American Exploration & Mining Association

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January 9, 2023

U.S. Forest Service, Payette National Forest
Attn: Linda Jackson, Payette Forest Supervisor
Stibnite Gold Project
500 North Mission Street, Building 2
McCall, ID 83638

RE: Comments on the Payette and Boise National Forests' Supplemental Draft Environmental Impact Statement for the Stibnite Gold Project

Dear Ms. Jackson:

I. Introduction

The U.S. Department of Defense's (DOD's) December 19, 2022 announcement[1] that it has made an award of up to $24.8 million through a Technology Investment Agreement (TIA) under Title III of the Defense Production Act (DPA) to Perpetua Resources Idaho Inc. (Perpetua) represents a milestone for the Company's Stibnite Gold Project (SGP) in Valley County, Idaho. The DPA funding will be used to complete environmental and engineering studies necessary to obtain a Final Environmental Impact Statement, a Final Record of Decision, and other ancillary permits for the SGP and underscores the national importance of this gold-antimony project. As stated in the DOD announcement, DOD and the Biden Administration have determined the SGP is needed "to increase the resilience of our critical mineral supply chains while deterring adversarial aggression."

In light of the DOD's award and announcement, the American Exploration & Mining Association (AEMA) is especially pleased to have this important opportunity to provide comments on the Supplemental Draft Environmental Impact Statement (SDEIS) that the Payette and Boise National Forests (Forest Service) published in October 2022 for Perpetua's proposed SGP. As discussed in detail in these comments, the many environmental restoration and economic benefits associated

[1]https://www.defense.gov/News/Releases/Release/Article/3249350/dod-issues-248m-critical-minerals-award-to-perpetua-resources/

with the SGP, coupled with the country's urgent need for a domestic source of antimony, dictate that the Forest Service should approve this project as soon as possible.

Perpetua's Modified Plan of Restoration and Operations (the ModPRO2) for the SGP is called the 2021 Modified Mine Plan (MMP) in the SDEIS. Compared to the ModPRO that the Forest Service analyzed in its August 2020 Draft EIS[2], the 2021 MMP includes several important changes that enhance and refine the SGP. These changes respond to public comments received on the alternatives analyzed in the Draft EIS. Both Perpetua and the Forest Service deserve praise for effectively using the public comments received on the Draft EIS to improve the SGP. The changes that Perpetua has made to the SGP and that the Forest Service has analyzed in the SDEIS demonstrate the power of the National Environmental Policy Act (NEPA) process to use public comments to improve a proposed project.

The MMP presents the public with a unique opportunity to capitalize upon the environmental restoration measures that are an integral part of Perpetua's plans to redevelop this legacy mine site where mining dates back to the 1890s. Perpetua is proposing to use over $1 billion of private-sector resources to redevelop the Stibnite Mine and remediate what is currently a public problem. Idaho and the entire country are fortunate that Perpetua is planning to undertake this visionary environmental restoration and critical minerals project and that the Forest Service has prepared a detailed SDEIS to evaluate the Company's project proposal.

The MMP described in the SDEIS is designed with numerous project features and activities that will remediate many of the environmental problems created by pre-regulation mining activities at Stibnite, some of which started more than 100 years ago. Many of the legacy mine features that are creating environmental problems date back to World War II and the Korean War when the federal government mined antimony and tungsten that the military urgently needed for these war efforts.

These historic, pre-regulation exploration and mining activities created mine wastes that currently leach arsenic, antimony and other contaminants into the watershed, adversely affecting both surface water and groundwater resources, and developed the Yellow Pine open pit mine which has prevented fish migration for over 80 years. These environmental problems at Stibnite have gone largely unabated for decades, harming the public and the ecosystem – especially aquatic wildlife. Because Perpetua's MMP will remediate these problems and become the country's only domestic mine for the critical mineral, antimony, AEMA urges the Forest Service to close the public comment period as currently planned on January 10, 2023, to complete the NEPA process as soon as possible in 2023, and to issue a Record of Decision in 2023 authorizing this project of national importance.

A. AEMA's Qualifications to Provide These Comments

AEMA is a 128-year-old, 1,300-member national trade association representing the minerals industry with members residing in 46 U.S. states, seven Canadian provinces or territories, and ten other countries. More than 100 of our members live in Idaho. AEMA is the recognized national

[2] In October 2020, AEMA submitted detailed comments on the Draft EIS, which we incorporate by reference.

voice for exploration, the junior mining sector, and maintaining access to public lands. Our members work at projects that span the entire mining life cycle: exploration, development, operations, closure, and reclamation. Many of our members are small businesses like Perpetua.

AEMA has special expertise with the NEPA process. We've reviewed and commented on countless NEPA documents for proposed mining projects and mining-related rulemakings over the years and participated in the Council on Environmental Quality's (CEQ's) recently concluded rulemaking to update CEQ's NEPA regulations. Based on this experience, we would like to commend the Forest Service for developing a very thorough SDEIS and making it readily available to the public on its project website. Based on our review of the Draft EIS, we believe it fully complies with the CEQ rules for preparing an EIS.

AEMA has been involved with Abandoned Mine Land (AML) policy issues for over two decades. We have been asked to testify in Congress on this issue several times and have been an active participant in numerous legislative dialogues dealing with Good Samaritan AML liability relief. Our longstanding involvement with AML issues gives us special appreciation for Perpetua's MMP and makes us exceptionally well qualified to evaluate this project and provide the comments herein.

The Stibnite Mine has a long and complex history of sequential abandonment. Most recently, the federal government, which mined antimony and tungsten at Stibnite during World War II and the Korean War, abandoned Stibnite when it entered into various CERCLA consent decrees and covenants not to sue with private-sector entities who were also involved with the site. Perpetua, which had no role in creating the environmental problems at Stibnite, is the current owner of this formerly abandoned mine. Thanks to Perpetua, the Stibnite site is no longer abandoned. However, as documented in the SDEIS, there are many legacy features at this site that are degrading the environment and that need to be cleaned up. Without Perpetua's involvement and its proposed MMP to redevelop and restore this World War II vintage mine site, the Stibnite mine site would probably revert to AML status, placing the burden to pay for cleaning up the site on the U.S. military, other involved federal agencies, and ultimately U.S. taxpayers.

II. The Executive Summary is Not a Comprehensive or Balanced Discussion of Net Project Impacts

In your October 21, 2022 Dear Reader Letter announcing the availability of the SDEIS, you correctly characterize the MMP as "reducing surface disturbance and anticipated environmental impacts." Unfortunately, while the data in the SDEIS support this characterization, the SDEIS does not consistently describe the MMP in this manner. This is especially true for the Executive Summary, which does not clearly describe the environmental benefits associated with the proposed restoration activities that are an integral component of the MMP.

For the most part, the Executive Summary emphasizes adverse impacts and fails to describe and give equal weight to the beneficial impacts that would result from the MMP. This problem is particularly evident in the water quality and fish and fish habitat sections. Despite the fact that Chapter 4 of the SDEIS, Environmental Consequences, presents detailed analyses and data that show water quality and fish habitat/stream restoration improvements, these beneficial impacts are

largely omitted from the Executive Summary. Additionally, the Executive Summary fails to mention that Perpetua added Stibnite Lake to the MMP to mitigate the loss of fish habitat that the Yellow Pine pit lake currently provides, and to respond to concerns about temperature fluctuations in this segment of the East Fork of the South Fork of the Salmon River (EFSFSR). It also completely omits any discussion of how the planned reclamation activities will eliminate the significant sedimentation problem at Blowout Creek. It is inappropriate to exclude these beneficial impacts from the Executive Summary.

To further illustrate the unbalanced tone of the Executive Summary, AEMA conducted a word search of the Executive Summary to show if, how, and where the words "positive," "benefit," "improve," "help," or "ameliorate" appear. Table 1 shows that the Executive Summary does not present a complete overview of the range of impacts to water quality or fish and fish habitat. The only acknowledgement that the MMP will improve water quality occurs on Page ES-15/16 and is muddled by the following sentence regarding the creation of new mine wastes without including any discussion of the numerous project design features to prevent, limit, or mitigate impacts from the project development rocks and tailings:

> The MMP would improve some of the existing water quality conditions observed in Meadow Creek and the East Fork SFSR by removing and repurposing legacy mine wastes. However, the 2021 MMP would have direct permanent impacts on water quality, as it would contribute new sources of mine waste material to the East Fork SFSR drainage[3].

This text inaccurately implies that new mine waste materials will create adverse water quality impacts in Meadow Creek and EFSFSR and overlooks how the development rock and tailings will be handled, stored, and reclaimed to minimize impacts. Moreover, the predictive modeling results shown in Figures 4.9-21 and 4.9-25 document that these carefully managed mine wastes will not impair water quality.

Table 1
Executive Summary Word Search Results
Document Inadequate Discussion of MMP Benefits for

Word Searched	Executive Summary Text and Page Number
Positive	Potential public health and safety impacts (both positive and negative) were evaluated. ES-26 Further, economic dislocation and disruption to the local area economy after cessation of mine operations ("boom and bust" impacts) may occur but may be somewhat offset by the residual positive impacts of SGP operations on socioeconomic conditions. ES-26
Benefit/Beneficial	Public services and infrastructure would be affected by increased use during construction and operations but would benefit from improvements to roads and access plus upgrades to electrical power utilities. ES-26 Therefore, there would be no adverse or beneficial impacts to recreation from this route compared to the 2021 MMP. ES-27

[3] This paragraph also appears on Page 4-317 of the SDEIS.

