Impact Statement

The socioeconomic analysis prepared for this Environmental Impact Statement (EIS) must reflect current conditions rather than relying on assumptions established nearly three decades ago. The 1998 Nye Mineral Development Impact Plan was based on local home values averaging approximately $70,000, workforce projections that have since been substantially exceeded, and socioeconomic conditions that no longer resemble today's realities. Continuing to rely on these obsolete baselines to evaluate a proposed 42-year permit extension would significantly underestimate the true impacts experienced by Park City School District No. 5 (PCSD #5) and Park City taxpayers.

The original impact analysis projected a maximum mine workforce of approximately 700 employees. Actual employment has at times exceeded 1,700 workers, creating cumulative demands on school facilities, transportation systems, and public services that were never anticipated or adequately mitigated. Despite decades of documented growth, PCSD #5 has absorbed these impacts without receiving equitable mitigation through the existing impact plan.

The EIS must evaluate the structural inequities within the current property tax framework and analyze the authority provided under Montana Code Annotated § 90-6-401 to equitably share the mine's property tax base among affected school districts. Without this analysis, Park City taxpayers continue to shoulder a disproportionate financial burden while the district's ability to finance school improvements through bonding remains constrained.

In addition, the socioeconomic analysis must examine how mine-sponsored housing limitations and workforce transportation policies have shifted residential growth into surrounding communities such as Park City. Housing affordability, commuting patterns, and workforce distribution are not isolated market forces but are directly influenced by operational decisions that have measurable impacts on local schools and infrastructure.

The analysis must also accurately assess both in-migration and out-migration associated with mineral development. Student enrollment within PCSD #5 has demonstrated a documented relationship with mine employment levels. During periods of expansion, increased enrollment places immediate demands on staffing, classrooms, and transportation. During downturns, declining enrollment creates financial instability under Montana's school funding model. These impacts are neither speculative nor theoretical and must be analyzed using historical enrollment and employment data rather than dismissed as uncertain variables.

Furthermore, the agencies must recognize that the current regulatory framework applies an inconsistent evidentiary standard. The 1998 Impact Plan granted "affected" status to neighboring jurisdictions based largely on projected impacts rather than documented historical evidence. Today, Park City School District is being required to satisfy a substantially higher burden of proof despite decades of measurable impacts. This inconsistency creates an inequitable barrier to participation and should not be used to justify the district's continued exclusion from mitigation.

The administrative record already contains substantial evidence supporting these concerns. The Final EIS should include a comprehensive review of the public record, including the audio recordings and transcripts from the September 24, 2021, and November 30, 2023, Mine Impact Board meetings. These proceedings demonstrate that Park City School District's exclusion is not the result of an absence of impact but rather reflects longstanding deficiencies within the existing mitigation framework.

Under both the National Environmental Policy Act (NEPA) and the Montana Environmental Policy Act (MEPA), the lead agencies are required to take a "hard look" at cumulative socioeconomic impacts before approving a major federal action. Reliance on outdated socioeconomic assumptions from 1998 to support a 42-year permit extension would fail to satisfy this legal obligation and would produce an arbitrary and capricious analysis that does not accurately disclose foreseeable impacts to affected communities.

For these reasons, the Final EIS should conclude that the existing Nye Mineral Development Impact Plan is no longer adequate to address current socioeconomic conditions. The Final EIS should specifically recommend that the Impact Plan be amended to formally designate Park City School District No. 5 as an affected local government unit eligible for equitable property tax-sharing allocations and other mitigation measures necessary to address the documented cumulative impacts of long-term mineral development.