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Subject: State of Idaho Comments on the Lone Pine Exploration III Scoping Project

Thank you for the opportunity to provide comments on the scoping document for the Lone Pine Exploration III Project (Project). The following comments were developed in coordination with the Idaho Department of Water Resources (IDWR), the Idaho Department of Parks and Recreation (IDPR), the Idaho Governor's Office of Species Conservation (OSC), the Idaho Department of Fish and Game (IDFG), and the Idaho Governor's Office of Energy and Mineral Resources (OEMR). OEMR submits these comments on behalf of the State of Idaho pursuant to its responsibility to coordinate all state comments involving energy and mineral projects in accordance with Executive Order 2020-17.

Authorities

IDWR's mission is to serve the citizens of Idaho by ensuring that water is conserved and available for the sustainability of Idaho's economy, ecosystems, and resulting quality of life in accordance with Idaho Code Title 42, Chapter 2. IDPR's mission is to improve the quality of life in Idaho through outdoor recreation and resource stewardship in accordance with Idaho Code Title 67, Chapter 42. OSC is dedicated to planning, coordinating, and implementing the State's actions to preserve, protect, and restore species listed as candidate, threatened, and endangered in accordance with the federal Endangered Species Act. Idaho Code § 67-818. IDFG's mission is to protect, preserve, and manage Idaho's fish and wildlife resources for the public interest in accordance with Idaho Code § 36-103.

Water Usage

The Project Proposal and Scoping Report (Proposal) states on page 2 that "[w]ater will be obtained from several sources based on availability and ease of access including: Salmon, Idaho, municipal water by direct purchase agreement and, *[w]ater from the lower reaches of the UP & Burlington patented claims at Adit 6*" [emphasis added]. The Proposal also states that "One (1) 4000-gallon 4x4 water truck" will be used "during the core drilling operations." IDWR advises that if water is drawn from the UP & Burlington claims, the Project proponent may need to file an application for Temporary Approval of Water Right with IDWR.

Recreation

The Proposal states that the Project area will be accessed by Forest Service Road 60020 (Ridge Road) and Forest Service Road 60781 (60781). The Proposal also states that temporary road construction is required to access the Project area. Maps attached to the Proposal suggest this would be accomplished by extending portions of 60781 east until it meets Forest Service Trail 6074 (Bob Moore). According to US Forest Service (USFS) Interactive Visitor Maps, Bob Moore is a class 3 trail with year-round access and seasonal access for dirt bikes. Wallace Lake Campground (Wallace Lake) is a semi-developed campground approximately 0.6 miles north of the Project area. Wallace Lake is accessed via Ridge Road and Forest Service Road 60391.

IDPR recommends that the Project maintain open public access on Bob Moore as much as possible to maximize recreational opportunities. Trail disturbances that result from Project operations should be restored after Project completion. The Project scope should consider viewshed and access protection to Wallace Lake. While IDPR concludes long-term recreational access should not be affected, IDPR requests the Project proponent engage in collaborative communication with IDPR and Forest Service Recreational Specialists if on-the-ground conditions change during Project implementation. That communication would include information about recreational access restrictions during the Project's operations.

IDPR welcomes the opportunity to advise and assist, through IDPR's Recreational Trail Program, in the process of restoration of trailhead access or trail tread if not satisfactorily restored as part of the Project scope. IDPR resources remain available such as trail-building expertise of Recreational Trail Program staff, the Trail Ranger/Cat Programs, and other IDPR grant funding opportunities.

Wildlife-related Recreation

Hunting, fishing, and trapping are culturally and economically important for Idaho's citizens, particularly in rural communities. During recent hunting seasons, IDFG has received numerous complaints from the hunting public about statewide exploratory drilling activities disturbing hunting activities. The Proposal shows the Project activities will utilize Ridge Road and Forest Service Road 60023 (Stormy Peak Road). These popular routes are available year-round for public access to recreational activities including hunting (spring and autumn, bear; winter, lion and wolf; autumn, deer and elk; autumn and winter, upland birds) and trapping (multiple furbearers).

IDFG recommends USFS analyze potential Project effects on fish and wildlife related recreation and public access with the Project area and identify and assess measures to avoid, minimize, or mitigate adverse Project effects on fish and wildlife related recreation. For example, Project activities should be scheduled to avoid impacts to hunting, trapping, and fishing opportunities. Additionally, IDFG recommends USFS require public recreation access be maintained at all times for USFS roads and trails normally open to public travel.

Throughout the Project planning process, IDFG recommends USFS inform relevant agencies and public stakeholders such as outfitters with permits, grazing permitholders, and recreationalists about the location and duration of Project activities.

Travel Management

IDFG recommends that all Project-related temporary roads are effectively decommissioned and/or obliterated. Disturbed areas such as roads, drilling pads, and staging areas, should be promptly reseeded with Project area-appropriate native grasses and forbs following Project completion to prevent further habitat degradation and fragmentation.

Wildlife

Elk and Mule Deer

IDFG analysis shows the Project area sits on important winter range for elk and mule deer. Elk and mule deer are particularly vulnerable to disturbance and displacement during winter when energy reserves are crucial for survival (Geist 1978, Cook et al. 2004, Cook et al. 2013, Cook et al. 2016).

