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Comments: Introduction

The Colorado Mining Association (CMA) is submitting these comments on the Payette and Boise National Forests' Draft Environmental Impact Statement (DEIS) for Midas Gold Idaho Inc.'s (Midas Gold's) proposed Stibnite Gold Project (SGP) in Valley County, Idaho. [INSERT INFORMATION ABOUT CMA.]

Legacy Mining Issues

The Colorado Rocky Mountains are the home to many important and famous historical mining districts like Pikes Peak, Leadville, Aspen, and Telluride — just to name a few. These mining districts have several things in common with the Stibnite Mining District where the proposed Stibnite Gold Project (SGP) is located. All these mining districts were all discovered and developed in the 19th century, more than a century before the enactment of the environmental regulations that govern modern mining operations. Like Stibnite and countless other mines that operated throughout the west in the 1800s and 1900s, these Colorado mines provided the silver, lead, zinc, copper, gold, antimony, tungsten, and other minerals needed to build our Nation and the minerals necessary for the Nation's war efforts during the 20th century.

But in addition to the tremendous contributions mines like Stibnite made to our country's growth and development, the mines left behind mine waste piles, underground openings, and other mine features that are creating environmental problems. Finding practical solutions to these problems poses a difficult public policy challenge. CMA members are thus quite interested in Midas Gold's innovative Plan of Restoration and Operation (PRO) that features environmental restoration as part of a new mining project. We believe the SGP provides an example of how modern mining can be used to solve environmental problems at an old mining district.

Based on our review of the DEIS, it is clear that the Proposed Action to integrate an environmental cleanup with the redevelopment of the Stibnite mine site will benefit the environment and the public both during and after operation of the mine. With this in mind, we urge the Forest Service to approve this project as soon as possible so people can be put to work performing the important cleanup and mining activities outlined in the PRO.

CMA also suggests that the Forest Service's Agency Preferred Alternative should be based on one of the alternatives that locates the tailings storage facility (TSF) in the Meadow Creek valley (e.g., Alternatives 1, 2, or 4), where a 10-million ton pile of legacy tailings and spent leached ore is located. These alternatives will provide the most environmental benefit because they will remove the mine wastes that are a source of contaminants currently degrading the watershed. The proposed reprocessing and repurposing of these legacy materials is a volumetrically small but highly impactful component of the site restoration and mine plan.

CMA urges the Forest Service to reject the Alternative 3 location in the East Fork of the South Fork of the Salmon River (EFSFSR) for the TSF for two reasons. First, placing the TSF in this location would forgo the important opportunity to remove the 10-million ton legacy waste pile that is currently contributing arsenic, antimony, and other contaminants to Meadow Creek, which is a tributary to the EFSFSR. Secondly, it makes much more sense to use the previously disturbed land in Alternatives 1, 2, and 4 for the TSF rather than using the currently undisturbed land at the EFSFSR location for the TSF.

CMA notes with interest that the proposed removal of the 10-million ton "hot spot" source of

contaminants in Alternatives 1, 2, and 4 is a minor piece of the 100 million ton proposed mining operation. However, this small removal of legacy mine wastes will create enormous and long-lasting environmental benefits by improving water quality in the watershed.

The No Action Alternative

The No Action Alternative (Alternative 5) is not a viable alternative for several reasons. First, it would deny Midas Gold its rights under the U.S. Mining Law (30 U.S.C. [sect] 21a et seq) to develop its mining claims. Secondly, the No Action/Do Nothing Alternative would preserve the status quo, which would mean that the environmental problems at Stibnite would persist for the foreseeable future. The No Action Alternative would illogically forgo the important environmental benefits that would result from approving the SGP, representing a lose-lose situation for the environment and the public.

According to the remediation efforts discussed in Section 3.7.3.3 of the DEIS, the Stibnite mine site was placed on the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) in 1991 and proposed for listing on that National Priorities List (NPL) in 2001. No action has been taken on the proposal to place the site on the NPL. Removal actions have taken place in 1998, 2003, 2004, 2005, and 2009.

Midas Gold's proposed \$1 billion investment to implement the PRO clearly shows that cleaning up the environment at Stibnite carries a hefty price tag. The above-listed previous taxpayer-funded cleanup activities at the site were insufficient to address many of the historic mining features that are shown on Figure 3.7-2. These previous, under-funded efforts have left the site in its current problematic condition.

