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<https://cara.fs2c.usda.gov/Public//CommentInput?Project=62590>

### Comments on Golden Crest Exploration Drilling Project Draft Environmental Assessment,

Prairie Hills Audubon is opposed to this project. This is a special and beautiful part of the Black Hills National Forest. It is used for recreation and has high biological diversity value. We have no wish for it to be converted to a mine. Also, the Lakota's have treaty claims to the Black Hills. Mineral removal is not a sustainable use – once the minerals are removed and sold, they are gone. Thus, this is part of the ongoing theft of Lakota resources and that is an environmental justice issue that must be fully disclosed. That contemplated/anticipated theft is a significant impact – if by exploring, the miners find ore, this exploration is just a step towards mining.

Currently over 20% of the Black Hills National Forest is covered with a mining claim. If even half of those develop into a mine, the impact on the Black Hills would be tremendous. The economic engine of the Black Hills, is ironically not logging, but tourism and outdoor recreation. All the mining threats pose a cumulative huge threat to the environment and economy of the region.

We have always supported wilderness designation for the Sand Creek Roadless Area and fear the impact of a nearby mine on those wilderness values currently in Sand Creek Roadless Area.

Reasonable future scenarios are the discovery of a viable and economically minable resource. With that discovery, for any future mineral withdrawal attempt, the claim(s) would be grandfathered in - making a future mineral withdrawal pointless. Then the area may be mined, with all the impacts from that, especially to the American dipper, downstream in Little Spearfish and Spearfish Creek or Sand Creek Roadless Area.

### Maps

A map of the claims owned by Golden Crest should be provided, not just a long list of legal locations of claims or maps of the spots where drilling is proposed. We need to know the extent of the area that could be mined and/or put behind a fence, if economically viable ore is discovered. We wonder if it could impact any special areas such as botanical areas or research natural areas. The Forest Service started scoping on withdrawing those from mineral entry in fall of 2015 and then just never followed through. The Forest Plan says to withdraw them from mineral entry.

I do wonder if the claims go up north to overlap the Beaver or Bear Gulch Special Botanical Areas or to the south to overlap Black Fox botanical area or North Castle Creek RNA or west to Sand Creek Special Botanical Area or Sand Creek Roadless Area. We wonder if the claims overlap into land within the Sand Creek drainage – Sand Creek is a Class one stream and no degradation of water is allowed. We need maps of the claims. If the claims overlap any special area or threaten Sand Creeks water -- this is cause for significant impact. Are any claims placer claims instead of lode claims?

We need maps of the vegetative cover types (I.e: ponderosa pine. Spruce, aspen or oak) and the structural stages of trees. We should have maps of the recent past logging, so we can see the cumulative impacts from the logging and the proposed drilling for minerals. We should have the names of past logging projects.

## Water Quality

In 2016 the EPA revised the criterion for selenium and cadmium. SD DANR has yet to adopt the EPA's selenium criterion and only now (7 years late) is it working to revise the cadmium criterion. The current DANR selenium standard is not protective of aquatic life. We don't know if the finds or particulate residue from the Golden Crest drilling, that are going to collect in sumps and then be buried on the Forest, will contain selenium or cadmium. If they do, SD doesn't have water quality standards adequate to protect the American dipper (a forest sensitive species) and other aquatic dependent or aquatic associated wildlife from any pollution discharges from them..

South Dakota's current 5 µg/L standard is not adequately protective of aquatic life or aquatic-dependent wildlife, including federally listed species. The EPA's 2016 final revised Section 304(a) guidance for selenium makes clear that retaining the current state standard of 5 µg/L will not protect aquatic life and wildlife designated uses. The EPA's national selenium criteria are for the 30-day average concentration of selenium in water not to exceed 3.1 micrograms per liter (µg/L) in lotic (flowing) waters and 1.5 µg/L in lentic (standing) waters (USEPA 2016).

You should condition any FONSI or ROD, with the requirement that the SD DANR first adopt the EPA's current criterion for selenium and cadmium, or require the mine promoter to meet those criterion irrespective of how out-of-date DANR's surface water quality standards are and do your own monitoring independent of DANR.

We are not sure if the run off from all the roads they will be resurfacing and all the mud they will be churning up, will have impacts to water quality and thus impact the dipper, who are just hanging on in Spearfish and Little Spearfish Creek. The threat to the dipper makes this a significant impact, justifying an EIS.

The American dipper population in the Black Hills, is so isolated from other dipper populations, it has started to develop unique genetics. In 2008 a group of environmental organizations (including us), petitioned to designate the Black Hills American dipper as distinct population segment and as federally threatened or endangered. But in 2009 the USFWS denied this. The USFWS did not contest that, separate genetics were developing in our dippers, they just felt the genetic data did not compare the SD dippers genetics with the genetics of dippers in enough other states/locations. If you harm the dipper, you may be harming a species that would be listed, if we only had had more genetics data in 2008-9. We will attach the 2008 petition and the 2009 FWS denial and Cindy Andersons research paper on dipper genetics.

## Reasonable Range of Alternatives

You have made the “Purpose and Need” too narrow, as it is alleged that only one action alternative can meet it. There is case law objecting to too narrow crafting of “Purpose & Need” so only one alternative works. We think the Biden administration rewrite of the Trump administration rewrite of NEPA, gave us back a reasonable range of alternatives, as a CEQ rule requirement. You don’t provide us with a reasonable range of alternatives and we believe this violates NEPA and the Biden version of CEQ regulations.

