

Mr. Aaron Coogan, Bridgeport District Ranger
Humboldt-Toiyabe National Forest
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Bridgeport, CA 93517

May 29, 2026

Dear Ranger Coogan,

Thank you for the opportunity to comment on the Burnt Rock Exploration Project. With the multitude of environmental law changes in policy, We are only hoping that the comments of concerned and impacted Americans still have an impact on project design or approval. With regard to this proposed project, we believe that an Environmental Assessment is inadequate: the vast acreage impacted within proposed critical habitat for sage grouse; the duration of the Project (10 years!); the already impacted, burned area that is susceptible to easy invasion of weeds if roads and drilling pads are built within it; rare wetlands within the Project area; the copious number of drilling pads and bore holes; the potential to contaminate and breach water tables in an already arid environment already faced with climate change; the copious amount of water needed; and the mileage of “temporary” roads proposed to be constructed within a roadless area, all seem to demand a more in-depth study prior to destroying such a large area upon which wildlife depend.

APPLICABILITY OF EXECUTIVE ORDERS

Executive Order 14156 declaring an energy emergency in January, 2025, does not apply, both due to the time since the EO was announced and that it was specific to petroleum, oil and coal, not minerals. See the excerpt below. Please consider putting the well-being of local resident American citizens first—don’t allow a foreign company to destroy our home, and leave U.S. taxpayers to foot the bill for invasive species removal, potential degradation and depletion of ground and surface water, and massive acres of disturbed land (because it’s always the case that mining companies leave a mess, regardless of the inadequate bonds that are required by the 1872 Mining Act and the proposed reclamation plan).

The integrity and expansion of our Nation's energy infrastructure—from coast to coast—is an immediate and pressing priority for the protection of the United States' national and economic security. ***It is imperative that the Federal government puts the physical and economic wellbeing of the American people first.*** (emphasis added)

- a) The term “energy” or “energy resources” means crude oil, natural gas, lease condensates, natural gas liquids, refined petroleum products, uranium, coal, biofuels, geothermal heat, the kinetic movement of flowing water, and critical minerals, as defined by [30 U.S.C. 1606](#) (a)(3).

(d) The term “refining” means the physical or chemical change of energy into a form that can be used by consumers or users, including, but not limited to, the creation of gasoline, diesel, ethanol, aviation fuel, or the beneficiation, enrichment, or purification of minerals.

EO 14241 may possibly apply to this project in legalese, however, to a layperson, it appears to apply to ‘shovel ready’ projects, not exploration projects, and it doesn’t seem to imply an emergency push through NEPA.

INVASIVE WEEDS

Excerpt from the draft EA documents:

In addition to species designated as noxious under federal and state regulations, the NWMP also includes other non-native, invasive species of concern identified during surveys and in the vicinity of the Project area (e.g., cheatgrass (*Bromus tectorum*), halogeton (*Halogeton glomeratus*), prickly Russian thistle (*Salsola tragus*)). Control and monitoring measures for these species are included to reduce potential spread and associated adverse impacts.

Key requirements of the NWMP include: 1) thoroughly wash all equipment prior to entering the National Forest to prevent the spread of noxious weeds; 2) treat any new infestations of noxious weeds along roads and access roads (requiring maintenance) prior to implementation to reduce the threat of inadvertent redistribution; 3) monitor the Project area for noxious weeds; and 4) treat any noxious weed infestation within the Project area that results from Project activities for at least a three-year period following the last activity.

Our experience: We have been monitoring and pulling weeds on a site where HTNF contractors did some road work well over six years ago. Not only do we find weeds on the site that were not there prior to the project, but we have been finding weeds that were not even anywhere else on the road corridor. Thus, we KNOW that three years of monitoring (and, hopefully eradication of) weeds within the disturbed areas within the Project area is NOT ADEQUATE if the true goal is to prevent further spread of invasive weeds. Granted, this is a road site, and there is light traffic for the half of the year when the road is accessible. The project proponent should be required to monitor and eradicate until a succession of years of monitoring reveals no more invasive weeds. For the disruption to our lands for the monetary gains of a foreign corporation, this does not seem like a large request. It’s JOB CREATION for Americans, too! Neither of us have yet seen an invasive weed site that was eradicated remain weed-free without perpetual intermittent eradication/control. Seeds will be collected by wildlife (sometimes inadvertently, sometimes cached) and spread, even if there is no mechanized traffic from a closed road.

