



August 27, 2026

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

Submitted electronically at cara.fs2c.usda.gov/Public/CommentInput?Project=370721

RE: Plan of Operations for the Sheep Creek Exploration Project #370721

Dear Ranger Pliley,

Please accept these comments on behalf of Wild Montana and our members in response to the Plan of Operations for the Sheep Creek Exploration Project (Plan) within the West Fork Ranger District of the Bitterroot National Forest.

Since 1958, Wild Montana has been uniting and mobilizing people across Montana, creating and growing a conservation movement around a shared love of wild public lands and waters. We work at the local level, building trust, fostering collaboration, and forging agreements for protecting the wild, enhancing public land access, and helping communities thrive. Wild Montana routinely engages in public land-use planning processes, as well as local projects such as habitat restoration and timber harvest proposals, recreational infrastructure planning, oil and gas lease sales, minerals development, and land acquisitions. Wild Montana and our more than 100,000 supporters are invested in the ecological integrity and quiet recreation opportunities on public lands across Montana, as well as the impact of climate change on Montana's wild places.

The Plan merits an Environmental Assessment. This project has the potential to cause significant and lasting impacts to wildlife habitat, water quantity and quality, cultural values, recreation, and public safety. At this early stage in the process, Forest Service decisions can influence the trajectory of this project and the scale of these impacts for years to come. The public lands and waters that this project will impact, and the values connected to them, will be best served if it takes time to carefully review the Plan, conduct meaningful Tribal consultation, and solicit and thoughtfully consider public input. An open, transparent process is also critical to ensuring public trust in the Forest Service's decisions for this and future projects on the West Fork Ranger District. We strongly encourage the Forest Service to conduct a robust environmental review process that fully complies with the National Environmental Policy Act



(NEPA), ensures meaningful public and Tribal engagement, and is grounded in complete and accurate information before the agency grants any authorizations.

1. Overview and Scope

U.S. Critical Materials (USCM) is seeking authorization to conduct mineral exploration across a significant footprint on the Bitterroot National Forest. The project area encompasses approximately 345 unpatented lode mining claims across approximately 11 square miles of public land. The project area is within the headwaters of the West Fork of the Bitterroot River, which ultimately flows into the mainstem Bitterroot River. These are critical water resources for downstream communities, agriculture, fisheries, and recreation. The impacted area provides important wildlife habitat, movement corridors, and extensive opportunities for hunting, fishing, hiking, and other dispersed recreation.

Project activities will require heavy drilling equipment, chemicals, explosives and underground sumps to collect and reuse water and settle mine waste. According to the Plan, proposed activities include extensive helicopter activity, reopening and enlarging historic adits, and significant industrial activity and traffic on Forest Service roads and Highway 93. Activities are expected to occur up to 7 days a week; 12 hours a day. This work would occur across multiple seasons and the Plan indicates that remediation work could extend well beyond the one-year timeline “officially” associated with the project.

The Plan proposes bulk sampling of potential mineral-bearing rock at Location #1 and drilling for core sampling at Locations #2-4. Concerningly, the Plan contains few details regarding water handling (including management and disposal of potentially contaminated water), mine waste management, local geochemistry, or the potential for liberating radioactive materials and asbestos. Overall, the Plan is extremely short on details, as if USCM believes that simply obscuring or not mentioning important details changes the nature of their plan to one that would warrant a minimal review. This is misleading and false.

Despite the scale of proposed activities and the high potential for significant long-term effects, the public has received limited notice and access to the Plan. And, the current Plan is significantly more vague than past draft versions (which were also insufficient in their level of detail). For example, key baseline data and technical analyses are unavailable. Wild Montana requests that the Forest Service provide full public access to all project materials, and, if USCM has failed to provide baseline or technical data to the agency, that it be required to do so. Transparency is critical to public understanding of the project and trust in the Forest Service’s decisions.



2. Legal Requirements

a. National Environmental Policy Act

NEPA fosters informed decision-making by federal agencies and promotes informed public participation in government decisions. See *Balt. Gas & Elec. Co. v. NRDC*, 462 U.S. 87, 97 (1983). To meet those goals, NEPA requires federal agencies to “consider every significant aspect of the environmental impact of a proposed action” and inform the public of those impacts. *Id.* (internal citation omitted); accord *Vt. Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, 553 (1978).¹ The agency must take a “hard look” at the environmental effects before making any leasing decisions, ensuring “that the agency, in reaching its decision, will have available, and will carefully consider, detailed information concerning significant environmental impacts.” *Robertson v. Methow Valley Citizens Council*, 490 U.S. 332, 349–50 (1989). Environmental “[e]ffects are reasonably foreseeable if they are sufficiently likely to occur that a person of ordinary prudence would take [them] into account in reaching a decision.” *Sierra Club v. Fed. Energy Regul. Comm’n*, 867 F.3d 1357, 1371 (D.C. Cir. 2017) (internal quotation omitted). “NEPA is a procedural cross-check, not a substantive roadblock.” *Center for Biological Diversity v. Burgum*, Case No. 1:24-cv-02014 (TNM) (D.C. Cir., 2026), quoting *Seven Cnty. Infrastructure Coal. v. Eagle Cnty.*, 605 U.S. 168, 173 (2025).

While the current administration and federal courts have made significant changes to NEPA and its implementation recently, it remains clear that federal agencies are still required to engage in thorough, detailed, and project-specific analysis of project impacts. And while recent updates to USDA’s NEPA regulations, eliminating significant portions of the historic regulations and moving others to a handbook, reduce opportunities for public participation, the Forest Service still has an obligation to meaningfully include the public in its decision process for the Sheep Creek exploration.

¹ See *Kleppe v. Sierra Club*, 427 U.S. 390, 410, 413 (1976); *City of Rochester v. U.S. Postal Serv.*, 541 F.2d 967, 973–74 (2d Cir. 1976); *Concerned About Trident v. Rumsfeld*, 555 F.2d 817, 825 (D.C. Cir. 1976); *City of Davis v. Coleman*, 521 F.2d 661, 666–677 (9th Cir. 1975); *Brooks v. Coleman*, 518 F.2d 17, 18 (9th Cir. 1975); *NRDC v. Callaway*, 524 F.2d 79, 89 (2d Cir. 1975); *Env’tl. Def. Fund, Inc. v. Corps of Eng’rs of U.S. Army*, 492 F.2d 1123, 1135 (5th Cir. 1974); *Swain v. Brinegar*, 517 F.2d 766 (7th Cir. 1975); *Minn. Public Interest Rsch. Grp. v. Butz*, 498 F.2d 1314, 1322 (8th Cir. 1974); *NRDC v. Morton*, 458 F.2d 827, 834–36 (D.C. Cir. 1972); *Hanly v. Kleindienst*, 471 F.2d 823, 830–31 (2d Cir. 1972); and *Calvert Cliffs’ Coordinating Comm., Inc. v. U.S. Atomic Energy Comm’n*, 449 F.2d 1109, 1114 (D.C. Cir. 1971).



