# Appendix H: Response to Public Comments

# Appendix H - Response to Comments

## 1. Introduction

The HiTech Lithium Exploration Plan of Operation Draft Environmental Assessment (Draft EA) was released on March 26, 2025. Initially, the release of the Draft EA was for a five-day public comment period. It was extended for 25 days, having an open comment period for 30 days, which ended on April 25, 2025.

The BLM received written comments on the Draft EA from the public by United States Post Office mail, hand-delivery, email, and electronic submission via the BLM's ePlanning project website. There was an approximate total of 2,300 comments received: 2,017 electronic submissions from ePlanning, 230 letters by email, and 48 by physical mail. Comments covered a wide spectrum of thoughts, opinions, ideas, and concerns. To ensure that all public comments were properly reviewed and considered, the BLM developed and utilized a comment analysis methodology, as directed by the National Environmental Policy Act (NEPA) regulations. The purpose of this appendix is to summarize and group the substantive comments BLM received during the comment period and responses to those comments. All comments have been retained in their entirety within the administrative record.

### 1.1. Comments on Analysis Process

#### 1.1.1. Substantive Comments Determination Criteria

Each comment submission was reviewed by the BLM to determine whether it was substantive or not. The BLM's NEPA Handbook (BLM 2008g; Section 6.9.2.1) states that a substantive comment does one or more of the following:

- Questions, with reasonable basis, the accuracy of information in the EIS or EA.
- Questions, with reasonable basis, the adequacy of, methodology for, or assumptions used for the environmental analysis.
- Presents new information relevant to the analysis.
- Presents reasonable alternatives other than those analyzed in the EIS or EA.
- Causes changes or revisions in one or more of the alternatives.

All substantive comments were summarized, combined with similar substantive comments, and responded to by the BLM below.

#### 1.1.2. Non-Substantive Comment Determination Criteria

All reviewed comments that the BLM determined not to be substantive were categorized using the non-substantive criteria in BLM's NEPA Handbook (BLM 2008g; Section 6.9.2.1). The criteria for determining a comment to be non-substantive are as follows:

- Comments in favor of or against the proposed action or alternatives without reasoning that meets the substantive comment criteria listed above.
- Comments that only agree or disagree with BLM policy or resource decisions without justification or supporting data that meets the substantive criteria listed above.
- Comments that don't pertain to the project area or the project.
- Comments that take the form of vague, open-ended questions.

### 1.1.3. Non-Substantive Comments

A summary of comments received that were in favor of or opposed to the Proposed Action or Alternatives, BLM policy without reasoning, justification or data were related to mining, mining law, or lithium exploration.

A summary of comments received that were outside the scope of the project area or were related to Thacker Pass Mine in Nevada and Succor Creek area in Soda Fire.

A summary of comments received that took the form of vague or open-ended questions were related to:

- Providing scientific journals, and/or other information (such as news articles) without explanation of how it relates to the Draft EA.
- Protection of human rights
- Attack on public lands and a power grab for critical minerals
- Violation of a law without providing supporting information

## 2. Substantive Comment Summary and Responses

The text of the substantive comments was summarized and/or combined to reduce their length or when identified multiple times by more than one commentor. The summaries below are intended to capture the nature of the comments as submitted.

**Air Quality**

| Comment | Response |
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| The BLM failed to analyze fugitive emissions that may cause localized dust dispersion to adjacent vegetation along the path of travel and if that would have any potential impact on the health of workers or local communities, including individuals living in proximity to mining roads. | The EA was updated and Appendix D - Issues Analyzed in Brief includes analysis of air quality and fugitive emissions. The proposed action includes a Dust Control Plan (Appendix C of the EPO), which includes measures to minimize, reduce, and avoid effects of fugitive dust. Specific measures are detailed in Appendix C as well as in Appendix E - Project Design Features. These measures ensure the proposed |

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| | action is in compliance with Oregon Department of Environmental Quality (ODEQ) fugitive dust regulations (OAR 340-208-0210). Monitoring would be conducted by the Site Supervisor and ESG Manager through daily inspections and record keeping logs. Adaptive management (e.g. increased watering of roads) would occur if visible dust is observed. With implementation of the Dust Control Plan, and compliance with ODEQ fugitive dust regulations (OAR 340-208-0210), impacts of fugitive dust would not be substantial. |

**Alternatives**

| Comment | Response |
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| The BLM should analyze an alternative of utilizing storage tanks for drilling fluids and effluent produced during borehole drilling. | The BLM considered this Alternative, but it was eliminated due to the fluid products identified to use as meeting Standard 60, do not violate EPA, and do not require formal disposal of drilling fluids (EA Section 2.2.8, EPO Section 3.7, 5.8), and the disposal requirements from drilling fluids would be same and the effects would be substantially similar regardless of if the fluids were in a sump, a tank, or hauled off (Section 2.3). |
| The BLM failed to follow NEPA regulations by not considering other alternatives. | BLM did consider five other alternatives in Section 2.3 of the EA. However, they were eliminated because they met one or more of six removal eligibility criteria specified in Section 6.6.3 of the BLM NEPA Handbook (BLM, 2008). |
| The EA should evaluate a third alternative proposing that drilling would be done by helicopters to minimize disturbance. | The BLM considered this Alternative in Section 2.3, but it was eliminated for being ineffective as helicopter drilling is typically necessary in remote, rugged, or environmentally sensitive areas where traditional ground-based drilling rigs cannot be transported or operated efficiently. While this project is in a remote area, the project area is not limited by access due to rugged natural topography and has current access by county and BLM roads. |

