



October 21, 2024

Objection Reviewing Officer
Stibnite Gold Project
USFS Intermountain Regional Office, Room 4403
324 25th Street
Ogden, UT 84401.

Submitted electronically at:

<https://cara.fs2c.usda.gov/Public//CommentInput?Project=50516>

Re: Objection to the Stibnite Gold Project Final Environmental Impact Statement (“Final EIS” or “FEIS”) and Draft Record of Decision (“Draft ROD” or “DROD”)

Dear Objection Reviewing Officer,

American Whitewater is a national non-profit 501(c)(3) river conservation organization founded in 1954. We have over 6,000 members and 100 local-based affiliate clubs, representing approximately 80,000 whitewater paddlers across the nation. American Whitewater’s mission is to conserve and restore America’s whitewater resources and to enhance opportunities to enjoy them safely. As a conservation-oriented paddling organization with many members who enjoy paddling Johnson Creek, the East Fork of the South Fork Salmon River, the South Fork Salmon River, and the Wild and Scenic Salmon River, American Whitewater has an interest in this proposed mine.

Outdoor Alliance is a coalition of ten member-based organizations representing the human powered outdoor recreation community. The coalition includes Access Fund, American Canoe Association, American Whitewater, International Mountain Bicycling Association, Winter Wildlands Alliance, The Mountaineers, the American Alpine Club, the Mazamas, Colorado Mountain Club, and Surfrider Foundation and represents the interests of the millions of Americans who climb, paddle, mountain bike, backcountry ski and snowshoe, and enjoy coastal recreation on our nation’s public lands, waters, and snowscapes.

Pursuant to 36 CFR Part 218, having previously filed substantive comments directly linked to this Objection, American Whitewater and Outdoor Alliance hereby file this Objection to the FEIS and Draft ROD for the Stibnite Gold Project (“Mine” or “Project”) issued by Payette National



Forest Supervisor Mathew Davis on September 6, 2024. See <https://www.fs.usda.gov/project/?project=50516>. Kevin Colburn, of American Whitewater is the lead objector for this Objection.

1. Statement of the issues and/or the parts of the plan revision to which this objection applies.

We object to the decision to approve the Modified Mine Plan in the DROD, at page 3 and generally in the DROD.

The Wild and Scenic Rivers Act and the presence of protected rivers within and hydrologically connected downstream are not adequately addressed in the DROD, including among the Legally Required Findings beginning on page 39 of the DROD.

The Wild and Scenic Salmon River was wrongly excluded from analysis of potential impacts on Wild and Scenic Rivers in the FEIS, at pages 4-675 through 4-684.

The proposed 245-foot tall project dam that will be raised to 470 feet tall was wrongly not considered as a water resources project under Section 7(a) of the Wild and Scenic Rivers Act. This should have been discussed with the TSF dam and buttress at FEIS pages 4-18 through 4-20, and in the Wild and Scenic Rivers analysis in the FEIS, at pages 4-675 through 4-684, and perhaps elsewhere.

The rose-colored view of river recreation FEIS 4-589 arbitrarily and capriciously turns a blind eye to the risks the mine poses to downstream recreation.

The issues raised in our prior comments are wrongly dismissed by the Forest in Appendix B to the FEIS, at pages B-1013 through B-1016.

2. Concise statement explaining the objection and suggestion of how the proposed plan decision may be improved.

The Forest wrongly chose not to consider the Project impacts on the downstream Salmon River, not to consider the Project's proposed dam a water resource project under the Wild and Scenic Rivers Act, and to arbitrarily minimize and wave away the risks and acknowledged impacts to the values and free flowing status of designated, eligible, and suitable Wild and Scenic Rivers.



Our proposed remedy is for the Forest Service to withdraw the FEIS and DROD, and fix the flaws in these documents prior to issuing any decisions on this Project and related activities. Specifically, the Forest Service must expand the scope of analysis to include the downstream Salmon River in its analysis, offer a much more robust analysis of the proposed activities on waterways in the project area, recognize the Project's proposed dam as a water resource project capable of impacting the Wild and Scenic Salmon River, and protect and enhance the values of the designated, eligible, and suitable Wild and Scenic Rivers. Ultimately, any well-reasoned decision is unlikely to approve the proposed massive gold mine at the headwaters of one of the most important rivers and salmon recovery and recreation resources in the United States, and therefore selection of the no action alternative would also be an acceptable, and our preferred, remedy to this Objection.