CMA understands that in 2012, private parties and the federal government reached an agreement to address the liabilities at the site. Under this agreement, the federal government agreed that it would not take any further action against the federal agencies, including the U.S. Department of Defense, that were involved with the World War II- and Korean War-era tungsten and antimony mining activities that created many of the environmental problems at Stibnite. (The 10-million ton legacy waste pile discussed above was created during World War II and the Korean War.) The U.S. Department of Agriculture was also a party to this agreement.

In light of this agreement, the question must be asked: if Midas Gold doesn't clean up Stibnite then who will? It appears that there are no remaining entities who could be held accountable to fund a cleanup. Nor is it likely that the State of Idaho or the federal government will be in a future position to appropriate taxpayer monies and make the same level of investment to clean up the Stibnite mine site as Midas Gold is proposing.

Given this situation, CMA believes that the Forest Service must reject the No Action Alternative out of hand and suggests that the Final EIS present a detailed and thorough explanation of why the No Action Alternative cannot be selected. This explanation should describe the degraded environmental conditions that would continue for many years and perhaps even worsen under the No Action Alternative.

The Forest Service should also explain that selecting the No Action Alternative would be inconsistent with the agency's statutory obligations under the Organic Administration Act of 1897 (16 U.S.C. [sect] 478), which directs the Forest Service to authorize mining on National Forest System lands but to regulate mining and other activities in the National Forests to prevent environmental harm. CMA suggests that the SGP presents the Forest Service with a unique obligation and opportunity to authorize a highly regulated mining project that will reduce the ongoing environmental harm stemming from previous, pre-regulation mining activities.

Antimony is a Critical Minerals

The SGP would produce antimony as a byproduct of the gold production, making it the only domestic antimony mine. In 2018, the U.S. Geological Survey designated antimony as a critical mineral. The antimony chapter in the USGS's 2020 Mineral Commodity Summaries states that in 2019, the U.S. imported 86 percent of the

antimony we used from China and Russia.

On September 30, 2020, President Trump issued an Executive Order (EO) entitled, [ldquo]Addressing the Threat to the Domestic Supply Chain from Reliance on Critical Minerals from Foreign Adversaries.[rdquo] In this EO, the President declares the country[rsquo]s reliance on countries like China for critical mineral as a national emergency:

I[hellip]determine that our Nation[rsquo]s undue reliance on critical minerals[hellip]from foreign adversaries constitutes an unusual and extraordinary threat[hellip]to the national security, foreign policy, and economy of the United States. I hereby declare a national emergency to deal with that threat.

Section 6 of the EO directs the Secretary of the Interior, the Secretary of Energy, and the Administrator of the Environmental Protection Agency to [ldquo]examine all available authorities of their respective agencies and identify any such authorities that could be used to accelerate and encourage the development and reuse of historic coal waste areas, material on historic mining sites, and abandoned mining sites for the recovery of critical minerals.[rdquo] This directive has special relevance to the SGP proposal to reprocess and repurpose the 10 million tons of legacy mine wastes.

Antimony[rsquo]s critical mineral status and the new Critical Minerals EO are compelling reasons why the Forest Service should approve the SGP as soon as possible. Timely approval of the SGP is a necessary response to the September 30th Critical Minerals EO and would be a significant step towards reduce the country[rsquo]s reliance on China and Russia for antimony.

Conclusion

CMA commends Midas Gold and the Forest Service for working together on the SGP. It is evident from the DEIS that the Company and the Forest Service have collected an impressive amount of baseline data and performed detailed, state-of-the-art environmental and engineering studies to define the Affected Environment in Chapter 3 and to evaluate the environmental consequences of implementing the Proposed Action and the three other action alternatives in Chapter 4. As a result, the DEIS is a very thorough and comprehensive analysis that will support the Forest Service[rsquo]s decision making process.

CMA appreciates this opportunity to provide comments on the SGP DEIS. We believe the SGP is a project of importance to the environment, the State of Idaho, and the Nation. Given its importance, we urge the Forest Service to prepare the Final EIS as quickly as possible so: 1) the many environmental and socioeconomic benefits that will result from the SGP can become a reality; and 2) to reduce the national emergency stemming from our reliance on China and Russia as our main sources of antimony. Given the Forest Service[rsquo]s easily accessible project website and virtual meeting room, we believe the public has been given ample time to review the DEIS. Consequently, there is no need to further extend the public comment period. The 75-day public comment period is sufficient and exceeds the required public comment period by 30 days.