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Comments: I am writing on behalf of the South Dakota Chapter of the Sierra Club to convey our objection to the F3 Gold Newark Exploratory Drilling Project in Custer SD. The U.S. Forest Service may have the responsibility to permit mining activities under the 1872 Mining Act, but this does not require blanket approval without due diligence. Moreover, the Council on Environmental Quality has made clear that the National Environmental Policy Act does not give carte blanche to exploration and mining. CEQ's updated (2022) guidance states that while the goals of the applicant are an important factor, the agency's statutory authority to meet its other duties are always relevant. (87 Fed. Reg. 23457-23458 (April 20, 2022)).

Categorical Exclusion is not intended for exploration activities that have potential environmental impacts. The list of Super Fund sites in the Black Hills points to the legacy of failures, leaks, and contamination from mining, and there is no reason for exploration beyond the goal of mining.

The drill sites for this project are in the headwaters of the French Creek drainage system. This system feeds the aquifer on which Custer's city wells depend. Contamination of this system would threaten the safety of the water source for Custer communities. The Custer water treatment system is unlikely to be able to mitigate the effects of a spill of any toxic chemicals. The aquifers of the Black Hills are also interconnected, expanding the potential impact of any contamination.

Region 2 (Rocky Mountain Forest Service Region) has identified 33 sensitive species in the Black Hills. No consideration appears to have been given to potential or cumulative impacts on the species.

Tribal consideration must also factor in any decision, given that these are their ancestral lands.

In light of these and other arguments, it is incumbent on the Forest Service to require an Environmental Impact Statement for this project. History should have taught us that extraction industries can leave indelible marks on the land. Let's do our best not to create any more scars on the Black Hills.

Guy Larson

Chapter Chair, South Dakota Sierra Club