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First name: Michelle
Last name: Stampe
Organization:
Title:
Comments: I respectfully submit this complaint regarding the approval of Pete Lien & Sons, Inc.'s Rochford Plan of Operations, which raises serious environmental, legal, and ethical concerns. While I understand the agency's role in reviewing exploration proposals and supporting public land use, this plan fails to meet the most basic standards for responsible development, which the Forest Service is legally and ethically obligated to uphold. This plan lacks hydrologic modeling near a major watershed, omits any disclosure of chemical use, provides no credible reclamation plan, and most egregiously, makes no mention of Pe' Sla-a sacred Lakota site located nearby-nor does it include evidence of any tribal consultation. That such a plan could be accepted without a full NEPA review, a cultural resource survey, or even an acknowledgment of the cultural and ecological sensitivities of the area is an abdication of the agency's legal and moral responsibility. If this process is allowed to stand, it will signal that extractive interests carry more weight than clean water, treaty rights, and the integrity of sacred land.
For your consideration, below you'll find specific areas of concern within the plan of operations.
SECTION A - Introduction (Or lack thereof)
There is no mention of tribal consultation or proximity to Pe' Sla and the Plan proceeds as if this were purely technical terrain of no cultural value.
Ethical and Cultural Concerns:
1.According to this document, the Rochford area is within ~3 miles of Pe' Sla, a sacred Lakota site. According to the map showing the claims boundary, in which drilling can occur under this plan, the project plan is within the boundary of Pe'Sla. This is the boundary agreed upon by the tribes, and therefore the only boundary to be considered valid.
2.Given what is stated above, it is unjustifiable that no tribal cultural resource survey (TCP survey) was conducted. There is no mention of Executive Order 13175, which mandates tribal consultation by federal agencies.
3.Pe' Sla is protected in part through fee-to-trust acquisition to preserve its spiritual and ceremonial value-disturbance anywhere near its boundary is inherently and categorically a threat to those values.
Legal and Treaty Implications:
*Violates intent of National Historic Preservation Act (Section 106).
*Potential conflict with Article II of the 1868 Fort Laramie Treaty, which guarantees "undisturbed use and occupation" of tribal lands and religious sites.
*Could violate NEPA regulations (40 CFR §1502.16(g)) regarding environmental justice and tribal resources.
SECTION C - Description of Proposed Operations
Claims:
*The operation will utilize "rocky dry sites whenever possible."
*Drilling may occur 24 hours a day, 7 days a week.
*Impacts are described as minimal due to distance from trails and roads.
Concerns:
*The phrase "rocky dry sites whenever possible" is excessively vague and functionally unenforceable; it provides operators broad discretion with no defined environmental threshold.
*Approving 24-hour drilling increases noise, light pollution, and wildlife disruption, especially in an area with no baseline ecological assessment.
*The suggestion that impacts are negligible simply because they are not visible from formal trails implies a flawed and anthropocentric view of land value-scenic value does not define ecological or cultural significance. Forest Service lands are not limited to their utility as backdrops for hikers or drivers. To suggest that only visible areas are worth protecting is both logically and ethically unsupportable.

SECTION D.1 - Water Use and Disposal

Claims:
*Water is either to be sourced from an existing permitted surface water withdrawal site or hauled in.
*Water will be used for drilling and dust control.
*There will be no discharge, as water will be captured in settling ponds and re-used.
Scientific & Environmental Concerns:
1.No hydrogeologic assessment is provided to show whether the settling ponds will effectively prevent infiltration or leakage into the subsurface. This is critical in a fractured bedrock and high-precipitation zone near Rapid Creek headwaters.
2.The statement that "there will be no discharge" lacks evidence-even passive runoff, overflow from heavy rains, or leaks can mobilize drilling fluid additives or sediment. It is impossible for this statement to be true.
3.Additionally, there is no statement regarding seasonal water availability, volume of water to be used per day/week, or impact on the hydrologic regime of the watershed.
If any overflow or seepage occurs, this could violate the Clean Water Act (CWA) §402 (discharge without NPDES permit) and potential CWA §404 violations if sediment ponds alter wetlands or waters of the U.S.

