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Comments: We are in process of reviewing the draft EIS for this project and our biggest concern is that the document does not include that amount of money that Midas will need to put into the cash bond that is required for final approval by the Payette National Forest. We remain very concerned about the funding for remediation after the mining is completed, given the record of previous Canadian mining companies going bankrupt (see attached). American tax payers have to pay for most of the costs to clean up the mess left by those Canadian-funded mines. However, it is reassuring that per the section that I pasted below, Midas would be required to post a cash bond up front to cover these expenses.

2.3.7.16 Closure and Reclamation Financial Assurance (page 201 of the Executive Summary)

As part of the approval of a plan of operations for the SGP, the PNF Forest Supervisor would require Midas Gold to post financial assurance to ensure that NFS lands and resources involved with the mining operation are reclaimed in accordance with the approved plan of operations and reclamation requirements (36 CFR 228.8 and 228.13). This financial assurance would provide adequate funding to allow the Forest Service to complete reclamation and post closure operation, including continuation of any post closure active or passive water treatment, maintenance activities, and necessary monitoring for as long as required to return the site to a stable and acceptable condition. The amount of financial assurance would be determined by the Forest Service and would "address all Forest Service costs that would be incurred in taking over operations because of operator default" (Forest Service 2004). The financial assurance would be required in a readily available bond instrument payable to the Forest Service. To ensure the bond can be adjusted as needed to reflect actual costs and inflation, there would be provisions allowing for periodic adjustment on bonds in the final plan of operations prior to approval. Calculation of the initial bond amount would be completed following the Record of Decision, when enough information is available to adequately and accurately perform the calculation.

In addition to the Forest Service-held bond, mitigation under Section 404 of the CWA also requires financial assurance. The IDL would require a bond as part of their permitting authority. The IDWR is the state agency responsible for design review and approval of the TSF. IDWR also would hold a bond so that the TSF can be placed in a safe maintenance-free condition if abandoned by the owner. These assurances are separate from those required by the Forest Service.

In addition, Laurel Sayer, CEO of Midas in the Star News Viewpoint published Aug 20, 2020 includes a statement:

"We will set aside funds necessary for reclamation before any mining activity begins."

Are these funds in a cash bond or just a corporate guarantee? This is a critical point to clarify so we know how to comment on it. If the funds are in a cash bond, that would be reassuring as long as the amount is adequate to complete the remediation. However, the EIS also references an Idaho state law (see https://www.idl.idaho.gov/mining-minerals/mined-land-reclamation/) that states that mining companies do not need to post a cash bond to gain state approval. Will Midas be required to post a cash bond to cover the estimated remediation costs as specified in the Executive Summary or will a corporate guarantee suffice? We strongly recommend that a cash bond to cover 100 % of the estimated remediation costs be required to be posted before the project begins, since this project involves Federal lands and since Canadian mining companies have never paid for most of the remediation costs of mining done in US. At a public meeting at North Fork Lodge November 2018, Midas staff was asked whether any Canadian mining company had ever remediated a mine on US soil without declaring bankruptcy. Midas could not cite any such examples. Perhaps Midas will be the first

one, but that remains to be seen. Funds to cover these costs must be placed in a cash bond and the amount adjusted over the course of the project based on ongoing monitoring of environmental contamination and the cost of newer technology to remediate the environmental contamination.

How will the cost of remediation (Record of Decision) be determined and what is the process by which the amount will be adjusted over the duration of this project? When will the amount required for the cash bond be determined and how will the public have an opportunity to comment on the methodology and the amount required, as well as any adjustment made over the course of the project?

We are physicians with experience evaluating and remediating environmental health hazards when we worked at the US Centers for Disease Control and Prevention in 1982-85, including Love Canal and sites contaminated with dioxin, lead and polychlorinated biphenyls. It is clear that to reduce the future health risks of mining, adequate funding must be available to remediate these sites in such a way that public health risks are minimized to reduce ongoing contamination of soils, air and waters. This is especially important for any mining taking place in areas adjacent to wilderness areas that drain into pristine steams, like the South Fork of the Salmon River.

Thank you for your consideration of this comment and we hope to hear from you soon so that we will know how to make further comments regarding the costs of remediation.

ATTACHMENT: Earthworks Factsheet: Canadian Mining Companies Costing U.S. Taxpayers and The Environment