The proposed Project activities (drilling, drilling-site construction, road construction, other infrastructure support activities, etc.) can fragment and degrade habitats, produce noise, and increase foot and vehicle traffic. Project activities can displace elk and mule deer from preferred habitats, therefore increasing wildlife energy expenditures, decreasing survival and reproduction, and causing long-term population impacts (Cole et al. 1997, Cook et al. 2004, Cook et al. 2013, Cook et al. 2016, Davidson et al. 2012, Lyon 1979, Lyon 1983, Naylor et al. 2009).

IDFG recommends USFS analyze potential Project effects on elk and mule deer populations within and surrounding the Project area. USFS should coordinate with the Project proponent to identify and assess measures to avoid, minimize, or mitigate near-term, long-term, and cumulative adverse Project effects on elk and mule deer. For example, exploration activities should occur between June 1st and October 31st to avoid disturbing elk and mule deer populations on winter range.

Conservation Species

The Project lies within known Endangered Species Act (ESA) listed species ranges including Chinook salmon, steelhead and bull trout, Canada lynx, whitebark pine and candidate species, and wolverine. Further, IDFG models show the Project sits on habitat for Canada lynx, whitebark pine, and wolverine (IDFG 2005, IDFG 2014, IDFG 2017 and McKelvey et al. 2000). The Project is also within the elevation range for whitebark pine. This species has declined over much of Idaho and is a keystone species that provides important habitat for species of greatest conservation needs (SGCN) (IDFG 2017).

Furthermore, IDFG data show several SGCN species have been observed in the Project area including silver-haired bat, Columbia spotted frog, long-toed salamander, Townsend's big-eared bat, Western small-footed myotis, and Lemhi penstemon (IDFG 2017). IDFG staff has identified several SGCN species which may be detected with the proposed Project area including Western bumblebee, Suckley's cuckoo bumble bee, Morrison's bumble bee, Western toad, fisher, golden eagle, Lewis's woodpecker, and hoary bat. The proposed Project duration will overlap multiple reproductive seasons for ground and canopy-nesting birds and tree-roosting

bats. Some of the bird and bat species mentioned above are either species of conservation concern (SCC) or SGCN-designated species.

Given the small Project area (2.53 acres), IDFG recommends USFS survey the Project area and determine if species of interest are present. IDFG recommends analyze potential Project effects on whitebark pine within and surrounding the Project area. IDFG further recommends avoiding and/or buffering all living whitebark pines potentially affected by the Project. IDFG recommends analyzing potential effects on ESA, SGCN, and SCC species within and immediately surrounding the Project area. If ESA-protected species, SCC, or SGCN are found in the Project area including but not limited to active dens, redds, nests, maternity colonies, individual plants, individual trees or growing sites, the corresponding adaptive USFS design feature and best management practices must be implemented immediately.

IDFG recommends USFS conduct bird and bat surveys from May to June prior to beginning Project operations. If a threatened, sensitive, or otherwise vulnerable species are found in or near the Project, the Project proponent should initiate appropriate mitigation measures as determined by USFS or US Fish and Wildlife Services to avoid disturbance. For example, the Project proponent would establish a buffer around an occupied raptor nest.

Additionally, OSC recommends that future whitebark pine environmental analysis utilize the most recent whitebark pine survey data. Prior to ground disturbance, for example, USFS botanists should conduct a whitebark pine inventory to identify methods to minimize removal of individual species. This analysis can inform conservation efforts and Project operations.

The Project Proposal also includes an initial list of design features to minimize adverse effect to surface resources. See pp. 5-9. OSC recommends combining Wildlife and Sensitive Species Design Features 23 and 24 into one feature. Additionally, the qualifying term “large” in Design Feature 24 should be removed to avoid confusion or unintended consequences. This section could be rewritten as such: “Cease all operations and notify the Forest Service within 24 hours in the event a sensitive wildlife, fish or plant species or ESA species’ active den, nest, maternity colony, or reproductive site is found in or near the project area during project implementation. Operations could resume upon Salmon-Challis and Idaho Department of Fish and Game clearance and approval.”

Aquatic Species

Discharge of drilling fluids and other contaminants into nearby bodies of water can adversely impact resident fish populations and aquatic invertebrates. Due to the possibility that drilling could encounter fractured rock, IDFG recommends developing a water quality contingency plan that includes preventative measures for potential accidental discharges of such substances. Project proponents should apply National Oceanic and Atmospheric Administration fisheries Best Management Practices to mitigate potential adverse impacts to aquatic species.

Undesirable Weeds

Undesirable weeds like invasive annual grasses and noxious weed species are a leading cause of wildlife habitat degradation in the West and can be propagated by Project-related surface disturbances. IDFG recommends analyzing potential effects of propagating undesirable

weeds within and surrounding the Project area and identifying and assessing measures to avoid, minimize, or mitigate adverse Project effects. IDFG suggests performing pre- and post-project monitoring and treatment for at least five years if feasible.

Regarding Design Features 28 and 41, OSC recommends clarifying whether natural revegetation is preferred to seeding and re-contouring all newly disturbed areas. OSC recommends the Proposal's "Invasive Species" and "Seasonal and Final Reclamation" sections regarding seeding operations and utilizing weed-free materials align.

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

Sincerely,



Richard Stover
Administrator
Idaho Governor's Office of Energy and Mineral Resources

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