**Archeological, Cultural, and Tribal Resources**

| Comment | Response |
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| BLM failed to comply with the NHPA by failing to meet its consultation and analysis requirements for the cultural resources. | Consultation has been and is occurring in accordance with 36 CFR 800 for the project and for the Programmatic Agreement (PA), (Section 106), (Appendix F), through government-to-government consultation process that has been agreed upon. As part of the PA there is an inadvertent Discovery Plan. Disaster Peak has been identified as a Traditional Cultural Properties but is not within the identified APE for the McDermitt Lithium Project. All aspects of the proposed action within EA, Section 3.1, explain the effects with definitions of impacts to cultural resources and the avoidance and mitigation strategies under the PA. |

**Dark Night Skies & Visual Resource Management**

| Comment | Response |
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| Preservation of night skies has become prominent over the past decade and the impacts from the project associated with light pollution and loss of dark skies are not addressed. | Preservation of the night sky will continue. Downcast lighting and other design features such as operation of only three drill sites at a time would not impact night skies. Visual Resources were analyzed, and it was found that there would be no impact. The analysis is in EA, Appendix D. 12. |
| EA did not provide any analysis for the potential impacts to the casual observer within the project area. | There are no changes to the EA based on this comment because the casual observer only applies in wilderness. This project has no wilderness, wilderness study areas, and was revised to exclude any wilderness characteristics units from the project boundary and the term casual observer does not apply to this project. |
| The EA fails to adequately analyze the potential for proposed activities to negatively impact visual resource management (VRM) Class II in the project area. | The VRM area of the project area is designated as VRM Class IV as per the SEORMP 2002 as amended in 2024, however the Visual Resource Inventory (VRI) Class II does exist within the project area and is managed as a Class IV. The EA was revised, Figure 10 and 11, because it was incorrect and should have reflected VRM, not VRI. In addition, VRM in the EA analysis was revised accordingly (EA, Appendix D 12.). |

**Drilling and Operations**

| Comment | Response |
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| The BLM fails to clarify the inconsistency between EA and EPO regarding the number of drill rigs operating at once and the associated water consumption need to run drill rigs. | BLM has edited the EA in response to your comment to provide better clarification. Section 2.2.10 now explains that the operator will limit the maximum number of drill rigs on site at any time to three. If the operator wants to change the number of drill rigs, the BLM will conduct new NEPA analysis analyzing the change. The amount of calculated water usage based on three rigs operating can be found in section 2.2.7. |
| BLM has failed to identify any specific sites for obtaining gravel and the impacts of the gravel mining and hauling into the site. | BLM edited the 2.3 Alternatives Considered but Eliminated from Analysis to identify gravel source sites and evaluate the effects of using such gravel. As explained in EA, Appendix E, all gravel will be hauled in and will be clean washed gravel. Text was also added in EA, Appendix E to clarify this. |

**NEPA**

| Comment | Response |
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| The EA does not provide a clear and concise discussion of the mitigation measures that minimize or avoid the adverse environmental effects. | Mitigation Measures are synonymous with Project Design Features (Section 6.8.4 of the BLM NEPA Handbook (BLM, 2008). A list of project design features can be found in Appendix E. All design features are considered and referenced in the issue questions, both Analyzed in Detail (EA, Sections 3.1, 3.2, 3.3, 3.4), and Analyzed in Brief (EA, Appendix D). |
| The EA did not adequately address cumulative impacts. | The BLM edited the cumulative effects to be titled reasonably foreseeable environmental effects (RFEE) in Section 3.5. Reasonably foreseeable environmental effects are the incremental effects contributing from past, present, or reasonably foreseeable actions to the effects from the proposed action that occur within the same space and time. This includes any reasonably foreseeable projects that are not yet active but have initiated a formal planning process. Reasonably foreseeable environmental effects of the Proposed Action are evaluated in Sections 3.5. The Reasonably Foreseeable Action (RFA), Table 4 of the EA, provides all active projects occurring within the 7200-acre project boundary and the overlapping acres of the projects to determine potential effects. |

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| It is unclear if drilling operations will be able to disturb more acreage, if reclamation acreage will be considered and allow more drilling to occur over the 100 acres. | The EA has been updated to allow for exploration disturbance up to 73 total acres for the project (EA, Section 2.2, Table 1). The EA has also been updated to disclose the project analyzed effects for 73 acres and the project will not exceed those acreages (Reclamation Section 2.2.1.6 and in Section 6 of the EPO (Appendix C)). Any further disturbance outside the 73 acres will require subsequent NEPA analysis. |
| The EA contains an incorrect purpose statement that focuses on the purpose of NEPA because of this, the purpose statement fails to frame the alternatives to the project. | The BLM has updated the purpose statement found in Section 1.2 of the EA. |
| The EA is not appropriate in this case due to the potential of significant effects to Greater Sage Grouse, Lahontan Cutthroat Trout (LCT), socioeconomics, and increased fire risk. | The EA has been updated to disclose potential effects and PDFs are included in the analysis to minimize, reduce, or avoid any potential significant effects to:<br>• Greater Sage Grouse (EA, Section 3.3)<br>• Lahontan Cutthroat Trout (LCT) (EA, Appendix D 14.)<br>• Socioeconomics (EA, Appendix D 9.)<br>• Fire risk (EA, Appendix D, 16., and EPO, Appendix I. (Emergency Response Plan)<br><br>Additionally, the 2008 NEPA Handbook provides guidance that an EIS is the next level of NEPA if the BLM is unable to reach a FONSI from the EA analysis. The FONSI for this project can be found here: https://eplanning.blm.gov/eplanning-ui/project/2025844/510 |
| The finding of "no significant effect" or "not a major action', in the FONSI is flawed and made without proper consideration or explanation. Second, the FONSI and the EA are faulty as they rely on vague, unclear, or not specific Design Features. | The BLM revised the FONSI and Appendix E of the EA to clarify project design features. References to "negligible" or "minimal" impacts were updated to quantify an analysis for the potential of a significance effect. |