Wild Montana is extremely concerned about the myriad ways in which the USDA's Department-wide NEPA regulations (7 CFR 1(b)) reduce or eliminate opportunities for public engagement, transparency, and robust environmental analysis in project decision-making. Likewise, the ongoing rulemaking process to greatly constrain the agency's Administrative Review process seeks to eliminate many opportunities that the public currently has to engage in and influence Forest Service decision-making. Meanwhile, the inclusion of this project on the Federal Permitting Council's FAST-41 list accelerates the permitting timeline. Alone, each of these changes or actions would be worrisome. Combined, the effects are to leave the public in the dark about the management of their National Forests and to reduce public participation, resulting in a degradation of the quality of Forest Service projects. This project is unique from other projects that the Bitterroot National Forest has considered or implemented, and it has generated considerable public interest and concern.

Despite changes to NEPA, the Forest Service still has a legal duty to meaningfully, fully, and transparently engage the public in its decision-making. The fact that this project is included on the FAST-41 list does not mean the decision is fast-tracked in such a way that the public is discounted from or does not have a meaningful place in the Forest Service's analysis and decision-making, nor that it does not merit a robust analysis under NEPA. We strongly urge the agency to go beyond the minimum public engagement required by USDA's NEPA regulations and to exercise agency discretion to solicit additional, meaningful public input, including public meetings in nearby communities.

Given the strong community interest in and concerns over this project, the Forest Service has an implicit duty as stewards of public resources to not just consider, but to listen to the public's concerns and meaningfully respond to the public's interests. We strongly encourage the Forest to offer public comment periods throughout this project, including at scoping, draft, and final decision stages, that include public meetings and adequate time for the public to digest documents and respond thoughtfully with substantive comments and feedback. Researchers recently quantified the substantive influence of public comment on environmental decisions under NEPA, finding "that public comment influences agency decisions and is a valuable tool for agencies to gather information and refine plans, which could lead to more sustainable outcomes for affected communities and the natural world."²

i. This Project Does Not Warrant a Categorical Exclusion

² Ashley Stava et al., *Quantifying the Substantive Influence of Public Comment on United States Federal Environmental Decisions under NEPA*, 20 ENV'T RSCH. 1, 6 (2025).



The Bitterroot National Forest is currently analyzing the Plan under Categorical Exclusion (CE) category USDA-32(d). The CE covers short-term (1 year or less) mineral, energy, or geophysical investigations and their incidental support activities that may require cross-country travel by vehicles and equipment, construction of less than 1 mile of low standard road, or use and minor repair of existing roads. Per USDA, examples of where this CE may be used include, but are not limited to:

- (i) Authorizing geophysical investigations which use existing roads that may require incidental repair to reach sites for drilling core holes, temperature gradient holes, or seismic shot holes;
- (ii) Gathering geophysical data using shot hole, vibroseis, or surface charge methods;
- (iii) Trenching to obtain evidence of mineralization;
- (iv) Clearing vegetation for sight paths or from areas used for investigation or support facilities;
- (v) Redesigning or rearranging surface facilities within an approved site;
- (vi) Approving interim and final site restoration measures; and
- (vii) Approving a plan for exploration which authorizes repair of an existing road and the construction of 1/3 mile of temporary road; clearing vegetation from an acre of land for trenches, drill pads, or support facilities.

While at first glance, this CE may appear to be appropriate for the Plan, any investigation of what is proposed, and the resources at stake, reveal that a robust analysis is certainly warranted. The activities described in the Plan go well beyond minimal or short-term disturbance and the full extent of activities - including remediation - will exceed 1 year. USCM is proposing more industrial activity for this “exploration” phase than anything the Bitterroot National Forest has seen in recent years, if ever. This scale of disturbance has the potential to permanently alter hydrologic conditions and water quality, spread invasive species, harm native species, and poses a threat to human health. For these and many other reasons, the project is opposed by the majority of the local public, including the Ravalli County Commission. Given the myriad of significant impacts posed by this project, even at the exploration stage, this project does not warrant a CE.

Per USDA’s NEPA regulations at 7 CFR 1b.3(f), when applying a CE, the Forest Service shall consider relevant resources in the potentially affected environment for which an extraordinary circumstance may exist. If there is uncertainty regarding the degree of effect from the proposed action on the relevant resources, an Environmental Assessment (EA) is warranted. If it is determined that there is a reasonably foreseeable significant impact, then an Environmental Impact Statement (EIS) is warranted.



When considering extraordinary circumstances, the responsible official must consider resources within the potentially affected environment. For this project, the potentially affected environment includes not only the project area, but the downstream watershed connected to the project area (Sheep Creek, the West Fork of the Bitterroot, and the main Bitterroot River), the lands under the flight path between the project area and the location(s) where bulk materials will be transported, and the ground transportation route used to transport materials to the lab for testing.

Per 7 CFR 1b.3(f)(1), resources to screen for when considering extraordinary circumstances may include, *but are not limited to*:

1. Federally listed threatened or endangered species or designated critical habitat or species proposed for Federal listing or proposed critical habitat;
2. Flood plains, wetlands, or other such sensitive areas;
3. Special sources of water, such as sole-source aquifers, wellhead protection areas, municipal watersheds, or other water sources that are vital in a region;
4. Areas having formal Federal or state designations, such as wilderness areas, parks, or wildlife refuges; wild and scenic rivers; marine sanctuaries; national natural landmarks; inventoried roadless areas; or national recreation areas;
5. Specially managed areas, such as designated research or experimental areas, coral reefs, coastal barrier resources, or, unless exempt, coastal zone management areas;
6. Prime, unique, or important farmland as defined by and subject to the provisions of the Farm Protection Policy Act;
7. Property (e.g., sites, buildings, structures, and objects) of historic, archeological, or architectural significance, as designated by Federal, Tribal, State, or local governments, or property eligible for or listed on the National Register of Historic Places; or
8. American Indian and Alaska Native religious or cultural sites.

It is your discretion as the responsible official to determine which resources to consider for screening as extraordinary circumstances. Your decision must be based on the nature of the actions proposed and in the context of the potentially affected environment, and be informed by interdisciplinary review. Several of the resources listed at 7 CFR 1b.3(f)(1) are present in the potentially affected environment for this project.

