



TERRAGRAPHICS INTERNATIONAL FOUNDATION  
Working with Communities to Improve Environmental Health

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RE: Stibnite Gold Project SDEIS Comment Deadline Extension Request

Dear Ms. Jackson:

This letter formally requests an extension to the review period for the **Stibnite Gold Project, Supplemental Draft Environmental Impact Statement, Forest Service, Region 4, Payette and Boise National Forests, Valley County, Idaho, (SDEIS)**. The request is submitted on behalf of TerraGraphics International Foundation (TIFO), and Senior Scientist Ian von Lindern, 121 S. Jackson St., Moscow, Idaho 83843; 208 596 8577; [ian@terrafound.org](mailto:ian@terrafound.org).

TIFO's mission is to assist mining and mineral processing communities to operate as safely as practicable while maintaining essential economic activities. TIFO supports scientifically sound and transparent analyses of the environmental and human health issues faced by mining communities; and the development of solutions implemented within local socio-economic and cultural capabilities. TIFO is currently involved in assessing and implementing human health and environmental remediation projects in partnership with the international humanitarian organization Médecins sans Frontières (Doctors without Borders), local governments and Health Ministries in Nigeria, Kyrgyzstan, and Uzbekistan; and with Indigenous governments in Peru, Idaho and Nevada.

The Stibnite Gold Project (SGP) is of interest because both the industry and the US regulatory agencies have the capacity to implement best practices that are not available to poor communities throughout the world.

As the Forest Service is fully aware, the proposed SGP is a unique project that has been the subject of numerous environmental, technical, cultural and socio-economic investigations over the past several years. The SGP is proposed to be located in remote, complex terrain in the headwaters of one of the world's premier wild rivers and pristine eco-systems. No other combined antimony/gold mineral processing facility of its type operates in the U.S., and millions of tons of toxic metals will be removed from *in situ* containment and relocated in an already compromised local environment.

Tens of thousands of pages of reports and studies have been integrated into thousand page plus DEIS/SDEIS documents that include hundreds of key references that must be reviewed to provide meaningful comments to this important regulatory decision-making process.

The allotted review period is simply insufficient to evaluate a DEIS/SDEIS for a facility of this magnitude and complexity, even were the document organized, complete and transparent. Technical reviewers have been hard-pressed to assemble a first draft of comments and concerns within the respective disciplines, due the time constraints, non-transparency of the presentation, and unavailability of referenced support documents. More

time should be allocated to refine these comments and allow cross-discipline comparisons of the document's shortcomings.

In addition to the enormity and complexity of the review task, there are unique considerations that have evolved through the review process that impose extraordinary burdens on reviewers that mandate the review period be extended. These are summarized below.

The Forest Service has extended extraordinary discretion to the SGP in framing the DEIS and SDEIS that compounds this review. These include:

- i) **Status of Original DEIS Comments**
- ii) **Accommodating significant modifications to Alternatives suggested by Midas/Perpetua during the NEPA EIS process**
- iii) **Deferring to State of Idaho regulatory determinations with regard to key air and water quality protections**
- iv) **Logistics and Scheduling**

Each is briefly discussed below.

**i) Status of Original DEIS Comments**

**Background:** The SDEIS supplements the Forest Service environmental impact analyses presented in Draft Environmental Impact Statement (DEIS) released in 2020. TIFO submitted more than 20 pages of comments on the DEIS in 2020. These comments focused on technical analyses regarding Contaminants of Concern (COCs), specifically toxic metals. The comments emphasized the lack of transparency, material balances, and coherence in the document; and the resulting difficulties in determining the extent and disposition of toxic contaminants throughout the proposed alternatives.

Because of these shortcomings it was not possible to develop material balances and verify coherence (i.e., that the material mass of contaminants was accounted for throughout the various processes and modelling analyses). The 2020 TIFO comments presented rudimentary material balances developed through reverse engineering of Midas Gold support documents to illustrate the lack of transparency that precluded objective analyses of potential health and environmental risks associated with the SGP.

The Forest Service did not, either formally or informally, respond to DEIS comments and did little to address the lack of transparency and coherence in the SDEIS. Perpetua Resources alleges that the Forest Service is satisfied with those elements of the DEIS that were not included in the SDEIS. It remains unclear whether the Forest Service intends to take substantive notice of, or respond to, the 2020 DEIS comments.

**Added Reviewer Burden:** As a result, in addition to providing SDEIS comments, reviewers find it necessary to resubmit those earlier DEIS comments that were ignored, or insufficiently addressed, by the Forest Service in developing the SDEIS; and compare and contrast the differences with original DEIS submittal.