**Range**

| Comment | Response |
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| The EA needs to provide information clarifying about the potential negative effects of exploration activities on grazing operations in the Zimmerman allotment and Disaster Peak Ranch. This includes fencing, maintenance, gates, cattleguards, minimizing stress to animals, noise, forage, weeds, increased trespass, groundwater extraction, water pipelines, and water quantity and quality. | The EA added clarifying information to describe short and long-term adverse effects from the proposed action to existing allotments and associated livestock grazing (EA, Appendix D 4.). Design features are included to reduce, minimize or avoid such adverse effects (EA, Appendix E). Additionally, Hitech will ensure that cattle operations are not impacted by working with the permittee throughout the life of the project, and ensuring that any damage caused by exploration is repaired to the state prior to the action (EA, Appendix E, LG). |
| The EA did not evaluate light, noise, vehicle, heavy equipment and human presence impacts on the proposed Project Area. | The EA added clarifying information to evaluate light, noise and heavy equipment, project operations (EA, Appendix D 4.) in the livestock grazing allotments. |

**Reclamation**

| Comment | Response |
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| The EA does not provide information about specific reclamation methods or quality metrics for reclamation success. | This information was not in the EA but is in the EPO. The EPO was posted to ePlanning during the comment period and is still available to the public. In the EPO, Section 6.0 Reclamation plan has all the metrics and reclamation phases detailed.<br><br>Section 2.2.16 of the EA explains that reclamation success would be determined through a future quantitative and qualitative comparison of reference sites and the reclaimed drill sites and will meet the requirements of 43 CFR 3809.420(b)(3). Reference sites would be selected from native plant communities within the Project Area that represent the post-disturbance land use objectives and representative of the areas being reclaimed. |

**Recreation**

| Comment | Response |
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| BLM did not address potential effects to | Recreational access including opportunities for hunting and rockhounding were added to analysis in, Appendix D of the EA. |

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| recreation specifically rock hounding. | There will be no impact on recreational access or activities as a result of the project and the project does not propose any closures for recreation. |
| The Oregon Desert Trail offers recreational opportunities in Oregon and exploration would impact the trail route, aesthetics and experience. The trail was not considered in the development of the EA. | The ODT runs north of the project area and will remain unaffected by the project because it is located more than 5 miles to the north from the project actions. Recreational resources were examined for recreation use, access and opportunities in EA, Appendix D 8. and there will be no impact from the project to recreation predominately because access will remain open in and around the project area. |

**Roads**

| Comment | Response |
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| The EA methodology for disturbance acreages based on road and footprint estimates does not adequately account for grades, culverts and structures, and may not account for stormwater events which could cause habitat degradation. | The EA section 2.2.1 Access and Road Types details temporary road construction, while Table 1 details the estimated disturbances width and acreage based on the slope category, with each slope category calculated based on the upper limit of the grouping (for example: 11-20% slope disturbance grouping is all calculated at 20%). In the event more surface disturbance is required than estimated, surface disturbance from another component would be utilized; however, disturbance would not exceed 73 acres. The EA analyzed surface disturbances to 73 acres within the project area (7,200 acres).<br><br>Per the EPO section 3.4, temporary roads would be constructed according to the BLM Primitive Roads Design Handbook (9115-1), which includes management practices for sedimentation and water runoff. New roads would include water bars as directed by the BLM to meet performance standards. The proposed action includes a Stormwater Pollution and Control Plan (SWPCP, EPO Appendix H) which provides further design features to reduce impacts from storm events, such as straw wattles on disturbed slopes to capture sedimentation. Design features to avoid and reduce sedimentation and stormwater runoff which could cause habitat degradation are included in EA, Appendix E (ESPCSC). |

**Sage Grouse**

| Comment | Response |
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| The EA does not specify methods to mitigate the identified impacts (p. 49) to sage grouse habitat. | The EA Section 3.3 (BLM Sensitive Species – Greater Sage-grouse) has been updated to further describe the effects of the project on sage-grouse from habitat loss and degradation, displacement, noise, human activity, and nighttime lighting, increased vehicle traffic and fencing as well as how design features reduce or avoid these effects to sage-grouse. Upon the Proponent selecting appropriate and feasible minimization measures, ODFW will identify any residual project impacts to sage-grouse and calculate a compensatory mitigation requirement to offset loss of sage-grouse habitat. |
| The reference to Sage Grouse lekking season is not consistent with the Oregon ARMPA for seasonal restrictions and sites within occupied and pending leks. | The EA Section 3.3 (BLM Sensitive Species – Greater Sage-grouse), has been updated to clarify that the sage-grouse breeding season is March 1 through June 30, which is within the operational shutdown period December 1 through June 30. |
| The project area is in vital GSG habitat and there are concerns regarding the application of the 2015 vs 2024 GRSG RMP. Mitigation measures are not fully analyzed. | The EA Section 3.3 (BLM Sensitive Species – Greater Sage-grouse) and the Sage-grouse Conformance Review Worksheet (EA, Appendix C) have been updated to further clarify how the project is in conformance with the 2015 ARMPA and why the 2025 Sage-grouse Plan does not apply. The EA has also been updated to further describe the effects of the project on sage-grouse from habitat loss and degradation, displacement, noise, human activity, and nighttime lighting, increased vehicle traffic and fencing as well as how design features reduce or avoid these effects to sage-grouse. |
| The EA fails to demonstrate how the project is in conformance with 2015 GRSG ARMPA. Specifically, the EA fails to explain how conformance with seasonal closures and lek buffers will occur.<br><br>The GRSG conformance statement for MD SSS-9 does not demonstrate that | The EA Section 3.3 (BLM Sensitive Species – Greater Sage-grouse) and the Sage-grouse Conformance Review Worksheet (EA, Appendix C) have been updated to further clarify how the project is in conformance with the 2015 ARMPA. While the proposed project is within PHMA, Required Design Features and Management Decisions (e.g. lek buffers and seasonal closures) developed for the 2015 GRSG ARMPA are not required for locatable mineral projects. As stated in MD SSS-9, MD MR 11, MD MR 12, p 1-8, and p 2-1, BLM management actions must be consistent with valid and existing rights and applicable law in authorizing third-party actions. Measures to avoid or minimize impacts to Greater Sage-Grouse and limit disturbance to habitat have been incorporated into the EPO and EA (EA, Appendix E) |