3. Identification of how American Whitewater and Outdoor Alliance believe that the plan revision is inconsistent with law, regulation, or policy.

a. The Forest Service failed to consider the project dams as water resource projects under Section 7(a) of the Wild and Scenic Rivers Act.

Section 7(a) of the Wild and Scenic Rivers Act prohibits the Forest Service from “assist[ing] by loan, grant, license, or otherwise in the construction of any water resources project that would have a direct and adverse effect on the values for which such river was established, as determined by the Secretary charged with its administration. Specific to tributaries, Section 7(a) prohibits water resource projects that would “unreasonably diminish the scenic, recreational, and fish and wildlife values present in the area on the date of designation of a river as a component of the National Wild and Scenic Rivers System.” Section 10(d) of the Wild and Scenic Rivers Act further clarifies agency authority to protect the values of designated and study rivers. The reach of the Wild and Scenic Rivers Act extends upstream to water resource projects that could impact the values of a designated river.

The proposed mine includes a 245-foot-tall dam that will eventually be raised to 475 feet tall, which will create a reservoir filled with a pond of water, toxic chemicals, and tailings.¹ To be clear, the proposed Tailings Storage Facility is a *water resource project*, in the form of the second tallest dam in Idaho. The risks to the Wild and Scenic Salmon River associated with failure or even relatively minor leaks are significant and merit rejection of the action alternatives.

¹ See: DEIS Pg. 2-53.

Failure of this dam would be catastrophic for irreplaceable fish and recreational resources in one of the wildest watersheds remaining in the lower 48 states. The FEIS contains evidence that tailings ponds do fail, but the FEIS lacks a hard look at these risks and what the results of failure would be.

The response to comments relating to this matter on page B-1014 is wrong. First, it claims that Section 7 analysis is only applicable to designated rivers in the analysis area. This is false. Section 7 analysis looks beyond an analysis area to proposed projects that could have a “direct and adverse effect” on a designated reach – because rivers flow and can transmit impacts for great distances.² Agency guidance states that:

The river-administering agency evaluates [upstream] non-hydroelectric project proposals under the “invade the area or unreasonably diminish” standard. Typical projects that meet this definition are water resources projects visible from the designated river, dams, and upstream diversion structures as they have the potential to affect scenic, recreational, fish or wildlife values in the designated river.³

The Forest Service failed to conduct any such analysis or even acknowledge a stewardship responsibility over the downstream Salmon River.

The response to comments also assert that water resource projects under Section 7 of the WSRRA must be “federal projects related to water resources (i.e. Within the bed and bank of a river), and therefore does not apply to the planned 475 foot tall dam and its reservoir. This is an arbitrary and capricious claim. The 475 foot tall dam and reservoir does inundate the beds and banks of waterways, and regardless the resulting reservoir is by any definition a “water resource project.” Agency guidance states the following definition for a water resource project:

Any dam, water conduit, reservoir, powerhouse, transmission line, or other project works under the Federal Power Act (FPA), or other construction of developments which would affect the free-flowing characteristics of a wild and scenic or congressionally authorized study river. In addition to projects licensed by the FERC, water resources projects may also include: dams; water diversion projects; fisheries habitat and watershed restoration/enhancement projects;

² See Pg. 5-6 <https://www.rivers.gov/sites/rivers/files/2023-07/section-7.pdf>

³ Id. at pg. 5

bridges and other roadway construction/ reconstruction projects; bank stabilization projects; channelization projects; levee construction; recreation facilities such as boat ramps and fishing piers; and activities that require a 404 permit from the ACOE.⁴

The proposed tailings pond is a massive toxic water resource project that has a strong potential to unreasonably diminish the scenic, recreational, fish or wildlife values in the downstream designated Salmon River and must be analyzed as such. It is also a dam requiring a 404 permit as defined above.

The Forest Service would be in violation of both the Wild and Scenic Rivers Act and the Administrative Procedures Act (APA) if it were to issue a final ROD lacking a detailed analysis of this water resources project under Section 7 of the Wild and Scenic Rivers Act.

b. The Wild and Scenic Salmon River was arbitrarily and capriciously removed from the scope of analysis and inadequately considered.