## Roads

We find the discussion of roads to be disingenuous. Non-motorized trails and or paths taken by logging machines in the woods are not roads. The miners are going to compact and churn up all kinds of soil with their wheels, sometimes in relatively virgin areas and then have to scrape the surface to get rid of the ruts. Then there will be a road template carved onto the virgin surface, where one did not exist before. This project will be building roads, when it scrapes off the damage from its’ wheels create in the mud.

If grating of virgin surface occurs, they should return the surface to original contours & replant with native grass. Are there any montane grasslands to be impacted? If so, just don’t allow it.

We have not been to Forest Rd 801 (Tinton Rd) in a while, but there is an awful spot near the gate north of Tinton town, of protruding rocks on a hill that will take out the bottom of any low suspension car and even some high suspension vehicles. If loggers have not recently rebuilt that road area, it will have to be rebuilt. Areas of the Tinton Road (north of Tinton town) used to turn into a muddy quagmire when wet and unless loggers have resurfaced the areas, the miners will likely have to bring in gravel.

We think rebuilding native surface roads with imported gravel or grating areas after they traveled cross-county on is road building. They will transform native contours to a road template. You should be honest about the degree of road building that will happen as they try to use inappropriate surfaces for driving heavy equipment on. You should think of limiting activities till after the mud season.

We always want back-county non-motorized recreation to be protected. We value ROS classes of semi-primitive non-motorized (SPNM) and primitive very much. They will be traveling across trails & “two tracks”. You should be very clear on how their road improvement impacts the ability of the areas to be managed as a SPNM area. Or conversely how logging so devastates areas, that miners think there are lots of trails post logging. We think the miners will be converting cross-country wheel tracks to grated roads. We think this will be a large increase in the road nature of the area and the accessibility to OHVs after you put boulders along the road templates – to allegedly close the roads after use. This is a significant impact.

## Weeds

Draft EA writes:

“Noxious and invasive plant species are common within the vegetation survey area ranging in cover from 1 to 35 percent at the proposed drill site locations and staging area. Noxious and invasive plant species are found in high concentrations around existing slash piles, previous slash piles locations, skid trails, and roads, as well as intermittently throughout the survey area. Undisturbed lands surrounding the survey area are relatively free of invasive plant species and noxious weeds.”

DEA also says herbicide spraying for weeds will only be for one year after drilling. We fear that one year may not be enough spraying/checking. We fear for sites near water being sprayed with herbicide. What are herbicide spraying rules near water?

There are too many exceptions offered, allowing them to use non-native seeds.

## Wildlife

The EA says: "No known bat hibernacula or roosts occur within 0.25 mile (1,320 ft) of a proposed drill site." The DEA should provide information on methods used to look for bats. Bats could change roost sites daily and yearly, so what will the miners do if they see bats on-site? Will the miners change drill site locations for protection of endangered bats? Will bats drink water from their holding ponds? Would such water be toxic or unhealthy? Will drilling occur in winter? Could it disturb hibernacula in winter?

Have they looked for bat hibernacula further than a quarter of a mile away? Old mining areas can have adits/old mines used as hibernacula caves. The white nose syndrome has been in Black Hills long enough to extirpate or seriously deplete bats vulnerable to white-nose syndrome. The Black Hills could be at a place where every single northern long eared bat, that is still alive, is precious -- as it might be a white-nose syndrome immune or resistant bat. We want more information on what is being done to **protect northern long eared bat, tri-colored bat and little brown bat** and we want the best protections for them. We could be at a place of super low population numbers for the northern long eared bat (or other bats), where the death of one individual bat does actually impact the viability of the species in the Black Hills.

The **American dipper** is downstream, maybe as close as Little Spearfish Creek. The American dipper is affected by water pollution (including selenium). Noise could disturb it. What is the distance from drilling to nearest dipper nest. There used to be nest(s) on the Little Spearfish. The potential of the project to pollute the waters of Little Spearfish and/or Spearfish Creek with mud or metals threatens the dipper, even if nests are not right next to the drill site.

We wonder about effect of disturbance from miners on American martins. We assume they are in the area and are a Forest Service sensitive species.

The potential effects to federally or state listed species drive this EA towards an EIS.

## Scenery

Joby Timm did the SMS evaluation for the 1996-7 Forest Plan on his computer in 5 days. It was never ground-truthed. It was 26 years ago before the mountain pine beetle outbreak and before all the excessive logging to fight the mountain pine beetle. All EAs and EISs should review the Scenic Integrity Objectives for their projects and do a scenery impacts analysis. However the greatest scenery impact here would be from a mine, if built – a potential future scenario.

## Culture

Native American Sacred and Culture sites should be identified. The area has a rich mining history, which should be disclosed. Some place up there near Tinton is Negro Hill, which was an area mined by African Americans. I forget if there were Asian miners up there. The first person to bring gold out of the Black Hills to Caucasian's town was a mixed race Native American/Caucasian man & the gold

was brought to a Wyoming town. I don't remember for sure, but I think the gold was from the northern Hills.

EIS

We request an EIS on this exploration Project. We request the Forest Service finish the mineral withdrawal of the 4 RNAs & many Special Botanical Areas it started 8 years ago in fall of 2015.

Sincerely,

A handwritten signature in black ink that reads "Nancy Hilding". The signature is written in a cursive style with a small flourish at the end.

Nancy Hilding  
President  
Prairie Hills Audubon Society

Attachments

Map from the Black Hills Clean Water Alliance of all the Claims in the Black Hills  
2008 petition to list the Black Hills population of the American dipper  
2009 USFWS denial of that petition.

Cindy Anderson's paper - Conservation genetics of American Dipper (*Cinclus mexicanus*):  
the genetic status of a population in severe decline