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| an exemption applies for activities that fall with lek buffer distances. | and are described in the Sage-grouse Conformance Review Worksheet (EA, Appendix C). |
| The project is erroneously exempt from 2024 Oregon Greater Sage Grouse ROD and Approved Resource Mitigation Plan Amendment, considering the project is entirely within the Trout Creek PAC and the area is high conservation value. | Per the 2025 GRSG Rangewide Planning Record of Decision and Approved Resource Management Plan Amendment for Oregon (ARMPA), page 1-30, The HiTech Lithium Exploration Plan of Operation (DOI-BLM-ORWA-V000-2023-0045-EA) is not subject to the decisions made in the Approved RMP Amendment, because it was already in progress and in its final stages of completion. The location of the project (within the Trout Creek PAC) has no bearing on whether it is exempt from the 2025 ARMPA. Exemptions were determined based solely on the status of the project development, and since the HiTech Lithium Project was in its final stages of completion when the ARMPA was issued, the project was not erroneously exempted. Therefore only the 2015 plan will be used to evaluate conformance with the land use plan amendment.<br>EPO, Appendix E, p E-1 has been updated to correct 2024 to 2025 and remove the statement "due to it occurring outside of designated areas" |
| The recent wildfires in the area have burned much of the GSG habitat within the Trout Creeks PAC, but the cumulative habitat loss has not been analyzed in the EA. Wildfire, along with additional habitat fragmentation of the proposed project, will cause additional anthropogenic impacts to the wildlife. | The EA Section 3.3 (BLM Sensitive Species – Greater Sage-grouse), has been updated to include the amount of available habitat in the Trout Creek PAC and how wildfire has contributed to habitat loss within the PAC. The EA also has been updated to further describe impacts, including past and reasonably foreseeable impacts, to sage-grouse from habitat fragmentation. |
| GSG habitat in the Trout Creeks Priority Area of Conservation is already below thresholds set forth in the BLM GSG Rangewide Planning ROD and ARMPA and is threatened by wildfire, mineral exploration and | The EA Section 3.3 (BLM Sensitive Species – Greater Sage-grouse), has been updated to include the status of the adaptive management trigger in the Trout Creek PAC and how wildfire has contributed to habitat loss within the PAC. Reasonably Foreseeable Future Environmental Effects has also been updated (EA, Section 3.5). |

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| rockhounding. The EA does not consider cumulative impacts. | |
| Impacts to GSG in the Trout Creek Mountain GRSG Priority Area are not fully analyzed. The area is highly important for conservation of GRSG. Anthropogenic activities to GRSG have not been fully considered and statements about noise need to be clarified. | The EA Section 3.3 (BLM Sensitive Species – Greater Sage-grouse) has been updated to further describe and clarify the effects of the project on sage-grouse within the Trout Creek PAC from habitat loss and degradation, displacement, noise, human activity, nighttime lighting, increased vehicle traffic and fencing as well as how design features reduce or avoid these effects to sage-grouse. |
| The BLM should clarify why the proposed project is not considered anthropogenic disturbance under the 2015 ARMPA and conduct a disturbance cap analysis. | The Sage-grouse Conformance Review Worksheet (EA, Appendix C) has been updated to further clarify what actions are considered anthropogenic disturbance under the 2015 ARMPA and added a disturbance cap analysis. |
| BLM must require that all pits and tanks be covered or demonstrate that one of the RDF exemption criteria in Appendix C is satisfied. | The Sage-grouse Conformance Review Worksheet (EA, Appendix C) has been updated to further clarify how RDFs are being applied and how the project is in conformance with 2015 ARMPA. While the proposed project is within PHMA, Required Design Features and Management Decisions developed for the 2015 Oregon Greater Sage-Grouse Approved Resource Management Plan Amendment are not required for locatable mineral projects. As stated in MD SSS-9, MD MR 11, MD MR 12, p 1-8, and p 2-1, BLM management actions must be consistent with valid and existing rights and applicable law in authorizing third-party actions. Measures to avoid or minimize impacts to Greater Sage-Grouse and limit disturbance to habitat have been incorporated into the EA as Design Features (EA, Appendix E) and are also described in the Sage-grouse Conformance Review Worksheet (EA, Appendix C). |
| Two noise RDFs (the use of noise shields and locating noise-creating equipment outside PHMA) are not limited | The Sage-grouse Conformance Review Worksheet (EA, Appendix C) has been updated to further clarify how RDFs are being applied and how the project is in conformance with 2015 ARMPA. While the proposed project is within PHMA, Required Design Features and Management Decisions developed for the 2015 Oregon |

