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

Subject: The Stibnite Gold Project Supplemental Draft Environmental Impact Statement

Dear Ms. Jackson,

I am the Permitting Manager for Perpetua Resources (formerly Midas Gold) in the Donnelly, Idaho office. My education is in Geology (BS and MS) and I am a professional geologist licensed in the State of Idaho (PGL-1039), and adherent to all laws, rules and the Code of Ethics inherent to licensure. My career with Perpetua Resources began July 1, 2017, just after the initial public scoping period for the Stibnite Gold Project (SGP or, the Project) Plan of Restoration and Operations (PRO; Midas Gold 2016). Environmental and engineering studies prepared during the development of the PRO were completed before my tenure initiated at Perpetua Resources. Since that time, I have been involved in all aspects of Project planning and permitting, and I have participated in many of the interactions with the lead agency, the (U.S.) Department of Agriculture Forest Service (Forest Service) – specifically the Payette National Forest (PNF) – and cooperating agencies (collectively, the Agencies) during the preparation of the SGP Draft Environmental Impact Statement (DEIS; USDA 2020) and the supplemental draft Environmental Impact Statement (SDEIS). In addition, I have been involved with the development of all revisions of the PRO, including the Modified Proposed Action (ModPRO) and the ModPRO2. In my role as Permitting Manager, I am integrated into the preparation of all related federal, state and local regulatory permits that will be required for the Project.

In the preparation of the SDEIS for the SGP (or, the Project) the Forest Service has aptly fulfilled their obligations for review and approval in accordance with regulations at 36 Code of Federal Regulations (CFR) 228 Subpart A and adhered to all appropriate regulations included in the National Environmental Policy Act (NEPA – 40 CFR Parts 1500-1508). Relative to my involvement with the Project, here I will offer my perspective on two aspects of the NEPA that are particularly pertinent to the Project and how they have been appropriately and adequately implemented in the Forest Service's environmental review.

#### **40 CFR § 1502.23 Methodology and scientific accuracy**

*The Forest Service and the Agencies have fulfilled their obligation to ensure the professional integrity, including scientific integrity, of the discussions and analyses included in the SGP DEIS and SDEIS.*

Environmental data and their analysis are the foundation of assessing the environmental effects of the proposed action and alternatives to the proposed action, including the no action alternative. In the assimilation and evaluation of environmental data, it is the responsibility of the Agencies in accordance with the NEPA to “ensure the professional integrity, including scientific integrity, of the discussions and analyses in environmental documents.” The average reader of the SDEIS likely does not fully appreciate what this entails. Having been privy to these processes for the past five and a half years, I can attest to the high level of rigorous technical review that the Agencies have applied to every aspect of the Project from baseline studies through modeling reports and everything in-between. Each environmental resource, and all of the reports and data required to characterize its baseline condition and assess its environmental impacts, have been scrutinized by the Agencies in iterative processes that in some cases have taken years to complete. In addition, the Agencies have submitted to Perpetua Resources more than 135 Requests for Additional Information (RAI) and Requests for Clarification (RFC). Many of these requests have included additional clarification on technical aspects of the Mine Plan to inform appropriate impacts analysis. Others were prompted by the development and analysis of Project alternatives and required significant efforts that included preliminary engineering design and cost estimation, predictive modeling of alternative mine plan scenarios, and reconfiguration of mine features to provide the basis for the Forest Service’s assessment of alternative feasibility. This process was arduous and took several year to complete. However, from our present vantage point, Perpetua Resources can now appreciate the “hard look” that the Agencies have applied to the robust review of all relevant Project data to ensure its scientific integrity and defensibility.

#### **40 CFR § 1502.14 Alternatives Including the Proposed Action**

*The Forest Service and the Agencies have fulfilled their obligation to evaluate reasonable alternatives to the proposed action, and, for alternatives that the agency eliminated from detailed study, briefly discuss the reasons for their elimination.*

Through the preparation of the DEIS and SDEIS, the Forest Service has demonstrated full compliance with its obligation under 40 CFR § 1502.14(a) to “Evaluate reasonable alternatives to the proposed action, and, for alternatives that the agency eliminated from detailed study, briefly discuss the reasons for their elimination.” This alternatives analysis was also consistent with the Forest Service Handbook 1909.15 (Chapter 10, Section 14.4): “Alternatives not considered in detail may include, but are not limited to, those that fail to meet the purpose and need, are technologically infeasible or illegal, or would result in unreasonable environmental harm.”

The relative brevity of the CEQ regulatory requirement cited above belies its magnitude in practical application. As can be noted from the time from the Project scoping period in mid-2017 to the publication of the SGP DEIS in August 2020, the alternatives development and evaluation process took years to conduct before the DEIS could be completed; a timeframe which speaks to the thorough approach that the Forest Service took in considering options to the original proposed action (the PRO). To support that process, Perpetua Resources conducted numerous studies and provided information at the Forest Service’s request to address their alternatives evaluation criteria. In some cases, these studies took several

months or more to complete. It should also be noted that, as part of this process, the Forest Service also considered a range of Project alternatives that were included in the PRO Appendix G, and were evaluated by Midas Gold during the development phase of the Project.

In the DEIS, the Forest Service analyzed a range of alternatives that, through their process of alternatives development and evaluation, warranted further detailed study. Alternative 3 of the DEIS relocated the TSF to the upper East Fork South Fork Salmon River drainage and required reconfiguration of major mine infrastructure to accommodate appropriate analysis. Likewise, Alternative 4 of the DEIS considered the Johnson Creek Route as the primary mine access route; a feature which of course has undergone additional study in the SDEIS.

In summary, as the Project has progressed through NEPA, through their evaluation of alternatives included in the PRO and the alternatives development and evaluation process, the Forest Service has considered nearly 30 project alternative components; a more than “reasonable range” of alternatives by any measure. Critics of the adequacy of the Forest Service’s consideration of alternatives need only to compare the PRO and the ModPRO2 to see the beneficial effects that the process has had on the reduction of environmental impacts. That is a foundational goal of the NEPA, and at Stibnite, it’s worked.

Thank you,

A handwritten signature in blue ink, appearing to read 'D. Kerner', is positioned above the typed name.

Dale Kerner, P.G.  
Permitting Manager  
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