

January 5, 2026

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Please acknowledge receipt.

Re: Response to FS re US Critical Materials initial Plan of Operation for the Sheep Creek Mine project

We, the undersigned hereby offer comments for the record concerning the December, 2025 submission by USCM of their Sheep Creek draft Initial Plan of Operation, “Exploration and Bulk Sampling Plan”.

Under any reasonable criteria, their “Plan” is a mining plan. It is hard to take their mining plan at all seriously given the flights of fancy and missing basic critical information.

Our initial comments are abbreviated in order to save time and effort that could be wasted on a bad faith USCM “Plan”.

Their mining Plan would require an EIS, not simply an EA, as now stated on the FAST 41 Dashboard.

We believe the process involved with permitting the Sheep Creek project should be subject to “cost share” recovery of costs for processing proposals related to mineral activity on National Forest System lands. Statutory authority authorizes Federal agencies to charge for work it performs to provide a service or benefit to identifiable entities. Policy guidance from the Office of Management and Budget (OMB) directs charging these fees. Additionally, the Government Accountability Office (GAO) recommended the Forest Service recover costs for processing locatable mineral plans of operation.

If USCM is required to pay for Forest Service processing of their proposal they might get more serious about their plans instead of playing the public and agency along, as they appear to be doing.

Among the numerous omissions and ploys we note, there is no discussion about testing for asbestos, a potentially immediate human health issue, and no plans to mitigate foreseeable impacts of toxins like arsenic, thorium, lead or possible asbestos.

Their Plan proposes, “excess waste will be transferred to a containment pad and then offsite via truck to be utilized in gravel production or backfill unrelated to the proposed site activities”. This seems to be a cynical ploy to stay within a five-acre limit to surface disturbance. In short, their Plan is to haul waste away so they can ignore it, and they already are ignoring it.

The enormous amount of waste produced by mining an approximately mile long 12' x 12' tunnel will require more than an equally large space for storage; think pulling a sleeping bag out of its stuff sack. The waste will be bigger than the hole it came out of. Waste disposal is clearly related to site mining activities and needs to be evaluated in the analysis as a foreseeable, connected, cumulative impact.

The Plan proposal to use waste for off-site gravel production or backfill could serve to spread toxic contamination by possible asbestos, lead or radioactive thorium far and wide, as happened historically in Ravalli County with Curlew mine waste containing lead getting spread in various places as road material, leading to water pollution.

Storing rock inside the mine tunnel, which could be flooded with ground water, looks like a recipe for a toxic stew of assorted minerals leaching off finely fractured rock surfaces into the water drainage. We have no idea how the stew will turn out. Has anybody tried out the Plan's stew recipe?

There are too many flaws in the proposal to cover adequately here. We hope and trust that the FS will reject USCM's “plan” entirely.

Thank you for timely consideration of these public comments.

Signed,

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