1. Federally listed threatened or endangered species or designated critical habitat or species proposed for Federal listing or proposed critical habitat: The potentially affected environment for this project includes the presence of and/or designated critical habitat for bull trout and is important habitat for the future of grizzly bears.



2. Flood plains, wetlands, or other such sensitive areas: The West Fork and Bitterroot Rivers contain sensitive riparian areas that could be affected by changes in hydrology, surface water pollution, and increased sedimentation stemming from the proposed actions.
3. Special sources of water, such as sole-source aquifers, wellhead protection areas, municipal watersheds, or other water sources that are vital in a region: Painted Rocks Reservoir and the West Fork of the Bitterroot River support communities throughout the Bitterroot. Proposed actions threaten these special sources of water through potential ground and surface water contamination.
4. Areas having formal Federal or state designations, such as wilderness areas, parks, or wildlife refuges; wild and scenic rivers; marine sanctuaries; national natural landmarks; inventoried roadless areas; or national recreation areas. The project area includes the Allan Mountain IRA.

Additionally, the proposed Sheep Creek rare earth minerals mine has garnered significant public interest and controversy and there is strong public opposition to the Plan, including among local elected officials.

We will elaborate on each of these extraordinary circumstances, including the reasonably foreseeable environmental impacts associated with each, throughout the remainder of these comments

b. Forest Plan Consistency

“NFMA creates a two-step process for the management of our national forests.” *Native Ecosystems Council v. U.S. Forest Serv.*, 428 F.3d 1233, 1249 (9th Cir). First, the Forest Service must develop, maintain, and, as appropriate, revise Forest Plans, which provide a framework for where and how certain activities can occur in national forests. *Id.*; see also 16 U.S.C. § 1604(f). Second, the Forest Service must ensure that all individual projects within a forest are “consistent with each forest’s overall management plan.” *Native Ecosystems Council*, 428 F.3d at 1249; see also 16 U.S.C. § 1604(i). “It is well-settled that the Forest Service’s failure to comply with the provisions of a Forest Plan is a violation of NFMA.” *Native Ecosystems Council v. U.S. Forest Serv.*, 418 F.3d 953, 961 (9th Cir. 2005).

The current Bitterroot Forest Plan is extremely old and out of date. Approved in 1987, the plan is nearly 40 years old, one of the oldest forest plans in the country. The Forest Service has long recognized that a revision is necessary and intends to begin a long-overdue revision process in the coming year. While the Forest has yet to formally begin a revision process, the agency has



an obligation to manage our public resources using the best available science and to best meet current needs, including resource protection for future generations from contemporary encroachment. A 40-year-old plan simply cannot provide the guardrails to approve and administer the first steps of a massive hardrock mining operation that will outlive the plan itself. It behooves the Forest Service to prioritize the Bitterroot Forest Plan's revision before moving forward with its analysis of this project's impacts.

Nonetheless, the Forest Plan does provide important and legally required context for project approval. The Forest Plan sets out the overarching management philosophy that guides its overall implementation as:

The management objective to support industry with raw materials while protecting the amenity values of the Forest has been the same for 10 years or more and remain the same for the next 10 to 15 years. As valuable as the National Forest for commercial products and recreation, its value to the public will become priceless as the expanse of open land between the towns and Forest boundary is developed and the Forest becomes the only open land.

Should the Forest proceed with this project without taking into account the need for Forest Plan revision, it must nonetheless comply with the overarching philosophy of the 1987 Forest Plan and its specific requirements regarding hardrock mining, road construction, species protection, public recreation and access, and all other relevant directives.

c. Roadless Area Conservation Rule

Drilling location #2 is within the Allan Mountain Inventoried Roadless Area (IRA). The Forest Service must analyze and disclose the potential impacts of the proposed project on the Allan Mountain IRA and avoid any activities that would violate the Roadless Rule's management prescriptions. The Forest must also ensure any other IRAs - or other administratively or statutorily protected landscape units, for that matter - are appropriately accounted for in its analysis and any project approval.

The Roadless Rule designated approximately 58.5 million acres of National Forest Service lands as IRAs.³ These "large, relatively undisturbed landscapes" have a variety of scientific, environmental, recreational, and aesthetic attributes and characteristics unique to roadless

³ See Special Areas; Roadless Area Conservation, 66 Fed. Reg. 3244, 3245 (Jan. 12, 2001) (36 C.F.R. §§ 294.10-294.14)



areas, which the Department refers to as "roadless values."⁴ The Roadless Rule prohibits, with reasonable exceptions, new road construction and commercial logging in these intact landscapes. While development of unpatented mining claims on public lands in IRAs is not specifically prohibited, the associated activities related to mining are often antithetical to the Rule's purpose. Furthermore, per 294.13(b)(1), timber can only be cut, sold, or removed from IRAs to achieve certain purposes. The Forest Service must disclose whether any timber would need to be cut in the Allan Mountain IRA to facilitate this project, and if so, how this complies with the Roadless Rule.

On August 29, 2025, the Forest Service began the formal process to repeal the Roadless Rule.⁵ As of the submission of this letter, however, that repeal is not final, and the 2001 Roadless Rule is still in effect. Although the agency intends to complete the rulemaking process by the end of 2026, a significant amount of uncertainty for roadless area management will persist for some time. It is reasonable to expect that one or more concerned stakeholder will litigate a decision that repeals or significantly weakens the Roadless Rule. Such litigation would likely include a request that the court issue a stay on any project-level activities contrary to the current rule in IRAs. If granted, that stay could remain in place until the litigation is resolved - likely several years. Given the uncertainty around the management of IRAs, we encourage the Forest Service to analyze this project under the assumption that the Roadless Rule's direction will remain in effect for the duration of project implementation.

d. Endangered Species Act

The ESA, 87 Stat. 884, as amended, 16 U. S. C. § 1531 et seq., seeks to protect species of animals against threats to their continuing existence caused by man. *See generally TVA v. Hill*, 437 U. S. 153 (1978). Section 7 of the ESA requires agencies proposing actions to engage in consultation with the Fish and Wildlife Service to ensure the action "is not likely to jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of habitat of such species[.]" 16 U.S.C. § 1536(a)(2). This analysis must consider the effects on the species from the proposed action as well as the "consequences of other activities that are caused by the proposed action." 50 C.F.R. § 402.02.

