirement is not directly related to this project-specific amendment.

2.3 Visual Quality Objectives Project Specific Amendment

Forest: Boise and Payette National Forest

Alternatives: 2021 MMP and Johnson Creek Route Alternative

2.3.1 Plan Components

PNF and BNF: Standard SCST01

All projects shall be designed to meet the adopted Visual Quality Objectives (VQOs) as identified in Management Area direction and represented on the Forest VQO map.

BNF: Standard 1767 (MA 17)

Meet the visual quality objectives as represented on the Forest VQO Map, and where indicated in the table below as viewed from the following areas/corridors: FH 22.

BNF: Standard 1983 (MA 19)

Meet the visual quality objectives as represented on the Forest VQO Map, and where indicated in the table below as viewed from the following areas/corridors: FH 22 and FR 467.

BNF: Standard 2052 (MA 20)

Meet the visual quality objectives as represented on the Forest VQO Map, and where indicated in the table below as viewed from the following areas/corridors: FR 413.

BNF: Standard 2155 (MA 21)

Meet the visual quality objectives as represented on the Forest VQO Map, and where indicated in the table below as viewed from the following areas/corridors: FR 413, FR 416 W to Hennessey Meadow, and FR 440.

2.3.2 Proposed Amendment

The project specific amendments are applicable in the portions of MA 13 (PNF) and MA 17, 19, 20, and 21 (BNF) that are affected by components of the proposed SGP.

PNF and BNF: Standard SCST01

Waive the requirement to meet adopted Visual Quality Objectives (VQOs) as identified in Management Area direction and represented on the Forest VQO map for sections along the new and upgraded transmission lines (2021 MMP and Johnson Creek Route Alternative); sections along the Burntlog Route (2021 MMP); and the mine site (2021 MMP and Johnson Creek Route Alternative).

BNF: Standard 1767 (MA 17)

Waive the requirement to meet visual quality objectives as represented on the Forest VQO Map, and where indicated in the table below as viewed from the following areas/corridors: FH 22.

BNF: Standard 1983 (MA 19)

Waive the requirement to meet visual quality objectives as represented on the Forest VQO Map, and where indicated in the table below as viewed from the following areas/corridors: FH 22 and FR 467.

BNF: Standard 2052 (MA 20)

Waive the requirement to meet visual quality as represented on the Forest VQO Map, and where indicated in the table below as viewed from the following areas/corridors: FR 413.

BNF: Standard 2155 (MA 21)

Waive the requirement to meet visual quality objectives as represented on the Forest VQO Map, and where indicated in the table below as viewed from the following areas/corridors: FR 413, FR 416 W to Hennessey Meadow, and FR 440.

The suspension or modifications of these standards meet the following purpose and needs for the SGP:

- The Forest Service's purpose is to consider approval of the Plan to mine and process gold, silver, and antimony from deposits at the mine site in central Idaho, for commercial sale. The purpose of the proposed SGP is consistent with Congress' declaration in the Mining and Mineral Policy Act of 1970 (Public Law 91-631 as amended through Public Law 106-193).
- The Forest Service's need for action is established by the agency's responsibilities under the Locatable Minerals regulations at 36 CFR 228 Subpart A, which were promulgated under authority granted by the Mining Law of 1872 (Mining Law) (30 USC 22 et seq.) and the Organic Administration Act of 1897 (16 USC 478, 482, and 551). These regulations require that all locatable mineral prospecting, exploration, development, mining and processing operations, and associated means of access, shall be conducted in a manner that minimizes adverse environmental effects on NFS surface resources.

Generally, new and upgraded transmission lines would not meet the Preservation, Retention, or Partial Retention VQO. The line, color, form, and texture of the right of way (ROW) would visually dominate the landscape but would not be out of scale with the natural surroundings.