Word Searched	Executive Summary Text and Page Number
	Once in operation, annual government tax revenue benefits from SGP operations are estimated to total $61.7 million. ES-29 The extent that the SGP-related increase in state and local tax revenues would result in a net benefit to Valley County's public services would depend on the extent that they offset increases in costs to provide public services. ES-30 The SGP would result in other benefits and costs besides those identified above. The primary purpose and benefit of the SGP action alternatives for the owner/operator would be mineral extraction. ES-30
Improve	Road maintenance during all SGP phases would improve resilience of the access roads and transportation infrastructure against climate change impacts. ES-10 The MMP would improve some of the existing water quality conditions observed in Meadow Creek and the East Fork SFSR by removing and repurposing legacy mine wastes. However, the 2021 MMP would have direct permanent impacts on water quality, as it would contribute new sources of mine waste material to the East Fork SFSR drainage. ES-15, 16 Reclamation and stream restoration activities post-closure generally improve habitat conditions compared to the operational period as flows and channels are re-established. However, stream temperatures are increased in restored stream channels until revegetation establishes to provide riparian shading for the streams. ES-18 Effects to the Landmark Ranger Station would be minimal under the 2021 MMP because the road would not be improved and would only be utilized during construction of the SGP. ES-25 Similarly, there would be nighttime lighting effects from vehicles traveling on roads (new or improved) under both action alternatives. ES-28 After closure and reclamation, the scenic integrity at the SGP would slowly improve...Under the Johnson Creek Route Alternative, the change to scenic integrity would be less evident, because existing roadways would be improved rather than new roadway segments built. ES-29
Help	Although geotechnical design standards have been developed to help minimize and lessen the extent of potential stability impacts, extreme precipitation events and flash flooding, could lead to more frequent and severe landslides and avalanches. ES-10
Ameliorate/Abate	Not Present
Remediate	Not Present

The Surface Water and Groundwater Quality section in the Executive Summary inappropriately omits the most important result from the Site Wide Water Chemistry (SWWC) model by not focusing on the modeling results for the downgradient prediction node at YP-SR-2. The Executive

Summary in the Final EIS needs to clearly **describe the significant reduction in arsenic (40 percent) and antimony (58 percent) predicted at YP-SR-2 and explicitly state the project will improve water quality downgradient from the project.** One of the best ways to convey this information in an easy to understand manner would be to include a copy of Figure 4.9-21 in the Executive Summary.

According to the U.S. Geological Survey (USGS), the mine wastes in just the Meadow Creek drainage alone leach over 700 pounds of antimony and 1,100 pounds of arsenic every year.[4] Mine features in other parts of the project area are also sources of contaminants. The water quality improvements that would result from implementing the 2021 MMP (see Figure 4.9-21) would substantially reduce this contaminant load. The Final EIS should more clearly describe these water quality benefits and how the MMP is an important opportunity to improve water quality in area streams within and downgradient from the Stibnite mine site.

Section III below discusses how Figure 4.9-21 clearly shows the MMP will improve water quality at the downstream prediction node, YP-SR-2. Section IV below discusses how Figure 4.12-1 documents the numerous restored stream segments resulting from the MMP. It is inappropriate for the Executive Summary to omit these beneficial impacts.

Section 4.21 of the SDEIS documents the numerous socioeconomic benefits that would result from both of the SGP alternatives. However, as shown in Table 1, the socioeconomic benefits discussion in the Executive Summary does not accurately describe these benefits. Although it mentions increased tax revenue benefits on Page ES-29, the following page questions whether there would be a net socioeconomic tax revenue benefit. The Executive Summary does not present a quantitative overview of the many other types of socioeconomic benefits that are included in Section 4.21 such as the $29.3 million in income to local residents and the $71.6 million in income statewide, the annual expenditures of $133 million for goods and services in Idaho, and the creation of 1,820 direct and indirect jobs during construction, 1,150 direct and indirect jobs during the 15-year operating period, and 190 jobs during closure and reclamation.

The Executive Summary mentions the potential for "boom and bust" impacts following mine closure without properly recognizing the opportunities the local communities will have to diversify their economies while the mine is operating. The "boom and bust" scenario is an antiquated concept that is no longer applicable to many U.S. modern mining projects where mine operators make the commitment to work with community stakeholders and local governments to develop programs that will maximize the mine's long-term benefits to the communities, which is precisely what Perpetua's Stibnite Foundation is designed to accomplish.

Unfortunately, neither the Executive Summary nor Section 4.21 of the SDEIS discuss the Stibnite Foundation. AEMA recommends that the Final EIS include a discussion of the Stibnite Foundation[5], which is the community agreement that Perpetua established in 2018 with eight local communities. This charitable endowment is based on a profit-sharing model and is intended to

[4] Etheridge, A., 2015; Occurrence and Transport of Selected Constituents in Streams near the Stibnite Mining Area, Central Idaho, 2012-14; Scientific Investigations Report, 2015-5166, U.S. Geological Survey.
[5] http://stibnitefoundation.com/

ensure that economic benefits from the mine are realized for generations after mining operations cease.

Pursuant to the Stibnite Foundation agreement, Perpetua will share the mine profits by making annual payments to the Foundation of a minimum of $500,000 or one percent of total comprehensive income less debt repayments. When reclamation starts, the Company will make a final contribution of $1 million to the Foundation. Prior to production, during the permitting and mine construction phases, Perpetua is making incremental donations and has already contributed $300,000 and given 150,000 shares of the Company's stock to the Foundation.

It is important for the communities in Valley and Adams Counties and other Idahoans to thoroughly understand the socioeconomic impacts and benefits that would result from the SGP. With the exception of the Stibnite Foundation, these benefits and impacts are clearly described in Section 4.21 of the SDEIS. Unfortunately, they are not adequately recapped in the Executive Summary. The Executive Summary in the Final EIS should include a synopsis of the conclusions presented in Section 4.21. Additionally the Executive Summary and Section 4.21 of the Final EIS should provide more detail about the opportunities the local communities will have to use tax revenues from the SGP and Perpetua's contributions to the Stibnite Foundation to make long-term investments that will provide sustainable benefits long after mining is completed at the SGP to minimize the potential for boom and bust impacts.

Because the public is more likely to read the Executive Summary than the entire NEPA document, it is especially important for the Executive Summary to present an accurate, objective, and easy to understand overview of project impacts. Unfortunately, the Executive Summary falls short of this goal and instead presents a partial and incomplete snapshot of the project that inappropriately minimizes the discussion of project benefits.

The Executive Summary reads as if the Forest Service has, out of an abundance of caution, written the Executive Summary to assiduously avoid being seen as supporting the SGP. AEMA understands that the Forest Service must remain impartial throughout the NEPA process. But remaining neutral and impartial demands an equitable discussion of positive and negative impacts associated with a proposed project that does not overlook or under emphasize the project's positive impacts or over emphasize the negative impacts. The Executive Summary needs to be edited to put the project's benefits and impacts on equal footing in order to be more balanced, impartial, equitable, and most importantly – informative.

Fortunately, the current lack of neutrality and impartiality stem mainly from an editing problem. All of the data showing positive and negative impacts are included in the SDEIS and associated technical reports. No new information or different analyses are needed to disclose the beneficial impacts or the unavoidable or residual adverse impacts that would result from the MMP. Therefore, this available information can be synthesized and clarified in the Executive Summary in the Final EIS and in Chapter 4 in the Final EIS to present a more accurate and complete discussion of project impacts that is easier for the public to understand.

Another recommendation for the Executive Summary in the Final EIS would be to include an easy to understand table that briefly synthesizes the key findings of the NEPA analysis to show the following:

1. The beneficial environmental, economic, and social impacts that would result from development of the MMP;

2. The adverse environmental, economic, and social impacts that would result from development of the MMP; and

3. The residual environmental conditions that would be unaffected or persist despite development of the MMP.

This recommended table would be extremely useful in helping the public understand how the MMP will affect the environment, local communities, and other stakeholders. Rather than having to wade through the lengthy Final EIS, the public could use this table to obtain a quick overview of the project impacts. This table should be repeated in Chapter 4 of the Final EIS.

III. The MMP will Create Significant Sitewide Water Quality Improvements and Net Benefits that are Not Well Explained in the SDEIS

A. Sitewide Water Chemistry Model and Surface Water Quality Benefits

A careful reading of the SDEIS reveals that the MMP will result in significant environmental improvements to sitewide water quality. However, the document is not optimally written to help the reader understand these benefits because it contains numerous internally inconsistent statements, out-of-context localized or partial assessment that inappropriately omit a bigger-picture evaluation, and misstatements of facts that are correctly presented elsewhere in the document.

These shortcomings are especially evident in the discussion of sitewide water quality impacts. The SDEIS and the Forest Service's August 2022 Water Quality Specialist Report include lengthy discussions of the results of the new SWWC model. As explained in the Specialist Report, the SWWC model integrates the following water sources in the project area: surface water, effluent from the water treatment plant, groundwater (including the projected groundwater quality beneath and downgradient from the tailings and waste rock disposal facilities), the backfilled Yellow Pine and Hanger Flats pits, and the West End pit lake.

The SWWC predictive model definitively reveals the MMP will reduce the concentration of arsenic and antimony in area streams compared to the existing baseline levels of these metals in the EFSFSR and the tributaries to the EFSFSR in the SGP area (e.g., Meadow Creek, East Fork Meadow Creek, and Sugar Creek.) This finding is clearly shown in Figure 4.9-21 entitled "Locations for Surface Water Chemistry Predictions Stibnite Gold Project, Stibnite, ID," which presents a very useful and easy-to-understand synthesis of the SWWC predictive modeling. Unfortunately, the SDEIS does not make sufficient use of Figure 4.9-21, which should be positioned in the Final EIS as the keystone water quality finding. The Final EIS should focus more

on the water quality modeling results shown in Figure 4.9-21 and explain that these results show the MMP will improve water quality.

