IDAHO CONSERVATION LEAGUE

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Electronically submitted: comments-intermtn-payette-mccall@fs.fed.us

RE: Idaho Conservation League's Scoping Comments for the Proposed **St. Helens Mine Plan of Operations**

Dear Jenni,

Please accept the Idaho Conservation League's scoping comments for the proposed St. Helens Mine Plan of Operations. Since 1973, the Idaho Conservation League has worked to protect Idaho's water, wilderness, and quality of life through citizen action, public education, and professional advocacy. The Idaho Conservation League (ICL) has a long history of involvement with mining and water quality issues. As Idaho's largest statewide conservation organization, ICL represents over 30,000 supporters who have a deep personal interest in ensuring that mining operations and reclamation activities remain protective of our land, water, fish, and wildlife.

While we appreciate that Wildcat Diversified Investment LLC (Wildcat) proposes to primarily mine within a previously impacted area, we do harbor concerns regarding the highly visible location along a primary Forest Service road and the visual impacts that may be incurred. Further, we are concerned with the potential increase in dust and commercial traffic that may result from the proposed actions. We believe the Forest Service should include design features to mitigate these potential impacts, and others associated with the project's development. Our specific comments are below.

Thank you for the opportunity to submit comments on this project. Should you have any questions regarding these comments and recommendations, please do not hesitate to contact us. We look forward to working with the McCall Ranger District on this and future projects.

Respectfully submitted,

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Idaho Conservation League Scoping Comments on St. Helens Mine Plan of Operations

Scoping Information
We appreciate the information provided on the Payette National Forest website. The locator map and aerial photos that include project components and their siting locations are helpful. ICL believes that the public would benefit from the inclusion of representative photos in the forthcoming Environmental Assessment (EA)s showing what the site looks like now, what it would look like during excavation, and what it would look like following successful reclamation. Further, Figure 2 of the scoping document identifies four culvert locations. However, the document doesn't indicate if these culverts are currently in place or if the operator would install them as part of the mitigation design features. We recommend the EA thoroughly explain any improvements proposed by Wildcat and how the improvements would affect forest and/or watershed health.

Visual Impacts
The St. Helens mine is located near a highly used road used primarily for recreation access. The Forest Service should implement Design Features to reduce negative visual impacts for road-users. Adams and Valley County residents value outdoor beauty and it's vital contribution to the tourism based economy. The visually unappealing site may negatively affect users of State Highway 55 and Brundage Road. The project should be crafted to reduce the project's viewshed and negative visual impacts.

Site Occupancy
The scoping document is unclear regarding site occupancy and whether the proponent would be camping on site or in the general area. We recommend the Forest Service address this topic in the EA. It does not appear that site occupancy is necessary nor warranted given the project area's proximity to housing opportunities and established campgrounds. If camping, the operator should be required to have a portable toilet and bear-proof food containers on site, and comply with other Best Management Practices (BMPs) typically associated with site occupancy, including capacity, time length, and waste disposal. All garbage must be disposed of appropriately in a timely fashion. To avoid contaminating the area with human feces, a portable toilet will have to be located on the site and serviced regularly.

The Forest Service does not describe whether operators will use a generator or not. If a generator is allowed, decibels should be regulated, fuel adequately contained with secondary containment systems, and use restricted to hours consistent with campground operations.

Project Duration
The St. Helens mine proposes states the mine will be in operation for a ten-year lifespan, during which time the mine operators will remove approximately 35,000 cubic yards of mineralized material. While the project does not warrant the preparation of an Environmental Impact Statement (EIS), we are concerned that the project's proposed lifespan extends beyond reasonable expectations for such a limited undertaking. Therefore, we encourage the Forest Service to work with Wildcat to identify a more accurate timeline and we encourage the applicant to complete the project in a reasonable five year period. If Wildcat has not

accomplished their mining goals after five years, the Forest Service could reassess the project based on the mine's track record and granting a clean "bill" from the agency, Wildcat could then apply for a permit extension. We recommend that the Forest Service examine this proposal as an alternative to the proposed action in the project EA.

