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Stibnite Gold FEIS: Objection

Dear Supervisor Davis,?

I am writing to formally object to the FEIS/DROD for the Stibnite Gold Project (SGP) proposed by Perpetua Resources. I will be focusing on wildlife/fisheries resources and water quality. This objection letter highlights my concerns with the FEIS, comparing them to the issues I raised in my comment letter on January 8, 2023. Specifically, the impacts to wildlife, fish, endangered species, and water quality remain inadequately addressed, and the FEIS does not present sufficient mitigation for these impacts.

As stated in my comment letter #17236:

1. The SDEIS displays major shortcomings of virtually every factor used to evaluate impacts to fish (particularly intrinsic potential, streamflow productivity, barrier, and stream temperature models), and concludes negative impacts to Chinook salmon, bull trout, steelhead, and west slope cutthroat trout and their habitat.
2. The SDEIS incorrectly assumes that mitigation and restoration efforts are possible and effective. SDEIS mitigation methods proposed rely heavily on unspecified and/or unproven habitat "improvements," fish salvage, and trap and haul operations. ?Already threatened salmonid populations will not be restored by (and may not survive) mining activity and the mitigation methods proposed in the SDEIS.
3. Water temperature increases are underestimated, and their impacts are unreasonably minimized. The SDEIS reports alarming increases in stream temperature in occupied salmonid habitat: "Meadow Creek temperatures are predicted to increase by up to 10 degrees C as the stream channel is "restored" atop the TSF" (SDEIS 4-275). And: " On the Meadow Creek segment atop the reclaimed TSF, temperature....would remain warmer than existing conditions after 100 years"
4. The Stream Function Analysis is an unproven, unrepeatable model, based loosely on Watershed Condition Indicators (WCIs), used in the SDEIS to assure mitigation for the Stibnite Gold Project's unavoidable impacts on jurisdictional aquatic resources. ?Using a new, unproven, made-for Stibnite model does not comply with NEPA's best available science requirement.
5. The SDEIS does not adequately consider synergistic effects on fish.
6. The SDEIS fails to acknowledge the broad ecological understanding that multiple stressors will amplify one another's effects on the ecosystem.
7. Impacts to all non-salmonid fishes - and other aquatic life that support them- are ignored in the SDEIS. Ignoring impacts to salmonid food webs is equivalent to ignoring impacts to salmonids at large.
8. The validity of the model results should be viewed with skepticism. Models used to predict fish habitat conditions are fraught with uncertainty. Multiple models used to describe various aspects of habitat are flawed oversimplifications of salmonid ecosystems, and/or rely on model inputs generated by other flawed and inaccurate models. This renders their utility for predicting and measuring impact questionable at best.
9. Water quality: Multiple contaminants of significant concern to salmonids and other aquatic life received little consideration.

My comment letter was lumped together in a catch-all category in the Appendix B - Response to Comments, that states: "No further response required. General in nature or position statement. It is acknowledged and understood that concerns regarding potential long-term environmental impacts, ecological integrity, and the well-being of potentially affected communities are valid and important to consider. During the decision-making process, the Forest Service will seek to identify the best possible balance between environmental protection,

community needs, and sustainable forest management."

Talk about a dismissive BS reply that is an insult to those that spent all that time providing very detailed analyses to be lumped in with comment letters of a few paragraphs!

This is inadequate because: 1). The Forest Service FEIS did not adequately respond to. my comments, and 2) According to the FEIS on pg. 1-32, "Changes from the SDEIS to the Final EIS", nothing has changed from the SDEIS to the FEIS regarding my comment and my comments are still valid.

1. Impacts to Fish and Endangered Species

The FEIS indicates that the project will adversely affect critical habitats for threatened and endangered fish species, including Chinook salmon, steelhead, bull trout, and West Slope cutthroat trout. These species rely on the cold, clean waters of the Salmon River and Meadow Creek. The destruction of fish spawning and rearing habitats during mining operations and the projected increase in water temperature pose long-term, possibly irreversible, threats to these populations. In my comment letter, I specifically addressed this concern, noting that the FEIS underestimates the warming of stream temperatures. Meadow Creek, for instance, is expected to experience increases of up to 10°C, a level that could decimate fish populations.

Despite the FEIS's assurances of habitat restoration and mitigation, the proposed methods, such as fish salvage and trap-and-haul operations, are speculative and unproven on the scale necessary for this project. As a result, the cumulative effects on the endangered salmonid species are likely to be catastrophic.

These responses are inadequate because:

The FEIS has not thoroughly assessed and analyzed the potential impacts on fisheries resources and water quality, nor identified the best possible balance between environmental protection, community needs, and sustainable forest management. See below for FEIS examples of violations of the Endangered Species Act, Clean Water Act, Organic Act, and National Environmental Policy Act. Because of these violations, the Forest Service has not identified the most responsible course of action.

?Analysis Area. Chapter 4 of the FEIS only analyzes effects to fisheries at the mine site area; it fails to analyze consequences of the project to fisheries in the larger analysis area downstream and outside of the local mine site.

ESA Compliance. Despite the anticipated, significant adverse impacts to listed Chinook salmon, steelhead trout, and bull trout, and their critical habitat, the FEIS fails to demonstrate that the Project can meet the strict standards under Section 7 of the ESA to protect the listed fish species and to ensure that there will be no destruction or adverse modification of their designated critical habitats (FEIS p. 4-352).

See below for Water Quality examples. The FEIS acknowledges that ESA-listed Chinook salmon, steelhead trout, and bull trout occur within the Project area and also would likely be impacted by the Project (FEIS, p. 3-274). The FEIS is inadequate in assessing and disclosing the direct, indirect and cumulative impacts of the Project on these species and fails to demonstrate compliance with the ESA.

