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Comments: Public Comment, Specific Objection, and Reservation of Rights

Blue Copper Project - Falcon Copper Corporation Exploration Plan of Operations

Draft Environmental Assessment, June 2026

Submitted by Harrison & Harrison Farms LLP

Harrison & Harrison Farms LLP submits this comment in strong opposition to the Blue Copper Project, Falcon Copper Corporation's Exploration Plan of Operations, and the Draft Environmental Assessment prepared by the Forest Service and BLM.

Harrison & Harrison Farms LLP owns private land along both sides of Snowshoe Creek and is directly adjacent to, downstream from, and likely to be seriously affected by this proposed mining exploration operation. This is not a generalized objection. This project threatens our property, water, access, road use, quiet enjoyment, property value, wildlife habitat, and the rural character of the Snowshoe Creek drainage.

We also object to the notice and comment process. We were not made aware of this proposal until only a few days before the deadline, despite being a directly affected landowner along Snowshoe Creek. A 30-day comment period is inadequate for a FAST-41 mining project of this scale, especially where adjacent landowners were not directly and timely notified. The agencies should extend or reopen the comment period and provide direct notice to affected landowners.

This comment is intended to put the Forest Service, BLM, Montana DEQ, Falcon Copper Corporation, and all participating agencies on notice of the specific objections, claims, and issues identified below, including for purposes of preserving administrative and judicial remedies.

1. The agencies should not issue a FONSI. A full EIS is required.

The Draft EA admits that the agencies are considering whether conditional approval of the Plan "may significantly affect the quality of life of the human environment" and whether an Environmental Impact Statement is required. The answer should be yes. This is not a small or harmless exploration project. The Plan and Draft EA describe a roughly 10,816-acre project area, approximately 56.6 acres of surface disturbance, eight mineral target areas, 127 drill pads, drilling, sumps, monitoring wells, geophysical surveys, road construction, road reconstruction, trenching, water use, winter operations, night lighting, and multi-year operations. A Finding of No Significant Impact would be arbitrary and unsupported.

2. The EA improperly minimizes the industrial scale of the project.

Falcon proposes up to 127 drill pads across eight target areas, with 112 pads on National Forest System lands and 15 on BLM lands. The Draft EA states that drill pad construction alone would generate approximately 19.58 acres of surface disturbance. The project would involve up to five drill rigs operating at the same time, two 12-hour shifts per day, seven days per week, with approximately 65 personnel on site daily. This is an industrial mining exploration operation, not a casual field investigation.

3. The agencies must not segment the public-land operations from related private-land mining exploration activities.

The Plan attempts to treat the public-land Exploration Plan separately from Falcon's Amendment #4 private-land activities, but Falcon's own Plan shows they are connected. Amendment #4 would include private-land drilling using up to seven drill rigs, up to seven holes from each of 37 drill sites, private road construction and reconditioning, three private laydown yards, year-round drilling, and operations continuing into 2031 with

reclamation into 2033. The Plan further states that Amendment #4 operations may run concurrently or sequentially with the public-land operations, that the laydown areas will be commonly used for both private and public-land operations, and that access roads across private parcels may be used to reach public-land disturbances. That is one integrated mining exploration campaign, not two unrelated projects. The EA must analyze the combined, indirect, and cumulative impacts.

4. The Plan is incomplete and unlawfully defers essential details.

The agencies should not approve a moving target. The Plan and Draft EA repeatedly defer important details to later "field fitting" and annual work plans. Pad sizing may be adjusted after additional field verification. Final pullout locations may be determined later. Final crossing designs may be included in future annual work plans. Winter drilling locations and road use may be specified later. Annual work plans would identify which roads, drill pads, trenches, and activities would occur each year. That deprives affected landowners and the public of meaningful review before approval. The agencies cannot lawfully approve a vague five-year blank check and then allow the most important details to be supplied after the public-comment process has closed.