The SDEIS repeatedly states that the post-operational water quality will exceed water quality standards, which creates the impression that this should be the metric used to assess the project impacts and benefits. Comparing the post-operational water quality to surface water quality regulatory standards in a watershed that is designated as impaired under Clean Water Act Section 303(d) is illogical and overlooks the water quality improvements that the project will create. Although it is appropriate for the SDEIS to disclose that the predictive model shows that post-operational water quality will not meet regulatory standards, it is inappropriate to imply this finding represents a project shortcoming, with the implication that the MMP will not do enough to improve water quality.

Moreover, the repeated statements that the post-operational water quality will exceed water quality standards is not true for mercury. As clearly shown in Figure 4.9-21, the MMP does not change the post-operational mercury levels in area streams, all of which are below the 12 nanogram per liter (ng/l) regulatory standard.

The appropriate and primary conclusion from the SWWC model is shown in Figure 4.9-21, which documents that post-operational water quality will be significantly better than baseline conditions due to substantial reductions in arsenic and antimony levels. The SDEIS glosses over this important result and fails to properly acknowledge this significant environmental benefit in a way that makes it easy for the public to understand that water quality improvements will be one of the main environmental accomplishments that would result from the MMP.

Despite the clear presentation of this conclusion in Figure 4.9-21, there are confusing inconsistencies in the water quality discussion in the SDEIS that can be readily clarified in the Final EIS. For example, Page 4-251 of the SDEIS misrepresents the modeling results at YP-SR-2:

> "Downstream of the project on the East Fork SFSR at node YP-SR-2 (below the confluence with Sugar Creek), predicted surface water chemistry *is largely unchanged from existing conditions* with some variability in predicted antimony, arsenic, and mercury concentrations during the operating and initial closure period (**Table 4.9-21** and **Figure 4.9-25**)." (italics added for emphasis, bold in the original.)

This discussion is factually incorrect and inconsistent with the data shown in Figure 4.9-21, as well as in Figure 4.9-25. Both figures clearly show that there will be significant improvements in water quality. At YP-SR-2, the post-operational water quality is predicted to reduce arsenic concentrations by 40 percent and antimony concentrations by 58 percent compared to baseline conditions. It is very confusing to characterize these reductions as "*largely unchanged from existing conditions*" when other sections of the SDEIS clearly show there will be water quality benefits resulting from the MMP. For example, contrast the above-cited discussion on Page 4-251 with the discussion shown below on Page 4-522:

> "Under the SGP operations and closure, water quality of surface flow departing from the Operations Area Boundary would be the same or better than existing baseline conditions; therefore, there would not be impacts to the quality of downstream waterways..."

This confusion, which is probably due to different authors writing different sections and no one editing the entire document to eliminate inconsistencies, can be readily corrected in the Final EIS by using the data and modeling results already presented in the SDEIS and the Water Quality Specialists Report. The Final EIS can facilitate the public's understanding of the water quality benefits that would result from the MMP by presenting a much clearer and more consistent discussion of the SWWC-predicted water quality benefits accruing to the project.

Section 3.9.4.1 of the SDEIS states that "the geochemistry of the mine site is influenced by both the bedrock geology (including naturally occurring mineralization)," and Section 3.9.3.4 describes "in situ" mineralization traversed by Meadow Creek and other naturally occurring mineralization present throughout the EFSFSR as influencing water quality. However, Chapter 4 does not clearly or consistently explain the influence of the highly mineralized rocks in this mineral district, which is one of the reasons area streams are classified as impaired under Section 303(d) of the Clean Water Act. The Final EIS needs to clarify that the mineralized bedrocks in the SGP area will continue to be a source of naturally-occurring arsenic, antimony, mercury and other metals in area streams and aquifers that cannot be eliminated with the MMP – or other remediation measures.

The lengthy and detailed discussions of groundwater quality in the SDEIS are misleading because they read as if they are final conclusions rather than the results of the groundwater quality component of the SWWC model. Both the SDEIS and the Water Quality Specialist Report clearly state that groundwater is not currently used as a public drinking water source and that the ATSDR Public Health Assessment conducted for the existing mine site eliminated the groundwater as a drinking water pathway from consideration as a public health concern.

As written, the groundwater discussion in Section 4.9 of the SDEIS blurs the distinction between environmental impacts and model inputs. The Final EIS should clarify that the groundwater modeling results are a model input and do not represent an impact to a human receptor because the area groundwater is not a source of drinking water. The Final EIS should also explain that because the area surface waters are the ecological receptors for groundwater, the SWWC model appropriately incorporates the groundwater quality modeling results.

The SDEIS devotes numerous pages to discussing the predictive modeling results of operational and post-operational water quality at the model prediction nodes shown in Figure 4.9-21. Figures 4.9-22 through 4.9-25 present useful graphs showing the predictive modeling results at four of these nodes. Figure 4.9-21 clearly illustrates the benefits at the downstream node (YP-SR-2) in map view; Figure 4.9-25 is a graphical representation of the same benefits. The lengthy narrative could be shortened and improved by making greater use of Figures 4.9-21 through 4.9-25.

B. Suggested Edits and Clarifications for the Final EIS

Although the SDEIS includes the useful figures discussed above that clearly document the water quality benefits associated with the MMP, the SDEIS lacks a narrative summary that succinctly synthesizes the modeling results. The Final EIS should include a summary that helps the reader

understand that the results for the downstream prediction node (YP-SR-2) represent the most important findings from the model and document the water quality benefits that would result from the MMP. Referencing Figures 4.9-21 and 4.9-25, and the above-cited discussion from Page 4-552, the Final EIS can more clearly discuss the overall post-operational water quality benefits that would result from the MMP and highlight these benefits with the objective of making it easier for the public to understand that the MMP improves water quality.

It is important to note that all of the relevant data documenting the project impacts, including the net positive improvements in post-operational water quality, are presented in the SDEIS and the August 2022 Water Quality Specialist Report, with Figure 4.9-21 representing the ultimate synthesis of the modeling results. However, except for Figure 4.9-21 and the clear and succinct discussion on Page 4-552, this information is not optimally organized or presented in an easy to understand manner. In fact, the organization of the discussion in the SDEIS obscures these findings. This is mainly an editing problem that can be readily fixed in the Final EIS.

The Final EIS should more clearly explain that the predictive water quality model results for the prediction node downgradient from all of the project facilities (e.g., YP-SR-2) *represent the key project finding*, which definitively shows that **the MMP would reduce arsenic by 40 percent compared to the baseline conditions and antimony by 58 percent**. It should also clearly explain that the baseline and predicted post-operational mercury levels are unchanged and reflect the presence of the Cinnabar mercury district upgradient and outside of the Stibnite Gold project area and mine plan.

IV. The Fish Resources and Fish Habitat Section of the SDEIS Obscures and Underemphasizes the Benefits to Fish Habitat

Section 4.12 of the SDEIS, "Fish Resources and Fish Habitat," is difficult for the public to understand because it obscures the overarching conclusion that the stream restoration measures in the MMP will improve fish habitat. The tone of this section lacks objectivity because it does not present an appropriately balanced discussion of the potentially adverse impacts versus the significant benefits that would result from constructing the fish passage tunnel around the Yellow Pine Pit early during project operation and the reconstruction of the EFSFSR channel through the backfilled Yellow Pine Pit.

The absence of balance and objectivity are especially evident in the No Action discussion in Section 4.12.2.1, which does not even mention that opportunities to eliminate the Yellow Pine Pit cascade barrier to fish migration and to reconnect over 21 miles of the EFSFSR would not occur under the No Action Alternative. Instead, this section states that no negative impacts to fish or fish habitat would occur if the MMP is not built and fails to acknowledge that habitat restoration and water quality benefits would be foregone without the project.

The stream restoration/fish habitat benefits are clearly shown in Figure 4.12-1 on Page 4-335, which illustrates the perennial stream segments that would be restored. However, the SDEIS discusses this figure in a distorted way that fails to properly describe the net improvements because it lumps "dewatering, restoration, and enhancements" together and mentions "impacts to fish" without qualifying the impacts as beneficial:

> The SGP would result in stream channel changes, including dewatering, restoration, and enhancements within the active mine area (**Figure 4.12-1)**. Physical alterations to stream structure from the SGP that would result in impacts to fish generally fall into three phased categories construction, active mining, and reclamation and restoration. Page 4-433

A clearer and more complete discussion would explain that Figure 4.12-1 illustrates the project area stream channels that would be restored as a result of the MMP and state that these restoration measures are expected to be beneficial to fish and fish habitat.

The integrated effects to bull trout discussion on Page 4-378 is another example of an incomplete and confusing narrative that includes internally inconsistent statements. First it says there will be adverse impacts to bull trout: "Post-closure, a net decrease in quantity and quality of bull trout habitat would occur despite removal of passage barriers and an increase of lake habitat for bull trout," but then lists the following *beneficial or mitigated* impacts to bull trout:

- Changes to water chemistry would primarily have minor effects but would have an unknown level of beneficial effects through the reduction of arsenic and antimony.

- The loss of the Yellow Pine pit lake would result in a net long-term impact[6] to bull trout, but a permanent negligible net change once the Stibnite Lake is constructed by Mine Year 11. The construction of the fishway, and subsequent channel restoration of the East Fork SFSR, would provide volitional access to habitat that was not previously accessible to the adfluvial population, which may provide additional spawning habitat. Additional enhancements to the East Fork SFSR and Meadow Creek would provide additional habitat benefits.

