

Data Submitted (UTC 11): 1/8/2023 9:40:02 PM

First name: Amy

Last name: Pemberton

Organization:

Title:

Comments: I have lived in McCall for 27 years. My family has been here for generations. My great grandfather was an owner of the lumber mill in McCall (Brown's Tie & Lumber). I am a business owner.

I understand the desire for people to utilize the land around us for productive uses such as logging and mining. But, I feel very strongly that the most dominant economic engine for Valley County, now and in the future, is recreation and tourism. I also have a strong sense of obligation to protect the amazing natural resources around us. I have grown up in these forests and on these rivers, and they are invaluable. To me, to the many people who live here for the primary reason that we value the natural beauty of our surrounding environment, and to all future economic productivity.

I think the Forest Service (FS) should look further into the economic impact of this project on Valley County. We already have a hard enough time finding employees. Housing for workers in this county is extremely difficult to come by. Tourism in Valley County, which is very long term and will outlive the productivity of any gold mine, depends on the natural amenities that surround us. Just the existence of a mine threatens to impact tourism, let alone a circumstance where there are impacts to the natural environment impacting our fish, wildlife, water quality, or otherwise. Additionally, costs related to impacts on our schools, roads, first responders, and health care services should be reviewed more carefully. To me, it appears that the income from this project will not benefit Valley County. Instead, the income will be distributed to investors and spent elsewhere. The FS should look at whether goods and services needed for the mine will likely be obtained in Valley County. I would guess that they will not.

I think the FS should look more into the likelihood of occurrence and likely impacts of accidental release of hazardous materials. With regard to problems during the transport, the EIS states that there is significant risk of landslide on both the Burntlog and Johnson Creek roads. This likelihood will increase as there are more forest fires in the area.

The SDEIS fails to consider extra vehicle trips associated with winter maintenance of the Burntlog Route, which would be the second highest year-round road in Idaho. The SDEIS fails to consider alternative winter access for emergency ingress/egress in the event that Burntlog route is impassable due to weather/avalanche conditions for days to a week or more. Would Perpetua be allowed to use the South Fork Salmon Road to access the mine site in the event that the Burntlog route is impassable? Would Perpetua plow the Johnson Creek Road even if the Burntlog Route is the primary mine access?

Additionally, the transportation analysis for the SGP effectively ends at the intersection of Warm Lake Road and SH 55. Because this project represents a Federal undertaking, the Forest Service and Perpetua are mandated to complete a transportation analysis of the full transportation route, including routes along SH 55, SH 95 and roads that connect these two primary transportation arteries in West Central Idaho. This should include routes for fuel transportation, hazardous chemicals and reagents used in ore processing, and dynamite and ammonium nitrate used for breaking the bedrock matrix and ore deposit matrix. This analysis should include potential risks associated with transporting materials through municipalities along those routes, assess vulnerabilities with each route, and develop mitigation measures and/or design features that would reduce or eliminate potential impacts from those risks or vulnerabilities.

The Tailings Storage Facilities are of particular concern as well. I understand that there is actually an increase in TSF failures in the mining industry. How will this affect our water drainages in the future - which impacts all biodiversity in the area, including fish, plants, insects, wildlife, as well as humans?

I also worry about the increase in water temperatures, which the SDEIS actually states will last over 100 years. This is an environmental impact that should not be permitted.

The process of fish bioaccumulation during the 12-15 years of proposed mining will cause elevated levels of toxins in fish to persist for many years. A 2009 study (Ecotoxicology and Environmental Safety. Volume 72, Issue 5, July 2009, Pages 1440-1445) of arsenic accumulation in an edible fish, the brown trout (*Salmo trutta*) was conducted downstream from a mine on the Bravona River, France. The investigators measured arsenic levels in fish at four stations along a contamination gradient. Almost 70 years after the suspension of the mining activity, arsenic levels in the water and in the fish remained high, with a strong correlation between levels in water and levels in fish. Thus, for many years post-closure, eating fish downstream from the Stibnite Mine will continue to be a risk to the health of humans and to animals that eat fish. Humans who paddle the S. Fork or drink water from the S. Fork or from the EFSFSR and its tributaries will be at increased risk of heavy metal toxicity. This includes Nez Perce tribal members and many others who buy fish from them.

