

IDAHO GOVERNOR'S OFFICE OF ENERGY & MINERAL RESOURCES

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Payette National Forest
McCall Ranger District
102 W. Lake Street
McCall, ID 83638

RE:St. Helens Mine Plan of Operations Comments

Thank you for the opportunity to provide comments on the proposed St. Helens Mine Project. The following comments were developed in coordination with the Idaho Department of Environmental Quality, the Idaho Department of Lands, the Idaho Department of Parks and Recreation, the Idaho Department of Fish and Game, the Idaho State Historic Preservation Office, and the Idaho Governor's Office of Species Conservation. OEMR submits these comments on behalf of the State of Idaho pursuant to its responsibility to coordinate all state comments involving energy and mineral resources in accordance with Executive Order 2020-17. Idaho supports responsible mineral exploration and development projects that work in a proactive manner to address potential impacts. The Governor's Office of Energy and Mineral Resources was created to coordinate state mineral resource planning due to the historic and important contribution of mineral production to Idaho's economy.

Idaho Governor's Office of Species Conservation Comments: This project is in an already disturbed area, does not expand its footprint substantially, and does not have any apparent implications for candidate, Threatened or Endangered terrestrial species, such as the northern Idaho ground squirrel, whitebark pine, or Canada lynx, based on the lack of verified species observations in the project vicinity. Furthermore, although there is no evidence of Threatened or Endangered aquatic species within the project area, the Lower Little Salmon watershed contains critical habitat for bull trout, spring/summer chinook, and steelhead. Potential downstream impacts to aquatic critical habitat will be mitigated by limiting the height and slope of stockpiles, controlling runoff from stockpiles, and ensuring compliance with Idaho's water quality standards through coverage and compliance with an Idaho Pollutant Discharge Elimination System Multisector General Permit. Due to details of the Plan of Operations and the finding of "No Effect" on Riparian Conservation Areas and Sediment/Turbidity, this project is unlikely to negatively impact Threatened or Endangered aquatic species in the Lower Little Salmon watershed.

Idaho Department of Lands Comments: The proposed activity is considered a mining operation under Idaho Code 47-1503(7). The applicant will need to request approval by IDL of their *Mine Reclamation Plan* by completing and submitting the *Application for Reclamation Plan Approval* and appropriate application fee to the Idaho Department of Lands (IDL). Approval of the Reclamation Plan by IDL along with reclamation financial assurance are both required before the mining operation proceeds. The financial assurance may be held by the USFS if it meets the requirements of Idaho Code 47-15.

Idaho Department of Fish and Game Comments: *Environmental Assessment:* General--The St Helens Mine EA identifies the project boundary, but it is unclear what the spatial extent of the analysis area (or area of impact) is.

Recommendation: The EA should clearly delineate the area that has been analyzed for potential impacts. There are potential impacts that reach beyond the operational footprint of the project boundary (such as noise, runoff, increases in transportation, light pollution, etc.) and it is equally important to evaluate these as it is to evaluate direct impacts within the projects operational footprint.

Pg 6: Annual plans for excavation of a site include removal of live shrubs and trees. IDFG appreciates the consideration to salvage species when appropriate, and avoid the cutting of large diameter trees unless necessary for safe operations.

Recommendation: if trees are to be cut prior to excavation during any year of operation, this should be done during a time of year that would minimize the likelihood that the tree contains active bird nests or roosting bats. Regardless of time of year, trees targeted for removal should be inspected prior to removal to ensure no birds or bats are present.

Wildlife Resources Effects Analysis: Pg 2: The EA recognized public scoping concerns for bat species, but concluded that formal analysis for these species were not warranted based on the fact that suitable habitat wasn't present and no nighttime work is being proposed.

Recommendation: The two species of bats (Townsend' big-eared and spotted) assessed in the EA (Attachment 1) may be appropriately assessed, however the EA failed to address impacts to other SGCN bat species (little brown and silver haired) that have been documented to occur. IFWIS database does indicate the presence of these SGCN bat species within the boundary of the project site, indicating that suitable habitat does indeed exist. Further, bats may be most active at night, but that does not mean they cannot be disturbed during the day. Roosting bats may be disturbed by daytime activities, resulting in displacement. Bats, particularly silver-haired, are known to roost on human structures and could occupy the mine site at any time. IDFG recommends that additional bat species be considered for full review. If the decision remains not to provide further review of these species, the Forest should provide further justification for that decision.

Pg 10: IDFG appreciates the plans to fence the open pits during operation to preclude wildlife entanglement.

Recommendation: Wildlife fencing, when not properly designed and installed, can do more harm than good for wildlife. Animals can become trapped, entangled, or impaled on fencing. In

addition, poorly designed fencing can have unintended consequences of funneling animals to areas that they may not be wanted. Designs for wildlife exclusion fencing should include materials of appropriate height (at least 8 feet for big game exclusion), and materials that do not provide potential for animals to become injured trying to jump over or get through the fence. IDFG is available to provide further assistance on wildlife friendly fencing designs.

Plan of Operations: Table 4: Practices included to protect wildlife resources include, “Train workers to recognize special status species”.

Recommendation: Additional information on how this training will be conducted is needed, including what classifications of special status species will be the focus of trainings, and expected outcomes of the training (i.e., will workers be expected to recognize target species by sight? Sound? Tracks? Scat?)

Pg 26/Attachment B: IDFG appreciates that fencing will remain around the perimeter of the project until the area been fully reclaimed.

Recommendation: Keeping fencing intact until vegetation has been established, not just until the end of the project, will help to ensure successful vegetation re-establishment. A monitoring plan should be put in place to assess efficacy of restoration work during the annual monitoring visits, and interventions can be taken as necessary to ensure successful vegetation establishment.

IDFG General Comments: Throughout the St Helens Mine EA and supporting documents, BA and Specialist reports conducted for the Brundage Placer POO (approximately 10 years old) are referred to, concluding that work done during that project can be used in the analyses of the currently proposed project.

Recommendation: Given the amount of time that has passed since these analyses were conducted, the analyses for the St. Helens Mine Project should, at a minimum, discuss how conditions may have changed in that time frame or provide rationale for why those studies are still valid for this current project analysis.

The State of Idaho appreciates the opportunity to submit these comments. Please feel free to contact me should you have any questions or need clarification.

Sincerely,



George Lynch

Legal Counsel

Idaho Governor's Office of Energy and Mineral Resources