Data Submitted (UTC 11): 7/17/2017 6:00:00 AM
First name: Gary
Last name: Spackman
Organization: State of Idaho Department of Water Resources
Title: Director
Comments: Please see the attached letter from Gary Spackman, the Director of IDWR. The letter designates Manuel Rauhut as IDWR's contact person for the Stibnite Gold Project. Further correspondence with IDWR regarding the Project should be directed at Mr. Rauhut using the contact information in the letter.

Please let me or Mr. Rauhut know if you have questions regarding this change.

Re: Comments for the Notice of Intent to Prepare an Environmental Impact Statement for the Stibnite Gold Project Plan of Restoration and Operations

Dear Mr. Lannom:

The Idaho Department of Water Resources ("IDWR") appreciates the opportunity to comment on the notice of intent to prepare an Environmental Impact Statement ("EIS") for the Stibnite Gold Project Plan of Restoration and Operations ("Stibnite Gold Plan" or "Plan") in the Payette and Boise National Forests ("Forests"). IDWR does not typically comment on land use proposals. However, the Stibnite Gold Plan could significantly impact Idaho's surface and ground water resources in the East Fork of the South Fork Salmon River drainage in several ways. For that reason, the scope of the EIS should include the potential impacts of the Plan on related water resources in the following IDWR program areas: safety of dams, stream channel protection, ground water protection, and water rights.

Safety of Dams

IDWR protects life and property through an inspection and certification process for dams and mine tailings impoundment structures pursuant Idaho Code [sect][sect] 42-1709 through 42-1721, the Mine Tailings Impoundment Structures Rules (IDAPA 37.03.05), and the Safety of Dams Rules (IDAPA 37.03.06). IDWR recommends the EIS consider and describe the potential impacts that failure of dams and mine tailing impoundment structures, both existing and proposed, could have on downstream life and property.

Stream Channel Protection

IDWR administers the Stream Channel Protection Act to protect "fish and wildlife habitat, aquatic life, recreation, aesthetic beauty, and water quality" pursuant to Chapter 38, Title 42, Idaho Code and the Stream Channel Alteration Rules (IDAPA 37.03.07). IDWR must approve in advance any work within the beds and banks of a continuously flowing stream. In general, the Stream Channel Protection Act applies to any alteration work inside the ordinary high water mark that will obstruct, diminish, destroy, alter, modify, relocate, or change the natural existing shape or direction of water flow of any stream channel. IDWR recommends the EIS evaluate stream channel alteration proposals in the Plan for their potential impacts on fish and wildlife habitat, aquatic life, recreation, aesthetic beauty, and water quality.

Ground Water Protection

IDWR protects ground water quality by issuing permits for the construction of wells for water appropriation purposes and injection purposes pursuant to Idaho Code [sect] 42-235; Chapter 39, Title 42, Idaho Code; and the Well Construction Standards Rules (IDAPA 37.03.09). IDWR recommends the EIS address the need for new wells to accomplish the Plan and evaluate the impacts wells, well construction, and injection activities could have on ground water quality.

Water Rights

Pursuant to Chapters 1 and 2, Title 42, Idaho Code and the Water Appropriation Rules (IDAPA 37.03.08), IDWR must evaluate applications for new water rights and applications to change existing water rights against a number of criteria, including the local public interest, which Idaho Code [sect] 42-202B(3) defines as "the interests that the people in the area directly affected by a proposed water use have in the effects of such use on the public water resource." IDWR recommends the EIS address the need for new or changed water rights to divert and use surface water or ground water to accomplish the

Plan. If project development would require new or changed water rights, the EIS should address the local public interest as it relates to the water resources that may be dedicated to the project.

If the EIS process identifies potentially adverse effects in any of these program areas, the EIS should also address how the Plan can be implemented to minimize such adverse effects, consistent with 36 CFR 228.8.

Due to the scope of the Plan, IDWR anticipates that the Forests and Midas Gold may have questions about the requirements of IDWR's regulatory programs. To coordinate and facilitate communication among the Forests, Midas Gold, other Idaho state agencies, and IDWR's programs, I have designated Manuel Rauhut to be IDWR's point of contact for all matters related to the Plan and its implementation. Manuel's contact information is:

322 E. Front Street

Boise ID 83702

(208) 287-4846

Manuel.Rauhut@idwr.idaho.gov

IDWR appreciates the Forests' consideration of the comments presented here. As always, IDWR stands ready to work with the Forests on any issues involving Idaho waters.