The footprint of the mine site would be within areas managed as a VQO of Retention or Partial Retention. The mine site would not meet either of these VQOs as the mine site components would introduce form, line, color, and texture found infrequently, or not at all, in the characteristic landscape, and to a degree that would dominate the characteristic landscape. New construction associated with the Burntlog Route would cross areas managed as Retention and Partial Retention VQOs. Except for the soil nail walls, access roads would generally conform to the Partial Retention VQO. Although new and upgraded portions of the Burntlog Route could introduce strong visual contrast in some areas, it typically would be limited to the immediate foreground as viewed from the road/trail introducing the contrast, although it

also may be visible from some trails and by individuals participating in dispersed recreation. New access roads would not be consistent with the Retention VQO as they would introduce new lines, colors, and textures that would be evident.

A full analysis of the impacts on VQOs is provided in **Section 4.20** (Scenic Resources) in the EIS. It would not be appropriate to conduct a programmatic amendment because the project level assessment of changed VQOs is within the SGP area, where these project-specific amendments are proposed.

Table 3 provides documentation for the review of substantive requirements of planning regulations for the SGP project-specific amendment to waive the requirement to meet VQOs within portions of the proposed SGP area.

Table 3 Visual Quality Objectives Project Specific Plan Amendment Review

Planning Regulation Section	Part	Subpart	Does the plan amendment meet this planning rule requirement? (Add rationale if Yes or No and cite EIS/EA)
219.8 Sustainability	(a) Ecological Sustainability	(1) Ecosystem Integrity	This requirement is not directly related to this project-specific amendment.
		(2) Air, Soil, and Water	This requirement is not directly related to this project-specific amendment.
		(3) Riparian Areas	This requirement is not directly related to this project-specific amendment.
		(4) Best Management Practices for Water Quality	This requirement is not directly related to this project-specific amendment.
	(b) Social and Economical Sustainability	(1) Social, cultural, and economic conditions	This requirement is not directly related to this project-specific amendment.
		(2) Sustainable recreation, including recreation settings, opportunities, and access; and scenic character.	These amendments would allow for deviation from the mapped Preservation, Retention, or Partial Retention VQOs. This affects the landscape character and scenic quality of the area. The visual impacts would last throughout the life of the SGP. Some visual impacts would be reduced after reclamation activities occur; after Burnt Log Road and Burntlog Route were reclaimed, permanent visual contrast to the characteristic landscape generally would be minimal to moderate, although the soil nail walls would retain strong visual contrast in very localized areas (Section 4.20.2.2). The mine site would have a moderate-high visual contrast to the characteristic landscape, which would be visible from two key observation points (Sections 4.20.2.2 and 4.20.2.3). The existing upgrades to the transmission line would result in moderate to high visual contrast and the new transmission line would result in strong visual contrast (Sections 4.20.2.2 and 4.20.2.3). The line, color, form, and texture of the ROW would visually dominate the landscape but would not be out of scale with the natural surroundings.
		(3) Multiple uses that contribute to local, regional, and national economies in a sustainable manner	This requirement is not directly related to this project-specific amendment.
		(4) Ecosystem services	This requirement is not directly related to this project-specific amendment.
		(5) Cultural and historic resources and uses	This requirement is not directly related to this project-specific amendment.

