Data Submitted (UTC 11): 5/18/2023 6:00:00 AM
First name: Tom
Last name: Patterson
Organization:
Title:
Comments: See Attachments.

Dear Ms. Buchanan and Ms. Prill:

Please let this letter serve as additional supplemental written comments in respect to the Newark Exploration Drilling Project. I understand that the deadline for the submission of written comments in respect to the Newark Exploration Drilling Project has passed. I respectfully request this correspondence and enclosures be considered as additional comments because the time for additional comments was not adequate and I was unable to complete the gathering of necessary information prior to the expiration of that deadline.

I am also providing this information responsive to the Notice of Application for Withdrawal and Notification of Public Meeting, Pactola Reservoir, Federal Register, Volume 88, No. 54, Tuesday, March 21, 2023. It is my understanding that this correspondence and enclosures must be received prior to June 20, 2023, to be considered by the United States Forest Service and the Bureau of Land Management.

I have spoken with people who attended the meeting on April 26, 2023, in Rapid City, South Dakota. I was unable to attend that meeting because of prior commitments. I did speak with Jacqueline Buchanan a number of days prior to that meeting and obtained a good understanding of your efforts and dissemination of information.

The comments that follow are a sincere fact-based summarization of considerations that both the United States Forest Service and the BLM should incorporate and consider in a mineral withdrawal application that is pending in Pactola Reservoir. In addition, and of greater importance, the additional comments should also be considered in respect to the Newark Drilling Project because an agency decision has not been made on how and whether that matter should proceed.

In summary, we believe that baseline studies, particularly focused on ground and surface water quantity and quality (remember that the French Creek area is famous for flash floods) for the Newark Exploration Project should be undertaken for a minimum period of three years during which no exploration activity should be undertaken. We further believe after the three years, entry of a 20-year moratorium would be entered in respect to the Newark Exploration Project. This is consistent with the approach and what we believe will be the appropriate end result in respect to the Pactola Reservoir-Jenny Gulch issue.

I submitted comments to the District Ranger of the Hell Canyon Ranger District on March 8, 2023. At that point in time and during the days and weeks that had passed, I was concerned that the Forest Service and perhaps the general public did not have a complete factual understanding of the ugly history of exploratory drilling and open pit mining for gold in the Black Hills. I had heard from numerous sources that there had been considerable environmental degradation and disasters as a result of gold mining activities in the Northern Black Hills, but neither the Forest Service nor anyone else was able to give me a good comprehensive summary of that history.

As a result, I contacted prior employees of the Department of Natural Resources for the State of South Dakota and asked for the identification of the person or persons employed by the State of South Dakota at the Capitol in Pierre who could provide pertinent information concerning the history of gold mining in the Black Hills. I was referred to Mark Lawrensen, South Dakota Department of Ag and Natural Resources whose phone number is. On April 24, 2023, he provided me with the "Record of Decision and Explanation of Significant Differences Documents for Operable Unit 1 of Gilt Edge Mine Superfund Site." He goes on to indicate, "these documents have a section on the history of the site, which you requested." Both documents are attached for your reference

and consideration.

Prior to receipt of those materials, I went to the South Dakota Department of Ag and Natural Resources website and sought a google search of their website for Gilt Edge Mine. I was astonished to find that there were more than 60 documents or information sources within the South Dakota website that dealt with the history of the Gilt Edge Mine. In reviewing those materials, I also came across numerous items of information in respect to other open pit gold mining experiences in the Black Hills, all of which were largely negative because of the environmental degradation caused by open pit gold mining.

I will during a later portion of these comments provide some of that documentation to you for reference. Most notably is the "History of Mining Regulation in South Dakota." A copy is attached for your reference. In addition we have prepared Questions, Excerpts and Comments from the History of Mining Regulation in South Dakota 1981-2018, this consists of 18 pages of fact specific information that relate to gold mining in the Northern Black Hills. We have arranged this information chronologically from earliest to most recent and separated the comments and quotes by years. This demonstrates every stream and underground water source in proximity to mining operations has been severely and adversely impacted by exploratory drilling and subsequent mining activities by every entity that has been given permission to mine in the Northern Black Hills.

I have also provided with this letter Questions, Excerpts and Comments from "Explanation of Significant Differences Gilt Edge Mine Superfund Site Operable Unit 1. This EPA document dated September 2014, also attached, demonstrates the seriousness of the contamination and the then estimated costs of remediation, $ 87,846,000 dollars. It is worth noting this is the second Superfund Site from Gold Mining in the Black Hills, the first being what damage was done by Homestake Mining to Whitewood Creek.

Lastly I am enclosing portions of the 142 pages of the EPA Superfund Site for review by each of you. The complete report is also enclosed.

Before we begin a summary identification of pertinent, critical facts, I would suggest that the United States Forest Service and the BLM undertake a comprehensive review of your respective flies and confirm from your own files what is well hidden, hard to locate and hard to summarize within the files of the South Dakota Department of Natural Resources.

The purpose of this request is that you gain an understanding and appreciation of how the regulatory experience by your respective organizations have caused or facilitated environmental degradation in the Northern Black Hills. Every branch of government and agency both State and Federal have an obligation and responsibility to know and understand, HISTORY, the mistakes that have been made and how each of us can avoid making those mistakes moving forward.

Although Mr. Lawrensen with the South Dakota Department of Natural Resources was not asked to provide a detailed history of how it was that the Gilt Edge Mine had become part of a Superfund Site, various incidental historical facts do appear within the Department's website. The U.S. Forest Service did not allow for exploratory drilling or operation of a gold mine by Gilt Edge without first requiring an environmental impact study to be undertaken. That was in the early '80's when an environmental impact statement was completed and the U.S.F.S. approved gold mining by Gilt Edge. The approval process granted to Gilt Edge was similar to an approval process now being followed by F3 Gold in respect to the Jenny Gulch and Newark projects.

If a moratorium had been granted and mineral withdrawal process approved, Gilt Edge would not have moved forward with their gold mining operations. A good understanding of the history of the approval process and the consequences is central to how your respective governmental agencies should move forward.

In summary, the approval by the U.S. Forest Service in the 1980's has resulted in a superfund site that has been

allocated in excess of $87 million to try and correct the environmental damage the gold mining operations caused. The reclamation is not complete. The company is bankrupt. The environmental damage is not subject to complete reclamation in any successful way and the state of South Dakota, the Federal Government, and the citizens of our country have paid a tremendous price. This history in the enclosed documents should result, at a minimum, that you involve the Environmental Protection Agency and their experience in reclamation in evaluating whether or not mineral withdrawal is appropriate for the Newark Exploratory Drilling Project and the Jenny Gulch Project.

For the Newark Project, I would very strongly recommend that you sign formal Cooperating Agreements with both the EPA and the South Dakota Department of Natural Resources, under the provisions of 40 CFR Subpart 1501.8. Bringing in special expertise as early as possible will help ensure the best possible environmental review of a project of this magnitude.

The excerpts identified above and provided as an attachment to this letter provides a pathway so that you can appreciate why this is an appropriate course to be followed in granting a 20-year moratorium for exploratory gold mining in the Southern Black Hills. If you have any questions about the accuracy of the comments that I have set forth above or the importance of the documents, I would be glad to meet with you at any times convenient. Apart from my providing information to you, I would encourage you as part of your review process to review the complete history of the Gilt Edge Mine as it appears in your respective files, the Environmental Protection Agency's files and the State of South Dakota Department of Environmental Quality's files. That substantial undertaking will result in any reasonable person not permitting exploratory drilling in the Southern Black Hills as has been proposed by F3 Gold at Jenny Gulch and at the Newark sites.