The Main Salmon, from Corn Creek to Vinegar Creek, provides a cherished week-long river trip through a spectacular canyon.⁵ The South Fork Salmon River joins the main Salmon in this reach, flowing with waters that originate, in part, in the East Fork South Fork Salmon watershed and include the waters flowing through and from the proposed mine. Upon emerging from the Wilderness, the Salmon River flows through two roadside sections, Vinegar Creek to Riggins,⁶ and Riggins to Whitebird.⁷ Near Whitebird, the Salmon leaves the road once again and enters an arid and rugged canyon often referred to as the Lower Salmon.⁸ The Lower Salmon has been found suitable for Wild and Scenic designation for its recreational and other values, following recognition by Congress as a study river.⁹ These world-class sections of the Salmon River are downstream of the proposed mine.

The FEIS and DROD wrongly excludes the Salmon River from the scope of analysis, incorrectly limiting the Wild and Scenic analysis to rivers and study corridors “intersecting” with the Stibnite Gold Project area. Accordingly, analysis of potential impacts on Wild and Scenic Rivers in the

⁴ Id at Pg 3.

⁵ See <https://www.americanwhitewater.org/content/River/view/?#/river-detail/612/main>

⁶ See: <https://www.americanwhitewater.org/content/River/view/?#/river-detail/1464/main>

⁷ See: <https://www.americanwhitewater.org/content/River/view/?#/river-detail/613/main>

⁸ See: <https://www.americanwhitewater.org/content/River/view/?#/river-detail/614/main>

⁹ See: <https://www.blm.gov/visit/lower-salmon-river>



FEIS, at pages 4-675 through 4-684, includes no mention or analysis of impacts and risks to the Salmon River, even though impacts to its upstream tributaries are acknowledged, including increased sedimentation, potential for oil and gas spills, fisheries impacts, and others.

Eliminating the Salmon River is arbitrary and capricious in that it ignores the basic fact that water from the mine flows unimpeded downstream to the Salmon River, and anadromous and other fish freely move upstream and downstream between the proposed mine and the Salmon River. Water quality and fish are protected Outstanding Remarkable Values of the Wild and Scenic Salmon River, and anticipated impacts and potential accidents in the mining project area will inevitably move downstream and affect the Salmon River. The response to comments section of the FEIS claims it is OK to exclude the Salmon River from analysis because there are no impacts anticipated, which is false.

The Main Salmon's protections stem directly from the Wild and Scenic Rivers Act, and are integrated into the Salmon Wild and Scenic River Management Plan¹⁰ and several Forest Plans. Throughout this regulatory framework runs the Wild and Scenic Rivers Act Section 10(a) mandate that the Forest Service *protect and enhance* the values which caused the Salmon River to be included in the National Wild and Scenic Rivers System: scenery, recreation, geology, fish, wildlife, water quality, botany, prehistory, history, and cultural traditional use. Without including the Salmon River in its Wild and Scenic analysis for the proposed actions, there is no basis for determining whether or not the Forest Service is meeting the fundamental *protect and enhance* standard under the law.

Failing to consider the Wild and Scenic Salmon River as part of the impact area is arbitrary and capricious, and is in violation of the Wild and Scenic Rivers Act and the Administrative Procedures Act.¹¹

c. Risks and Impacts to the Wild and Scenic Suitable South Fork of the Salmon River were not fully disclosed, analyzed, or weighed by the Forest Service.

The South Fork of the Salmon River is one of our nation's premier multi-day whitewater rivers.¹² Paddlers typically spend 2-5 days descending the river's remote gorge. At low flows

¹⁰ See: <https://www.rivers.gov/documents/plans/salmon-middle-salmon-plan.pdf>

¹¹ 5 U.S.C. § 706(1-2).