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| to the breeding season, and BLM must require the project proponent to adhere to them or demonstrate that one or more of the RDF exemption criteria in Appendix C are satisfied. | Greater Sage-Grouse Approved Resource Management Plan Amendment are not required for locatable mineral projects. Measures to avoid or minimize impacts to Greater Sage-Grouse and limit disturbance to habitat have been incorporated into the EA as Design Features (EA, Appendix E). A portable generator would be located on the laydown/staging area for the water supply well. It is not feasible to locate the well or generator outside of PHMA due to the extent of PHMA surrounding the project area. Noise shields have not been incorporated as a design feature, but are not required for locatable mineral projects as described in the preceding comment response. |
| The EA describes that the company "would [be] require[d] . . . to restore the land to its original state at the end of each drill season" which is inaccurate and misleading. | This statement has been removed from the EA and Section 3.3 (BLM Sensitive Species – Greater Sage-grouse), has been updated to further describe reclamation of sage-grouse habitat. |
| The BLM should disclose that restoration of mature sagebrush is very difficult to achieve and even if successful, typically requires decades or centuries. | The EA Section 3.3 (BLM Sensitive Species – Greater Sage-grouse), has been updated to further describe the reclamation of sage-grouse habitat and the difficulty of shrub establishment in arid environments. |
| The EA needs to clarify the metrics used to gauge reclamation success to ensure it is accurate to state that reclamation will meet the requirements of 43 CFR 3809.420(b)(3)(ii) E "Rehabilitation of fisheries and wildlife habitat." | Reclamation Success Criteria is detailed in the EPO, Section 6.0, which the EA briefly describes in Section 2.2.16. The EA Section 3.3 (BLM Sensitive Species – Greater Sage-grouse) and EA, Appendix D (Terrestrial Wildlife), have been updated to further describe how the reclamation standards meet the requirement to rehabilitate wildlife habitat. |

**Socioeconomics**

| Comment | Response |
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| The EA should provide more demographic information about the populations in the project area. | The EA added an EA, Appendix D and D1 to provide more robust discussion of the socioeconomic context related to the project location. |
| The EA both underestimates and fails to adequately address the socioeconomic impacts of the proposed project on existing permitted uses and values in the project area. | The socioeconomic analysis can be found in EA, Appendix D, and D1, and was updated to provide clarity and fully evaluates socioeconomic impacts from the proposed action. EA, Appendix D1 contains a baseline picture of the economic and social setting of Malheur County, OR to set the context for determining the potential significance of impacts. The economic impact for range and recreation is based on the reasonable assumptions and impact analysis identified in those sections of EA, Appendix D, which found no significant impacts to either sector. Additional socioeconomic analysis are based on the projections included in the EPO, such as 15 contracted works and drilling schedule. |
| The EA does not fully consider the impacts to grazing or recreation occurring in the project area. EA needs to include a more robust socioeconomic impact analysis. | The EA was updated to include more discussion related to potential economic impacts in EA, Appendix D and D1 was added to provide more context on important economic sectors and quality of life for the area. See also preceding comment response. |
| The EA does not adequately address socio-economic circumstances or impacts. It is unclear if hiring will be local. | The socioeconomic section (Appendix D) of the EA was updated to clarify local hiring will be limited to support activities though specializing mining jobs may be from the neighboring Nevada county given its large mining employment sector. |
| The EA fails to capture tax implications. | The socioeconomic section, Appendix D and D1 of the EA, was updated to discuss taxes. |

**Soils**

| Comment | Response |
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| The EA does not consider impacts to biological soil crusts in the Soils section. | Potential impacts to soils are not substantial and are analyzed in brief in EA, Appendix D, 10. The brief analysis of soils was updated to analyze the potential impacts to biological soil crusts. |

**Vegetation**

| Comment | Response |
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| The EA doesn't accurately portray the impact to sensitive plant species since there is a non-mandatory 100' buffer that will quickly overlap several sensitive plant species populations due to the high density of occurrences in the area they are proposing to drill. | The Exploration Plant of Operations was updated to include a reduced amount of ground disturbing activities. The impact to sensitive plant sites was reanalyzed in section 3.2 of the EA. The impact of the proposed action would impact no more than 5% of the total occurrences in the project area, even if no buffers could be implemented. This would not trend these plant species for listing under the ESA. |
| The draft EA discusses several impacts to water resources from the proposed action but fails to provide sufficient rational or scientific justification for their findings. In addition, the EA does not include an accurate or complete analysis of long-term impacts to vegetation, spread of annual invasive grasses or cumulative impacts. | The EA Section 3.4 (Water Resources), 3.5 RFEE, and EA, Appendix D, (Upland Vegetation) have been updated to further describe the effects of the project on these resources, including scientific justification, long-term impacts on vegetation and potential spread of annual invasive grasses. |
| The EA does not provide an adequate methodology for prevention of ESA listing for BLM sensitive | The Exploration Plan for Operations was updated to include a reduced amount of ground disturbing activities. The impact to sensitive plant sites was reanalyzed in section 3.2 of the EA. The impact of the proposed action would impact no more than 5% of |

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| plant species that occur within the project area. | the total occurrences in the project area, even if no buffers could be implemented. This would not trend these plant species for listing under the ESA. |
| The methodology used to determine restoration success should be modified in the EA to align with the 2015 and 2025 ARMPA. Specifically, having a less than 1:1 ratio of annual grasses to perennial grasses is too lenient. | In addition to reclamation, the BLM will avoid and minimize the spread and establishment of invasive annual grasses through the PDFs (EA, Appendix E, Noxious and Invasive, Non-Native Species (NI, NSS)). The impacts of the proposed action to the spread and establishment of noxious/invasive plant species throughout the entire project, including reclamation, are addressed in the EA, Appendix D, Noxious and Invasive Species section. While project design features will avoid and minimize invasive annual grass establishment as much as possible, having less than a 1:1 ratio of annual invasive annual grasses to perennial grasses is a reasonable threshold since it will prevent UUD. The PDFs (EA, Appendix E, NI/NSS) are aligned with the 2025 ARMPA. |
| BLM must clarify why the impact from noxious/invasive species would be temporary and minimal. | This was addressed in the EA, Appendix D, Noxious and Invasive Species section. The impact from noxious/invasive plant species would be temporary and not significant due to the effect of the Design Features (EA, Appendix E, NI/NSS), which would avoid and minimize the impact of introduction and spread of invasive species. |