5. Snowshoe Creek and Harrison & Harrison Farms LLP are directly exposed to project impacts.

The Draft EA identifies Snowshoe Creek as one of the primary drainages involved in the project. Snowshoe Creek Road is one of the two primary access routes, and once on public land it becomes FSR 708. The EA and Plan identify Snowshoe as one of the areas where winter operations would occur. Water for the project may be obtained from an existing well off Snowshoe Creek, with daily project water requirements up to 24,000 gallons per day. Water trucks may make up to two shuttle trips per day per drill rig. These impacts are not abstract. Our family owns land along both sides of Snowshoe Creek and will be forced to absorb traffic, noise, dust, road impacts, water risk, light pollution, wildlife disruption, and years of uncertainty.

6. The water analysis is inadequate.

The agencies must require a much stronger water-quality and hydrologic analysis before approval. The Draft EA states that most core holes are expected to intersect the local water table, that groundwater or artesian conditions may be encountered, and that Falcon anticipates at least three monitoring well conversions near the lower extents of Ophir Creek, Carpenter Creek, and Snowshoe Creek. The project also proposes sumps, drilling fluids, cuttings, drill muds, potential percolation, water hauling, water tanks, and a large daily water demand. Before approval, the agencies should require independent baseline testing of Snowshoe Creek, Ophir Creek, Carpenter Creek, springs, wetlands, groundwater, nearby wells, and downstream private-property water resources. The baseline should include flow, turbidity, metals, pH, conductivity, temperature, nutrients, sediment, and any contaminants associated with drilling products or historic mining.

7. The EA does not adequately protect fisheries, aquatic resources, or riparian areas.

The Draft EA acknowledges that westslope cutthroat trout have been found in Ophir, Snowshoe, and Carpenter Creeks, and that western pearlshell mussels have been found nearby and may be present in project-area streams. The project proposes road work, stream or wet-area crossings, winter road maintenance, sediment controls, sumps, and disturbance in drainages feeding the Little Blackfoot system. The agencies should require site-specific aquatic surveys, wetland delineations, riparian buffers, crossing designs, sediment modeling, and enforceable shutdown standards before approval. Generic BMPs and "we will fix it later" language are not enough.

8. Road, traffic, dust, and safety impacts are not adequately analyzed.

The Draft EA states that project implementation would involve approximately 41.12 miles of road use, including public routes, private routes, stored system roads, temporary roads, open system roads, open system trails, and new temporary roads. The project would include approximately 2.87 miles of new temporary road, 4.13 miles of temporary road on existing templates, 13.62 miles of stored system road, 16.73 miles of open system road, 2.16 miles of open system trail, and 1.59 miles of private route. It would also include 58 tentative pullouts. This is a major road-use and road-disturbance proposal. The agencies must prepare a road-condition baseline, traffic

analysis, dust analysis, winter-road analysis, emergency-access plan, road-maintenance plan, private-landowner protection plan, and road-damage bond before approval.

9. The trenching proposal creates additional safety, sediment, and disturbance concerns.

The Draft EA states that trenching would occur at 13 locations, with trenches generally 10 to 15 feet wide, up to 200 feet long, and up to 15 feet deep, with total disturbance width up to 40 feet when stockpiles and equipment space are included. The agencies should not dismiss these trenches as minor. Trenches, stockpiles, roads, and equipment activity create sediment, safety, wildlife, noxious weed, and reclamation risks. Final trench locations should not be deferred to later field fitting or annual work plans.

10. The soil and erosion analysis is inadequate.

The Draft EA admits that detrimental effects to soils are expected from the proposed activities and that soil disturbance, erosion, and instability may persist for years. It states that some soil functions may take five to ten years to recover and that instability may peak within three to eight years as roots decay. That is not a short-term negligible impact. The agencies should require a site-specific erosion and slope-stability analysis, especially for Snowshoe Creek, road cuts, drill pads, trenches, wet areas, and stream-adjacent slopes.