The Bitterroot National Forest is home to a wide range of species, including endangered species such as bull trout, Canada Lynx, and grizzly bears, as described in Section 4.b of these comments. The Forest Service must ensure the project's compliance with the ESA by

⁴ *Id.* at 3245, 3251. *Organized Village of Kake v. Dept. of Agriculture*, 795 F.3d 956, 959 (9th Cir. 2015)

⁵ 90 FR 42179



conducting proper consultation with the US Fish and Wildlife Service and incorporating analysis into its decision-making process.

e. Tribal Consultation and Historic/Cultural Resource Protection

Section 106 of the National Historic Preservation Act is often described as the “stop, look, and listen” provision of the law. *Te-Moak Tribe of Western Shoshone Nevada v. USDOl*, 608 F.3d 592, 607 (9th Cir. 2010). Pursuant to Section 106, BLM is required to “take into account the effect of [an] undertaking on any district, site, building, structure, or object that is included in or eligible for inclusion in the National Register.” 16 U.S.C. § 470f. An “undertaking” includes any project, activity, or program carried out, funded, or authorized by a federal agency. 36 C.F.R. § 800.16 (y).

The process begins by defining the “area of potential effects,” which in this case includes the analysis area or, at the very least, land within the analysis area that may be directly or indirectly affected by the various prescriptions included in the Forest Service’s proposed action. § 800.16 (d).

The Forest Service is mandated to comply with the NHPA and its implementing regulations at 36 CFR 800. Section 106 requires the Forest Service to consider the effects of its undertakings on historic properties. In addition, the Forest Service is required to consult on the Section 106 process for each undertaking with State Historic Preservation Offices (SHPO), Tribal Historic Preservation Offices (THPO), and Indian Tribes.

Southwest Montana is the traditional homelands of many contemporary tribal nations, including but not limited to the Confederated Salish and Kootenai Tribes, Shoshone, Shoshone-Bannock, Blackfeet Nation, Lemhi, and Nez Perce tribes. Critically, the Nez Perce Historic Trail passes through the vicinity of the proposed project. Also important to tribal history is the Lewis and Clark Historic Trail which is in the vicinity of the proposed project. The Forest Service must fulfil its government-to-government obligations to these sovereign nations with timely, meaningful consultation, and resource protection as required by NHPA and other applicable cultural resource protection laws and regulations. This consultation must occur early in the planning process.

3. Water Resources

Montana has a long history of mining and Montanans are all too familiar with the long-term consequences of mine exploration and development, especially impacts to our water resources.



Before authorizing any activities that may harm surface or groundwater resources, especially mining activities in the headwaters of a critically important river system, the Forest Service must thoroughly assess the risks to these resources and require mitigation measures designed to address these risks. 7 CFR 1b.3(f)(1)(ii) and (iii) list examples of water resources to screen for in the potentially affected environment when considering extraordinary circumstances. The potentially affected environment for this project includes floodplains, wetlands, and other sensitive areas along both the West Fork and main stem Bitterroot rivers, as well Painted Rocks Reservoir, which is vital for local agricultural producers.

It is concerning that the Plan does not specify where water for drilling and dust suppression will be sourced from, or how much water will be needed for the entirety of the project. The Plan does state that bulk sampling at Location 1 is anticipated to require up to 300 gallons of water per day, and that diamond drilling at locations 2, 3, and 4 is anticipated to require up to 8,500 gallons of water per day.⁶ All-told, the Plan anticipates requiring at least 8,800 gallons of water per day for drilling operations, dust control and other uses, but does not specify if water will be needed for other purposes, or where this water will come from. At minimum, USCM must demonstrate they have the adequate rights to the water required for this project, and disclose the nature, location, and limits of those rights. To determine if the amount of water required for project activities is obtainable, and what the impacts of transporting water to project locations will be, the Plan should identify the water source, the truck capacity, the tank capacity, the helicopter payload, the make-up water rate, and/or the number of water flights. It should include a water logistics table that identifies source, route, legal supply, truck capacity, tank capacity, helicopter sling capacity, number of flights, initial fill, daily make-up water, expected losses, and water loss contingencies.

The Plan indicates that “most of” the water will be recycled but provides no specific amounts of what would be recycled, “lost” or disposed of during the course of operations, or how used and potentially contaminated water would ultimately be disposed of. These details should be disclosed in the Plan and considered in the Forest Service’s analysis.

a. Groundwater Risks

Risks to, and from, groundwater are significant any time drilling or tunneling into the earth’s surface is proposed. Previous versions of USCM’s exploration plans anticipated intercepting

⁶ Compass Land Group, June 2026. *US Critical Minerals Corp. Sheep Creek Exploration Project. Plan of Operations*. Pages 12 and 13



groundwater during Audit excavation. Presumably, although the Plan fails to mention this, groundwater interception is still anticipated during Audit #1 excavation. Does USCM intend to manage intercepted groundwater via its proposed sump and reuse systems? Is this feasible and sustainable, especially in the long-term?

The Plan fails to evaluate, or even mention, potential effects from groundwater interception on connected surface waters, springs, or wetlands. One does not have to travel far from Sheep Creek - less than 150 miles to Butte - to see the devastating consequences that can occur when a mine's groundwater management ceases or fails. Adit excavation and core drilling could intercept groundwater containing naturally occurring mineral constituents such as arsenic or other metals. Groundwater flow into and out of adits can persist indefinitely and cause chronic water quality impacts. In addition, seepage from infiltration through the proposed sumps could potentially impact groundwater downhill from the drill sites.

If USCM intends to utilize intercepted groundwater in some manner - or if USCM's operations pollute this water - how does this affect downstream water rights holders? These questions should be examined, and answered, in an EA.

The waste rock used to line the floor of the tunnel and side ditches at Location #1 will almost certainly contain low to medium grades of the target material, various elements, and significant amounts of explosive residue including TNT, RDX, heavy metals, nitrates and ammonia. Waste rock should be analyzed to determine the amount of metals, arsenic, selenium, asbestos, thorium, or targeted rare earth elements it contains. The Plan does not provide any geochemical characterization data to discern the likelihood that dissolved metals could be produced when water flows into the sump systems or when it flows over fractured waste rock and collects at the bottom of the bulk sampling site.

Basic hydrological characteristics of groundwater flows, and a study of the current chemical composition of groundwater in the project area must be required. The Forest Service must also require a rigorous water-balance evaluation to determine whether intercepted groundwater could overwhelm containment systems at any point during this project, including in the remediation phase, before making any authorizations. Based on available information, it is likely that proposed project activities could result in long-term impacts to groundwater in the West Fork Bitterroot watershed, affecting water quality for wildlife and agriculture. An EA is necessary to evaluate the likelihood and extent of these impacts before determining whether to authorize the Plan.

b. Surface Water Risks



Aside from direct contact with, and risk to, groundwater, the activities proposed in the Plan have the potential to impact surface waters, including the West Fork of the Bitterroot, Painted Rocks Reservoir, and even the mainstem Bitterroot River, all of which are vital to the Bitterroot Valley's agricultural producers, local municipalities, tribal members, and the angling community (including local fly shops and fishing guides). This is especially relevant when considering whether risk to these waterbodies merits categorization as an "extraordinary circumstance" under 7 CFR 1b.3(f)(1)(iii). We believe that it does.