**Water**

| Comment | Response |
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| The EA fails to disclose what drilling fluid products will be used to fully analyze potential impacts to water resources. The EA describes fluids as non-toxic while the Stormwater Pollution Control Plan lists drill fluids as a hazardous substance. | The EA has been updated to further clarify drilling fluid products in Section 2.2.7 Drilling Fluid and Effluent Management. Multiple drilling fluid products may be used, and specific brand selection would vary based on the contracted drilling operator and would be decided at the time of use dependent on availability. Standard drilling fluid products that may be used are disclosed in the EPO Section 5.8, Table 5. The EPO and EA commit to only using products that meet NSF/ANSI Standard 60 and, together with containment and other BMPs, these measures are not expected to measurably degrade groundwater quality. NSF/ANSI Standard 60 is further described in the EPO Section 5.8, as well as the EA section 2.2.7. SDS Sheets would be submitted to the BLM for all drilling fluids utilized during the project. Analysis of drilling fluid potential impacts is included in the EA, Section 3.4 Water Resources (Surface and Groundwater).<br><br>The Stormwater Pollution Control Plan (SWPCP, Appendix D of the EPO) identifies “hazardous substances” in section 1.2 Potential |

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| | Pollutants to later identify spill control measures and runoff control measures for these materials. While drilling fluids are non-toxic and would meet NSF/ANSI Standard 60, it is still necessary to list them in this section to ensure proper storage of these materials is identified and spill prevention measures are taken. Toxicity is often determined by approved application rate, and while substances may be safe at approved application rates, spills resulting in quantities exceeding application rates may increase the hazard of the materials, thus needing to identify spill and runoff control measures. |
| The EA does not include any mitigation measures for groundwater quality and quantity, outside of monitoring wells. | Beyond monitoring, the EA/EPO include several committed design features and mitigation measures that protect both groundwater and surface water (Appendix E, HR, ESPCSC):<br><br>Well construction & abandonment standards. Convert selected holes to monitoring wells per OAR 690-240 and plug remaining holes per OAR 632-033-0025(7)(e); abandon the water-supply well per Oregon abandonment regulations (EA at 2.2.6. Groundwater Monitoring Wells and Stream Monitoring; EA at 2.2.5. Borehole Abandonment).<br><br>Certified drilling products. All drill additives and abandonment supplies meet NSF/ANSI Standard 60 (EA at 2.2.8. Drilling Fluid and Effluent Management).<br><br>Sump design and closure. 10×20×6ft (~7,500-gal effective capacity) sumps adjacent to drill pads; wildlife egress slope; temporary fencing; consolidation and optional cement/add backfill; backfill within 30 days; containment of encountered groundwater (EA at 2.2.3. Drill Site Construction; EA at 2.2.8. Drilling Fluid and Effluent Management; EA Appendix E Project Design Features—Hydrological Resources).<br><br>Surface-water buffers and crossings. ≥300-ft buffer from perennial/intermittent waters or outside riparian habitat; use only existing crossings; no crossing when water is present; protect low-water fords with clean washed gravel or manufactured mats per USACE/DSL (EA at 2.2.2. Water Crossing; EA, Appendix E. Project Design Features—Hydrological Resources).<br><br>Dust and sediment controls. Implement the Dust Control Plan and stormwater BMPs (EPO, Appendix C. Dust Control Plan 5.0–5.6; EPO, Appendix H. SWPCP); the EA further requires non-toxic, biodegradable dust-abatement products and limits on chemical use |

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| | near water (EA at 2.2.1. Access and Road Types; EA Appendix E. Project Design Features—Soils).<br><br>Water-supply management. No discharge to ground surface during operation of the water-supply well; comply with Oregon Water Resources Department's (OWRD) Owyhee administrative basin Limited License LL-1941 (EA at 2.2.7. Water Supply and Management; EA Appendix E. Project Design Features—Hydrological Resources).<br>Monitoring and adaptive response. Conduct surface water monitoring per the Monitoring Plan and implement corrective actions as needed (EPO Appendix G. Monitoring Plan; EA Appendix E. Project Design Features—Hydrological Resources). |
| The EA does not adequately address groundwater table impacts to aquifers, seeps and springs in the area. | The EA Section 3.4 Water Resources (Surface and Groundwater) has been updated. Impacts to groundwater quantity is analyzed in the EA, Section 3.16. The occurrence of springs and seeps in the analysis area was noted in the EA, Section 3.4 Affected Environment and the potential for impacts was analyzed in EA, Section 3.4 Environmental Consequences. |
| The EA does not adequately analyze how impacts to groundwater quantity and quality will impact other water rights users such as the Disaster Peak Ranch. | The EA Section 3.4 Water Resources analysis was updated. Potential impacts to groundwater quality and quantity are analyzed. As part of the groundwater quantity analysis, impacts to water rights in the analysis area were analyzed. No impacts on water rights were identified. As determined by OWRD in their issuance of the limited license, the proposed water use if properly conditioned would avoid injury to existing groundwater rights. The proposed action's water right is a limited license (OWRD LL-1941) and shall be subordinate to all other water rights relying on the same source. Under OWRD's authority, it may revoke a limited license if it causes injury to any water right or perennial stream flow (ORS 537.143(2)). |
| The EA does not adequately address how mitigation measures will prevent or reduce impacts to water resources. | The EA Section 3.4 Water Resources (Surface and Groundwater) analysis was updated to describe impact causing elements, the potential effects to surface water quality and quantity, and groundwater quality and quantity. In addition, design features, conditions of the limited license, and monitoring would be used to minimize impacts on water resources. These measures were described and related to the specific potential impacts they are reducing, minimizing, or avoiding. |
| The EA does not adequately define where drill cuttings will be | The EA and EPO define where drill cuttings will be stored and how they are managed. Sumps are constructed adjacent to each drill site and connected by a ditch to direct flow from the borehole, |