Planning Regulation Section	Part	Subpart	Does the plan amendment meet this planning rule requirement? (Add rationale if Yes or No and cite EIS/EA)
		(6) Opportunities to connect people with nature	These amendments would allow for deviation from the mapped Preservation, Retention, or Partial Retention VQOs. This affects the landscape character and scenic quality of the area, which could impact some people’s enjoyment of the naturalness of the area (Sections 4.20.2.2 and 4.20.2.3).
219.9 Diversity of plant and animal communities	(a) Ecosystem plan components	(1) Ecosystem integrity	This requirement is not directly related to this project-specific amendment.
		(2) Ecosystem diversity	This requirement is not directly related to this project-specific amendment.
	(b) Additional species-specific plan components	(1) and (2) components to provide the ecological conditions necessary to contribute to the recovery of federally listed or proposed species (<i>and viable species of conservation concern</i>) beyond those required at part (a) of this section	This requirement is not directly related to this project-specific amendment.
		(c) Species of conservation concern	This requirement is not directly related to this project-specific amendment.
219.10 Multiple Use	(a) Integrated resource management for multiple use	(1) Aesthetic values, air quality, cultural and heritage resources, ecosystem services, fish and wildlife species, forage, geologic features, grazing and rangelands, habitat and habitat connectivity, recreation settings and opportunities, riparian areas, scenery, soil, surface and subsurface water quality, timber, trails, vegetation, viewsheds, wilderness, and other relevant resources and uses.	These amendments would allow for deviation from the mapped Preservation, Retention, or Partial Retention VQOs. This affects the landscape character and scenic quality of the area. The full amount of visual impacts would last throughout the life of the proposed SGP. Some visual impacts would be reduced after reclamation activities occur; after Burnt Log Road and Burntlog Route were reclaimed, permanent visual contrast to the characteristic landscape generally would be minimal to moderate, although the soil nail walls would retain strong visual contrast; albeit in localized areas (Section 4.20.2.2). The mine site would have a moderate- high visual contrast to the characteristic landscape, which would be visible from two key observation points (Sections 4.20.2.2 and 4.20.2.3). The upgraded transmission line would result in moderate to high visual contrast and the new transmission line would result in strong visual contrast (Sections 4.20.2.2 and 4.20.2.3). The line, color, form, and texture of the ROW would visually dominate the landscape but would not be out of scale with the natural surroundings.
		(2) Renewable and nonrenewable energy and mineral resources.	These amendments would allow for development of nonrenewable mineral resources.

Planning Regulation Section	Part	Subpart	Does the plan amendment meet this planning rule requirement? (Add rationale if Yes or No and cite EIS/EA)
		(3) Appropriate placement and sustainable management of infrastructure, such as recreational facilities and transportation and utility corridors.	The upgraded transmission line occurs within existing ROW corridors.
		(4) Opportunities to coordinate with neighboring landowners to link open spaces and take into account joint management objectives where feasible and appropriate.	This requirement is not directly related to this project-specific amendment.
		(5) Habitat conditions, subject to the requirements of § 219.9, for wildlife, fish, and plants commonly enjoyed and used by the public; for hunting, fishing, trapping, gathering, observing, subsistence, and other activities (in collaboration with federally recognized Tribes, Alaska Native Corporations, other Federal agencies, and State and local governments).	This requirement is not directly related to this project-specific amendment.
		(6) Land status and ownership, use, and access patterns relevant to the plan area.	This requirement is not directly related to this project-specific amendment.
		(7) Reasonably foreseeable risks to ecological, social, and economic sustainability.	This requirement is not directly related to this project-specific amendment.
		(8) System drivers, including dominant ecological processes, disturbance regimes, and stressors, such as natural succession, wildland fire, invasive species, and climate change; and the ability of the terrestrial and aquatic ecosystems on the plan area to adapt to change (§ 219.8);	This requirement is not directly related to this project-specific amendment.

Planning Regulation Section	Part	Subpart	Does the plan amendment meet this planning rule requirement? (Add rationale if Yes or No and cite EIS/EA)	
		(9) Public water supplies and associated water quality.	This requirement is not directly related to this project-specific amendment.	
		(10) Opportunities to connect people with nature.	This requirement is not directly related to this project-specific amendment.	
219.11 Timber requirements based on the NFMA	(a) Lands not suited for timber production		This requirement is not directly related to this project-specific amendment.	
	(b) Timber harvest for purposes of timber production.		This requirement is not directly related to this project-specific amendment.	
	(c) Timber harvest for purposes other than timber production.		This requirement is not directly related to this project-specific amendment.	
	(d) Limitations on timber harvest	(1) No timber harvest for the purposes of timber production may occur on lands not suited for timber production.		This requirement is not directly related to this project-specific amendment.
		(2) Timber harvest would occur only where soil, slope, or other watershed conditions would not be irreversibly damaged.		This requirement is not directly related to this project-specific amendment.
		(3) Timber harvest would be carried out in a manner consistent with the protection of soil, watershed, fish, wildlife, recreation, and aesthetic resources.		This requirement is not directly related to this project-specific amendment.

