
Ravalli County Collaborative

Ravalli County Montana

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HAMILTON, MT 59840

August 11, 20026

Dan Pliley
District Ranger
West Fork District, Bitterroot National Forest
6735 West Fork Road Darby, MT 59829

Dear Dan,

Ref: Bitterroot National Forest environmental review of US Critical Materials (USCM) Sheep Creek Rare Earth Exploration Proposal Plan of Operations

Thank you for the opportunity for the Ravalli County Collaborative (RCC) to provide comments on the Sheep Creek Mine Exploration proposal (Proposal) and upcoming NEPA.

RCC Mission Statement

The Ravalli County Collaborative is a diverse group of volunteers appointed by the BCC (Board of Ravalli County Commissioners) to promote the wise use and management of natural resources within Ravalli County. RCC employs a collaborative forum for reviewing and developing natural resource actions and policies that affect local communities.

The following is a consensus product of the Ravalli County Collaborative.

The RCC requests that the Bitterroot National Forest (BNF) analyze USCM's Proposal to explore the Sheep Creek area in the upper reaches of the Bitterroot River of Montana as an Environmental Assessment and not a Categorical Exclusion.

The purpose of a categorical exclusion (CE) for a proposed action is to utilize efficiencies and knowledge gained from an agency in doing similar work in similar conditions and knowing from experience that rarely are there significant adverse effects. In determining whether a categorical exclusion applies to a proposed action, an agency should evaluate the action for extraordinary circumstances that may indicate a normally excluded action is likely to have a reasonably foreseeable significant adverse effect. Where extraordinary circumstances are present (such as ESA listed species), the agency may consider whether the application of the categorical exclusion is still appropriate either because the agency determines the proposed action is not likely to result in reasonably foreseeable adverse significant effects or the proposed action is modified to avoid these effects.

When extraordinary circumstances are present, the agency should concisely document its basis for determining that the categorical exclusion can still be applied.

Extraordinary circumstances (*see* [§ 46.205\(c\)](#)) exist for individual actions within categorical exclusions that may meet any of the criteria listed in [paragraphs \(a\)](#) through [\(i\)](#) of this section. Applicability of extraordinary circumstances to categorical exclusions is determined by the Responsible Official.

Excerpt from § 46.205 Actions categorically excluded from further NEPA review:

- (a) Have significant impacts on public health or safety.
- (b) Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.
- (c) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.
- (d) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.
- (e) Have a direct relationship to other actions that implicate potentially significant environmental effects.
- (f) Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.
- (g) Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species or have significant impacts on designated Critical Habitat for these species.
- (h) Significantly limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites.
- (i) Contribute to potentially significant effects resulting from the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or from other actions that promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act).

The Ravalli County Collaborative notes several factors that indicate a CE is not the appropriate tool to analyze this Proposal. Several of the above listed extraordinary circumstances need to be analyzed in detail since the Proposal itself has not adequately described the mitigation measures that will protect extraordinary circumstances such as the sources of water and water quality, effects on aquifer, risks to human health and safety, and adverse effects to Endangered or Threatened species (ESA) or their habitats as well as other at-risk and sensitive wildlife.

Logistical support, as described in the Proposal, will be dominated by helicopter with four helipads being built, water hauled in by helicopter, and material removed by helicopter.

The Proposal notes that during season one, “approximately **300** roundtrip helicopter transit flight between the Conner airfield and the interim staging area are anticipated. An additional **1,900** internal hops are estimated between the staging area and exploration locations.” During season two, “approximately **240** roundtrip helicopter transit flights between the Conner airfield and the interim staging area are anticipated, along with approximately **1,680** internal hops between the interim staging area and exploration locations.”

This alone sets this proposal apart from most Forest exploration projects and will have a much different set of adverse environmental effects, many potentially affecting human health and federally listed species. Studies have shown that low-altitude aircraft noise can cause stress and negative effects on people’s mental and physical health, particularly harmful to war veterans. Although not densely populated, there are private residences in the proposed active air space and this noise and potentially harmful effect on human health should be analyzed.

The enormous impacts of aircraft over a large area and a great increase in human activity on the ground are likely to alter wildlife movements, demographic connectivity, and reproduction. A number of at-risk and sensitive wildlife species are likely to be affected by this proposed mining exploration. ESA listed species in the proposed area of exploration include bull trout, grizzly bear, lynx, wolverine. These wildlife species are likely to be displaced by mining activities, on the ground and aerial support, and their habitats negatively impacted. A CE is therefore an unacceptable vehicle to analyze this proposed exploration project.

The reasons for an Environmental Assessment, and potentially an EIS, NEPA analysis are:

1. The mining exploration methods proposed by USCM are described by USCM as new/experimental and therefore scientifically uncertain.
2. The exploration impacts are highly uncertain or unknown.
3. The mining exploration operations are likely to have significant effects on the environment and public health and safety.
4. The exploration is likely to impact ESA listed species and other at-risk and sensitive wildlife.
5. The proposed mining exploration has significant public opposition.

The RCC believes it is essential that the public be provided ample opportunities to review USCM’s Proposal and future mining requests and to be provided multiple avenues for public comment.

The RCC requests to be included in BNF communications regarding its processing of USCM’s applications for mining operations in Ravalli County, Montana. The RCC stands ready to help identify issues and analyze impacts of this proposed mining exploration project.

Sincerely,



Margaret Gorski
Chair