- The removal of barriers would provide access to upstream habitat not previously volitionally accessed. This would result in a benefit to bull trout. A new barrier would be constructed in Meadow Creek along the TSF, which would result in blockage. Overall, there would be a net increase in accessibility to habitat for bull trout.

- There would be a minor net increase in occupancy potential for bull trout.

This discussion should be clarified in the Final EIS to make it easier to understand the streams where there will be benefits to bull trout and those stream segments where there will be new barriers or temperature impacts to bull trout. The Final EIS should be more balanced and give equal treatment to beneficial and adverse impacts. For example, rather than saying: "Post-closure, a net decrease in quantity and quality of bull trout habitat would occur despite removal of passage barriers and an increase of (*sic*) lake habitat for bull trout," the Forest Service should consider editing this to say:

[6] AEMA believes it is inappropriate to describe the loss of the Yellow Pine Pit for a period of roughly 11 years before construction of Stibnite Lake as a "long-term" adverse impact in light of the existing barrier to fish migration that the Yellow Pine Pit cascade has created for over 80 years.

> "Post-closure, there would be an improvement in quantity and quality of net bull trout habitat in the East Fork SFSR due to the restored East Fork SFSR stream channel in the backfilled Yellow Pine Pit and the addition of Stibnite Lake to the MMP to replace the function of the fish habitat in the current Yellow Pine Pit Lake and to minimize temperature fluctuations in the East Fork SFSR in and downstream of the SGP. Although the TSF would create a new barrier in Meadow Creek to bull trout, overall there would be a net increase in accessibility to habitat for bull trout and a minor increase in occupancy potential for bull trout."

As currently written, the SDEIS readily enables project opponents to cherry pick sentences and paragraphs that only discuss negative impacts, enabling them to disingenuously assert the project will not improve the legacy impacts at Stibnite. For example, the Idaho Conservation League's recent statements about the project focus mainly on adverse impacts to bull trout, illustrating how project opponents can leverage partial conclusions in the SDEIS to mislead the public about the complete analysis in the document.

Additionally, the SDEIS discusses the tunnel in a confusing way because of the inconsistent vocabulary used to describe this tunnel. Throughout much of the document, this feature is characterized as a tunnel without mentioning that it will be built as a fish passageway. This is especially problematic in Chapter 4 where the first description of the tunnel as a "fishway" does not occur until Page 4-334.

Throughout much of Chapter 4, the discussion of the tunnel generally reads as if this tunnel may create adverse impacts to fish. The fact this tunnel will provide immediate passage for chinook salmon, bull trout, and steelhead to roughly 29 miles of stream habitat that have been blocked for over 80 years by the Yellow Pine Pit is not consistently discussed throughout Section 4.12. In fact, some readers may not understand that the "tunnel" (without qualification) and the "fishway" are the same structure. The Final EIS should more consistently and clearly describe the tunnel around the Yellow Pine Pit as a fish passageway.

Just as Section 4.9 fails to make adequate use of Figure 4.9-21 to explain the overall benefits to water quality, Section 4.12 does not capitalize on Figure 4.12-1 to clearly show the stream restoration accomplishments in numerous segments of the EFSFSR, Meadow Creek, and the East Fork of Meadow Creek. Section 4.12 reads as if it were written by a committee without a chairperson designated to synthesize the analysis and present an easy-to-understand summary of the findings. As noted above for Section 4.9, this is mainly an editing problem. Section 4.12 presents a great deal of information that is not optimally organized and summarized into a clear discussion of the stream restoration benefits shown in Figure 4.12-1. This shortcoming can be readily addressed in the Final EIS using the data presented in the SDEIS.

Finally, the SDEIS should acknowledge that Perpetua added Stibnite Lake to the MMP in response to public comments on the Draft EIS that raised concerns about the loss of the lake habitat with the removal of the Yellow Pine Pit Lake during mining. The Company should be commended for modifying the SGP and adding Stibnite Lake to the ModPro2. This modification to Perpetua's project proposal is an excellent example of how public comments received during the NEPA process can improve and refine a proposed project.

V. Many of the Refinements in the MMP Respond to Public Comments on the Draft EIS

A. Examples of How Public Comments on the Draft EIS Have Influenced the MMP

Many elements of the MMP are changes made in direct response to public comments received on the four action alternatives evaluated in the 2020 Draft EIS. The NEPA analysis of the SGP and the evolution of the SGP in response to public input during project scoping and subsequently on the Draft EIS vividly illustrate the important role the public has had in modifying the SGP through the NEPA process, and clearly documents how public input can change and enhance a proposed project.

Both the Forest Service and Perpetua should be applauded for recognizing the importance of public comments and their commitment to carefully consider the many substantive comments received on the Draft EIS. By taking a serious look at the public's comments, both the Forest Service and Perpetua developed meaningful changes to the SGP that are now reflected in the two action alternatives being analyzed in the SDEIS.

However, it is important to note that these beneficial project modifications come with an enormous cost for all stakeholders. Responding to the public comments on the Draft EI; modifying the project; submitting the ModPRO2 (e.g., the 2021 MMP in the SDEIS); analyzing the environmental impacts associated with the ModPRO2/MMP; preparing new hydrologic, temperature, water balance and SWWC models; undertaking numerous other additional studies; and developing the October 2022 SDEIS have added two years to the NEPA process for the SGP. Making these changes has significantly increased Perpetua's costs and consumed Forest Service personnel's time and energy. This two-year delay has also impacted the local communities that are anxious to receive the fiscal benefits from the project.

As explained in the Plan of Operations for the ModPRO2, Perpetua developed the ModPRO2 to reduce potential environmental impacts in order to align the project with the Company's Core Values, Conservation Principles, and Sustainability and Environmental Goals. The ModPRO2 project refinements:

1. Are supported by updated data and analysis;

2. Address persistent potential environmental impacts not sufficiently reduced by refinements included in the original ModPRO;

3. Are informed by public and reviewing agencies' comments on the DEIS;

4. Align with the National Environmental Policy Act (NEPA) and all applicable federal, state, and local regulations and permit requirements; and

5. Reflect the project development approach in the SGP 2021 Feasibility Study prepared by M3 Engineering and Technology.

Members of the public whose comments have resulted in significant changes and refinements to the SGP should take great pride in the influence they have had on the SGP and derive significant satisfaction about the positive impacts they have had on the MMP, which is the Forest Service's Agency Preferred Alternative in the SDEIS. Table 2 summarizes some of the more significant changes made in response to public comments on the Draft EIS.

Table 2
Partial List of Changes to the SGP in Response to Public Comments on the DEIS

Topic	Draft EIS Public Comment	Resulting Project Change in the MMP
Waste Characterization	Additional characterization of the project ore and mine waste materials is required.	A second phase of ore and mine waste characterization tests were performed to respond to comments on the DEIS. The Phase 2 waste characterization tests corroborate and thus validate the results of the Phase 1 tests presented in the DEIS.
Water Treatment	More information required on the active and passive water treatment methods	An active water treatment facility has been added to the MMP. This treatment plant will operate throughout the mine life and during mine closure until the tailings are consolidated, which is estimated to occur in Mine Year 40.
Water Temperature Increases and Lake Habitat Reduction	Eliminating the Yellow Pine pit lake increases temperatures in this segment of the EFSFSR and reduces lake habitat important to bull trout	Stibnite Lake was added to the MMP to minimize stream temperature fluctuation and to replace lake habitat for bull trout.
Management Plans	The SGP needs an Adaptive Management Plan, a Development Rock Plan, and a Water Management Plan. The Forest Service needs to prepare a Supplemental Draft EIS to evaluate these plans.	Numerous plans were developed and incorporated into the MMP including the: • Aquatic Habitat Monitoring and Management Plan • Development Rock Management Plan • Environmental Legacy Management Plan • Environmental Monitoring and Management Plan • Emergency Response Plan • Explosives and Blasting Management Plan • Fishways Operation and Management Plan

Topic	Draft EIS Public Comment	Resulting Project Change in the MMP
		• Solid and Hazardous Waste Management Plan • Spill Prevention, Control and Countermeasures Plan • Stream and Wetlands Monitoring and Management Plan • Transportation Management Plan • Water Management Plan • Water Quality Management Plan These plans are evaluated in the SDEIS and many include an adaptive management component.
Tailings Embankment	More technical information and supporting data are needed for the proposed tailings embankment design and construction and whether there are plans to use upstream construction methods for the embankment	Detailed drawings and cross sections showing the embankment design and downstream construction sequencing of the tailings embankment are included in Figures 2.4-10 and 2.4-11 of the SDEIS. The MMP does not include upstream construction for the embankment. The tailings embankment has a downstream construction design.
Tailings Impoundment	The tailings impoundment should have a liner and a seepage collection system to minimize impacts to groundwater. Design information for these features needs to be provided.	The impoundment will be fully lined. Prior to constructing the liner, an underdrain groundwater conveyance and collection system would be constructed. A composite liner system with a network of geosynthetic over liner drains would then be installed above the underdrain system.
Water Quality Model	The water quality model must account for groundwater discharges to surface water and evaluate how groundwater inflows influence surface water quality	A new SWWC model was prepared and augmented with a hydrologic particle tracking model to fully integrate groundwater quality as a model input along with water quality

Topic	Draft EIS Public Comment	Resulting Project Change in the MMP
		inputs from the pit dewatering water, the pit backfill materials, the West End pit lake, and effluent from the water treatment plant.
Transportation/Spill Risks	The project needs an Emergency Spill and Response Plan	The MMP includes a Transportation Plan, a Spill Prevention, Control, and Countermeasures Plan, and an Emergency Response Plan.
Temporary Closure Plan	The project needs a Temporary Closure Plan	The MMP includes a Temporary Closure Plan.
Fiddle Creek Development Rock Storage Facility	The project should be redesigned to eliminate the Fiddle Creek Development Rock Storage Facility	The Fiddle Creek Development Rock Storage Facility was eliminated from the MMP, which reduces the SGP's surface disturbance by 168 acres.
Underground Exploration	Should require a separate EIS	The ModPRO2 Plan of Operations and the MMP described in SDEIS provide sufficient information to include underground exploration as part of the MMP Proposed Action and to analyze the environmental impacts associated with the exploration decline. Not only is a separate EIS not required, preparing a separate document would inappropriately piecemeal the evaluation.

