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Last name: Vermillion

Organization:

Title:

Comments: Dear CGNF and MTDEQ,

Thank you for extending the comment period for the East Boulder Tailing Site. We have an office and fly shop south of Livingston, and, as a result of the flood, we were unable to attend your scoping meeting on the 23rd of June. Our office, which had never been flooded, was hit during the recent 1000 year event that spread destruction throughout the drainages on the northern side of Absaroka Beartooth Wilderness.

I am writing and commenting as an individual as well as a business owner that stands to be adversely affected should the Lewis Gulch Tailings Storage Facility fail. We own the Vermillion Ranch, and have since 1971, which is located at the confluence of the Yellowstone and the Sweetgrass Creek. It is approximately 10 miles below the confluence of the Boulder and the Yellowstone. Additionally, our company operates under a special permit for day use on the Boulder Drainage (East, West, and Main). I am deeply concerned about the prospect of having a multimillion gallon tailing bomb sitting at the top of such an important tributary to waterways that are critical to the municipalities, the communities, and farming/ranching/recreational business that depend upon the water quality in the Yellowstone and the Boulder.

At the outset, let me say it is uncomfortable to submit public comment in opposition to the East Boulder mine. Since their signing of the Good Neighbor Agreement and compliance with that agreement over the past twenty years or so, Stillwater mine has been a good neighbor and a positive force in south-central MT. However, I respectfully request that you reject this application and request they submit a tailing management plan that does not jeopardize the economy and the environment of south-central MT should its tailings pond fail.

In Section 1.5, you state the following:

The potential consequences of a tailings dam breach demonstrated through dam breach modeling specifically ignore the likelihood of occurrence. There are limitations in accurately modeling the effects of a dam breach, primarily because the science is relatively new and some of the physical mechanisms that are represented in the models are not completely understood. To date, there are no definitive industry standards or best practice standards for tailings dam breach analyses.

How does one prepare for a dam breach without considering the likelihood of an occurrence? Having just experienced a 1000 year event, and having experienced 500 year and 100 year events, several times, I understand the difficulty in predicting the likelihood of an occurrence. However, since we live in such a unpredictable climate, it is imperative that we plan for the unexpected, and, when there are thousands of people living downstream of the tailings pond, failure simply is not an option.

Imagine Big Timber, Columbus, Laurel, Billings, and the thousands of people in between if the Yellowstone is suddenly fouled with the tailing pond sludge. Your report acknowledges the path of this destructive sludge in section 4.3 and, in light of this sludge path, I assume you have plans for restoration of municipal water supplies, agricultural water supplies, and the recreational economy after a failure of the tailings facility should that occur.

In reading through the scoping document, it is apparent that you have analyzed flow volume as it moves down the drainage. I am not an engineer, so I do not really know if you are accurate or not. However, I did not see any discussion of how the toxic sludge will affect ground water supplies, municipal water supplies, and the soil it washes over as it races towards Billings. There are countless hay fields and pastures downstream, and those fields are critical to the economic health of these agricultural operations. It is discussed in SMC, Water Management Plan from 2020, but, when you are raising the water level by 14 feet, it creates, in my mind, a

greatly expanded scope of risk to downstream communities that depend upon the Yellowstone, the Boulder, and the groundwater for their existence.

In reviewing the documents, I did not see any reference to the surety bond that the mine must post to clean up any failure of the new tailings pond. While I would maintain that it would be virtually impossible to quantify the amount of economic loss should the tailing pond fail, I would strongly urge the state to require a bond of sufficient size to clean up any damage from the failure of the mine tailing site.

Thank you for your consideration.

Sincerely,

Dan Vermillion
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