Reclamation Mitigation

We believe that the Forest Service should require the operator to complete additional mitigation measures that will enhance the restoration of the affected areas. We appreciate the operator's intent to return the landscape to the original contour and revegetate distrubed areas. A plan for extensive revegetation and rehabilitation is necessary. We remain concerned that the absence of material removed by Wildcat during mine operations will result in insufficient stockpiled materials to adequately reclaim the mine pits, leaving behind unsightly depressions or pits that could then hold unwanted water from snowmelt or runoff events. Further, we recommend that Wildcat and the Forest Service use native seed whenever possible during revegetation efforts.

Water Quality

While we expect that the Forest Service will make regular site visits to ensure compliance with mitigation measures, the frequency of these visits is not clear. The Forest Service should also engage in spot inspections without prior notification.

The EA should include Design Features that address spill clean up materials, fire fighting gear, and a hazardous materials spill response plan, copies of which should be posted in the office and kept in all vehicles. In addition, an oil-absorbent boom, or other OSHA-approved spill containment device should be available on site.

The Forest Service needs to analyze whether pit development operations will directly or indirectly impact groundwater levels or sources. We are also concerned about the potential for any mine-affected water runoff at the site in high runoff events. The EA should include Design Features that ensure all produced or runoff water and sediment will be carefully managed.

We recommend the installation of silt fences along downslope project boundary sides to prevent the distribution of disturbed sediments during runoff events. These protections should extend to the four identified culverts, with Design Features being implemented that work to prevent unnecessary clogging of the drainage features.

INFISH also contains important standards and guidelines aimed at reducing the effects to water quality and fish habitat associated with roads. With regard to mining operations (including roads), Standard MM-2 requires:

> **MM-2**. Locate structures, support facilities, and roads outside RHCAs (Riparian Habitat Conservation Areas). Where no alternative to siting facilities in RHCAs exists, locate and construct the facilities in ways that avoid impacts to RHCAs and streams adverse effects on listed anadromous fish / inland native fish. Where no alternative to road construction exists, keep roads to the minimum necessary for the approved mineral activity. Close, obliterate and revegetate roads no longer required for mineral or land management activities

The agency must comply with all INFISH and PACFISH standards and requirements. While the proposed project will not directly impact native fish populations, the standards remain sound for reducing sediment delivery to streams and ensuring watershed protection during mine development.

Bonding

Under 36 CFR § 228, the agency must require financial assurances sufficient enough to ensure that site reclamation would be completed in the event of site abandonment. The bond estimate should reflect current prices for labor, equipment, and fuel. The reclamation bond must be independent of the financial assurances covering any other mining operations. The bond must be substantive enough to cover the potential impacts to the area's ecosystem as well as the area surrounding the transportation route. Bonding should also have sufficient coverage to mitigate the impacts of possible fuel spills and other hazardous materials along the roadside and within the project boundaries. Bonding costs should be calculated according to Forest Service pricing, including the cost of renting and transporting equipment and wages for all workers and supervisors. These bonding calculations should be included in the EA and available for public comment and review.

Riparian Conservation Areas

As mentioned above, the operator must cite all structures outside of Riparian Conservation Areas (RCAs) unless no alternatives exist. Even though the scoping project proposal limits chemical use, we remain concerned about the use of fuels, lubricants, solvents, and other toxic chemicals in intermittent streams and drainages. The Forest Service must carefully evaluate the use of these hazardous materials. We recommend that all fuel storage locations are more than 300' from live water and secured in double-lined containers able to hold double the quantity of the stored fuel.