B. Public Comments from Opponents to the SGP

During the NEPA process for most proposed mining projects, Environmental Non-Governmental Organizations (ENGOs) and other mine opponents submit critical comments designed to obstruct a proposed project. Typically, these types of public comments try to slow down a project by requiring additional studies, aim to create public concerns that the mine will not be adequately reclaimed, and advance theories that the mine will create the same kinds of environmental problems that are present at mines developed decades ago before the enactment of today's modern environmental protection statutes and regulations.

Materials Characterization Comments

For example, some commenters on the Draft EIS raised questions about the sufficiency of the mine materials characterization studies and expressed skepticism that development of the SGP would not ultimately produce acid mine drainage. Perhaps this concern is understandable from a generic perspective because the potential for acid rock drainage is associated with many sulfide ore bodies. However, in the case of the SGP, the potential for acid rock drainage can be crossed off of the list of concerns. This conclusion does not need to rely solely on the results of the extensive materials characterization tests performed for the project. Over a century of "Mother Nature's Laboratory," which functions as a decades-long kinetic test, clearly demonstrates that waste rock seepage and streams draining through and from this legacy mine site are not acidic.

As shown in Table 2, in response to public comments questioning the adequacy of the materials characterization tests and the interpretation of the test results, Perpetua went the extra mile to perform additional state-of-the-art materials characterization tests to confirm the results presented in the Draft EIS. The Phase 1 and Phase 2 characterization studies performed for the SGP clearly demonstrate that the mine waste materials will not produce acid rock drainage and identify those mine waste materials that have the potential to leach metals like arsenic and antimony. The materials characterization tests do identify that some of the ores have the potential to be acid generating. However, because these materials will go to the mill and will not be stored on site for any length of time, they will not produce an acidic leachate. During the milling process, the antimony and gold-silver sulfide minerals will be recovered in flotation cells. The mill will produce an antimony sulfide concentrate, which will be shipped off-site for further processing, and a gold-silver concentrate that will be oxidized in the pressure-oxidation circuit, refined into doré, and shipped off site for further processing.

Financial Assurance Comments

Another criticism of the Draft EIS is that it should discuss the amount of financial assurance that Perpetua will be required to provide to federal and state regulators to guarantee the project will be properly closed and reclaimed. This financial assurance comment is not unique to the SGP Draft EIS. Mine opponents frequently assert the need for specific (i.e., dollar amount) information about the required financial assurance.

In assessing the merits of this assertion, it is important to understand that federal land managers tasked with evaluating and approving Plans of Operation for proposed mining projects have consistently held that it is premature and impractical to discuss the amount of required financial assurance in a NEPA document for the simple reason that the project proposal is not finalized until the surface land management agency (either the Forest Service or the U.S. Bureau of Land Management) issues their Record of Decision (ROD) for the project. The appropriate time to calculate the amount of required financial assurance is after the responsible agency official signs the ROD.

The lack of information about the specific level of financial assurance that will be required for the SGP does not make the SDEIS incomplete. The financial assurance discussion in Section 2.4.7.17 clearly explains that the financial assurance amount would be calculated following issuance of the ROD "when enough information is available to adequately and accurately perform the calculation."

In the Final EIS, the Forest Service should consider adding information about the Standardized Reclamation Cost Estimator (SRCE) that will be used to calculate the amount of required financial assurance. Informing the public that the financial assurance amount will be calculated using the SRCE would give the public important information about the sufficiency of the financial assurance requirement for the SGP. The Final EIS should discuss the use of the SRCE and how it will provide comprehensive financial assurance during all phases of the SGP's active mine life and during the post-operational closure period.

Section 2.4.7.17 of the SDEIS briefly explains that the financial assurance would cover any long-term post operational monitoring and water treatment requirements. As discussed in the SDEIS, the Forest Service anticipates it will be necessary to operate the water treatment plant until Mine Year 40, which is when the tailings consolidation process is estimated to be completed. However, as mentioned in the SDEIS, project monitoring and adaptive management measures in response to the post-operational project monitoring data will determine the length of time it will be necessary to provide financial assurance for operation and maintenance of the water treatment facility or other project components.

The Final EIS should also reference the U.S. Environmental Protection Agency's (EPA's) February 2018 final action, *Financial Responsibility Requirements Under CERCLA 108(b) for Classes of Facilities in the Hardrock Mining Sector*[7], in which EPA states: "the SRCE is well regarded amongst mining reclamation programs and is used by several other states and Federal agencies." Based in part on the history of the SRCE calculating robust financial assurance estimates for numerous miming projects, EPA determined that the federal and state financial assurance requirements for hardrock mineral projects were sufficient, and there was no need or justification for a federal, EPA-administered financial assurance program.[8]

[7] https://www.govinfo.gov/content/pkg/FR-2018-02-21/pdf/2017-26514.pdf

[8] AEMA has extensive experience with the federal and state financial assurance requirements for the hardrock mining industry that are applicable to projects like SGP. AEMA participated in EPA's CERCLA 108(b) rulemaking in 2016 as a Small Entity Representative in the Small Business Advocacy Review (SBAR) Panel that the EPA had to convene to comply with the Small Business Regulatory Enforcement Fairness Act (SBREFA) amendments to the Regulatory

EPA's February 2018 final action concluded:

> "EPA has determined that modern regulation of hardrock mining facilities…reduces the risk of federally financed response actions to a low level such that no additional financial responsibility requirements for this industry are appropriate…the hardrock mining industry does not present a level of risk of taxpayer funded response actions that warrant imposition of [additional EPA] financial responsibility requirements for this sector." [9]

As discussed in Section 2.4.7.17, the U.S. Army Corps of Engineers, the Idaho Department of State Lands, the Idaho Department of Environmental Quality, and the Idaho Department of Water Resources will also require financial assurance for various aspects of the MMP. In aggregate, there is potential for overlapping and duplicative financial assurance requirements among the five listed agencies, with the Forest Service's bond representing the "omnibus financial assurance" covering all of the MMP project facilities, and the other bonding requirements addressing specific components of the MMP.

To minimize the financial hardships to Perpetua associated with the potential for duplicative bonding, it may be appropriate for the federal and state agencies with financial assurance requirements for the SGP to enter into a Memorandum of Agreement that facilitates consolidating these financial assurance requirements with the goal of minimizing overlap and duplication. The Memorandum of Understanding between the Nevada Department of Conservation and Natural Resources/Division of Environmental Protection, the U.S. Forest Service, and the U.S. Bureau of Land Management could be a potential model for how this could be accomplished.[10]

Baseline Water Quality Comments

Some comments on the Draft EIS assert that the project improvements to water quality should not be measured against the baseline surface water quality conditions but rather should be assessed against the water quality conditions that might be achieved if the Stibnite mine site were fully remediated. This comment is completely unrealistic because there is no available tax-payer funding, public-sector entity, or another company waiting in the wings to remediate the Stibnite mine site. In fact, significant site remediation is unlikely to occur without the MMP.

Through the MMP, Perpetua is proposing to invest $1.1 billion of private-sector resources to remediate the Stibnite area. It is extremely important for project stakeholders to recognize the benefits associated with the MMP and seize on the unique opportunity it represents to achieve meaningful environmental improvements, and at the same time, produce a domestic source of

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Flexibility Act. AEMA also submitted extensive comments on EPA's proposed rule. We are thus very well qualified to present the following discussion.

[9] *Op* cit., pages 7565 and 7556

[10] https://ndep.nv.gov/uploads/land-mining-regs-guidance-docs/20190313_NDEP.FS_.BLM_MOU_._fjp_da2_tg_ADA_.pdf

antimony, create family-wage jobs, and make substantial fiscal contributions to state and local communities.

Comments suggesting that the environmental benefits resulting from the SGP are not adequate are inappropriately letting pursuit of the perfect be the enemy of the good. **There can be no doubt that the MMP will significantly improve the environment by reducing arsenic by 40 percent and antimony by 58 percent in the EFSFSR downgradient from the project and restoring miles of fish habitat.** Denigrating these improvements by characterizing them as "not good enough" is nonsensical – especially since there are no other options available to improve the Stibnite site. Any stakeholder who genuinely cares about the environment should embrace these improvements and support the MMP.

Water Quality Modeling Comments

Several public commenters criticized the site hydrological model presented in the Draft EIS asserting that it was: based on insufficient baseline data; misapplied site geological and three dimensional information; and used an inappropriate hydraulic computer code. These commenters raised questions about the precision of the water balance model and several model inputs including aquifer storativity, evapotranspiration values, and model timestep.

To respond to these issues, the Forest Service directed Perpetua to collect additional information and to use the new data to revise the site hydrological and water balance models. Based on the new data, the meteoric water balance that is used for the surface and groundwater inputs into the SWWC model was updated to account for the variability in precipitation levels, climate, and elevations across the study area. Secondly, Perpetua installed another pumping well and performed additional hydraulic aquifer testing to ensure hydraulic properties were well understood.