Sampling locations #1, 3, and 4 are located adjacent to surface waters, including Sheep Creek and smaller drainages feeding Sheep Creek. Despite this, the Plan does not describe how USCM intends to maintain existing water quality, other than standard Best Management Practices (BMPs) to offset potential stormwater impacts. Many of the proposed drill pads also fall near stream channels or drainage areas and are therefore likely to directly increase sediment loading into surface waters.

The Plan's description of "bulk sampling" at Location #1 is essentially mining activity and would expose subsurface rock in an area that could contain sulfide minerals and create the potential for acid mine drainage. Acid mine drainage poses a significant threat to surface waters. Despite this, the Plan does not include sufficient analysis of the geochemical characteristics of the ore body, host rock, or waste material to determine whether acid mine drainage or metal leaching could occur as a result of any aspect of this project. Furthermore, the Plan's proposal to dispose of drill cuttings and other waste materials either within the audits, or buried in the sumps, presents a clear threat of acid mine drainage or other forms of surface water pollution from groundwater leaching and/or seepage.

Prior to approval of any exploration activities, the Forest Service must require site-specific geochemical testing to evaluate the potential for acid mine drainage during exploration, active mining, or mine closure. If testing reveals that acid mine drainage is possible, the Forest Service must require enforceable prevention, treatment, and monitoring plans. Likewise, the proponent must provide long-term bonding sufficient to cover water treatment and monitoring in perpetuity if acid mine drainage is possible.

Another potential source of surface water contamination is the ultimate disposal of (potentially) contaminated water following project activities. The Plan does not disclose how the water used in drilling and other processes will ultimately be disposed of.



Sedimentation and material spills into surface waters are another serious concern with any industrial activity occurring near streams and rivers. The various forms of surface disturbance associated with the proposed project all pose a risk of sediment and materials spill during storm events and snowmelt. The Plan proposes traffic on many miles of roads adjacent to the West Fork Bitterroot, Sheep Creek, and other streams that contribute flows to the Bitterroot River. The agency must carefully evaluate the potential for sediment transport or materials spill into any surface water near roads experiencing the anticipated traffic levels associated with this project. The generic mitigation and prevention plans described in the Plan are unacceptable, as they do not document actual, specific places of concern or the scope of impact to riparian habitat and surface water sedimentation posed by the road elements of this project.

In addition to lacking meaningful content related to water quality protection, the Plan lacks a detailed stormwater management plan, with enforceable design standards, monitoring commitments, and contingency planning for wastewater treatment or discharge should the proposed sump and re-use systems fail or be exceeded.

c. Fuel Storage and Spill Potential

The Plan indicates fuel would be stored on-site in 200 gallon tanks all locations. This raises concerns about the risk of fuel spills leading to contamination of surface water and groundwater, as well as contamination of soils and other environmental and human health effects. The potential for multiple 200-gallon spills, in a headwaters environment is particularly concerning. The Forest Service must analyze the risk, and consequences, of fuel spills. In addition along with any approvals, the Forest Service must require strict fuel storage risk mitigation measures.

To reduce the risks to water resources posed by on-site fuel storage, tanks must be located outside flood - or landslide - prone areas and designed with fully lined, impervious secondary containment capable of containing at least 150 percent of total tank or container volume. Inspection, spill prevention, and response requirements must be clearly described and enforceable. Furthermore, because there are State regulations regarding fuel storage, the Forest Service should work closely with the state of Montana to ensure state regulators carefully oversee the project.

d. Baseline data and monitoring

The Plan states that “separate from a permit or authorization, no surface water or groundwater quality monitoring is necessary given the nature of the project and minimal surface



disturbance.”⁷ This is an unreasonable assumption on many fronts. Proposed drilling, blasting, sumps, fuel storage, drilling additives, drill cuttings, and bulk-sample handling all present potential harms to the watershed, especially in the steep terrain. Furthermore, the proposed sump and water re-use system presents a significant threat of environmental toxins contaminating ground and surface waters.

The Plan lacks the necessary baseline data needed for the agency, the state of Montana, and the public to evaluate the risks posed by proposed actions. Baseline data collection and rigorous modeling of the current state of and impacts to water resources must be required to inform Forest Service decision-making. Before proceeding with any decisions, the Forest Service must require the proponent provide comprehensive baseline characterization of potentially affected waters, including surface water quality (temperature, turbidity, sediment, nutrients, and metals), seasonal and interannual flow variability, groundwater quality and levels, groundwater flow paths and connectivity to surface waters, flows and volumes in springs, seeps, and wetlands, and applicable state water quality standards and designated beneficial uses.

Once adequate baseline data is established, ongoing monitoring throughout the life of the project - from exploration to the project's end - must be required. If the Forest Service authorizes this Plan, it must require a detailed monitoring plan that includes pre-disturbance baseline monitoring, ongoing operational monitoring, and post-closure monitoring for surface waters, groundwater, springs, and seeps that may be affected by the project. Monitoring must detect both short and long-term trends or changes. The monitoring plan must also clearly identify thresholds and standards, which, if exceeded, require a change or suspension of project activities. Adaptive management cannot occur without a detailed, enforceable monitoring plan.

4. Fish and Wildlife Resources

The Bitterroot National Forest is highly valued by the public for the fish and wildlife habitat it provides. This habitat is also critical to meeting many of the federal and state governments' legal obligations regarding conservation of endangered fish and wildlife species. This project poses a serious risk to fish and wildlife habitat in the Sheep Creek drainage, the West Fork Bitterroot River, and the Bitterroot River itself. While one never wishes for a worst-case scenario, when considering whether to authorize activities that could have long-term, if not indefinite, adverse effects, it is critical that the Forest Service consider all contingencies. This is as true for impacts to fish and wildlife habitat as it is for impacts to other natural or cultural resources.

