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Boise, Idaho

United States Forest Service, Payette National Forest
Attn: Linda Jackson, Payette Forest Supervisor
500 North Mission Street
McCall ID 83638

October 27, 2020

RE: Comments on the Stibnite Gold Project Draft Environmental Impact Statement

Dear Ms. Jackson,

The August 14, 2020 publication of the Stibnite Gold Project (SGP) Draft Environmental Impact Statement (DEIS) is a culmination of a great amount of study, analysis and documentation. I would like to take this opportunity to provide comments and recommendations about this DEIS.

Overall SGP

Before elaboration into details, I will state that I am in favor of the SGP. It has many win-win components for the environment, local communities, strategic mineral supply, restoration of historic mining impacts and for Midas Gold. The SGP is a unique project in that a mining company has incorporated restoration of historic mining impacts into a new mine plan which alleviates taxpayers from the burden of costs to restore the site. Opponents of the SGP may say restoration of the site can happen without a new mining project. However, I would respond if that were the case it would have already happened. Some minor cleanup and restorative actions have occurred on the site since the last 1990's mining activities but the East Fork of the South Fork of the Salmon River (EFSFSR) still cascades over the Yellow Pine Pit wall blocking anadromous fish passage, historic mine overburden waste piles still discharge metals into surface and ground water, and historic mill tails still leach metals into Meadow Creek valley water. It has been over 80 years since these impacts occurred. If another source of funding for restoration were available, it would have already taken place. Therefore, it is an environmental win for a mining company to restore the site at no expense to the local communities or federal coffers. Additionally, many rural areas in Idaho have struggled over the last century to find a balance of growth, living wage jobs, environmental protection and revenue generating diversity to maintain economic stability. Along with tourism, recreation, forest and agriculture industries, projects such as the SGP bring economic diversity to rural areas. Revenue derived from each of these types of industries add value and diversity for a rural economic portfolio. A win for the local economies and a win for each industry. And, as it turns out, when local communities have strong economic stability, they tend put more effort into environmental compliance and protection...another win-win. As one investigates the SGP they will find more win-win components such as increases in public safety and infrastructure.

Mitigation

In several chapters and sections of the DEIS mitigation is mentioned, however only somewhat peripherally. Only Appendix D "Mitigation Measures and Environmental Commitments" describes proponent proposed protective measures incorporated into the Midas Gold Idaho Inc (MGII) Plan of Restoration and Operations (PRO) [Alt 1] and the Modified PRO or ModPRO [Alt 2]. Chapter 4 for instance states, "*The impact analyses in the following sections have taken these mitigation measures into consideration, as well as measures routinely required through federal, state or local laws, regulations, or permitting*"¹. This abbreviated reference of mitigation measures does not provide the

¹ SGP DEIS Section 4.1.4

reader connection between the impacts analyzed and how protective measures avoid or reduce the impacts. I recommend the Final Environmental Impact Statement (FEIS) elaborate on the environmental protective measures proposed by MGII and those implemented by the Payette National Forest (PNF) and how those respective mitigation measures affect the impacts analyzed in each resource section.

Additionally, mitigation measures listed in Appendix D-1 contain an abundance of general Forest Service regulations of land use which may be applied to a wide range of forest uses. These types of regulations are inherent in forest use and do not need to be explicitly stated as mitigation measures. Therefore, I recommend the FEIS state mitigation measures which are applicable to specific resource protection and not burden the reader with a copy/paste enumeration of PNF regulations.

Soils and Reclamation Cover Materials

The DEIS describes two designations of soils impacts as Total Resource Commitment (TSRC) and Detrimental Soil Disturbance (DD)². TSRC is defined in the DEIS as “... *conversion of a productive site to an essentially non-productive site for a period of more than 50 years*”². DD is defined in the DEIS as “...*the alteration of natural soil characteristics that results in immediate or prolonged loss of soil productivity and soil-hydrologic conditions*”².

Much of the soils in the SGP footprint are categorized in the DEIS as TSRC inferring these soils are a permanent productive loss. Given the soil resources in Alternative 1-4 will be salvaged and reused for reclamation and restoration activities prior to a 50-year time frame suggests these soils are miscategorized as TSRC in the DEIS. Even soils salvaged from areas of the SGP which will not be reclaimed, such as some pit highwalls, are not a permanent productive loss as these soils will be used to reclaim and restore other areas of the SGP footprint which were previously impacted by legacy mining activities (categorized as TSRC). An alteration of the natural soil characteristics (DD) is a better definition for these salvages and repurposed soils.

Furthermore, using a 40% of background soil productivity criteria to classify soils impacts as TSRC due to a longer than 50-year recovery process is also inappropriate. This is due to the fact the SGP salvaged soils will have productive value as these soils are repurposed to reclaim and restore the mine site in much less than 50 years. Additionally, it appears the PNF did not hold themselves to this same 40% productivity criteria in the Huckleberry Landscape Restoration Project Environmental Impact Statement³.

I recommend the FEIS reassess and clarify the classification of soil impacts to designate these more appropriately as an alteration of natural soil characteristics (DD) and not a conversion of a productive site to a non-productive site (TSRC).

