

October 18, 2024

to: Objection Reviewing Officer, Stibnite Gold Project
USFS Intermountain Regional Office
Room 4403
324 25th Street
Ogden, Utah 84401

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Payette National Forest
Supervisor's Office

from: Charles Ray



Objections to the FEIS and ROD for the Stibnite Gold Project, Payette National Forest

My standing to make these objections

I am a full time, year round resident of Valley County, Idaho. I have participated in the public process for the Stibnite Gold Project since its beginning. I submitted comments for scoping and on the Draft EIS.

I object to the FEIS and the ROD for the following reasons:

Alternatives to the Proposed Action

I object to this FEIS and ROD, because the FEIS presents and analyzes just one action alternative.

The CEQ regulations implementing the NEPA identify Alternatives as “....the heart of the Environmental Impact Statement.” These regulations further state that the range of alternatives should, “.....sharply [define] the issues and [provide] a clear basis for choice among options by the decision-maker and the public.”

The single action alternative selected for study in the FEIS does not fulfill this clear requirement. Instead, the USFS attempts to disguise a single action alternative - Perpetua's mining plan - as two by considering two access routes to the mine. Two access routes does not make two alternatives: the mine plan is the same regardless of how you get there.

Alternatives to the Proposed Action - continued

The USFS's choice to present just a single action alternative, instead of the "range of alternatives" as required by NEPA, is a fatal flaw. Since the "heart of the Environmental Impact Statement" is fatally flawed, any decision based upon this FEIS is equally flawed. I suggest this may only be remedied by withdrawing this FEIS and developing and analyzing a true range of action alternatives in a new EIS.

Amendments to the Forest Plan

I object to the approval of any mine plan that requires amendments to the Payette National and Boise National Forest Plans. These Plans were adopted after years of work and thousands of public comments. It is not fair or right to arbitrarily dismiss the results of those processes simply to accommodate the Perpetua's wishes.

If this mine plan is as good as the USFS seems to believe, then why do Forest Plans have to be amended to legitimize it? I suggest formulating and analyzing a mine plan that does not require amendments to Forest Plans.

The ROD is biased and improperly influenced

I object to this FEIS and ROD, because the Department of Defense gave Perpetua at least \$50 million to further the permitting and development of the project — without any NEPA review and before the Stibnite Mine FEIS and ROD were issued. NEPA is clear that, while work on a required ... environmental Impact statement is in progress, agencies may not in the interim undertake any action that would "prejudice the ultimate decision of the program." The Department of Defense grant does exactly that: it prejudices the Stibnite Gold Project decision making process. This is a clear violation of NEPA. It also creates a public perception of bias, presents a glaring ethical problem for the USFS, and taints the entire NEPA process for this project.

Additionally, the FEIS contains only cursory mention of the DoD grant money and no analysis of its effect.

For the NEPA aspect, I suggest withdrawing the ROD and issuing another that selects the "No Action" alternative. For the ethical and public perception aspects, I offer no suggestions for unspilling this milk.

Conclusion

The remedy for these deficiencies and violations of NEPA is for the Forest Service to withdraw the FEIS and DROD and not issue any decision or take any action based on the inadequate and tainted FEIS. The Forest Service must not take any action until a revised FEIS and revised DROD demonstrates full compliance with each and every law, regulation, policy, and Treaty. The Regional Forester must withdraw the FEIS and DROD with instructions to the Payette National Forest to correct all errors noted herein before the Agency can consider approving or taking any actions.

Sincerely,

Charles Ray

Charles Ray



cc: Matthew Davis, Payette Forest Supervisor
Stibnite Gold Project
500 N. Mission St., Building 2
McCall, ID 83638