⁷ *Id.* page 13.



a. Fisheries

The Bitterroot River and the West Fork are listed as critical habitat for (threatened) bull trout by the U.S. Fish and Wildlife Service and are also within the Columbia Headwaters Recovery Unit for bull trout. The Forest Service must consider impacts to bull trout and designated critical bull trout habitat.⁸ Westslope cutthroat trout are also present within the project area and are likely to be impacted by proposed activities. Westslope cutthroat trout are on the Forest Service sensitive species list and are ranked S2 Imperiled in Montana.⁹

The Forest Service's own modeling research¹⁰ predicts that the West Fork Bitterroot River headwaters will be among those streams that remain cold enough by 2040 to support coldwater fish species, such as bull trout and westslope cutthroat trout. These headwaters, including those that will be directly and indirectly impacted by the proposed project activities, provide essential coldwater refuge habitat for these species. Both bull trout and westslope cutthroat trout require cold, clean, and highly complex headwater streams with abundant woody debris and pool cover. Both species are likely to be harmed by the increased sedimentation impacts from project activities, which can degrade or destroy spawning habitat for these species.

The importance of both the West Fork and mainstem Bitterroot rivers as designated critical habitat for bull trout, and the presence of bull trout in these waterways, are extraordinary circumstances that merit an EA. Bull trout are limited in distribution and the West Fork, in particular, provides critical cold water refuge as habitat across bull trout's distribution warms. Any threat to this habitat, and thus the species, merits close examination. The same can be said for westslope cutthroat trout. Per Forest Service Handbook 1909.15, if there is the possibility of impact to a listed resource an EA is warranted. Even if the Forest Service is not certain that the project will cause significant impact, it must conduct an EA to better understand potential impacts.

The Forest Service must consider the direct, indirect and cumulative impacts of the proposed activity on threatened bull trout in an EA. Issues to include in an analysis include, but are not limited to: changes to water quality, stream flows, temperature, habitat, food availability,

⁸ 7 CFR 1b.3(f)(1)(i)

⁹ Aquatic sensitive species list Forest Service-Region 1, February 2011.

¹⁰ The Rocky Mountain Research Station's [Climate Shield project](#) includes a body of research under investigator Dan Isaak.



groundwater upwellings, hyporheic zones and connectivity. This review must also include foreseeable impacts if USCM were to fully develop a Sheep Creek rare earth mine.¹¹

b. Wildlife

The West Fork Bitterroot area provides important habitat for elk, mule deer, and bighorn sheep and near-constant helicopter traffic proposed for this project presents a significant threat of disturbance to ungulates and other wildlife.

Ungulates

A recent report prepared in anticipation of the Bitterroot forest plan revision documents that elk herds in the West Fork Bitterroot watershed (Hunting District 250) migrate between high-elevation summer range on National Forest lands and lower-elevation winter ranges that are limited in extent and increasingly constrained by human disturbance.¹² Mule deer follow a similar seasonal migration. Meanwhile, the bighorn sheep populations in the West Fork Bitterroot and Painted Rocks area depend on relatively undisturbed winter range and secure movement corridors to maintain population viability. Indeed, access to secure winter range and the ability to survive winter are the driving factors in bighorn sheep survival. Regardless of the length of their migration, migratory species rely on distinct seasonal habitats and secure connectivity between them.

Human activities in winter can easily disturb ungulates, whether it be increased vigilance or fleeing. Cumulative disturbance throughout the winter can result in direct mortality or a female's ability to bear or raise offspring. With increasing habitat fragmentation, road densities, and human activity on lower-elevation winter ranges, habitat security on the forest is, and will continue to be, of utmost importance for herd persistence. Industrial activity, such as mine exploration and development, poses a serious risk to these highly valued wildlife populations. The Plan anticipates, but does not guarantee, that project activities will pause between December 2026 and February 2027 due to inclement weather.¹³ Not only is this not a guarantee that winter activities will not occur, from a wintering wildlife perspective, the winter season extends far beyond February. Furthermore, ungulates are generally most vulnerable in spring, when they have burned through their winter fat reserves and are calving and fawning.

¹¹ *Ksanka Kupaqa Xa'lcin v. United States Fish & Wildlife Serv.*, 534 F. Supp. 3d 1261, 1271 (D. Mont. 2021)

¹² Theodore Roosevelt Conservation Partnership. 2022. [Big Game Migration Conservation for Lolo and Bitterroot National Forest Plan Revisions](#).

¹³ Compass Land Group, June 2026. *US Critical Minerals Corp. Sheep Creek Exploration Project. Plan of Operations*. Page 13.



Given the importance of limiting winter, and spring, disturbance to wildlife, we would like to know more about the proponent's proposed winter access and operations. Winter activities would require snowplowing, road maintenance, additional safety measures, and compliance with the Bitterroot National Forest Travel Management Plan. Increased winter access provided by any plowing associated with mine operations would further stress wildlife beyond project activities alone. Proposed winter operations must be clearly described and thoroughly analyzed before approval of any element of this project.

Grizzly Bears

The Bitterroot Range has been identified as essential for genetic connectivity between the three established grizzly bear populations in the Northern Rockies.¹⁴ It is at the junction of the eastern edge of the Bitterroot Ecosystem and the connecting habitat between the Greater Yellowstone Ecosystem (GYE) to the southeast, and the Sapphire Range and the Northern Continental Divide Ecosystem (NCDE) to the northeast. The project area is particularly important as grizzly bear connection habitat because it lies at the south edge of the Bitterroot Valley west of low-density human development and settlement along Highway 93 so that bears moving from the east could cross the highway while moving west with minimal human disturbance other than the highway. This connectivity is crucial to eventually sustaining a robust population of grizzly bears in Montana and thus removing the species from the Endangered Species List. The Forest Service should analyze how project activities would impact grizzly bear connectivity, and this analysis should inform the agency's decision.

To maintain the possibility of natural grizzly movement into the Bitterroot Ecosystem, it is important to carefully manage human disturbance in the potential connection areas between the Bitterroot ecosystem and other ecosystems that have grizzly bear populations. The project area along the MT-ID state line west of Highway 93 and between Salmon, Idaho and Darby, Montana is one of the primary connection areas into the Bitterroot ecosystem. This area has long been identified as a connection area between Bitterroot and the GYE and the NCDE, and it has been identified as a connection area by recent habitat modeling.¹⁵

¹⁴ Sells et. al. 2023. [Predicted connectivity pathways between grizzly bear ecosystems in Western Montana](#). Biological Conservation, Volume 284, August 2023, 110199. Also see [UM Scientists Help Montana Understand Its Future with Grizzly Bears](#), 's intended approach.

