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Comments: First and foremost, I am grateful for the opportunity to offer my public comments on the Stibnite Gold Project (hereafter SGP) under the National Environmental Policy Act and regret the negativity required for me to state the truth. Opponents of the SGP include the Nimiipuu, Shoshone-Bannock, Salish Kootenai, Kootenai Tribe of Idaho, the Shoshone-Paiute, and numerous conservation organizations and private citizens. I, too, oppose the reopening of the Stibnite Mine by Perpetua Resources, Inc. and support Alternative Plan 5 laid forth in the EIS, for the following reasons:
1) The project illegally disregards the rights of the Nimiipuu people put forth by the US government who has already historically violated their human rights for the sake of gold.
2) The project site is already damaged by over a century of mining and requires further cleanup and restoration.
3) The project will further damage the natural resources in the area (potentially eliminating sources of income for Idaho's economy).
4) Perpetua Resources, Inc. cannot be trusted to take full responsibility for cleanup.
In 1863, the reservation lands supposedly reserved for the Nimiipuu by the US government were reduced by three quarters for the sake of gold. These lands would be further reduced in 1877 to one tenth their size leading to the onset of the Nez Perce War in Idaho. Mining at the Stibnite site has been ongoing on Nimiipuu ancestral land since at least 1899 in violation of the 1855 Treaty and later of important case law.
The SGP lies within land determined by the Indian Claims Commission to be exclusively used and occupied by the Nimiipuu . Within this and wider ancestral lands, the 1855 treaty gave the Nimiipuu "the exclusive right of taking fish in all the streams where running through or bordering said reservation is further secured to said Indians: as also the right of taking fish at all usual and accustomed places with citizens of the territory, and of erecting temporary buildings for curing, together with the privilege of hunting, gathering roots and berries, and pasturing their horses and cattle upon open and unclaimed land." Later on, three court cases decided that in order for this section of the Treaty to be upheld, the biological conditions required to maintain the continued existence of the resources described must be secured. Given the project area has been mined for over a century, damage to natural resources has already been severe. Gold mining alone can be characterized by tailings containing high levels of arsenic, cyanide, cadmium, nickel, lead, copper, zinc, cobalt, and mercury. The Nimiipuu have fished here for an untold number of years, harvesting Bull Trout, Snake River Chinook Salmon, Snake River Basin Steelhead, and Cutthroat Trout two of which are already listed as threatened under the Endangered Species Act. Inadequate studies have been conducted looking into whether or not these fish may be safely consumed, but according to the EIS, all fish in the area will be impacted by habitat loss, reduced surface water flow, and increased surface water temperature which will likely cause large mortality events in at least the Bull Trout within the project area.
Areas outside of the SGP boundaries are also at risk. In April of 2018, American Rivers declared the South Fork of the Salmon River as one of 2018's top ten most endangered rivers. The East fork has headwaters within the project site and is a large tributary for the South Fork of the Salmon River. Even if all of the waste and required chemicals within the SGP was secure, accidents can happen, and in this case, the accident could wipe out habitat critical to fish within Nimiipuu ancestral land. Dangerous materials to be stored on site of the SGP include 200,000 gallons of diesel fuel, 10,000 gallons of gasoline, and 30,000 gallons of propane. Workers at the site will also consume 250 lbs of pesticide/insecticide, 1000 lbs of herbicide, 100 tons of explosives, 60,000 gallons of sulfuric acid, and 70,000 tons of lime annually.
While the site of the SGP was proposed for listing on the National Priorities List under CERCLA in 2001, the state of Idaho blocked the listing and limited cleanup activities continued though they have never been finished. Tailings still exist at the site and toxic materials like arsenic, mercury, and cyanide can still be found in the soil, sediment, surface water, groundwater, and seeps/springs. Once Perpetua Resources Inc. (then Midas Gold) purchased the SGP for exploration activities, pollution began again.
In 2019, the Nimiipuu sued Perpetua Resources Inc. for illegal discharge of arsenic, cyanide, mercury and other

pollutants on the company's private land and on unpatented mining claims at Meadow Creek, Sugar Creek, and the East Fork of the South Fork of the Salmon River in violation of the Clean Water Act. Perpetua responded by suing the federal government rather than taking responsibility for the damage caused. The ordeal ended in 2021 with an Administrative Settlement Agreement and Order on Consent with the EPA and Forest Service detailing extremely limited cleanup of some legacy contamination at the site to take place between 2021 and 2025. Further disregard for environmental health has been documented and put forth in 2022 in the form of a petition by the Nimipuu, Idaho Conservation League, and Save the South Fork Salmon. The petition was filed with the Idaho Board of Environmental Quality arguing that issuance of an Air Quality Permit by the Idaho DEQ to Perpetua was in violation of the Clean Air Act. It allows dust including arsenic to be produced by the company while failing to include rules concerning basic air quality monitoring to make sure pollution levels remain safe. Unfortunately, this kind of dust will only increase if Perpetua's desired plan is approved.

Given all that we know, I suggest the following:
1) Given the Forest Service must approve a plan set out by Perpetua, approve Alternative Plan 5 wherein only existing and approved activities of exploration and reclamation would continue. While Perpetua is allowed to submit another plan of operations, this may buy time for NEPA procedures to be repeated and for a new consulting company (not one paid for by Perpetua) to be selected to run and EIS. 10-15 million tons of mining waste still exist at the site and their impacts are still not well understood. 450 million tons of new waste will only make the situation worse, possibly leading to expensive consequences under CERCLA.
2) The Army Corps of Engineers must deny Perpetua the Clean Water Act 404 permitting it requires given its record of violation.
3) Recognize the illegality of the SGP in terms of native access to their resources. If mining goes ahead, direct access will be denied for 20 years. In addition, the survival of resources that the Nimiipuu have a right to cannot be assured. By law, the US Forest Service is required to avoid or mitigate impacts to culturally significant resources and sites.
4) Consult further and in a more significant way with the aboriginal tribes concerned.
5) Determine how pesticide and herbicide usage may impact wildlife populations. Ensure that no poison will be used on local wildlife.