In addition, spraying weed sites most likely will also eradicate any native plants that are needed to restore habitat and roadbeds. Selective eradication by hand or other means

seems appropriate. Also, many herbicides have other detrimental impacts to wildlife and insects, besides plants! This should be included in the analysis. We disagree with the Botany report's conclusion that the likelihood of weed spread if this project goes through is only "moderate". Our assessment is that it is high due to presence of weeds in the vicinity, the number of vehicles that will be moving in, out and through the Project area, livestock and wildlife presence within the Project area, and the amount of ground that will be disturbed.

Because there are already weed infestations within the Project area, particularly in recently disturbed burned areas or eroded areas caused by recent heavy downpours and mudflows, cleaning a vehicle prior to entering FS lands will not prevent dispersal of existing species, although it may prevent new species from being introduced. My direct observation has been that on-the-ground employees don't usually know how to identify weeds, and thusly, may drive through or park in weed patches, unintentionally spreading weed seeds. The encroachment of new roads into non-disturbed and disturbed areas **will** spread weeds, and even the EA allows for weeds to remain following completion of the Project. The reason these weeds have been identified as invasive is because they can survive in often hostile, disturbed ground, and they are prolific and spread rapidly. Thus, the fire danger near Hawthorne and on proposed critical habitat will increase.

CULTURAL RESOURCES

CP Resources would not knowingly disturb, alter, injure, or destroy any scientifically important paleontological remains or any historical or archaeological site, structure, building or object on federal lands. If culturally or archeologically significant resources are encountered at proposed drill sites, laydown areas, and drill roads, work at such sites would cease immediately.

This process seems backwards, as the USFS apparently expects that CP Resources would have the ability, knowledge and desire to identify cultural resources that could prevent or disrupt their project. This is especially disturbing because large equipment will be used for all ground disturbing activities. Don't archeologists work on the ground using hand tools? In addition, cultural non-tangibles, such as sacred areas, must be identified by tribes, not consultants. It seems that this should be done prior to both project planning and implementation, not during.

HABITAT FOR BI-STATE DPS SAGE GROUSE AND OTHER WILDLIFE

According to the Wildlife Biological Assessment (BA), the HTNF uses the distance of 4.7 miles from active leks to identify potential breeding habitat use by sage grouse. All proposed critical habitat in the Project area, where ground disturbing activities would occur, is within 4.7 miles of leks and could provide breeding and nesting habitat.

While sagebrush communities are widespread in the proposed critical habitat/Project area, riparian and wet meadow habitats comprise only ~14 acres. Within the Project

area, there are two springs and one riparian meadow within proposed critical habitat. Seasonally moist areas provide brood-rearing habitat and will be jeopardized by noise, light, activity and potentially dropped water tables, for at least 10 years, and possibly in perpetuity. These wetlands are also crucial for other desert species, from birds, reptiles and insects to small mammals such as bats and larger mammals such as deer and pronghorn. So, for at least 10 years, this project will detrimentally impact resident and migratory wildlife, fragmenting habitat. The proposed Project seems like a huge, long-term impact that is not being mitigated, other than by down turned lighting that still brightens the night. Light pollution has specifically been observed to reduce survival rates of sage grouse, and is known to especially impact migrating wildlife and resident bats. It also appears that amphibians of unknown identity have been observed within the Project area. Aside from the fact that it seems prudent to identify the species, amphibians are reliant upon wetland areas with surface water for breeding. In addition, studies have indicated that amphibians, toads specifically, will exit underground burrows when loud vibrations from vehicles occur nearby that mimic the signaling sound of rain, which induces them to breed. This project will negatively impact such species.

Noise has no mitigation. In fact, typical surveys to collar sage grouse use noise and lights to allow easier capture of grouse. This exploratory Project will impact at least 10 generations of grouse and other wildlife, presumably more if the exploration results in adequate amounts of minerals to justify further mining.

According to the BA and common sense, it will take many years, even decades for vegetation to recover to again become suitable habitat for many species, including sage grouse, if indeed it recovers without invasive weeds. There are too many potential impacts to wildlife for an EA to be adequate for this Project.

Per the EA, drilling activity will mainly affect already burned habitat, with only ~13 acres of unburned proposed critical habitat being impacted. The huge expanse of previously burned area where sagebrush communities have yet to recover will be further impacted by this Project. Already disturbed ground is much more susceptible to weed invasion. Further, the EA states that: the initial drilling program may impact individual greater sage-grouse - Bi-State DPS, but would not likely lead to a trend toward federal listing or a loss of viability of this species. In total, the Proposed Action when fully implemented could impact 250 acres or 3.7 percent of proposed critical habitat within the Project area and result in habitat loss and subsequent fragmentation, soil disturbance, and increased risk of noxious and non- native invasive plant establishment and spread.