¹⁵ Sells, S. N. and C. M. Costello, 2024. Predicting future grizzly bear habitat use in the Bitterroot Ecosystem under recolonization and reintroduction scenarios. PLOS ONE. 19(9): e0308043. <https://doi.org/10.1371/journal.pone.0308043>



Although there is currently no known grizzly population in the Bitterroots, multiple grizzly bears have been confirmed in areas immediately surrounding the grizzly bear recovery zones over the last 15 years. The Bitterroot ecosystem contains significant and important habitat, as well as sufficient natural foods, for grizzly bears, and could well support the species. Multiple verified sightings have recently occurred in habitats between the GYE and NCDE occupied range and the Bitterroot recovery zone.¹⁶ These verified sightings are concentrated in the area immediately east of the proposed project site. The most likely route for bears east of the project area to move into the Bitterroot ecosystem is along the ridgelines along the Montana/Idaho border adjacent to the project site. This is because of the lower road density and lower levels of present human use along the higher elevation border ridgelines. As current distributions of grizzly bears in the GYE and NCDE continue to expand, we can expect increasing numbers of bears to attempt to move into the Bitterroot via the state border adjacent to the project site.

Key obstacles to grizzly bear recovery in the Bitterroot Ecosystem include the loss of habitat security through increased human activity in currently low human use areas, threats to connectivity with other grizzly populations, and increased motorized use in currently non-motorized areas. Not only will the proposed exploration activities increase human activity in the project area, if a full-scale mine is developed, it will bring enormous change to the West Fork of the Bitterroot, with long-term consequences for grizzly bear recovery in the Bitterroot Ecosystem.

Grizzly bears are already moving towards the Bitterroot Ecosystem and the project area sits directly in their path, as demonstrated by the growing number of verified grizzly bear sightings near the project area along the state line. Therefore, the Plan has the potential to change or decrease grizzly bear movement and increase mortality risk to grizzly bears in the project area. These impacts will affect recovery of grizzly bears in the Bitterroot Ecosystem.

5. Other Environmental and Public Health and Safety Concerns

a. Wildfire

This project has the potential to increase wildfire risk. Wildfire risk vastly increases with human activity, and this project will introduce a variety of potential ignition sources and opportunities

¹⁶ U.S. Fish and Wildlife Service. 2024. Draft Species Status Assessment for the grizzly bear (*Ursus arctos horribilis*) in the Lower-48 States. Version 2.2, October 28, 2024. Missoula, Montana. 398 pp.



into the West Fork Bitterroot watershed. These include industrial activity, heavy equipment use, blasting, generators, and increased traffic. This is an extremely fire-prone landscape, as illustrated by the fact that the Bitterroot National Forest contains four of the Forest Service's top 250 designated high-risk firesheds. To reduce wildfire risk posed by project activities, the Forest Service should require an agency-approved fire prevention and emergency response plan, appropriate on-site firefighting equipment, trained personnel, and coordination with local, state, and federal fire agencies.

b. Noxious weeds

Noxious weeds are a serious concern across the Bitterroot National Forest and Ravalli County, and any new human activities on the forest have the potential to introduce new or exacerbate existing noxious weed infestations. The Plan makes no mention of measures to reduce noxious weed spread aside from Forest Service monitoring. The Forest Service should require a comprehensive weed prevention and control plan addressing equipment cleaning, certified weed-free materials, monitoring, treatment, and adaptive management. Monitoring and treatment requirements should extend several years beyond the end of project activities, and be paid for by the proponent, to ensure that noxious weeds do not become established as a result of mine activities.

c. Electrical needs

Electricity transmission or generation poses an additional wildfire risk, potential wildlife and visual impacts, and the exacerbation of many of the concerns previously discussed in these comments. Even though the project clearly needs electrical power for surface facilities and underground operations, the Plan does not identify how USCM plans to source electricity - whether it will be via a new power line or generators. If a power line is a possibility, the Forest Service must evaluate utility corridor impacts, habitat fragmentation, visual effects, and wildfire risk. If the USCM intends to use generators, the analysis must include increased fuel demand, truck traffic, emissions, noise, wildlife disturbance, spill risk, and fire hazard. Regardless, the Forest Service must include consideration of impacts associated with project electrical needs prior to any authorizations.

d. Traffic

All phases of mine development, from exploration to reclamation, will lead to an increase in traffic on Forest Service roads above current levels. Exploration phase related traffic will include commuting workers and hauling materials and equipment to and from the mine site. The Forest Service must evaluate the impacts of additional traffic on Forest Service resulting from the



proposed project, including impacts to road maintenance and impacts to other forest visitors, and require mitigation measures as part of any approvals.

Project-related traffic will include large trucks and equipment, far beyond the size and impact of passenger vehicles. The presence of these vehicles on narrow Forest Service roads, as well as other public roads in the project area, poses a significant public safety concern. In addition, the materials and equipment that project vehicles would be hauling pose a public health and environmental concern if an accident or spill were to occur. Thus, the environmental and public health risks associated with this project extend far beyond the project area footprint. To reduce these risks, the Forest Service should require a detailed traffic and haul management plan addressing trip frequency, safety measures, spill response preparedness, and coordination with local emergency responders.

e. Helicopter Use

USCM has proposed over 4,000 helicopter flights to transport excavated rock material (ore), equipment, imported water and other mining materials to, from, and within the sampling locations. This will generate significant noise at and around project sites, and below and along helicopter flight paths. Noise pollution represents an invisible source of habitat degradation for wildlife.¹⁷ The noise impacts of this project on multiple species including sensitive bird and mammal species such as grizzly bears should be carefully considered. The introduction of high levels of noise into formerly undisturbed habitat areas will likely have significant negative consequences on the wildlife use of the project area. The impacts of noise produced by these actions will impact the sites and surrounding habitats for hundreds of meters in all directions around project sites and along vehicle and helicopter access routes. Of the four sampling locations, Location 2 closest to the ridgeline and possible summer travel use areas by grizzly bears. Helicopter use at this site has high potential to result in avoidance of these areas by grizzly bears attempting to move west into the Bitterroot Ecosystem. Such noise may also alienate multiple other species from these areas.¹⁸

¹⁷ Ware, H.E., C. J. W. McClure, J. D. Carlisle and J. R. Barber. 2015. A phantom road experiment reveals traffic noise is an invisible source of habitat degradation. *Proceedings of the National Academy of Science*. 112:12105-12109. <http://www.pnas.org/cgi/doi/10.1073/pnas.1504710112>

¹⁸ Dittmer M. A., C. D. Francis, J. R. Barber, D. C. Stoner, B. M. Seymoure, K. M. Fristrup and N. H. Carter. 2021. Assessing the Vulnerabilities of Vertebrate Species to Light and Noise Pollution: Expert Surveys Illuminate the Impacts on Specialist Species. From the symposium "SICB-Wide Symposium: Blinded by the light: Effects of light pollution across diverse natural systems" presented at the virtual annual meeting of the Society for Integrative and Comparative Biology, January 3–7, 2021. *Integrative and Comparative Biology* 61:1202-1215. <https://doi.org/10.1093/icb/icab091>



f. Asbestos

Montanans are unfortunately all too familiar with the harms of asbestos contamination. In Libby, community-wide asbestos contamination has afflicted generations of residents with fatal mesothelioma. Meanwhile, hundreds of millions of dollars have been spent on ongoing environmental restoration and litigation settlements. The physical, mental, and financial cost to the community is enormous. Although an extreme case, Libby serves as a warning to all communities facing the prospect of asbestos exposure.