Perpetua's consultants and geologists worked to refine the hydrologic conceptual model and numerical model setup to better recognize geological structural features and to differentiate alluvial and till formations from the bedrock units. The newer computer code that was used to develop the updated numerical model was better suited for modeling unsaturated drawdown conditions and to refine the model input parameters in the calibration process. The model calibration to baseline streamflow data at numerous gauges, basin yield comparisons, and other measures of accuracy demonstrates that the model performance is a good overall predictor of existing conditions, and is thus acceptable for impact assessment purposes.

Cyanide Transport and Use Comments

Comments on the Draft EIS expressed concerns about safety issues associated with transporting cyanide to the SGP site, using this reagent during mineral processing, and managing cyanide levels in solutions stored in the TSF. At least one commenter referenced the International Cyanide Management Code and asserted this code should govern all aspects of cyanide transport, use, and management at the SGP.

Like many U.S. mining companies, Perpetua has committed to adhering to the International Cyanide Management Code. This commitment includes the following measures:

- Cyanide will be transported in solid, dry briquettes, which eliminates the risk of fluid leaks or spills during transportation;

- The containers used for transportation will be heavy-duty, double-walled steel containers that are air- and water-tight and are ruggedly designed to withstand rollovers and other transportation incidents;

- All cyanide use will take place inside an enclosed building that will be designed with 110 percent spill containment capacity;

- Empty cyanide transport containers will not remain onsite; they will be shipped back to the supplier for reuse; and

- A proven cyanide destruction process will destroy the cyanide in the processing solution to levels below regulatory thresholds that are protective of wildlife before the solution leaves the processing plant and is piped to the lined TSF for storage.

VI. The Nation Urgently Needs the SGP Which will be the Country's Sole Domestic Source of Antimony

DOD's decision[11] to use Title III of the Defense Production Act to award Perpetua $24.8 million for advancing the SGP emphasizes the national importance of this project and the urgency for the Forest Service to complete the NEPA review for the SGP as soon as possible in order to comply with the Biden Administration's and Congress' critical minerals directives described below. As stated in the DOD's December 19, 2022 press release, this award "reinforces the Administration's goals to increase the resilience of our critical mineral supply chains while deterring adversarial aggression."

The SGP embodies several key objectives in the Administration's and Congress' recent critical minerals directives. First, the SGP will become the Nation's only source of domestically mined antimony, which is one of the critical minerals included in the U.S. Geological Survey's (USGS') critical minerals list.[12] Secondly, as a remining project, the SGP is a perfect demonstration project for the remining goals embraced in current policies. The remining components of the SGP include: 1) reprocessing and recovering gold and antimony from legacy mine wastes with recoverable metal values; and 2) removing non-valuable mine wastes that are currently leaching metals into area streams and degrading water quality and placing them in modern, engineered facilities designed to isolate these materials from the environment.

[11] *Op cit,* *https://www.defense.gov/News/Releases/Release/Article/3249350/dod-issues-248m-critical-minerals-award-to-perpetua-resources/*

[12] https://www.usgs.gov/news/national-news-release/us-geological-survey-releases-2022-list-critical-minerals

The U.S. does not have any domestic antimony mines and currently obtains antimony from China Belgium, and India[13]. Antimony is used in important civilian applications as a flame retardant, in metal products, and in glass and ceramics.

But with the DOD award, the current focus is on the U.S. military's critical need for antimony from the SGP. As described in DOD's press release: "This investment is essential to ensure the timely development of a domestic source of antimony trisulfide for the manufacture of small arms and medium caliber cartridges, as well as many other missile and munition items...Perpetua's Stibnite-Gold Project produced antimony trisulfide for the U.S. ammunition industrial base during World War II and the Korean War, and it is the sole domestic geologic reserve of antimony that can meet Department of Defense (DoD) requirements."

As we noted in our October 2020 comments on the Draft EIS, President Trump issued Executive Order 13953 entitled "Addressing the Threat to the Domestic Supply Chain from Reliance on Critical Minerals from Foreign Adversaries" on September 30, 2020. President Biden reinforced the White House's focus on critical minerals with his February 24, 2021 Executive Order 14017 "On America's Supply Chains." This supply chain Executive Order directed the Secretaries of Commerce, Energy, Defense, and Health and Human Services to complete a supply chain review in 100 days. This Executive Order also specified that the Secretary of Defense prepare "a report identifying risks in the supply chain for critical minerals" and describe and update the work done pursuant to President Trump's Executive Order 13953 on critical minerals.

The White House and the Secretaries published the 100-day Supply Chain Review Report in response to Executive Order 14017, "Building Resilient Supply Chains, Revitalizing American Manufacturing, and Fostering Broad-Based Growth," in June 2021. This report includes a 53-page section on critical minerals spearheaded by the Department of Defense that includes the following key findings:

- Strategic and critical minerals and materials are the building blocks of a thriving economy and a strong national defense.

- Critical minerals and materials are used in nearly every electronic device, support high value-added manufacturing and high-wage jobs, in numerous sectors;

- The global strategic and critical materials and minerals supply chains are at serious risk of disruption—from natural disasters or *force majeure* events, and are rife with political intervention and distortionary trade practices.

- This risk is more than a military vulnerability; it impacts the entire U.S. economy and our values.

[13] https://pubs.usgs.gov/periodicals/mcs2022/mcs2022-antimony.pdf

- The need for strategic and critical materials is likely to intensify to enhance or enable many environmentally friendly "green" technologies, such as electric vehicles, wind turbines, and advanced batteries.

- Expanding U.S. production and processing capacity will require investments in mining, including in non-traditional types of mining, in processing, and in recycling.

The 100-day supply chain report specifically directs an evaluation of reprocessing mine wastes as a viable source of critical minerals. **Because the SGP involves remining and reprocessing of legacy mine wastes to recover residual gold and antimony, it is precisely the type of mining project described in the 100-Day Report.**

The 100-Day Review also recommends establishing an Interagency Working Group (IWG) with expertise in mine permitting and environmental law. On March 31, 2022, the Office of the Secretary of the Department Interior published a "Request for Information (RFI) to inform the Interagency Working Group on Mining regulations, Laws, and Permitting" in the Federal Register (Vol 87, No. 62). One of the questions in the IWG's RFI pertains specifically to critical minerals and asks: "What types of incentives would be appropriate to encourage the development of critical minerals?"

AEMA submitted extensive comments in response to the RFI that focused, in part, on the urgent need to streamline the permitting process for critical minerals projects like the SGP. In response to the critical minerals question, our comments discuss how Perpetua Resources' SGP demonstrates the opportunity that exists at old mine sites to recover critical minerals from legacy mine wastes while concurrently remediating a site impacted by pre-regulations, World War II-vintage mining practices. As a prototype remining project, putting the SGP into production would be an important milestone in validating the concept that mine plans to redevelop old mine sites that include remining and reprocessing of legacy mine wastes represent a significant win for both the environment and the security of the Nation's critical minerals supply chains.

In March 2022, President Biden invoked his authority under Title III of the Defense Production Act and gave the Department of Defense the authority to increase domestic mining and processing of critical minerals that are used for storage batteries. The $24.8 million Title III Defense Production Act award to Perpetua for the SGP is the first critical minerals project to receive funding from the Ukraine Supplemental Appropriations[14].

VII. The MMP is an Essential Step in Achieving Comprehensive Cleanup of the Stibnite Mine

In January 2021, Perpetua Resources entered into a voluntary but legally binding Administrative Settlement Agreement and Order on Consent (ASAOC) with the EPA and the Forest Service to perform additional remediation activities involving legacy mine features. Under the direction and oversight of the EPA and the Forest Service, Phase I of the ASAOC allows Perpetua to voluntarily eliminate or reduce contaminant sources as quickly as possible in areas identified as time-critical.

[14] *Op cit.*, https://www.defense.gov/News/Releases/Release/Article/3249350/dod-issues-248m-critical-minerals-award-to-perpetua-resources/

Most of the Phase I time-critical areas are outside of the MMP project area. The ASAOC Phase I remediation activities will cost $12 million.

As described in Section 1.3, Phase I of the ASAOC is expected to be completed by 2025 and is designed to achieve immediate improvements in water quality. Phase I includes constructing stream diversion ditches to divert water away from sources of contaminants into area streams, removing approximately 325,000 tons of legacy development rock and tailings from locations in Meadow Creek and the EFSFSR that are currently adversely impacting water quality, and conducting baseline studies at five historic mine adits that are discharging mine drainage. Perpetua has provided the agencies with a $7.5-million financial assurance instrument to guarantee performance of this work regardless of the outcome of the ongoing mine permitting process and NEPA analysis for the SGP. In July 2022, Perpetua Resources initiated the ASAOC Phase 1 activities. The No Action Alternative described in Section 2.3 of the SDEIS consequently includes the Phase 1 ASAOC remediation.

Under the terms of the ASAOC, Perpetua has the option to pursue ASAOC Phases 2 and 3, which would entail additional remediation of legacy mine features located outside the MMP project boundary. However, these phases are contingent upon the SGP receiving project permits. Because Phases 2 and 3 are optional and conditional measures that will require more baseline data and engineering studies, there is insufficient information at this time to analyze Phases 2 and 3 as reasonably foreseeable future actions in the SDEIS.