RECOMMENDATION. Perpetua should be required to monitor downstream and upstream fish for toxins and to clean up the SGP and surrounding streams, including the EFSFSR and S. Fork, in perpetuity, or until fish no longer contain toxins for at least 100 years.

If this project does proceed, I understand that the prediction is for no further water coming from these pits after year 40, and therefore no further need for water treatment. However, the validity of models has a significant uncertainty factor, in that they are based on many potentially faulty assumptions, such as the ability to predict the effects of earthquakes, avalanches, excessive snow melt in the setting of climate change, and other phenomena. Also, since mining operations will generate increased water levels of these and other heavy metals, sulfates, etc., over the course of 12-15 years, downstream surface waters such as the EFSFSR and S. Fork are likely to become more contaminated than at baseline, and then to deposit more toxins in their streambeds that will continue to re-pollute flowing water and groundwater for many more years than predicted. There are minimal to no measurements or predictions in the EFSFSR or S. Fork, which are the streams of primary concern for human health.

QUESTION: Who will monitor and clean up the EFSFSR and S. Fork after Perpetua leaves at year 40?

RECOMMENDATION: Perpetua should be required to do this both now and in perpetuity and they should post bonds to cover the cost.

I would like to request that the FS obtain information adequate to analyze the potential impacts of the project, which has not yet been provided by Perpetua. Missing information includes: basic engineering specifications and analysis of the tailings dam, sediment modeling, a detailed analysis of the autoclave, details and analysis of proposed underground exploration (Scout Prospect Tunnel), designs of the transmission line upgrades and new construction, detailed reclamation plans, and an analysis of the effectiveness of any proposed mitigation measure.

A new Surface Use Determination is necessary to assess whether Perpetua Resources even has the right to use and occupy unpatented mining claims associated with the Stibnite Gold Project. Although Perpetua Resources Corp., through its subsidiary Idaho Gold Resources, LLC, holds nearly 1500 unpatented lode and millsite claims within the "operations boundary" and along the proposed Burntlog Route, there is nothing in the record that indicates any of these claims-especially those where use and occupancy will occur because of proposed mining activities-meet the statutory requirements of the United States mining laws. Because this and several other questions either have arisen or remain since the February 2020 SUD, the Forest Service should conduct a new SUD to determine whether proposed activities are "reasonably incident mining uses." Pursuant to *Ctr. for Biological Diversity v. United States Fish & Wildlife Serv.*, 33 F.4th 1202, 1221 (9th Cir. 2022), the FS may not assume that unpatented mining claims are valid before regulating mining activities solely under 36 C.F.R. Part 228A mining regulations. Furthermore, the SUD should be made available prior to any future NEPA milestones.

The FS should reject the proposed mine plan because it:

1)Violates the Payette and Boise Forest Land Resource Management Plans.

If this project is about "restoring the site", as Perpetua claims, why does the Forest Service need to significantly amend the Forest Plans to allow for indefinite degradation of aquatic, soil, watershed, terrestrial, and visual resources, and blocking of fish passage?

2)Fails to minimize all adverse environmental impacts, thus violating 2 federal laws - the Federal Land Policy and Management Act and the Organic Act

3)Violates the Clean Water Act

4)Conflicts with established Treaty Rights

5)Violates the Endangered Species Act

6)Fails to provide evidence that Perpetua's mining claims are legally valid

7)There is no need for a gold or antimony mine at this time. First, there is an abundance of gold in the United States, which is primarily used for hoarding-not any useful technologies. Second, even if antimony is not currently mined as a "primary" by-product of a gold mine, there are known substitutes for its primary use, which is as a fire retardant in clothing and furniture. Antimony's use in weaponry is an insufficient justification for what is really a gold mine. If this really is an antimony mine, then the project footprint can be much smaller as the mining could be conducted underground.

My husband and I and my family and many of my friends backpack in the vicinity of this project. We ski. We fish. We raft the waters impacted by the project. Our favorite place on earth is the Frank Church Wilderness, with the wild South Fork of the Salmon River flowing through it. This project has the possibility of negatively impacting that.

I strongly request that the FS choose the No-Action alternative.

Thank you for your consideration,
Amy Pemberton