Planning Regulation Section	Part	Subpart	Does the plan amendment meet this planning rule requirement? (Add rationale if Yes or No and cite EIS/EA)
		(4) Where plan components will allow clearcutting, seed tree cutting, shelterwood cutting, or other cuts designed to regenerate an even-aged stand of timber, the plan must include standards limiting the maximize size for openings that may be cut in one harvest operation, according to geographic areas, forest types, or other suitable classifications.	This requirement is not directly related to this project-specific amendment.
		(5) Timber will be harvested from NFS lands only where such harvest would comply with the resource protections set out in sections 6(g)(3)(E) and (F) of the NFMA (16 U.S.C. 1604(g)(3)(E) and (F)).	This requirement is not directly related to this project-specific amendment.
		(6) The quantity of timber that may be sold from the national forest is limited to an amount equal to or less than that which can be removed from such forest annually in perpetuity on a sustained yield basis.	This requirement is not directly related to this project-specific amendment.
		(7) The regeneration harvest of even-aged stands of trees is limited to stands that generally have reached the culmination of mean annual increment of growth.	This requirement is not directly related to this project-specific amendment.

2.4 Fish Passage Diversion Project Specific Amendment

Forest: Payette National Forest

Alternatives: 2021 MMP and Johnson Creek Route Alternative

2.4.1 Plan Components

PNF: Standard SWST09

In fish-bearing waters, do not authorize new surface diversions unless they provide upstream and downstream fish passage and, if needed, include either fish screens or other means to prevent fish entrapment/entrainment.

2.4.2 Proposed Amendment

The project specific amendment is applicable in the portions of MA 13 (PNF) that are affected by components of the proposed SGP.

PNF: Standard SWST09

Waive the requirement of new surface diversions to provide upstream and downstream fish passage within the footprint of mining operations.

The suspension or modifications of these standards meet the following purpose and needs for the SGP:

- The Forest Service's purpose is to consider approval of the Plan to mine and process gold, silver, and antimony from deposits at the mine site in central Idaho, for commercial sale. The purpose of the proposed SGP is consistent with Congress' declaration in the Mining and Mineral Policy Act of 1970 (Public Law 91-631 as amended through Public Law 106-193).
- The Forest Service's need for action is established by the agency's responsibilities under the Locatable Minerals regulations at 36 CFR 228 Subpart A, which were promulgated under authority granted by the Mining Law of 1872 (Mining Law) (30 USC 22 et seq.) and the Organic Administration Act of 1897 (16 USC 478, 482, and 551). These regulations require that all locatable mineral prospecting, exploration, development, mining and processing operations, and associated means of access, shall be conducted in a manner that minimizes adverse environmental effects on NFS surface resources.

For the 2021 MMP and Johnson Creek Route Alternative, Meadow Creek would be diverted around the TSF and TSF Buttress in surface water diversions with the main channel on one side and a smaller channel on the other side. The routing of Meadow Creek into two diversion channels would create a fish passage barrier due to the steep gradient necessary for the transition from the valley bottom to the location of the main diversion channel (**Section 4.12.2.2**).

A full analysis of the impacts of diversions that do not allow for fish passage within the footprint of the mine site is provided in **Section 4.12.2** (Fish Resources and Fish Habitat) in the EIS. It would not be

appropriate to conduct a programmatic amendment because the project level assessment of diversions that do not allow for fish passage is within the SGP area where these project-specific amendments are proposed.

The following table provides documentation for the review of substantive requirements of planning regulations for the SGP project-specific amendment to suspend the requirement to provide fish passage in surface diversions within portions of the proposed SGP area.