As currently envisioned, Phases 2 and 3 could be undertaken simultaneously with the activities outlined in the proposed MMP and would focus on aspects of the historic Stibnite mining district outside of the MMP boundary. As such, potential future pursuit of Phases 2 and 3 represents an exceptionally important opportunity to expand the reclamation and restoration work to accomplish permanent environmental solutions in areas of the historical mining district that are not part of the MMP and that would otherwise not be remediated. In aggregate, the MMP, ASAOC Phase 1, and the potential future ASAOC Phases 2 and 3 would result in a site-wide comprehensive cleanup and restoration of the Stibnite Mining District.

In evaluating the possibility of the ASAOC Phases 2 and 3 future remediation work, it is important to understand that project economics drive the scope of a proposed mine plan. Mine proponents like Perpetua must prepare a Feasibility Study to show company executives and investors that a project is economically viable and therefore merits project financing. At legacy sites, it may not be economically feasible to include all historic mine features in a Plan of Operations. Therefore, mine plans like the MMP that will improve a legacy mine site deserve widespread support while looking for other creative mechanisms to potentially expand the scope of the remediation work in the future. The voluntary Phases 2 and 3 of the ASAOC appear to be those creative mechanisms for the historic Stibnite Mine.

The combination of the MMP and the phased ASAOC provide an important lesson that may be applicable to other legacy sites where it may not be economically feasible to remediate all of the old mine features that degrade the environment but there may be an economically viable mine plan to redevelop a portion of a legacy site. Such plans can achieve important incremental environmental improvements despite the fact that residual environmental issues may remain

unresolved. If the project proponent was not involved with the legacy mining operation, there is a compelling public benefit associated with encouraging this type of partial remediation, which may ultimately lead to additional voluntary remediation activities either by the project proponent, as is the case with the proposed Phases 2 and 3 of the ASAOC for the Stibnite Mine, or by third-party not-for-profit organizations, public entities, or other types of Good Samaritans.

It should be clear to all stakeholders that taken together, the MMP and the contingent and optional ASAOC Phases 2 and 3 future remediation activities are an exceptional opportunity to clean up the Stibnite mine site. To capitalize upon this opportunity, it is imperative that the Forest Service, the U.S. Army Corps of Engineers, and the Idaho state regulatory agencies approve the MMP as quickly as possible so the economic driver (e.g., the MMP) can make comprehensive cleanup of this legacy site a reality.

VIII. Numerous Federal and State Regulations and Voluntary Environmental Design Features Govern the SGP and Ensure a High Level of Environmental Protection

Section 2.4.9 of the SDEIS, *Environmental Design Features*, presents the Forest Service and the Idaho State regulatory requirements, standards, guidelines, and best management practices that govern the SGP. Table 2.4-12, which is over 11 pages long, lists these applicable policies and summarizes the permit conditions that will likely be applied to the SGP to ensure compliance with all relevant requirements, standards, guidelines, and best management practices.

In addition to the Forest Service and Idaho State requirements listed in Table 2.4-12, Perpetua has made the commitment to implement numerous Environmental Design Features (EDFs) that go beyond the regulatory requirements. The objective of the voluntary EDFs is to further avoid impacts or minimize them as much as possible. As described in Section 2.4-9, "the EDF's may have the effect of reducing and/or eliminating potential environmental impacts of the SGP." Table 2.4-13, which is also 11 pages long, lists the EDFs that Perpetua developed to minimize project impacts.

Together, the federal and state requirements listed in Table 2.4-12 and Perpetua's EDFs itemized in Table 2.4-13 demonstrate that the SGP will be a highly regulated operation that will be designed, built, operated, and closed with numerous environmental safeguards and monitoring systems. There can be no doubt that the Forest Service, the Idaho State regulatory agencies, and Perpetua have worked constructively together to develop an environmentally sound project that will minimize adverse environmental impacts, achieve numerous environmental and socioeconomic benefits, and supply the U.S. with a critically important domestic source of antimony.

IX. Mining Law Issues

Section 1.7 of the SDEIS provides a good overview of the Mining Law of 1872 and the applicability of the Forest Service's surface management regulations for locatable minerals at 36 CFR Subpart 228A (the 228A regulations.) AEMA commends the Forest Service for the clear and accurate discussion in Section 1.7 that correctly describes the agency's regulatory framework

applicable to locatable mineral projects like the SGP, stating that Section 228.3(a)[15] of these regulations stipulate that all functions, works, and activities on NFS lands in connection with prospecting, exploration, development, mining, or processing of mineral resources and all uses reasonably incident thereto, including roads that are constructed and maintained in connection with development and mining of mineral resources, are operations authorized by the U.S. Mining Law.

The other sections in the SDEIS that discuss the Mining Law and related issues also provide important and accurate information about this organic law and the Forest Service's regulatory framework for locatable mineral projects. Section 1.10.3.1 of the SDEIS discusses why the Forest Service eliminated "Changes to the General Mining Law" as an issue warranting additional analysis. In this section, the Forest Service correctly characterizes the Mining Law as a land tenure statute that governs property rights and explains that it is not an environmental protection statute. The Mining Law provides citizens *the right* to enter, use, and occupy federal lands open to location for mineral exploration and development purposes.

Numerous laws enacted since the Mining Law require today's exploration and mining projects to protect the environment and conserve species and habitat. A few examples of post-Mining Law environmental protection statutes include the Clean Air Act, the Clean Water Act, and the Endangered Species Act. These and other environmental laws governing industrial projects apply to mining projects like the SGP.

In addition to the environmental protection requirements in numerous U.S. environmental statutes, the Forest Service's 228A surface management regulations establish specific environmental protection requirements for locatable mineral projects on National Forest System lands. In particular, Section 228.8 of these regulations mandates that mineral activities minimize adverse environmental impacts on National Forest surface resources, where feasible, and includes specific requirements to protect air quality, water quality, scenic values, and fisheries and wildlife habitat. These regulations also establish requirements for handling and treating mine wastes, road reclamation and maintenance, and reclamation.

Section 1.10.3.2 of the SDEIS explains that the Forest Service eliminated using the Forest Service's special use regulations at 36 CFR 251 Subpart B (the 251 regulations) to evaluate the SGP from additional analysis in the SDEIS because these regulations do not apply to mining. As correctly discussed in Section 1.10.3.2, under Section 251.50(a), uses of National Forest System lands regulated under the 228A regulations are expressly disclaimed as "special uses.[16]"

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[15] This is an excerpt from the definition of "operations" at 36 CFR 228.3(a). The full definition states: "***Operations.*** All functions, work, and activities in connection with prospecting, exploration, development, mining or processing of mineral resources and all uses reasonably incident thereto, including roads and other means of access on lands subject to the regulations in this part, regardless of whether said operations take place on or off mining claims." Section 228.2 of these regulations establishes the scope of these regulations as operations conducted under the U.S. Mining Law of 1872 (30 U.S.C. §§ 21a *et seq*.

[16] 36 CFR §251.50(a): All uses of National Forest System lands, improvements, and resources, **except those authorized by** the regulations governing sharing use of roads (§ 212.9); grazing and livestock use (part 222); the sale and disposal of timber and special forest products, such as greens, mushrooms, and medicinal plants (part 223); **and minerals (part 228)** are designated "special uses." (Bold emphasis added.)

AEMA assumes that members of the public who raised these Mining Law issues and questioned the applicability of the 228A surface management and 251 special use regulations did so in the context of the federal court decision for the District of Arizona in *Center for Biological Diversity et. al. v. U.S Fish and Wildlife Service et. al.,* or the "*Rosemont"* case, a lawsuit challenging a proposed copper mine in Arizona. However, the geologic facts and mining claim configuration in *Rosemont* are unique to that particular case and cannot be extrapolated or analogized to different mineral deposits in divergent geologic settings. In *Rosemont*, the record before the Court clearly established that the lands in question were not mineral in character. In response to this record, the Court found that the mining claims on these lands were invalid. This finding is unique to the geologic facts and mining claims at the Rosemont Project and is not applicable to other projects like the SGP where the geology is different. Because no two mineral deposits are the same, the site-specific geology at each mineral deposit determines the appropriate locations for mining claims and mill sites.

Figure 3.9-3 in the SDEIS shows the locations of broad zones of mineralization at the SGP. From this figure, it is easy to see that the areas selected for the tailings impoundment and embankment cover lands that are not mineral in character. Under Section 42 of the Mining Law, mill sites could be located on these unmineralized lands and used for ancillary facilities like tailings and development rock storage areas that are needed to support the mining activities. This would be consistent with the Ninth Circuit Court of Appeals' May 12, 2022 ruling in *Rosemont*, which states: "The Mining Law allows mining companies to occupy federal land on which valuable minerals have been found, as well as non-mineral federal land for mill sites..."

Nothing in the Ninth Circuit's May 12, 2022 *Rosemont* decision that remanded the case back to the Forest Service for such further proceedings as it deems appropriate, including application of the 228A regulations to Rosemont's Plan of Operation changes the Forest Service's regulatory framework for the SGP. The Forest Service has correctly eliminated changes to the General Mining Law (Section 1.10.3.1) and the Forest Service's 251 regulations (1.10.3.2) from detailed analysis in the SDEIS. The Final EIS should rely on these decisions as well as the Mining Law discussion in Section 1.7 of the SDEIS.

X. Conclusions

AEMA congratulates the Forest Service for preparing an extremely thorough SDEIS and the 17 updated specialists reports that augment the information and analysis presented in the SDEIS. In aggregate, the SDEIS and the specialists reports provide an exhaustive amount of data and a comprehensive analysis of all aspects of the proposed SGP. This detailed evaluation clearly satisfies NEPA requirements as established in the CEQ's NEPA regulations at 40 CFR § 1500 - 1508.

