

From: Tyson Jerald tysonjerald@columbiaresearchonline.com  
Subject: Fw: [External Email]Re: BMU 4 comments
Date: April 11, 2023 at 2:05 PM
To: kwilson@mswdlaw.com

TJ

From: Miller, Katelyn -FS <katelyn.miller2@usda.gov>
Sent: Tuesday, November 29, 2022 1:22 PM
To: Tyson Jerald <tysonjerald@columbiaresearchonline.com>
Cc: Feiger, Michael -FS <michael.feiger@usda.gov>
Subject: RE: [External Email]Re: BMU 4 comments

We will be accepting your comment and thoroughly reviewing it as it relates to this project. We did send hard copy letters to all of the land owners in the project area in the early spring. The mailing address on Montana Cadastral for your parcel is:

SANDERS MTN DEVELOPMENT LLC
211 SAN REMO LN
CHELAN, WA 98816-9540

This letter was bounced back to us as undeliverable. I contacted Sanders County and this was the only address they had associated with the parcel. If you would like to receive letters in the future, please provide an updated address.

The Missoulian is the newspaper of record for Forest Service projects in Sanders County.

We also provide information about projects on our website and Facebook.
<https://www.fs.usda.gov/projects/kootenai/landmanagement/projects> and
<https://www.facebook.com/kootenainf/>

 **Katelyn Miller**
Physical Science Information Specialist
Forest Service
Kootenai NF, Cabinet Ranger District
p: 406-827-0717
katelyn.miller2@usda.gov
2693 MT HWY 200
Trout Creek, MT 59874
www.fs.fed.us
Caring for the land and serving people

From: Tyson Jerald <tysonjerald@columbiaresearchonline.com>
Sent: Tuesday, November 29, 2022 12:42 AM
To: FS-comments-northern-kootenai-cabinet <comments-northern-kootenai-cabinet@usda.gov>; Judy Hutchins <jhutch7494@aol.com>
Cc: Miller, Katelyn -FS <katelyn.miller2@usda.gov>; Feiger, Michael -FS <michael.feiger@usda.gov>; Hidy, Troy - NRCS, Plains, MT <troy.hidy@usda.gov>

EXHIBIT B

Subject: [External Email]Re: BMU 4 comments

[External Email]

If this message comes from an **unexpected sender** or references a **vague/unexpected topic**;
Use caution before clicking links or opening attachments.

Please send any concerns or suspicious messages to: Spam.Abuse@usda.gov

Hello Ms. Miller, Mr. Feiger and Mr. Hidy,

In a previous email I submitted a set of quickly written comments regarding BMU 4 access project. As described in the comments, today is the first day I have become aware of the proposed road blockage. If in fact today 11/28 was the last day for comments I would like to request an extension to add additional comments as I was not notified of the proposed land action and would assume that I should have been being that I own property and a cabin at the top of the Broken Hill mining claim at the end of FS road 2290. Please let me know when the comment period ends and if it did in fact end today that I may have an extension for additional comments.

Thank You

Tyson Jerald

From: Tyson Jerald <tysonjerald@columbiaresearchonline.com>

Sent: Monday, November 28, 2022 10:59 PM

To: comments-northern-kootenai-cabinet@usda.gov <comments-northern-kootenai-cabinet@usda.gov>; Judy Hutchins <jhutch7494@aol.com>

Cc: katelyn.miller2@usda.gov <katelyn.miller2@usda.gov>; michael.feiger@usda.gov <michael.feiger@usda.gov>; troy.hidy@usda.gov <troy.hidy@usda.gov>

Subject: Re: BMU 4 comments

To whom it may concern:

I object to Forest Service BMU 4 Access project and a barrier closure on Broken Hill Road 2290.

This letter dated 11/28/22 is the first I have heard of the proposed action and I will be directly affected by the actions. Today is the first day I have been aware of the proposed use action and was notified by Ms. Judy Hutchins. My question to the forest service is: Why have I not been directly notified by the Forest Service prior to today's date?

Ms. Hutchins sent me a copy of a notice posted in the Missoulian. I never read that paper. I read local papers and to my knowledge no notice of this proposed road action document was posted in local papers. Why was the notice posted in the Missoulian but not local papers where the land use would be taking place?

A BRIEF HISTORY OF BROKEN HILL MINING CLAIM

Kree Kirkman owned these upper properties prior to myself and Judy Hutchins ownership. As described in Ms. Hutchins comments, Kree was a difficult person, and had many run-ins with local residents as well as the Forest Service. In approximately 2002 Mr. Kirkman's negative actions prompted the Forest Service to close forest service road 2290 to Mr. Kirkman and the general public. Mr. Kirkman then built a private road

EXHIBIT B

on the North end of the private upper mining claim properties. This road was extremely dangerous at the time of construction and is in even a greater state of disrepair to date. Currently the road is barely passible with a 4 wheel drive ATV vehicle and the road is in danger of collapse.

Mr. Kirkman then sold some of the properties to myself in 2008 and the remainder to Judy Hutchinson in 2019. I can attest that after purchasing the properties, Myself and Ms. Hutchins have sought to work as cordial as possible with the forest service to form a relationship of good land stewardship. After purchasing the upper Broken Hill cabin and property in 2008, I was allowed to get trip permits to use the 2290 road to bring large items up the mountain that would not be safe on the private road.

In approximately 2017 myself and the Forest Service worked closely together at which time I provided private land access for the Broken Hill Mine Restoration project. Our working together on the mine project resulted in a significant amount of toxic mine tailings being removed and stored safely underground.

In 2022 the Billiard Mountain Fire occurred in which I happily allowed Forest Service personnel access through the property and Forest Service Personnel fortunately saved my cabin at the Broken hill mining claim. For that I am forever thankful to them. For the record, it was brought to my attention that a lock was cut at the bottom of the 2290 Road by the Fire Crews while accessing the road for fire suppression activities. This lock to my knowledge was placed on the bottom of the 2290 road by the company / individuals who performed the mine clean up in 2017

As Ms. Hutchins stated in her comments, we do not propose to obtain trip permits onto road 2290 more than 2 or 3x per year. This will result in minimal use. Ms. Hutchins and I expect that at some time in the future the properties will transfer into Forest Service hands to obtain a continuous grizzly bear habitat. However, at the current time we request that we be allowed to safely access our properties

I object to the proposed BMU 4 Access project and a barrier closure on Broken Hill Road 2290 for the following reasons:

1. The 2290 Road allows for needed fire access to the top of Broken hill mining claims
2. Mine Restoration and continued monitoring of Mine pit at top of Broken Hill. In approximately 2018 a large mining restoration project was conducted at the top of Broken Hill. Currently, there are materials (Fencing, wire, fences etc) that need to be removed from the area and continued monitoring of the site where the noxious tailings were deposited.
3. 2290 Road allows for seasonal trip permits for the owners of the upper properties on Broken Hill Mountain

Please feel free to contact me at the following:

tysonjerald@hotmail.com

(509) 679-0384

Tyson .Jerald