Table 4 Fish Passage Diversion Project Specific Plan Amendment Review

Planning Regulation Section	Part	Subpart	Does the plan amendment meet this planning rule requirement? (Add rationale if Yes or No and cite EIS/EA)
219.8 Sustainability	(a) Ecological Sustainability	(1) Ecosystem Integrity	Under the 2021 MMP and Johnson Creek Route Alternative, the Meadow Creek diversion that would not allow for fish passage would be in place for 10 to 17 years. After that time, habitat for listed fish species in upper Meadow would be permanently block due to the TSF/TSF Buttress, while other habitat would be made available by the removal of fish-passage barriers (Section 4.12.2.2). The SGP design features and mitigations developed for fish habitat are developed to maintain and restore ecosystem integrity and the intent of compensatory mitigation would be to offset impacts that cannot be avoided or minimized by regulation or design features (e.g., blocked fish access to upper Meadow Creek) (Section 2.4.9).
		(2) Air, Soil, and Water	This requirement is not directly related to this project-specific amendment.
		(3) Riparian Areas	Under the 2021 MMP and Johnson Creek Route Alternative, the Meadow Creek diversion that would not allow for fish passage would be in place for 10 to 17 years. After that time, habitat for listed fish species in upper Meadow would be permanently block due to the TSF/TSF Buttress, while other habitat would be made available by the removal of fish-passage barriers (Section 4.12.2.2). The SGP design features and mitigations developed for fish habitat are developed to maintain and restore ecosystem integrity and the intent of compensatory mitigation would be to offset impacts that cannot be avoided or minimized (e.g., blocked fish access to upper Meadow Creek) (Section 2.4.9).
		(4) Best Management Practices for Water Quality	This requirement is not directly related to this project-specific amendment.
	(b) Social and Economical Sustainability	(1) Social, cultural, and economic conditions	This requirement is not directly related to this project-specific amendment.
		(2) Sustainable recreation, including recreation settings, opportunities, and access; and scenic character.	This requirement is not directly related to this project-specific amendment.
		(3) Multiple uses that contribute to local, regional, and national economies in a sustainable manner	This requirement is not directly related to this project-specific amendment.

Planning Regulation Section	Part	Subpart	Does the plan amendment meet this planning rule requirement? (Add rationale if Yes or No and cite EIS/EA)
		(4) Ecosystem services	This requirement is not directly related to this project-specific amendment.
		(5) Cultural and historic resources and uses	This requirement is not directly related to this project-specific amendment.
		(6) Opportunities to connect people with nature	This requirement is not directly related to this project-specific amendment
219.9 Diversity of plant and animal communities	(a) Ecosystem plan components	(1) Ecosystem integrity	Under the 2021 MMP and Johnson Creek Route Alternative, the Meadow Creek diversion that would not allow for fish passage would be in place for 10 to 17 years. After that time, habitat for listed fish species in upper Meadow would be permanently blocked due to the TSF/TSF Buttress, while other habitat would be made available by the removal of fish-passage barriers (Section 4.12.2.2). The mitigations developed for fish habitat are developed to maintain and restore ecosystem integrity and the intent of compensatory mitigation would be to offset impacts that cannot be avoided or minimized (e.g., blocked fish access to upper Meadow Creek) (Section 2.4.9).
		(2) Ecosystem diversity	This requirement is not directly related to this project-specific amendment.
	(b) Additional species-specific plan components	(1) and (2) components to provide the ecological conditions necessary to contribute to the recovery of federally listed or proposed species (<i>and viable species of conservation concern</i>) beyond those required at part (a) of this section	The mitigations developed for fish habitat are developed to maintain and restore ecosystem integrity and the intent of compensatory mitigation would be to offset impacts that cannot be avoided or minimized (e.g., blocked fish access to Upper Meadow Creek) (Section 2.4.9). Section 7 ESA consultation will be conducted for the preferred alternative.
		(c) Species of conservation concern	There are no species known to occur within the proposed SGP area with a substantial concern about the species capability to persist over the long- term in the plan area (Section 4.12.2).