<u>The Final EIS Represents Opportunities to Clarify the Project Impacts Based on the Data Presented in the SDEIS</u>

As mentioned above, the SDEIS presents so much information that some of the key findings and conclusions are difficult to find in the voluminous text. The Forest Service has an opportunity to make the Final EIS more user friendly and easier for the public to understand by including more

syntheses and overviews of the principal findings. (See, for example our recommendations in Section III to place more emphasis on the SWWC modeling results as shown in Figure 4.9-21.)

AEMA wants to emphasize that no new data or analyses are needed to prepare the Final EIS. Our suggestions pertain to the way in which the document is organized and written. As such, AEMA believes developing the Final EIS should largely be an editing exercise.

To clarify the environmental benefits associated with the MMP, the Final EIS should present a more thorough discussion of the No Action alternative for each resource area that explains the environmental benefits that would not occur if the No Action Alternative is selected and the *status quo* environmental conditions are maintained. The No Action Alternative sections of the Environmental Consequences chapters in NEPA documents for proposed mining projects are typically fairly perfunctory and do not present much detail. However, because the SGP includes restoration measures that will significantly improve water quality and fish and riparian habitats, the No Action analyses for these resources should clearly identify the degraded baseline conditions that would remain unabated without the SGP.

<u>The Forest Service Should Complete the NEPA Process as Quickly as Possible to Address the Nation's Urgent Need for a Domestic Source of Antimony</u>

Perpetua has spent years permitting SGP, which is in its sixth year of the NEPA analysis process. Given this lengthy NEPA process and the preparation of two NEPA documents – this SDEIS and the October 2020 Draft EIS – there can be no question that the Forest Service has thoroughly evaluated this project, taken a hard look at all reasonable project alternatives and their potential environmental impacts, and incorporated public comments in both documents. AEMA commends the Forest Service for its efforts to prepare these NEPA documents. However, in order to capitalize upon the DOD $24.8 critical minerals award, to respond to the military's stated need for antimony from the SGP, and to comply with the Administration's and Congress' directives to increase domestic production of critical minerals and to streamline project permitting, the Forest Service should make every effort to prepare the Final EIS and complete the NEPA process as soon as possible during 2023. Further delays in reviewing the SGP would be inconsistent with the Administration's policies and the recent statutory directive regarding permitting delays for critical minerals in the Infrastructure Investment and Jobs Act of 2021, and would interfere with the military's objectives.

As discussed in Section VI, the Nation urgently needs a domestic source of antimony. Because the SGP is the only domestic antimony mining project currently identified in the U.S., the Forest Service needs to conclude the NEPA process for this project as soon as possible. Therefore, AEMA urges the Forest Service to not grant an extension of time to what is already a lengthy public comment period (75 days) for a draft NEPA document. The CEQ's NEPA regulations at 40 CFR § 40 CFR § 1506.11(d) only require a 45-day public comment period for a draft EIS. The Forest Service is giving the public an additional 30 days to review the document, which AEMA believes is a significant extension that exceeds the requirements.

Because the public had 75 days to review and comment on the 2020 Draft EIS, the public already has significant knowledge and awareness about the SGP. Since the Forest Service gave the public

75 days to review and comment upon the Draft EIS, it makes sense for the agency to give the public the same number of days to review and submit comments on the SDEIS. However, there is no justification for extending the public review period for the 2022 SDEIS beyond 75 days.

The combined 150 day-public comment periods on the Draft EIS and the SDEIS mean the public has had five months to review and comment on the Forest Service's draft NEPA documents. Although we support the Forest Service's efforts to obtain public comments, the 150-day/five-month long comment periods are more than adequate and clearly satisfy the Forest Service's NEPA obligations to solicit public comments. Extending the comment period for the SDEIS would be inappropriate and unnecessary.

The Final EIS Should Select the MMP as the Agency Preferred Alternative

AEMA strongly agrees with the Forest Service's selection of the 2021 MMP, which uses the Burntlog Route, as the Agency Preferred Alternative. Section 2.7 of the SDEIS lists the environmental, public safety, and practical reasons why the Burntlog Route is superior to the Johnson Creek Route. For the reasons discussed throughout the SDEIS, the Forest Service should select the 2021 MMP and use of the Burntlog Route as the Agency Preferred Alternative in the Final EIS and ultimately approved in the ROD.

Perpetua's Vision, Leadership, and Commitment to Sustainability

Perpetua's proposed SGP is a visionary plan that integrates environmental restoration of a site degraded by over 100 years of pre-regulation mining activities with a modern, state-of-the-art mining project that will protect the environment during and after operations. The environmental and socioeconomic benefits of this project are numerous, meaningful, and enduring. Both Perpetua and the Forest Service should be commended for the work and coordination that both entities have devoted to date to this project.

Perpetua deserves special recognition for its dogged, multi-year commitment and leadership to advance their Plan of Operations to redevelop and restore the Stibnite Mine site. Since the company initiated the permitting process for the SGP in 2016, Perpetua has demonstrated a corporate commitment to implement best management practices based on a set of core values reflecting the Company's approach to responsible mineral production and sustainability goals. These goals, as documented in the Company's 2021 Sustainability Report[17], are: safety, environmental responsibility, community involvement, transparency, accountability, and integrity and performance.

To further substantiate the Company's commitment to sustainability, Perpetua published its 2022 Sustainability Roadmap[18]. Based on the United Nation's Sustainable Development Goals, Perpetua has committed to the 13 sustainability goals listed below:

- Protect and improve water quality.

[17] https://perpetuaresources.com/wp-content/uploads/Perpetua-Resources-2021-Sustainability-Report.pdf
[18] https://perpetuaresources.com/wp-content/uploads/2022-Perpetua-Sustainability-Roadmap.pdf

- Conserve water.
- Limit the project's disturbance footprint.
- Be a responsible link in the clean energy supply chain.
- Work with communities and regulators to refine the environmental outcomes of the SGP.
- Nurture connections with tribal communities and identify opportunities to collaborate.
- Foster an open and transparent relationship with local communities.
- Create economic partnerships that are sustainable beyond the life of the mine.
- Develop a diverse and inclusive team.
- Adopt a long-term Environment, Social, and Governance reporting framework.
- Disclose and report current and future GHG emissions.
- Set a science-based GHG emissions target.
- Protect people and communities.

The SGP Demonstrates the Importance of Remining

Given Congress' and the Biden Administration's recent focus on remining as a potential source of critical minerals, the SGP represents an important trailblazing project that demonstrates the feasibility of redeveloping legacy sites that contain critical minerals. Consequently, concluding the NEPA process for this pioneering project has national importance.

Implementing the MMP is the Only Identified Option for Remediating the Stibnite Mine Site

The November 8, 2021 letter from the Forest Service Intermountain Region Regional Forester, Mary Farnsworth, to Idaho Congressmen Mike Simpson and Russ Fulcher that is included as Attachment 1 states the Forest Service spent $5.2 million on several cleanup actions at Stibnite between 1992 and 2013. These actions were obviously insufficient to meaningfully restore this site, which continues to leach substantial quantities of arsenic, antimony, and other contaminants into the watershed and prevent fish migration.

The restoration price tag at Stibnite is more than $1 billion based on Perpetua's costs to conduct the work. The costs for a federal agency to conduct the same level of work would be substantially higher due to federal contracting rates, procedures, and bureaucratic inefficiencies. The eye-popping billion dollar difference between Perpetua's proposed investment at Stibnite and the Forest Service's meager $5.2 million investment to date is a compelling reason for the Forest Service to accept Perpetua's proposal and issue a ROD as soon as possible that authorizes Perpetua to build and operate the 2021 MMP.

As it completes the NEPA process for the SGP, AEMA urges the Forest Service to recognize that Perpetua's 2021 MMP/ModPRO2 is the only identified option for achieving environmental improvements at Stibnite in the foreseeable future. There are no federal agencies, conservation groups, local governments, tribes, third parties, or other companies proposing to invest $1.1 billion to redevelop and restore the Stibnite mine site. Without Perpetua's 2021 MMP, there is a significant likelihood that the Stibnite mine site will return to its previous AML status with no identifiable party to remediate the legacy environmental problems beyond the limited cleanup measures required under Phase 1 of the ASAOC.

Although the ASAOC Phase 1 will accomplish some meaningful cleanup goals, its impact will be limited without the restoration work in the MMP. Moreover, achieving comprehensive and sitewide remediation of the Stibnite area in the future pursuant to Phases 2 and 3 of the ASAOC is contingent upon the Forest Service approving the SGP and the commencement of mining. **It is unimaginable that the Forest Service – or any stakeholder who cares about the environment – would prefer maintaining the degraded conditions at Stibnite over the proactive proposal in Perpetua's ModPRO2 to redevelop and restore this site.**

For the reasons outlined above, the Forest Service should complete the remainder of the NEPA process by preparing the Final EIS and issuing the ROD at the earliest possible date. Doing so will allow the public to capitalize upon this unique opportunity to solve some of the environmental problems at Stibnite in the near future at no cost to U.S. taxpayers, set in motion plans for comprehensive sitewide restoration, and provide the U.S. with a much-needed domestic source of antimony.

AEMA appreciates this opportunity to submit these comments on the SDEIS for the SGP. Please do not hesitate to contact me if you have any questions about our comments.

Sincerely yours,

Mark Compton
Executive Director

Attachment 1: 2021 Correspondence between the Intermountain Region Regional Forester and Congressmen Mike Simpson and Russ Fulcher

Cc:
Idaho Governor Brad Little
U.S. Senator Mike Crapo
U.S. Senator Jim Risch
U.S. Representative Mike Simpson
U.S. Representative Russ Fulcher