The fact that vast areas of proposed critical habitat for the greater sage grouse has been damaged by fire and is within the Project area, doesn't negate the importance of the remaining non-burned proposed habitat. In fact, the relatively intact proposed habitat is even MORE important now that there is less overall habitat. The "viability of this species" will definitely be jeopardized if there are other such projects with other such reasoning (cumulative impacts?). But, in the under the current federal administration, I am sure that the conclusion that this Project will "not likely lead to a trend toward federal listing..." (this statement is invoked for all other species impacted,

including botanical species) even though the direct disturbance, including habitat fragmentation, noise, light and noise pollution, water degradation, et cetera, will occur over at least a 10 year span with most impacts lingering for decades if not in perpetuity.

HYDROLOGY/WATER QUALITY

Drilling waste will be dumped into excavated holes on the drill pads, called sumps to contain the waste. Sumps should be top fenced with cyclone and screening to prevent access and trapping of smaller animals, including bats that will often swoop down into even small pools. In addition, full disclosure of water quality testing should occur, as these sumps are designed to allow percolation of liquid into the ground, eventually reaching the water table. The assumption that the sumps will be re-filled, topped, and re-vegetated, so it seems imperative to know if hazardous wastes are present, especially since sulfide products are present in drilling waste, and there is no MSDS or ingredient listing for the drilling products proposed to be used. In addition, if more space is needed, the drilling spoils will be removed from the sump and piled to dry on the drill pad. Wind, critters, and any downpours can move this material, so knowledge of its composition is appropriate.

“Discharge rates would not exceed the threshold volume (250 gallons per minute) and time (48 hours) requiring a discharge permit from the State of Nevada.” So, over a 10 year period, drilling nine months of the year, 24 hours a day, no discharge permit would be needed?!

An online search regarding regular water quality testing of the Humboldt Pit “Lake,” revealed nothing, nor was there anything projecting whether there would be an impact to the water quality in the “lake” from water withdrawal or whether the water quality of that water could detrimentally impact groundwater quality. This should be addressed.

Drill rigs would typically be in operation 24 hours per day. With average drill lengths of 2,000 feet. Up to 12,000 six-inch diameter bore holes will be drilled, with 10 drilling rigs working simultaneously. Per the Hydrogeology report, it appears that groundwater quality is currently unknown, but that Baseline conditions will be tested near drilling sites prior to commencement so as to be able to define impacts on both surface and groundwater. However, the plan is not yet written, nor does the existing document state what will occur if there is a detrimental impact. It is concerning with the number of penetrations that there is no existing plan for corrections if there is a draining or contamination of an aquifer. Does proven technology and methodology exist that could remedy such a situation? Is there a protocol or remedy if a confined aquifer is breached to prevent depletion? If so, what is it? Can contamination to aquifers be contained?

It would have been helpful to have an overlay of the Project on the water resources map to better understand the direct impacts from road building, drilling, et cetera on the ephemeral and permanent surface waters.

BOTANY

All FS sensitive plant species observed in the Project area are impacted by past or current mining activities and invasive weeds. Climate change will exacerbate the effects. Other mining activities that were allowed to move forward have detrimentally impacted these species already, so that allowing this Project to move forward only further impacts them via cumulative impacts. Changes in hydrology and weed spread will occur from this potential Project, in addition to direct impacts where flagged populations will allow the Project proponents to **attempt** to avoid them...but avoidance is not mandated in the Project proposal.

INVENTORIED ROADLESS AREAS

Per the EA: "The Proposed Action would occur within two Inventoried Roadless Areas. Disturbance would be temporary and affect a maximum of 0.8 percent of the Mt. Hicks IRA and 3.4 percent of the Larken Lake IRA. All disturbance in IRAs would be reclaimed. The Proposed Action is consistent with the 2001 Roadless Area Conservation Rule because it authorizes actions including temporary road construction"

Just an observation that it will be decades, if ever, until the impacts of the "temporary" roads are gone. This is a desert, with little moisture, extreme weather, and, under the influence of climate change, impacts will likely last a lifetime, if not forever—especially if the invasive weed monitoring and eradication is not conducted adequately.