Planning Regulation Section	Part	Subpart	Does the plan amendment meet this planning rule requirement? (Add rationale if Yes or No and cite EIS/EA)
219.10 Multiple Use	(a) Integrated resource management for multiple use	(1) Aesthetic values, air quality, cultural and heritage resources, ecosystem services, fish and wildlife species, forage, geologic features, grazing and rangelands, habitat and habitat connectivity, recreation settings and opportunities, riparian areas, scenery, soil, surface and subsurface water quality, timber, trails, vegetation, viewsheds, wilderness, and other relevant resources and uses.	The proposed plan amendment allows for the implementation of the proposed SGP. The effects of the surface diversions that do not allow for fish passage, as well as mitigation and reclamation actions developed to reduce impacts of the proposed SGP, are analyzed in the EIS (Section 4.12.2).
		(2) Renewable and nonrenewable energy and mineral resources.	This amendment would allow for development of nonrenewable mineral resources.
		(3) Appropriate placement and sustainable management of infrastructure, such as recreational facilities and transportation and utility corridors.	This requirement is not directly related to this project-specific amendment.
		(4) Opportunities to coordinate with neighboring landowners to link open spaces and take into account joint management objectives where feasible and appropriate.	This requirement is not directly related to this project-specific amendment.
		(5) Habitat conditions, subject to the requirements of § 219.9, for wildlife, fish, and plants commonly enjoyed and used by the public; for hunting, fishing, trapping, gathering, observing, subsistence, and other activities (in collaboration with federally recognized Tribes, Alaska Native Corporations, other Federal agencies, and State and local governments).	This requirement is not directly related to this project-specific amendment.

Planning Regulation Section	Part	Subpart	Does the plan amendment meet this planning rule requirement? (Add rationale if Yes or No and cite EIS/EA)
		(6) Land status and ownership, use, and access patterns relevant to the plan area.	This requirement is not directly related to this project-specific amendment.
		(7) Reasonably foreseeable risks to ecological, social, and economic sustainability.	This requirement is not directly related to this project-specific amendment.
		(8) System drivers, including dominant ecological processes, disturbance regimes, and stressors, such as natural succession, wildland fire, invasive species, and climate change; and the ability of the terrestrial and aquatic ecosystems on the plan area to adapt to change (§ 219.8);	This requirement is not directly related to this project-specific amendment.
		(9) Public water supplies and associated water quality.	This requirement is not directly related to this project-specific amendment.
		(10) Opportunities to connect people with nature.	This requirement is not directly related to this project-specific amendment.
219.11 Timber requirements based on the NFMA	(a) Lands not suited for timber production		This requirement is not directly related to this project-specific amendment.
	(b) Timber harvest for purposes of timber production.		This requirement is not directly related to this project-specific amendment.
	(c) Timber harvest for purposes other than timber production.		This requirement is not directly related to this project-specific amendment.

Planning Regulation Section	Part	Subpart	Does the plan amendment meet this planning rule requirement? (Add rationale if Yes or No and cite EIS/EA)
	(d) Limitations on timber harvest	(1) No timber harvest for the purposes of timber production may occur on lands not suited for timber production.	This requirement is not directly related to this project-specific amendment.
(2) Timber harvest would occur only where soil, slope, or other watershed conditions would not be irreversibly damaged.		This requirement is not directly related to this project-specific amendment.	
(3) Timber harvest would be carried out in a manner consistent with the protection of soil, watershed, fish, wildlife, recreation, and aesthetic resources.		This requirement is not directly related to this project-specific amendment.	
(4) Where plan components will allow clearcutting, seed tree cutting, shelterwood cutting, or other cuts designed to regenerate an even-aged stand of timber, the plan must include standards limiting the maximize size for openings that may be cut in one harvest operation, according to geographic areas, forest types, or other suitable classifications.		This requirement is not directly related to this project-specific amendment.	
(5) Timber will be harvested from NFS lands only where such harvest would comply with the resource protections set out in sections 6(g)(3)(E) and (F) of the NFMA (16 U.S.C. 1604(g)(3)(E) and (F)).		This requirement is not directly related to this project-specific amendment.	
(6) The quantity of timber that may be sold from the national forest is limited to an amount equal to or less than that which can be removed from such forest annually in perpetuity on a sustained yield basis.		This requirement is not directly related to this project-specific amendment.	

Planning Regulation Section	Part	Subpart	Does the plan amendment meet this planning rule requirement? (Add rationale if Yes or No and cite EIS/EA)
		(7) The regeneration harvest of even-aged stands of trees is limited to stands that generally have reached the culmination of mean annual increment of growth.	This requirement is not directly related to this project-specific amendment.

3.0 REFERENCES

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