SECTION E.2 - Fuel and Chemical Use
Claims:
*Up to 200 gallons of diesel will be stored in above-ground tanks with secondary containment.
*Drip pans will be used under equipment.
*Drilling additives will be stored in enclosed trailers.
Scientific & Environmental Concerns:
1.No detailed Spill Prevention, Control, and Countermeasure (SPCC) Plan is included or referenced.
2.The amount of fuel stored (200 gallons) seems low considering the scale of operations-suggesting a likelihood of frequent re-fueling events, increasing spill risk. Further, and much more concerning, poorly conceptualized details like this suggest that this approved plan should still be in the drawing room, and certainly not ready to implement.
3.Additionally, no detail is provided on what chemicals are in the drilling additives (many additives used in mineral drilling can be toxic), where/how used drilling fluids will be disposed or stored, or emergency response protocol in case of containment failure or wildfire.
SPCC plans are required under 40 CFR §112 if storage exceeds 1,320 gallons-but even below this threshold, USFS is required to assess hazard potential. Additionally, NEPA requires assessment of hazardous materials transport and storage (40 CFR §1502.16(a))-not addressed.

SECTION F - Environmental Protection Measures
Claims:
*Minimal vegetation removal is expected.
*Existing roads and 2-tracks will be used.
*No new roads are proposed; only temporary access routes.
*Erosion control measures will be employed as needed.
Scientific & Environmental Concerns:
1.No site-specific erosion control plan is provided.
2.Slope gradient, soil composition, and precipitation rates are not described-these are essential for assessing sediment risk to waterways.
3.Lack of mitigation for road dust, sediment mobilization, or drilling near drainages. Considering the huge dust and noise impact from the Rochford Road project, there is precedent that this will be problematic in this area.
It is likely operations will increase sediment delivery to waterways, which would violate Best Management Practices (BMPs) mandated by the Forest Plan. Increased sediment is detrimental to riparian zones and fish populations.

SECTION G - Reclamation
Claims:

*Recontouring and reseeding will occur using native species.
*Erosion control BMPs will be implemented.
*Reclamation will occur at project end or earlier, as feasible.
Scientific & Environmental Concerns:
1.No soil handling plan-there's no topsoil salvage, storage, or replacement process outlined. Considering this is step one of any viable reclamation plan, it appears that there is in fact only a plan in these documents; not in practice.
2.Reseeding without decompaction or site preparation often fails at high elevation.
3.No commitment to monitor success of revegetation or trigger re-treatment if initial attempts fail.
4.The use of drill pads and access trails inherently compacts soils and encourages invasive species-but no weed management strategy is included. Many of our noxious weeds, including various types of thistle, garlic mustard weed, mullein, and others thrive in these conditions. Projects like this one create habitat for noxious weeds.
36 CFR §228.8(g) requires that operations shall "result in the least practicable disturbance." Reclamation obligations must be enforceable, including bonding-no bond amount or financial assurance is included.

Finally, I must also object to the limited and inaccessible nature of the public review process itself. Despite the extension, the comment period was extremely short for a project of this magnitude, offering little time for the public to conduct meaningful analysis. To make matters worse, the official Plan of Operations was provided as a scanned PDF, rendering it unsearchable and functionally difficult to navigate-especially for those trying to verify technical or legal details. The included site map is a low-resolution and lacks a useable scale, legend, or clear topographic markers. It is wholly inadequate for assessing the proximity of drill pads to sensitive features. Even so, it appears that several proposed drill sites are located alarmingly close to surface streams, raising the risk of direct sedimentation and runoff impacts. Additionally, the potential for contamination-or cross-contamination-of underground water sources remains unaddressed and unmodeled. In both process and substance, this plan falls far short of what is acceptable for public land management in a culturally and hydrologically sensitive region.
I urge the Forest Service to withdraw this approval and initiate a full NEPA review with proper tribal consultation and public transparency and accessibility.