Recreational use on the roads will ensure that weeds are spread beyond the Project area. If mining activities proceed, the roads, presumably won't be temporary, but are within a roadless area, against the Forest Service Roadless Rule.

Maintenance of existing NFS roads and construction of new access roads will increase the number of recreational motorized vehicle using the area and increase use in inventoried roadless areas. Recreational users are restricted to the use of existing, open roads and motorized trails that are shown on the BRD motor vehicle use map and designated open roads on BLM-managed public lands. There are no seasonal use restrictions on recreational use of roads within the Project area and vicinity and use could occur at any time during the year when weather conditions permit. The Project area is accessible during average spring conditions and public use of constructed access roads will most likely occur during the breeding and nesting season of sage grouse and other wildlife.

In addition, after a decade of recreational use that will occur within the inventoried roadless area, decommissioning the roads will present a challenge. Suitable barriers, in addition to the re-seeding, re-contouring, etc. will need to be placed.

HAWTHORNE COMMUNITY

Increased traffic in this rural area, heavy equipment impacts to the highway surface, especially with water hauling, light pollution, impacts to their views when outside of town, and potential impacts to community water supply and quality should be addressed adequately. And will employees really spend 10 years staying in hotels?!

CUMULATIVE IMPACTS

The cumulative impacts of the proposed mine explorations combined with the presence of feral horse herds, livestock grazing, and recreational use will intensify activities and consumption of wetted areas as well as facilitating the increased spread of weeds caused by the proposed Project. If wetlands within the Project site are avoided by wildlife, feral horses, and livestock due to human activity, any adjacent wetlands and waters will be impacted further by these other users, notwithstanding the potential for decreased water table level due to the drilling penetrations of this Project alone. Climate change, which is causing more extreme weather, including droughts, heat extremes, and heavy rainfall deluges with lightning, and increased probability of wildfire, was not considered in the face of this Project moving forward.

There are other mining projects proposed for this area, all involving penetrating groundwater, with the potential for diminishing quality and quantity of ground and surface water, increasing weed distribution, degrading overall wildlife habitat and views, air quality, peace, and nighttime dark skies. These projects were listed as being in the permit stage or otherwise, but cumulative impacts of all the proposed projects in the area were not analyzed. In addition, the document states that "Mining is not considered a reasonably foreseeable future action because mineral exploration can occur over many years and never lead to the development of a mining proposal." So without a full environmental analysis, I suggest that, for the benefit of Americans, our view-scapes, our water, and our wildlife habitat, we just skip the exploration and its detrimental impacts to over hundreds of acres and pick the other alternative: no action.

MONITORING AND REMEDIATION ACTIONS

The EA cites studies that claim it takes eight to 74 years for sagebrush communities to recover after disturbance then seeding. CP Resources is only committing to three years of monitoring, and hopefully weed eradication. This is inadequate. In addition, the presence of invasive weeds is stated to be allowed following the Project, even if they weren't formerly there, but monitoring will occur via transects that may miss both weedy areas and disturbed areas. Thus there will be weed expansion into areas that currently are weed free. The minimal environmental requirements for implementation and permitted disturbances are unacceptable from a citizen's point of view who will gain nothing from this Project but negative impacts. The length of time necessary for the recovery of the Project area, including the vast area impacted, underscores my understanding that this Project should require further environmental analysis with more mitigating features if it must proceed.

IN SUMMARY

The duration of ten years, plus potentially another seven decades for the land to restore just the vegetation; potential and likely expansive introduction of weeds; the lack of due diligence with regard to Indigenous cultural surveys; the detrimental impacts to proposed critical habitat (which, if successfully protected, the Bi-state DPS will bypass

federal listing of sage grouse); the proposed fragmentation of habitat for other wildlife, including pronghorn and mule deer; the very real possibility of drastic impacts to local surface and groundwater in an arid region; the scope of the Project in both acreage and duration; and the number of ground disturbing actions, including ~12,000 drill holes; and miles of roads in an IR area where invasive weeds are likely to spread; and a decade of light and noise pollution, which will impact wildlife and human habitants, all point to the need for a more in depth study.

Additionally, with only two alternatives listed: this huge proposed Project will impact wetlands, previously burned area in the process of healing, and the numerous probable impacts listed above if it goes forward, we support the no action alternative, for the good of the American people, both economically and because we shouldn't be gambling with such potentially drastic impacts to life-sustaining water in arid areas.

Thank you for your attention.

Dawne and Brett Emery