¹² See: <https://www.americanwhitewater.org/content/River/view/?#/river-detail/621/main>



characteristic of early spring, late summer, and fall, the river provides a scenic and technical Class III(IV) paddling experience. Medium flows provide a delightful Class IV run. At high flows the South Fork offers some of the best big-water paddling on the continent, attracting paddlers from across the United States and beyond. No matter the flow, paddlers are treated to solitude, superb scenery, excellent fishing, backcountry camping, and an excellent whitewater paddling experience. The lack of a lottery-based permit system allows paddlers to opportunistically enjoy the South Fork with ease and predictability, while many other multi-day runs are off limits to paddlers unsuccessful in lottery-based permit systems.

The Payette National Forest has rightly found 63 miles of the South Fork suitable for Wild and Scenic designation. The Forest has found “[t]he 63 miles of the South Fork Salmon River within the administrative boundary of the Payette NF are worthy of recognition within the National Wild and Scenic River System. This river segment represents a premier example of a river with outstandingly remarkable values (FEIS, Appendix J). As a major tributary to the already designated Salmon River, the South Fork supports whitewater recreation opportunities, supports populations of anadromous fish, contains some of the most remarkable cultural and historic properties in Idaho, and has outstanding geological and botanical features through the river corridor.”¹³

The Forest’s Wild and Scenic Eligibility findings further bolster the river’s unique values protected under the Forest Plan. “The SFSR has outstanding white-water boating and nationally recognized fishing opportunities during premier steelhead and chinook salmon seasons. The river corridor also provides recreation opportunities that include hunting, hiking, camping, and snowmobiling. The many hot springs along the river corridor are beautiful and provide the visitor with a remote soaking experience.”¹⁴

Goal WSGO01 in the Payette National Forest Plan requires the Forest to “Manage river segments that are eligible or suitable for potential addition to the National Wild and Scenic Rivers System to meet the requirement of the Wild and Scenic River Act,” and Objective WSOB01 requires the Forest to “Emphasize the following in managing eligible and suitable Wild and Scenic Rivers: a) Maintaining or enhancing the outstandingly remarkable values; b) Maintaining the free-flowing character; c) Maintaining or enhancing values compatible with the assigned classification; and d) Accommodating public use and enjoyment consistent with

¹³ 2003 Payette National Forest Land and Resource Management Plan, Record of Decision. ROD-12.

¹⁴ See Wild and Scenic Suitability Report, J-34.

https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5196592.pdf



retaining the river's natural values."¹⁵ These plan components stem from Sections 5, 7, and 10 of the Wild and Scenic Rivers Act.

The Forest Service arbitrarily states that water quality impacts to the South Fork would be "short term, negligible to minor, and localized during construction and long term, negligible to minor, and localized during operations and closure and reclamation."¹⁶ By short term, the Forest Service means several years at least, which is enough to put salmon, steelhead, and recreationists at significant risk. The Forest also assumes that there are no leaks, failures, and other significant releases of pollution from the mine site, which is an assumption that runs counter to the facts and is in violation of NEPA and the APA.

Similarly, the FEIS acknowledges the project's "minor" impacts to recreation and scenery values, without any explanation of how the Forest Plan or other policies would support impacting this administratively protected river.

The 2012 Planning Rule requires forest plans "to provide for" the protection of: "designated wild and scenic rivers as well as management of rivers found eligible or determined suitable for the National Wild and Scenic River system to protect the values that provide the basis for their suitability for inclusion in the system. 36 C.F.R. § 219.10(b)(v)." The Forest's selected alternative, rather than emphasizing the protection of these values, instead emphasizes resource extraction that poses significant risk to the values.

d. Risks and impacts to the Wild and Scenic eligible Burntlog Creek were not fully disclosed, analyzed, and weighed by the Forest Service.

The FEIS acknowledges and arbitrarily waives away impacts to the protected values of Burntlog Creek. For example, it states that:

The addition of the Burntlog Maintenance Facility would likely have an incremental increased effect on stormwater runoff, potential leaks or spills of automotive fluids, and sedimentation of dust from on-site road sanding material storage and vehicle travel over gravel surfaces. However, the facility would change less than 0.1 percent of the watershed to industrial use from forestry use,

¹⁵ 2003 Payette National Forest Land and Resource Management Plan, Record of Decision. Chapter 3: Management Area Description and Direction, Pg. III-75

¹⁶ FEIS Pg. 4-680



so any effects on water quality, ORVs, or the Wild classification of Burntlog Creek are likely to be negligible.¹⁷

We are unaware of any logic that supports the claim that impacting a small percentage of the watershed will not impact the creek. To make a hunting analogy, this is akin to saying that a bullet will have a negligible effect on an animal because it would only harm a small percentage of the total animal. Naturally this is not true. In reality, adding sand and salt and oil to a stream will harm it, even if other portions of the Forest are not sources for that pollution. The Forest waiving away such impacts based on flawed logic does not comply with the APA.