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| stored and if there are potential impacts associated with them. | with anticipated dimensions of 10×20×6 ft (~7,500 gallons effective capacity), one end sloped for wildlife egress, and temporary fencing (EA at 2.2.3. Drill Site Construction). Sumps are used to settle drill cuttings and prevent release, and all groundwater encountered during drilling is completely contained in the associated sump (EA, Appendix E. Project Design Features—Soils; EA Appendix E. Project Design Features—Hydrological Resources). Sumps are allowed to consolidate; Portland cement or excavated materials may be added to absorb remaining free water; and each sump is backfilled within 30 days (EA at 2.2.8. Drilling Fluid and Effluent Management). The EA describes temporary fencing and egress ramps for sumps in the wildlife protection measures (EA, Appendix E Project Design Features—Terrestrial and Aquatic Wildlife; EA, Appendix E. Project Design Features—Livestock Grazing).<br><br>Because cuttings consist of native geologic material and are contained and reclaimed as described above, the EA's design features are expected to prevent release and minimize potential migration to surface or groundwater during operations and reclamation (EA at 2.2.8. Drilling Fluid and Effluent Management; EA, Appendix E Project Design Features—Soils/Hydrological Resources; EPO, Section 6. Reclamation Plan). |
| The EA does not adequately address how precipitation events would impact sumps and potential impacts to surface water. | Sumps are 10' x 20' and designed to hold 7,500 gallons. A Stormwater Pollution Control Plan (SWPCP) was developed (EPO, Appendix H). Drill sites would be constructed with run-on flow diversions to prevent water flow from running onto drill sites and into sumps. The project area annual precipitation averages 8in, if all 8in falls into a sump it would represent 1,000 gallons. The maximum borehole diameter is 8in, which would represent an area of 0.349 $ft^2$, with the maximum borehole depth being 800ft, potential drill cuttings would at maximum represent approximately 279$ft^3$ or 2087 gallons. This would still allow over 4,000 gallons of space in the sump. Project activities would only occur from July 1 to November 30, when precipitation is lowest, further reducing any potential for impact. |
| The EA should reference the BLM-ODEQ MOU to protect water resources on public lands in OR and should clarify whether CWA | The EA Section 3.4 Water Resources (Surface and Groundwater) was updated and includes reference to the BLM and Oregon Department of Environmental Quality (ODEQ) Memorandum of Understanding (MOU). The BLM does not have regulatory authority under the Clean Water Act for issuing 401, 404, NPDES, or other similar permits /certifications. ODEQ has regulatory authority to issue these permits, and per the BLM-ODEQ MOU, |

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| certification, or other permits are required. | project proponents will be required to apply for and comply with all applicable State water quality permits and certifications. The proponent, HiTech, will be responsible for coordinating with ODEQ for all applicable permits and acquiring necessary permits. |
| The EA should be revised to clarify potential impacts to wetlands, specifically Table A-1 which mentions "wetlands may be affected" while the Hydrological Baseline indicates "no wetlands were identified". | The EA was updated to remove text stating “Wetlands may be affected”. There are no wetlands within the project area as identified in the wetland delineation conducted by SWCA Environmental Consultants in 2022. Discussion of the wetland delineation was updated in the EA in Section 3.4 Water Resources (Surface and Groundwater). |
| The EA does not adequately analyze impacts to drinking water sources or identify what sources are in the area. | The EA was updated in Section 3.4 Water Resources (Surface and Groundwater). Potential impacts on water quality were updated and analyzed as well as potential impacts on water rights in the analysis area. Water rights in the area were identified as part of the Hydrological Baseline Report, Appendix F of the Exploration Plan of Operations, and referenced in Section 3.4. Impacts to groundwater quality would not be substantial due to the use of NSF/ANSI Standard 60 products and, together with containment and other BMPs, these measures are not expected to measurably degrade groundwater quality. Impacts to groundwater quantity would not be substantial as no water rights in the analysis area would be impacted. The limited license issued by OWRD anticipates no impacts to other rights holders, however the limited license would not have priority over other existing rights, and the limited license would be revoked if impacts on other rights occur. |
| The USGS conducted geo-magnetic surveys, and these surveys should be used to map groundwater resources | There are no changes made to the EA because the USGS is currently researching electromagnetic data to evaluate lithium resources in the McDermitt Basin. This research has not been published yet and would not be able to produce groundwater elevations with this dataset. |
| The EA does not adequately consider drought and foreseeable climate trends and potential for the proposed action's water use to contribute. | The EA has been updated in Section 3.4 Water Resources (Surface and Groundwater) to discuss the potential for impacts to water quantity. In addition, drought and climate trends of the area are assessed in Section 3.5 Reasonably Foreseeable Future Actions Common to All Issues. |