Dust Control

Fugitive dust entrained during pit construction, material loading, and reclamation activities stands out as having a potential impact on surrounding vegetation, wildlife and their habitats, and on human health and safety. We recommend that the Forest Service analyze the potential impacts of fugitive emissions and consult with the Idaho Department of Environmental Quality (IDEQ) to develop Design Features that will mitigate these potential impacts. Some potential solutions are for the operator to adequately water operations areas to lessen the impact of fugitive dust, and to apply a magnesium chloride-based dust suppressant to the site access road. We do caution against an overuse of magnesium chloride as it is known to have detrimental effects on roadside vegetation (Goodrich et al. 2008; Jacobi et al. 2009).

Access

We are concerned about members of the public using the project road and further disturbing the area. Additionally, as this project is located near areas of high use, preparation to minimize public-traffic conflicts should be taken. We recommend the operator install a lockable gate at the junction of the access road and FSR 50257 to prevent unauthorized access when the mine is either unoccupied during scheduled weekly days off or during seasonal shutdown periods.

The Forest Service needs to provide more information about the types of vehicles used to transport equipment, what types of equipment will be used during mining operations, the number of trips per week (associated dust and sediment delivery to adjacent streams), the times of day for travel, the volume of hazardous materials, the details of a Spill Prevention Plan and associated safety precautions.

We recommend developing a specific travel access plan that minimizes the risk of a fuel spill into creeks, reduces the chances of collisions with other vehicles, and minimizes the risk of vehicles striking wildlife.

Fuel Haul
The Forest Service should develop a fuel haul plan for this operation to minimize the risk of spills.

Water Right
Operations may require the use of water. If so, the operator is required to obtain a water right and must meet the Idaho Groundwater Standards. Details of any water use and its source should be thoroughly documented in the EA, including the potential impacts to the water source if the operator proposes to use a natural source such as a stream or lake. This analysis should include any water that would be used for dust abatement activities.

Wildlife
Even though this area has undergone previous alterations, the Forest Service needs to fully evaluate the effects of the exploration and drilling on wildlife, and particularly amphibian species inhabiting this watershed. Weed-free straw bales should line any drainages to protect streams from sedimentation and be removed upon completion of operations. Further, the EA must evaluate the impacts to migratory birds, with Design Features that mitigate impacts during breeding seasons.

The excavations should be sloped in such a manner that wildlife that may fall in have easy access out. If the pits exhibit a steep-walled design, wildlife-accessible ramps should be placed in excavation sites to allow egress in case animals fall in. Silt fences should be in place around the pit perimeters to deter amphibians and small mammals from becoming entrapped.

Final Processing
The Forest Service should detail the location of off-site processing. The environmental impacts of transportation, including the effects of noise and dust on wildlife and recreationists should be analyzed.

Fire Risk
Summer operations will increase the risk of wildfire. All vehicles must contain fire fighting equipment. We also recommend developing a fire safety and evacuation plan, and identify potential safe zones in the event of a wildfire. The project proponent must properly dispose of all trash, including microtrash, properly on a regular basis, not just at the completion of activities. This Design Feature not only ensures that trash will be adequately addressed during the course of

the project, but that mining activities do not contribute towards attracting wildlife like bears and racoons to an area through improper trash disposal.

Noxious Weeds

The Forest Service must require the operator to wash all equipment, including the undercarriage of vehicles, before entering the National Forest. We also recommend that the operator brush all equipment before entering the site. The ICL recommends reseeding and revegetation of native plants to disturbed soil areas; along with active maintenance to prevent expansion of noxious weeds. We also recommend that the Forest Service develop a noxious weed monitoring and treatment program as part of this project.

References Cited

Goodrich, B.A., R.D. Koski, and W.R. Jacobi, 2008. Roadside Vegetation Health Condition and Magnesium Chloride (MgCl2) Dust Suppressant Use in Two Colorado, U.S. Counties. Arboriculture and Urban Forestry, 34(4)252-259.

Jacobi, W.R., B.A. Goodrich, and R.D. Koski, 2009. Environmental Effects of Magnesium Chloride-based Dust Suppression Products on Roadside Soils, Vegetation and Stream Water Chemistry. Colorado State University Agricultural Experiment Station, Technical Report TR09-04. Fort Collins, Colorado.