The FEIS also states that: “During Burntlog Route construction, the potential also exists for increased runoff, erosion, and sedimentation as a result of localized vegetation removal and excavation of soil, rock, and sediment, which could result in increased sediment load in streams.” The Forest then waives away these impacts by predicting that IDWR and IDEQ will require mitigation for those predicted impacts. Under the Forest Plan, the 2012 Forest Planning Rule, Wild and Scenic Rivers Act, and other authorities the Forest Service is solely responsible for protecting the values of these streams, and abdicating that responsibility to an unknown future action by a separate agency is not a legal means of protecting the river values.

The forest also predicts the project would have the potential to “impact fish passage, increase sedimentation, and alter primary productivity.” It then waives away this concern with the statement that “With implementation of required BMPs, impacts would be temporary, negligible, and localized.”¹⁸ Missing is the analysis behind this claim that BMPs would allow the agency to protect and enhance the fisheries ORV associated with listed species. It is not sufficient under the APA and NEPA to simply state that BMPs will not still lead to impacts and degradation that is impermissible under the Wild and Scenic Rivers Act, the Forest Plan, and other authorities.

Lastly, the Forest acknowledges significant noise and scenery related impacts associated with the project, but never states why those impacts are allowed under the Wild and Scenic Rivers Act, the Forest Plan, and other authorities. They are not allowed. These impacts, left without analysis or even a rationale, are unacceptable under the APA and other authorities.

In addition to these disclosed impacts, the MMP includes culvert replacement, bridge replacement, and road prism construction or alteration, all of which are likely to alter the

¹⁷ FEIS Pg. 4-676

¹⁸ FEIS Pg. 4-677



free-flowing nature and water quality of these eligible streams. Any of these actions on a designated Wild and Scenic River would require a Wild and Scenic River Act Section 7 analysis to determine whether the changes would impair the free-flowing character of the river. The FEIS does not contain sufficient information to serve as a Section 7 analysis, and the conclusions of the FEIS finding that none of the alternatives would impact the free-flowing character of the eligible streams are incorrect, arbitrary, and capricious.

During the operations phase, the FEIS claims that the project “would not directly or indirectly affect eligible or suitable WSR segments on the SFSR, Burntlog Creek, or Johnson Creek” and then goes on to disclose the many impacts of the project on these streams.¹⁹ In the same paragraph the Forest Service states: “Impacts to free-flowing conditions of Burntlog Creek would continue due to the presence of culverts and bridge crossings along the Burntlog Route,” and “There would be no impact to free-flowing conditions of Burntlog Creek during operations.” The FEIS goes on to predict sedimentation impacts, pollution impacts on fish, and noise impacts. These impacts are inconsistent with the Forest Plan and not allowable on a Wild and Scenic eligible stream. Specifically, Goal WSGO01 in the Payette National Forest Plan requires the Forest to manage eligible streams “to meet the requirement of the Wild and Scenic River Act.” Objective WSOB01 requires the Forest to emphasize “a) Maintaining or enhancing the outstandingly remarkable values; b) Maintaining the free-flowing character; c) Maintaining or enhancing values compatible with the assigned classification; and d) Accommodating public use and enjoyment consistent with retaining the river’s natural values.”²⁰

Beyond the regulatory and legal issues with the Forest Service proposed process, we disagree with the idea that the protective commitments made in the Forest Plan should be second-guessed or removed. These streams have nationally significant fisheries and recreational values that should be protected, especially given their direct connection and effect on downstream river reaches that span hundreds of miles of vital (and designated critical) habitat for rare, threatened, and endangered species and irreplaceable whitewater paddling opportunities. We are confident that any rigorous analysis of these streams will find that their protection is merited and incompatible with the action alternatives.

e. Risks and impacts to the Wild and Scenic eligible Johnson Creek were not fully disclosed, analyzed, and weighed by the Forest Service.

