Data Submitted (UTC 11): 8/22/2022 6:00:00 AM
First name: James
Last name: Preston
Organization: Rapid Creek Watershed Action
Title: President
Comments: August 22, 2022

TO: Black HIlls National Forest Supervisor's Office

1019 North 5th Street, Custer SD 57730

FROM: Rapid Creek Watershed Action (RCWA)

P.O. Box 9482 Rapid City, SD 57709

SUBJECT: Jenny Gulch Exploratory Drilling Project - Objection to FONSI

To Whom It May Concern,

As an organization, we adamantly oppose the Findings of No Significant Impact (FONSI) on the F3 Gold, LLC, proposed Jenny Gulch/Silver City Drilling Project.

The Finding of No Significant Impact (FONSI) for this project is neither accurate nor within the confines of the NEPA regulations that the Forest Service operates under. A Environment Impact Statement (EIS) should be completed for a project of this type in an area as significant and important as the proposed project area.

OBJECTION 1) Tribal Consultation was not adequately performed for this project. USDA Departmental Regulation Number 1350-002 states:

"This Presidential Memorandum directs each executive department and agency to

consult with Tribal governments prior to taking actions that would affect them. It stated

that in order to ensure that the rights of sovereign Tribal governments are fully

respected, all such consultations were to be open and candid so that Tribal

governments could evaluate for themselves the potential impact of relevant proposals."

None of the tribes that we have been in contact with have provided any cultural surveys in the proposed impact area, which must be first and foremost before the Forest Service can make the determination of a FONSI. This lack of proper procedure negates the FONSI determination as it is not in compliance with the USDA or NHPA mandate for Government-to-Government consultation.

OBJECTION 2) The FONSI appears to have been based on the short-lived NEPA regulations that rolled back NEPA requirements in the prior administration in 2020. However, new rules were published in April 2022, taking effect in May 2022, and making clear that more than one alternative is required. 40 CFR 1501.5(a)(2). The FONSI is in clear violation of the current NEPA requirements.

OBJECTION 3) Alternative C's accommodations to the Bighorn Sheep Lambing area are not adequate or appropriate. The lambing season often extends outside of May 1 to June 15th due to variations in weather patterns. The habit impacts from the extended drought being experienced in Western SD and the Black Hills add additional stress to the population. The FONSI fails to recognize that any major disturbances in the area during the lambing and initial rearing periods will have direct impacts on the animals that historically occupy and use this area.

OBJECTION 4) The FONSI completely ignores any impacts on populations and/or habitat of nesting Northern Goshawks [in the project area] and [The FONSI completely ignores any impacts on populations and/or habitat] Smooth Green Snakes in the project area. Nowhere in the FONSI are these species of concern addressed.

OBJECTION 5) The FONSI fails to adequately incorporate the impacts of the 24/7 operations of this project on the human residents of the adjacent lands including Silver City. The project will involve heavy equipment hauling and water trucks for drilling fluids. The 24/7 drilling operations will at a minimum require 2 labor shifts with the associated traffic for shift changes. The primary road that will be utilized is a county road with bridges of undetermined status, and the only vehicle access route for the Silver City Community. The impacts of this project on the road resources and Silver City are ignored by the FONSI and an EIS is required to make these determinations.

OBJECTION 6) The FONSI ignores any potential impacts from this project on the multitude of private drinking water wells adjacent to the project area. Sentinel monitoring and water quality analysis during the project need to

be included to safeguard these wells.

OBJECTION 7) The FONSI ignores the lack of sentinel monitoring at the Rapid City Municipal Water intakes. The exploratory drilling project is located in the sole source watershed that provides aquifer recharge for the City of Rapid City AND is the primary tributary to Pactola Reservoir. Due to the geology of the rock that is being drilled and the high concentrations of sulfide and heavy metal bearing strata in this region this is a concern for the downstream users.

OBJECTION 8) In the document "Final Environmental Assessment - Jenny Gulch Gold Exploration Drilling Project 7-8-22.pdf on page 27 Table 3-1 Summary of Project Issues, there is an array of concerns that seem to have a Significant Impact. The use of words such as "may" and "could" shows that the Forest Service is unsure of what these impacts would do in time. Granting a FONSI is premature without greater clarity around these specific issues.

OBJECTION 9) There were substantial technical issues with the notification process. The URL that the Forest Service provided in the postcard said "Electronic objections must be

submitted to the Objection Reviewing Officer online at https://cara.fs2c.usda.gov/Public//CommentInput?=57428," was erroneous for at least a week. Our Board Members tried to access the URL on both Mac and PC computers and kept hitting a 404 Error Code when entering that URL. There were other people who informed us that they too had the same problem. The issue was eventually resolved but delayed access to the materials for at least 14 business days (almost half of the comment period). At a minimum the comment period should be extended due to this technical error.

OBJECTION 10) There are technical concerns around the deadlines associated with the Objection process. There are two deadline dates for objections that conflict. The webpage to submit online clearly says "Your comments are requested by 8/23/2022." However, Forest

Service staff have verbally told people that the date is 8/22/2022. This deadline date is in conflict and has caused confusion among the community. We have received multiple calls and communications from members regarding these conflicting dates. At a minimum the comment period should be extended and new notifications should be completed to ensure all the individuals and organizations that submitted comments during the initial project scoping are able to respond with objections.

The multitude of technical errors and omissions in the Finding of No Significant Impact (FONSI) negate this finding and we strongly request that the project be halted until a thorough EIS is completed and all of these objections have been addressed in full.

Sincerely,

James Preston

President of the Rapid Creek Watershed Action

james@rapidcreekwatershed.org