**ii) Accommodating Significant Modifications to Alternatives**

**Background:** The SDEIS introduces a new mining strategy, replacing the original PRO and ModPRO schemes evaluated during the DEIS with a "ModPRO2" plan. The ModPRO2 was allegedly developed to address

comments and concerns expressed by reviewers in the DEIS. Perpetua and the Forest Service have described these modifications as refining the Preferred Alternative determined from the DEIS. A skeptical reviewer might characterize the modifications as an attempt to deflect DEIS review comments, and select a Preferred Alternative without required responses. More important are practical considerations. The ModPRO2 modifications are not trivial and have significant differences from the originally scoped PRO-based Alternative and the DEIS ModPro Alternatives; particularly regarding potential production, release and ultimate disposition of COCs.

**Added Reviewer Burden:** Responsible review requires repeating and comparing the reverse engineering analyses conducted for the DEIS. Similar to the DEIS, these analyses cannot be developed from the SDEIS, but require obtaining and reviewing a series of documents from Forest Service, Midas/Perpetua, and other government and private entities.

### iii) **Deferring to State of Idaho**

**Background:** The Forest Service is aware that SGP is attempting to secure both State and federal Agencies approvals simultaneously. It is atypical to apply for a State Permit to Construct (PTC), prior to receiving approval from the federal government on a project requiring a NEPA Environmental Impact Statement. Generally, the federal approval determines the type of facility that is acceptable, followed by State implementation of the required controls. Over the past three years, the SGP has submitted confusing, and seemingly inconsistent, air pollution emission estimates to the different regulators, hampering the transparency required for the public to understand and comment in both forums. Both the proposed IDEQ PTC and the DEIS largely ignored potential airborne toxic arsenic impacts in the initial submittals. Public reviewers had considerable success in encouraging IDEQ to consider more rigorous controls for toxic air pollutants. However, many entities consider the PTC remains insufficient and is under Administrative Appeal.

The SDEIS reliance on IDEQ approvals implies that the Forest Service accepts and concurs with IDEQ analyses and conclusions; and has not independently assessed technical validity, nor the potential health and environmental impacts. As a result, the key data, analyses, discussion of results and conclusions are not available in the SDEIS references. Additionally, IDEQ's response to comments regarding the air quality analyses indicates the State is constrained and cannot consider items that USFS is obligated to evaluate. The following quote is from IDEQ PTC Response to Comments:

“How DEQ reviews impacts associated with the proposed SGP is governed by *Idaho Air Rules* pertaining to permit applicability and permit issuance. While commenters may not agree with approaches directed by *Idaho Air Rules*, DEQ does not have latitude to deviate from what is established by rule. Comments suggesting the inappropriateness of approaches mandated by rules are outside the scope of this project and responses will not be provided.”

**Added Reviewer Burden:** As a result, responsibly commenting on the SDEIS requires reviewing the entire IDEQ decision-making procedure underlying the Forest Service reliance on these issues, and identifying those items included (or excluded) in the State consideration. Reviewers are forced to search and identify the basis for IDEQ decision-making in order to comment on the SDEIS. This onerous requirement frequently leads to important citations and references that are not obtainable in a timely manner in the allotted review period.

**iv) Logistics and Scheduling**

The SDEIS review period is abbreviated and particularly challenging. The 75 day (50 workday) review period includes four extended holidays: Veterans Day, Thanksgiving, Christmas, and the New Year.

Several references for the SDEIS have been unavailable and are being supplied by Forest Service agents on uncertain schedules, that is likely to become more challenging as the holidays approach. As noted above, comprehensive review will require acquiring, reviewing, analyzing and citing independent reference material. The Forest Service has imposed an additional burden that these independent references be submitted in a complete original form in pdf format with the comments.

**Summary**

The allocated review period is not sufficient to responsibly submit comments for a project of this magnitude, complexity, and unique technical and environmental setting. In addition, the aggregate challenges of re-reviewing the parent DEIS; reanalyzing the original Alternative Mine Plan in the DEIS and the modified Alternative Mine Plan in the SDEIS; reviewing and analyzing the IDEQ decisions the Forest Service is relying on, that considered yet another Mine Operational Plan; and identifying, obtaining, reviewing, citing and copying the referenced and unreferenced materials to accomplish these tasks - make it imperative that the Forest Service substantially extend the review period for a minimum of 45 days.

Thank you for your consideration in this matter.

Sincerely,



Ian H. von Lindern P.E., PhD  
Senior Scientist

Cc: Kevin Knesek, Deputy Forest Supervisor  
Brian Harris, Public Information Officer