¹⁹ FEIS Pg. 4-681

²⁰ 2003 Payette National Forest Land and Resource Management Plan, Record of Decision. Chapter 3: Management Area Description and Direction, Pg. III-75

The FEIS finds that the widening of the transmission line corridor parallel to the eligible segment of Johnson Creek will result in tree clearing, water quality impacts, decreased shade, increased water temperatures, and increased sedimentation rates. Increased vehicle use could result in impacts from oil and gas spills.²¹ The Forest then waives away these impacts based on a claim that IDEQ will require mitigation for those predicted impacts. Under the Forest Plan, the 2012 Forest Planning Rule, Wild and Scenic Rivers Act, and other authorities the Forest Service is solely responsible for protecting the values of these streams, and abdicating that responsibility to an unknown future action by a separate agency is not a legal means of protecting the river values.

The Forest Service also admits that the project would impact recreational settings along Johnson Creek for a period of three years, and offers no explanation as to how that is consistent with protecting and restoring the values of the Wild and Scenic Eligible stream as is required by law.²² Choosing to impact Wild and Scenic values is not consistent with the Forest Plan, the 2012 planning rule, and other federal policy, and doing so without explanation is in violation of the APA.

Lastly, in an error systemic to the FEIS, disclosed and anticipated impacts to water quality and fisheries impacts to Burntlog Creek are not also recognized in Johnson Creek, which is downstream and hydrologically connected to Burntlog Creek. The pollution and sedimentation associated with winter use of the Burntlog Route and other activities will flow downstream into Johnson Creek. Impacts to fisheries in Burntlog Creek will also impact the fisheries and recreation values of Johnson Creek. It is scientifically flawed to assume pollution and other impacts to Burntlog Creek will somehow stop at the confluence with Johnson Creek.

f. Risks and Impacts to the East Fork of the South Fork of the Salmon River must be fully disclosed, analyzed, and weighed by the Forest Service, and merit rejection of all action alternatives.

The East Fork of the South Fork of the Salmon is an outstanding whitewater river featuring massive waves, continuous rapids, excellent water quality and fishing, good camping, and easy access. Paddlers often travel to the East Fork valley to camp and paddle several rivers, including the East Fork, Secesh River, Johnson Creek, and the South Fork Salmon. Two sections of the East Fork of the South Fork are commonly paddled: Vibika Creek to Johnson

²¹ FEIS Pg. 4-679

²² Id.

Creek²³, and Johnson Creek to South Fork Salmon River.²⁴ The latter is downstream of the proposed mine, and impacts to water quality, and fisheries, and recreation were inadequately analyzed in the FEIS.

Many of the predicted impacts to Burntlog and Johnson creeks that are disclosed in the FEIS would have direct effects on this downstream reach. In both action alternatives, the EFSFSR would be negatively impacted by the proposed Plan of Operations. The FEIS does not analyze how sedimentation, pollution, and increased water temperatures in the EFSFSR would impact the SFSR. The FEIS states especially how 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,” (p. ES-17).

g. The DEIS fails to adequately address water quality impacts and threats to recreational river values of downstream reaches.

Whitewater paddling involves boaters getting splashed, hitting overhead waves that break over them, flipping over and rolling back up, and accidentally swimming in strong currents. This is especially true and frequent on large and challenging rivers like those flowing downstream of the proposed mine. In addition, recreational swimming and water-play are routine parts of most river trips, especially those involving children and those on the Wild and Scenic Main Salmon River. On river trips with kids, it is impossible to keep kids out of the water or the water out of the kids. During these repeated submersion and splashing events paddlers take untreated river water into their bodies through their mouths, noses, ears, eyes, and any cuts or scrapes they may have. In addition, during multi-day river trips, paddlers drink river water, and often solely river water, that is treated chemically or through filtration. Cumulatively over a multi-day trip, or many in a season, the water entering paddlers’ bodies can add up to significant amounts.