11. Wildlife impacts are understated.

The project area includes habitat and analysis areas for grizzly bear, Canada lynx, wolverine, raptors, bats, migratory birds, and other wildlife. The project proposes year-round operations, winter operations, night lighting, road use, noise, human activity, gates, barriers, fencing, sumps, trenches, and up to five active drill rigs. The agencies should not assume wildlife will simply move away without meaningful consequence. The EA should analyze displacement, winter disturbance, denning-season disturbance, unauthorized road use, attractants, vehicle collisions, noise, lights, and cumulative habitat fragmentation.

12. The EA improperly dismisses scenery, recreation, transportation, socioeconomics, and private-property impacts.

The Draft EA places several issues in "considered but not analyzed in detail," including scenery, socioeconomics, transportation, and other resources. That is unacceptable for a project that would directly affect private landowners along Snowshoe Creek, public access routes, hunting, dispersed recreation, quiet use, dark skies, road safety, property values, and the rural character of the area. The agencies must analyze private-property impacts, not merely public-land resource categories.

13. The alternatives analysis is inadequate.

The Draft EA appears to analyze only the proposed action and no action alternative. That is not enough. The agencies should analyze reasonable alternatives, including at least: no winter drilling; no Snowshoe Creek target area drilling; reduced drill pads; reduced road construction; no private-road access to public-land disturbances; no night operations; larger stream and wetland buffers; delayed approval until field verification is complete; and phased approval requiring a new public comment period before each annual work plan.

14. The bonding and reclamation analysis is inadequate.

The Draft EA states that conditional approval would require an acceptable performance bond. But affected landowners and the public cannot meaningfully comment unless the bond amount, assumptions, and worst-case reclamation scenarios are disclosed. The bond must cover road repair, road failure, erosion, sediment delivery, weed treatment, failed revegetation, sump failure, spill response, water monitoring, long-term maintenance, and impacts to adjacent private property. Falcon should not be allowed to externalize risk onto neighboring landowners or taxpayers.

15. FAST-41 status does not excuse shortcuts.

The Draft EA itself recognizes that FAST-41 status does not preclude Forest Service and BLM obligations to comply with all other applicable laws and regulations. FAST-41 is not a rubber stamp. It does not authorize

deficient notice, segmentation, inadequate analysis, deferred details, or a rushed FONSI. The agencies remain obligated to comply with NEPA, the Administrative Procedure Act, Forest Service regulations, BLM surface-management regulations, Clean Water Act requirements, Endangered Species Act requirements, cultural-resource laws, and all other applicable federal and state laws.

16. Requested agency action.

Harrison & Harrison Farms LLP requests that the Forest Service and BLM deny the Plan as submitted. At minimum, the agencies should:

- (a) extend or reopen the public comment period;
- (b) provide direct notice to adjacent landowners, including Harrison & Harrison Farms LLP;
- (c) prepare a full Environmental Impact Statement;
- (d) analyze the public-land Plan together with related private-land Amendment #4 operations;
- (e) require complete field-verified project details before approval;
- (f) require independent baseline water, road, wildlife, wetland, fisheries, soil, and noise studies;
- (g) analyze reasonable alternatives;
- (h) disclose and allow comment on the reclamation bond; and
- (i) impose enforceable operating restrictions sufficient to protect Snowshoe Creek, Ophir Creek, Carpenter Creek, adjacent private property, public roads, wildlife, water resources, and the rural character of the area.

Harrison & Harrison Farms LLP expressly objects to any approval, FONSI, categorical exclusion, inadequate EA, deficient EIS, permit, authorization, bonding decision, annual work plan, or agency action that fails to address the issues raised in this comment. Harrison & Harrison Farms LLP reserves all rights, claims, objections, administrative remedies, and judicial remedies, including the right to challenge any final agency action, any inadequate environmental review, any failure to prepare an EIS, any segmentation of connected actions, any inadequate notice and comment opportunity, and any failure to meaningfully consider the specific issues raised above.

Harrison & Harrison Farms LLP