Public Health and Safety

The DEIS describes potential human health risks of using on site soils salvaged for Reclamation Cover Material (RCM)⁴. Noting the Idaho Department of Health and Welfare (IDHW) consultation letter cited in the DEIS focused on surface soils adjacent to the mine site. Adjacent being the key word to contextualize these undisturbed soils as having elevated natural background levels of some metals. A breakdown in logic occurs here if the soils intended to be used for RCM create a potential human health risk because these same soils would also be a potential human health risk in their natural undisturbed locations/settings. The PNF does not restrict recreational use, wildlife use or

² SGP DEIS Section 4.5.1

³ Huckleberry Landscape Restoration Project DEIS (June 2019) Section 3.7

⁴ SGP DEIS Section 4.18.2.1.1.3

vegetation use of these natural soils due to elevated metals content. These soils will not become more of a human health risk, if the soils are salvaged, stored and repurposed for reclamation and restoration in nearby areas. Therefore, the FEIS should not consider soils used in the reclamation and restoration process as any more of a risk to human health than the same pre-salvaged soils. The PNF's development of a Risk-Based Soil Screen Level as provided in table 4.18-4 of the DEIS should be reevaluated. I recommend the PNF note the elevated natural background levels of metals in the soils in the FEIS but do not recommend imposing a stricter than natural background level criteria for soil use as RCM.

Appendix B: 404(b)(1) Analysis Framework

The 404(b)(1) Analysis Framework shown in Appendix B of the DEIS is a very good approach for the US Army Corps of Engineers (USACE) to analyze and compare alternatives. Given the DEIS makes a preliminary determination that the Canadian Lynx, and the Northern Idaho Ground Squirrel (NIDGS) will not be adversely affected by the SGP⁵, I recommend leaving these on the 404(b)(1) table to note they have been considered but scoring them as zero. Similarly, with the recent announcement of from the US Fish and Wildlife service that the Wolverine will not be listed as a threatened or endangered species I recommend leaving wolverine on the 404(b)(1) table but likewise scoring as zero. Noting the 404(b)(1) is an USACE process I recommend weighting of the categories on the 404(b)(1) table emphasize the Waters of the US as this is the focal area of the USACE regulatory jurisdiction.

Recommended Preferred Alternative

The DEIS considers 4 action alternatives (Alt 1-4) and one no action alternative (Alt 5). The Alt 1 represents the PRO while Alt 2 represents the ModPRO. Alt 3 represents the Tails Storage Facility (TSF) located in the upper EFSFSR instead of the upper Meadow Creek valley as proposed in Alts 1-2. Alt 4 represents using the existing Johnson Creek and Stibnite Roads as access to the project site for the duration of the projects instead of the Burntlog Route proposed in Alts 1-3. Given all of the analysis provided in the DEIS it is clear to me the recommended Preferred Alternative is Alt 2, the ModPRO. Multiple factors lead me to this conclusion and are as follows.

- Alt 2 supports the early restoration of anadromous fish passage around the Yellow Pine Pit through the EFSFSR diversion tunnel fish ladder system. This early restoration provides volitional fish passage approximately 12 years in advance of restoration of the EFSFSR over the Yellow Pine Pit backfill. 12 years is nearly 2 full life cycles for anadromous fish which means by the end of the project Chinook and Steelhead spawned and reared in the upper EFSFSR or Meadow Creek could be returning to spawn. Additionally, the fish ladder system will provide valuable experience in applications of subsurface fish way systems which could be applied to other fish passage projects.
- Placement of the TSF in the upper Meadow Creek valley under Alt 2 is the least impactful. Although wetlands impacts are comparable between Alts 2 and Alt 3, nearly double the stream length is impacted in Alt 3 as compared to Alt 2. Additionally, the Meadow Creek valley has existing environmental impacts from legacy mining, wildfires and sedimentation from blowout creek. Moving the TSF to the upper EFSFSR (Alt 3) would impact a fairly undisturbed area while losing the benefits of removing, containing and controlling legacy heap leach materials and legacy tailings which are both, under current conditions, continuing to degrade surface and

⁵ SGP DEIS Section 4.13.2.1.1.3 & 4.13.2.1.2.3

groundwater. Furthermore, the upper EFSFSR has escaped the semi-recent wildfires and has ample vegetation cover over and around the streams to cool water temperatures in the warm low flow late summer months which better support fish of all life stages.

- The Burnlog Route as presented in Alt 2 provide the best route to access the mine site. Creating an access road higher in elevation and out of the valley bottoms reduces the risks of avalanche or other natural calamities from curtailing access to and from the site. Similarly, removing increased traffic loads from traveling long distances adjacent to critical habitat river systems, such as Johnson Creek and the EFSFSR, greatly reduce the risk of damage to critical habitat from accidental spills. The Burntlog Route, along with the Stibnite Road/Johnson Creek Road, also provides a second egress from the Stibnite valley to evacuate personnel in cases of unexpected events such as wildfires. The Burntlog Route will also provide a robust, safe and reliable access for backcountry rescue efforts which seem to happen regularly. Lastly, the Burntlog Route will eliminate increased traffic through the village of Yellow Pine which would otherwise impact Yellow Pine under Alt 4.
- Alt 2 also allows public access through the mine site during operations which would not be anticipated under Alts 1, 3 and 4. This will help support local businesses such as outfitters and communities such as Yellow Pine by allowing them to continue to access areas that would otherwise be inaccessible to recreation, tourism and outfitting.
- Alt 2 modifies the PRO based Alt 1 to reduce impacts in several ways including the elimination of the Westend Development Rock Storage Facility (DRSF), mitigative measures to keep stream temperatures cool in the summer months, reducing wetlands impacts on the Burnlog Route, and partially backfilling the Hanger Flats pit.
- Removal and restoration of large amounts of legacy mining facilities such as the Spent Ore Disposal Area (SODA) and the Meadow Creek Bradley tailings is a substantial part of the Alt 2 plan. These along with the other planned activities to restore legacy mining impacts to natural conditions will improve water quality impacts currently occurring in the Stibnite mining district.

In summary I believe the SGP DEIS provides ample information to the public and I encourage the PNF to consider these comments and recommendations in developing a FEIS.

Sincerely



Daniel S. Kline

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