The FEIS is largely silent on the impacts of the proposed mine on downstream water consumption and contact - except in stating that “There would be no change in potential human health impacts from dermal contact or ingestion of river water downstream.” For example, according to the DEIS, several action alternatives are anticipated to significantly increase arsenic levels in the East Fork of the South Fork of the Salmon River, to as much as 13 times

²³ See: <https://www.americanwhitewater.org/content/River/view/?#/river-detail/616/main>

²⁴ See: <https://www.americanwhitewater.org/content/River/view/?#/river-detail/615/main>

the federal drinking water standard of 0.01mg/L.²⁵ We request that further analysis be conducted on potential health impacts of anticipated water quality impacts on downstream recreational visitors. In addition, there are likely unacknowledged risks associated with potential accidents at the mine site that could catastrophically impact water quality through release of untreated water over the long term or in a single event. The potential impacts of accidental pollution releases must be fully analyzed.

h. The DEIS fails to adequately address recreational impacts and threats and the impacts on downstream recreational values.

The rose-colored view of river recreation FEIS 4-589 arbitrarily and capriciously turns a blind eye to the risks the mine poses to downstream recreation. The FEIS arbitrarily states that “The SGP would not have any direct impacts on recreational river use.” This is false and is a finding disconnected from the facts in violation of the APA. As documented above, the FEIS clearly predicts impacts - and risks - to the scenery, water quality, fisheries, and soundscapes that make up the recreation experience on Johnson Creek, the East Fork South Fork Salmon, the South Fork Salmon, and, in the case of fisheries and water quality, the Salmon River itself.

Noise, dust, heavy traffic, land clearing, road improvements, water quality impacts, streambed alteration, and fisheries impacts will dramatically alter the recreational values of the Salmon River tributaries that could one day contribute to a Wild and Scenic designation. The FEIS fails to connect the impacts of the action alternatives on the recreational values of these streams associated with paddling, fishing, sightseeing, and other uses with the decision made to support the project.

The FEIS is largely silent on the impacts of the proposed mine on downstream water consumption by recreationists - except in arbitrarily stating that “There would be no change in potential human health impacts from dermal contact or ingestion of river water downstream.” We are unable to confirm in the analysis how this is the case given that the action alternatives are anticipated to significantly increase arsenic levels in the East Fork of the South Fork of the Salmon River, to as much as 13 times the federal drinking water standard of 0.01mg/L.²⁶ In addition, there are likely unacknowledged risks associated with potential accidents at the mine

²⁵ See standard at: <https://www.epa.gov/dwreginfo/chemical-contaminant-rules> and arsenic summary by alternative at DEIS: Pg. ES-25

²⁶ See standard at: <https://www.epa.gov/dwreginfo/chemical-contaminant-rules> and arsenic summary by alternative at DEIS: Pg. ES-25



site that could catastrophically impact water quality through release of untreated water over the long term or in a single event. The potential impacts of accidental pollution releases should have been fully analyzed. Barring such an analysis, the claim that there would be no impacts on recreation is arbitrary and capricious under the APA.

4. Statement that demonstrates the link between prior substantive formal comments submitted by the objector and the content of the objections, unless the objection concerns an issue that arose after the opportunity for formal comment.

On January 10, 2023, American Whitewater and Outdoor Alliance submitted comments on the Stibnite Gold Project Supplemental Draft Environmental Impact Statement (SDEIS). These comments highlight many predicted impacts of the project on protected waterways and flaws in the consideration of Wild and Scenic Rivers. These comments are directly linked to the content of this objection.

On October 28, 2020, American Whitewater and Outdoor Alliance submitted comments on the Stibnite Gold Project Draft Environmental Impact Statement (DEIS) These comments highlight many predicted impacts of the project on protected waterways, and flaws in the consideration of Wild and Scenic Rivers. These comments are directly linked to the content of this objection.

5. Conclusions

The Salmon River and its protected headwaters are too important to our nation in their wild state to risk damaging them - and to choose to damage them - for this project. The choice made by the Forest Service is the wrong one, is based on faulty logic, and conflicts with law and policy. Please change course on this project and require the responsible official to make the responsible choice - which is either the no action alternative or further analysis. Thank you for considering this Objection.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Colburn".

Kevin Colburn
National Stewardship Director



A handwritten signature in black ink that reads "Louis Geltman".

Louis Geltman
Vice President for Policy and Government Relations
Outdoor Alliance