The Sheep Creek area is known to contain fibrous actinolite (up to 9% in veins, dikes, and wall rock), an asbestiform mineral. Mining activities such as drilling, blasting, and material handling have the potential to release these fibers into the air and water, posing risks to people working and recreating in the area and to downstream environments. Once freed from their parent rock, asbestos fibers can persist in soils, sediments, and surface waters and are difficult or impossible to remediate, as is evidenced in Libby. The Forest Service must take the risk of asbestos contamination extremely seriously, require site-specific asbestos characterization and fiber-release potential analyses, and enforceable exposure controls before authorizing any activities that could disturb actinolite-bearing formations.

g. Waste rock

The Plan proposes disposing of waste rock by keeping it within Audit #1. The Forest Service must require a waste rock storage plan that addresses the potential for water and environmental contamination posed by this material, as described in the “groundwater” section of our comments. This storage plan should include information on sources of water that may come into contact with waste rock, seepage from waste rock, a drainage collection system, potential water treatment and disposal from the audit, and a monitoring plan to ensure any acid mine drainage is immediately and appropriately managed.

h. Public Access and Use of National Forest Lands

Hiking, fishing, hunting, and other outdoor recreation activities are common in the project area and would be negatively impacted by the proposed project activities. Beyond a decline in the quality of the public’s recreational experiences, however, this project is likely to reduce public access to National Forest lands. Blasting, drilling, intensive helicopter use, trucking, and potential safety closures will likely reduce public access, either directly or indirectly. As part of its analysis, the Forest Service should consider the extent and duration of access restrictions and



closures, and require mitigation measures to reduce impacts on public access to National Forest lands.

i. Reclamation

Montanans are not strangers to the boom-and-bust nature of mining, and far too often we are left paying the environmental and fiscal costs of mineral exploration long after the mining company has left the state (or ceased to exist). To avoid yet another repeat of history, mine exploration activities must be accompanied by clear, enforceable reclamation requirements and adequate financial assurance. Drill holes must be properly plugged and grouted; adits must be backfilled or otherwise permanently closed to prevent long-term groundwater interception and discharge; disturbed areas must be recontoured and revegetated; infrastructure must be removed or rehabilitated; and bonding must reflect the full cost of reclamation, closure, and long-term groundwater control, remain in place for as long as treatment may be required, and be held in cash or equivalent financial instruments to ensure completion if the operator fails to perform. Anything less is a disservice to the public and to the public resources the Forest Service is tasked with stewarding.

6. Public Interest and Controversy

There is considerable public interest in this project and very little public support for a rare earth minerals mine in the headwaters of the Bitterroot. This is, in part, because USCM has failed to engage honestly with local communities. This failure to communicate with, much less work with the communities in the Bitterroot led to the Ravalli County Commission recently voting to oppose the Sheep Creek exploration project and mine. Commissioner Jeff Burrows was quoted in the *Ravalli Republic* on August 11, 2026 saying “They [USCM] made a commitment to our community and to us, to reach out and work with us. They have not done that, so I guess at this point I’m willing to just write a straight-up opposition letter to the Sheep Creek Mine.”¹⁹ In a county with fewer than 50,000 residents, hundreds have attended public meetings, commented, or otherwise expressed opposition to the mine. Even the Montana Congressional delegation has weighed in, opposing the project’s FAST-41 designation.²⁰

¹⁹ Wilson, S. (2026, August 11). Ravalli commissioners assert 'straight-up opposition' to Sheep Creek mine company. *Ravalli Republic*. https://ravallirepublic.com/news/local/government-politics/article_a709f599-85fc-4ffd-957e-f92bb34c979c.html

²⁰ Szpaller, K. (2025, December 3). Sheehy, Daines and Zinke call for slowdown on Sheep Creek mine. *Daily Montanan*. <https://dailymontanan.com/2025/12/03/sheehy-daines-and-zinke-call-for-slowdown-on-sheep-creek-mine/>



The amount of public interest and concern regarding a potential rare earth mine in Sheep Creek merits the Forest Service's attention. Clearly, the public believes this proposal deserves more scrutiny than a mere CE. As documented in this and many other comment letters, there are myriad reasons a CE is not the appropriate level of NEPA analysis for the Sheep Creek Exploration Project.

7. Conclusion

Wild Montana is skeptical that the Sheep Creek Exploration Project is in the best interest of the Bitterroot National Forest, the residents of Ravalli County, or the public at large. We are deeply concerned about the myriad ways this project will impact National Forest lands, the Bitterroot River system, and nearby communities. We are dismayed by the scant detail provided in this Plan, which suggests the USCM does not understand or care about the values at stake or the communities at risk. A mine is not a short-term endeavor. Even a mining project that does not proceed beyond exploration can leave lasting impacts on the local environment. It is difficult, if not impossible, to fully remediate the effects of mining, even after the ore has been extracted. And, while we understand that the project currently under consideration is "only" an exploration project, it is reasonably foreseeable that this project could lead to full-scale mine in the headwaters of the Bitterroot watershed. Given all of this, we are strongly opposed to this project. As the agency proceeds with its analysis, we urge the Forest Service to act conservatively and judiciously and to embark upon a transparent process with robust public engagement. Once again, we want to emphasize that a CE is a wholly inappropriate level of NEPA analysis for this project. Because the full significance of project impacts are unknown²¹, and because multiple extraordinary circumstances preclude the use of a CE²² the Forest Service must conduct an EA.

Please continue to include Wild Montana on the official project mailing list and notify us of all future actions and opportunities for involvement. Do not hesitate to contact Wild Montana with any questions regarding these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Hilary Eisen", with a long horizontal line extending to the right.

Hilary Eisen

²¹ 7 CFR 1b.2(f)(2)(iv)(A)

²² 7 CFR 1b.3(f)



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A handwritten signature in black ink that reads "Kascie Herron".

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