Stream Temperature Increases. The FEIS fails to incorporate the impacts of climate change in future stream temperature estimates. This drastically underestimates the potential impacts the project will have on bull trout, Chinook salmon, and steelhead, who all depend on cold water habitats for their continued survival. FEIS (Appx B-383) states that "quantitative modeling of climate change is outside the scope of the water temperature analysis." This response is inadequate, and a violation of the NEPA "Hard Look" clause. NEPA requires that agencies take a hard look at the potential impacts of a proposed action, "including identifying and describing reasonably foreseeable environmental trends, including climate change effects."

2. Water Quality Degradation

The FEIS acknowledges that the Stibnite Gold Project will introduce contaminants into local waterways, including cyanide and heavy metals from tailings disposal. However, the FEIS downplays the risks associated with these hazardous materials, particularly in the context of accidental spills or long-term leaching from tailings ponds. In my letter, I pointed out that multiple contaminants of concern for aquatic life received insufficient attention, especially given the potential for synergistic effects when multiple stressors are present.

The risk of toxic chemical spills is real and poses a permanent threat to downstream ecosystems, including those critical for endangered species. The FEIS fails to provide robust safeguards against such accidents, and the proposed monitoring measures do not sufficiently address long-term contamination concerns.

Compliance with Clean Water Act.

The FEIS states (B-937 to 938) that "compliance with Clean Water Act (CWA) Section 404(b)(1) guidelines will not be determined through the NEPA process, but a final decision will come following the receipt of a complete application by the USACE." In violation of the CWA, Organic Act, and related requirements, a Final ROD and approval of the Project is pending, without this analysis and required findings. Analysis Area. Chapter 4 of the FEIS only analyzes effects to water quality at the mine site area; but it fails to analyze consequences of the project to surface water quality in the larger analysis area downstream and outside of the local mine site.

Effects to ESA Fish. The NMFS 2024 BIOP (p. 354) states: "The new point and nonpoint sources of contaminants will impact water quality (contaminant concentrations and temperature) to a degree that is reasonably certain to result in incidental take of ESA-listed species.

NMFS determined that incidental take is reasonably certain to occur as follows: (1) the proposed action will alter water quality within the mine site area in Meadow Creek, Sugar Creek, and the EFSFSR; and downstream from the mine site in the EFSFSR; (2) the affected habitat is or will be occupied by SR spring/summer Chinook salmon and SR Basin steelhead; (3) concentrations of copper, arsenic, mercury, and contaminant mixtures will be at levels associated with sublethal adverse effects for salmon and steelhead including, but not limited to: avoidance (adults and juveniles); reduced growth (juveniles); reduced ability to detect and avoid predators or capture prey; (4) mercury loads in West End Creek will substantially increase during operations, adding to the mercury load in Sugar Creek and the EFSFSR, which are already mercury-impaired; (5) stream temperatures are predicted to reach levels that could cause adult Chinook salmon to suffer pre-spawn mortality, reduced gamete viability, delayed or blocked migration; reduced survival of incubating Chinook salmon embryos; and reduced growth of juvenile Chinook salmon and steelhead rearing in Meadow Creek and the EFSFSR."

The NMFS 2024 BIOP (p. 303) states: "during early closure, mercury concentrations in lower West End Creek will remain above levels that can contribute to harmful bioaccumulation of mercury. Ultimately, individual contaminants and contaminant mixtures are expected to continue to negatively impact the ability of the water quality PBF to support spawning and incubation, juvenile rearing, and adult/juvenile migration."

The NMFS BIOP (358 and 367): identified a new water treatment requirement in the terms and conditions that it states must be met; this water treatment system is not included, nor was it analyzed in the FEIS/DROD.

Due to these water quality adverse effects and violations, the FEIS fails to demonstrate that the Project can meet the strict standards under Section 7 of the ESA.

Remedy.

The remedy for these violations is for the Forest Service to withdraw the FEIS and DROD and not issue any decision or take any action based on the inadequate FEIS. The Forest Service must not take any action until a revised FEIS and revised DROD demonstrate full compliance with each and every law, regulation, policy, and

requirement noted. The Regional Forester must withdraw the FEIS and DROD with instructions to the Payette National Forest to correct all errors noted before approving or taking any actions.

The threats to water quality, endangered species, and broader wildlife populations are too great to justify moving forward with the project, especially considering the speculative nature of the proposed mitigation efforts.

I can't begin to describe how disappointed I am in how the US Forest Service has chosen to represent the public input opportunity put forward in NEPA law. The first insult was to remove those personnel in the McCall Supervisor's Office who had local knowledge of the natural and cultural resources at risk from implementing the misguided Stibnite Gold Project. In their place were swapped out a bevy of bureaucrats from the Washington office who had no ties to the local project area in the Cascade-McCall vicinity and were clueless about how the myriad disruptions of habitats and water quality would endanger both fish/wildlife populations and humans living downstream from the mine.

When the FEIS came out, it was glaringly obvious that very little of what had been pointed out from public comments submitted as part of the Supplemental EIS process had actually been incorporated into mitigation measures or operational practices. The SDEIS and FEIS are virtually identical and therefore are poised to violate the Endangered Species Act, Clean Water Act, Organic Act, and National Environmental Policy Act.

And then the most recent outrageous insult is the exceedingly opaque and byzantine process put into place to stymie public input to the Record of Decision. No way could the average citizen comply and follow the convoluted web. The website was clunky and didn't work and when I called the Payette Supervisor's Office to ask them to explain how the public was supposed to find their comment letter in the USFS web-based interface, the reply was, "Hmm, I'm not sure why that doesn't work". If your own staff can't explain how to find the information needed to respond to the FEIS, how do you expect us to?