

Data Submitted (UTC 11): 9/22/2020 6:00:00 AM

First name: Celeste

Last name: Miller

Organization:

Title:

Comments: I write as a parttime, 40+ year resident of Valley and Ada counties, and as an avid outdoor recreationist who loves Idaho lands, mountains, rivers, lakes, and wildlife, including her iconic Salmon fisheries. I support adoption of Option #2 in the DEIS without government-imposed conditions that would make the project infeasible.

By way of perspective, I spent over twenty-four years of my career as an Assistant U.S. Attorney, representing, among other agencies, the EPA and the US Forest Service on both civil and criminal litigation matters. During my tenure I was twice honored by the Environment and Natural Resources Division of the United States Department of Justice with Certificates of Commendation, and once by the

Environmental Protection Agency with a Bronze Metal for Commendable Service. My work representing agencies of the U.S. government consistently challenged me to become familiar with all sides of controversial matters so as to best guide government decision making, strategies and tactics.

Now retired (and not speaking on behalf of the United States, but as a private citizen), I have brought those familiar skills to my consideration of issues surrounding the Midas Gold project at Stibnite to restore the site and conduct mining operations. No federal environmental legislation such as NEPA, the Clean Water Act, nor any regulations promulgated thereunder prohibit mining, yet opposition groups seek to achieve that result. The Idaho state seal depicts a miner. Students of mining engineering can obtain college degrees from Idaho universities.

Historically, many mine sites in Idaho created environmental disasters, including at least one EPA designated Superfund Site, and another as extremely hazardous (Bunker Hill and Triumph, respectively). Mines operated to enhance America's military efforts during war prioritized those efforts over restoration and left conditions so hugely destructive that environmental clean-up was cost-prohibitive.

In stark contrast to those situations (that understandably make us all skeptical of mining) is the fact at Stibnite that the minerals credibly predicted as present on the site are sufficient to fund site restoration, pay decent wages and benefits to a workforce (in an otherwise economically challenged area), fund clean-up, and produce profit to Midas Gold of a magnitude that it will well deserve at the end of the day. Legislative requirements such as bonding to ensure clean-up backstops the Midas Gold projections and promises on these points.

Isn't this the situation envisioned by our environmental laws?

When I think of restoration and clean-up in the context of the Midas proposal, I specifically think of the three species of salmon that have been trapped by the aftermath of the Stibnite project in the East Fork of the South Fork of the Salmon River, the enormous tailings piles, and other site degradation that will remain forever if the Midas project is denied or rendered infeasible. That outcome simply does not reflect legislative intent of the Congress that sought to prevent the very conditions now existing at the site. Midas mitigation plans could have been more prominently placed (or at least summarized in the Executive Summary of the DEIS, for example) to more fully inform the public.

I commend the Forest Service for providing a 15-day extension to the period for commenting on the DEIS. This increase of 33% over the required 45-day comment period is easily consistent with Ninth Circuit precedent, such as *Kootenai Tribe of Idaho v. Veneman*, 732 F.2d 1462, 1465 (9th Cir. 2001) (reversing district court injunction to extend comment period in excess of a 50% over the required time), and *County of Del Norte v. United States EPA*, 911 F.2d 499 (9th Cir. 1984).

My additional environmental concerns here include the broader scale of adverse effects of consumer reliance on mining in foreign countries with far fewer environmental protections than are present in the US. The minerals present at Stibnite, particularly antimony and gold, are critical components of lifesaving and ordinary products such as pacemakers and mobile phone components. Environmental degradation in countries currently supplying the makers of these products create adverse global impacts that will be ameliorated by mining for them here at home. Additionally, shipments of components around the globe can be minimized if we obtain them in Idaho instead of acquiring them from distant lands.

I have attended a presentation by the Idaho Conservation League on mining. With respect to this project, I found the discussion to have been misleading at best, and downright deceptive at worst. After research of cases addressing comment period extensions, I consider the opposition groups' request here for an extension of 120 days in addition the 60 days lawfully provided to be unnecessarily extensive and unsupportable under applicable law.

Thank you for weathering the controversy and for the enormous task of evaluating this proposal and comments. I trust the government will not be persuaded or misled by opposition, and that your considerable, collective expertise will result in a sound decision consistent with Option #2 of the DEIS.