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| The BLM should further analyze impacts to water quality and the potential for the proposed action to increase arsenic contamination in McDermitt Creek and impact groundwater quality. | The EA analyzes potential effects on groundwater and surface water and includes mandatory measures to prevent aquifer interconnection and protect water quality. Exploration holes will either be converted to monitoring wells in accordance with Oregon rules or properly abandoned before the drill rig moves from the drill site (EA at 2.2.6. Groundwater Monitoring Wells and Stream Monitoring; EA at 2.2.5. Borehole Abandonment). The EA also commits to abandoning the water-supply well in accordance with Oregon abandonment regulations. (EA at 2.2.6. Groundwater Monitoring Wells and Stream Monitoring).<br><br>All drill additives and hole-abandonment products will meet NSF/ANSI Standard 60, the same standard used for drinking-water systems (EA at 2.2.8. Drilling Fluid and Effluent Management).<br><br>Drilling fluids and cuttings are contained in sumps constructed adjacent to each drill site. The EA specifies anticipated sump dimensions of 10 ft by 20 ft by 6 ft (approximately 7,500 gallons effective capacity), one end sloped for wildlife egress, and temporary fencing for safety (EA at 2.2.3. Drill Site Construction). The EA further provides that groundwater encountered during drilling is completely contained in the associated sump; sump contents are allowed to consolidate; Portland cement or excavated materials may be added to absorb remaining free water; and each sump is backfilled within 30 days after drilling (EA at 2.2.8. Drilling Fluid and Effluent Management; EA Appendix E. Project Design Features—Hydrological Resources).<br><br>Surface-water protections reduce the potential for off-site transport: construct new disturbance ≥300 ft from perennial and intermittent waters or outside riparian habitat (whichever is greater); use only existing crossings; do not cross drainages when water is present; and, where needed, protect low-water fords with clean washed gravel or manufactured mats in coordination with USACE/DSL (EA at 2.2.2. Water Crossing; EA Appendix E. Project Design Features—Hydrological Resources). The EA and EPO also commit to dust- and sediment-control measures, including the Dust Control Plan and stormwater best management practices (EA Appendix E. Project Design Features—Air Quality; EA Appendix E. Project Design Features—Soils; EPO Appendix C. Dust Control Plan 5.2–5.6; EPO Appendix H. SWPCP).<br><br>Duration and timing further reduce exposure: the seasonal work window is July 1–November 30, and each borehole is typically completed in 2–20 days (EA at 2.2.15. Project Schedule). |

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| | Due to the listed design features, impacts to water quality are expected to not be significant and are adequately analyzed in the EA Section, 3.4 Water Resources. |
| The EA does not adequately address the cumulative impacts of water withdrawals on the groundwater table impacts to aquifers, seeps and springs in the area. | The EA Section 3.4 Water Resources (Surface and Groundwater) has been updated. Impacts to groundwater quantity are analyzed in Section 3.4 of the EA. The occurrence of springs and seeps in the analysis area was noted in the Section 3.4 Affected Environment and the potential for impacts was analyzed in Section 3.4 Environmental Consequences. Reasonably foreseeable environmental effects (a.k.a. cumulative effects) are described in section 3.5 |
| The EA needs to clarify how unlined sumps allow percolation of drilling fluid into the ground and potential impacts to groundwater quality. | The EA has been updated in Section 2.2.8 to further describe drilling fluid products and Section 3.4 Water Resources (Surface and Groundwater) has been updated to detail potential impacts to groundwater quality. The EPO commits to only using NSF/ANSI Standard 60 products, which ensures products are safe for use in drinking water wells. Use of Standard 60 products ensures groundwater quality will not be impacted. Drilling fluids and water in the sump would be allowed to percolate into the ground or evaporate. While the soils of the area are generally well-drained, lower horizons intersected by sumps have higher clay content. Appendix D2 (Soil Report) includes saturated hydraulic conductivity (Kast) for soil types which indicates the capacity of the most limiting soil layer to allow water to infiltrate through when saturated. The most common soil type in the project area, 438-wieland silt loam, (90% of the project area) has a very low to moderately low Kast, indicating water will be slow to infiltrate. Due to water slowly infiltrating, there would be less potential for impacts to groundwater as sump water is expected to primarily evaporate. Portland cement may be added to absorb any remaining standing water prior to sump closure and reclamation (EA Section, 2.2.8). |
| The EA states that there is a lack of connectivity between streams in the project area and groundwater while Oregon Water Resources Department's (OWRD) Limited License Review contradictorily states they are hydrologically | The EA section 3.4 Water Resources was updated to clarify the connection of groundwater and surface water. EA, Section 3.4.2 was updated to include an “Analytical Assumptions” header which identifies the minimal to no connectivity between targeted groundwater and intermittent streams and provides evidence for the basis of the assumption.<br><br>As part of OWRD’s issuance of a limited license for water use (LL-1941), OWRD completed an internal Groundwater Application Review Form on October 14, 2022. During this |

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| connected to groundwater. | review, OWRD documented in the Section C2 table that McDermitt, Hot and Payne Creek are hydraulically connected. However, afterwards it noted that the basis for this was that "*There is no evidence for any significant barrier to groundwater migration between the production zone within the well and nearby surface water sources,* ***though conductivity of these materials is likely to be quite low***". In the absence of wells to construct a conceptual groundwater flow model, OWRD utilizes a hydrogeologic conceptual model based on the geologic evolution of caldera structures. This model indicates tuff deposits separating deep groundwater (below 420ft) from higher elevation groundwater. These tuff deposits are expected to have low hydraulic conductivity and groundwater movement between these tuff layers is expected to be extremely low. In the final order issuing the limited license (LL-1941), the department determined that "*the proposed use does not have the potential for substantial interference with surface water sources*".<br><br>In the Hydrological Baseline Report conducted by McGinley and Associates, Turner, Hot/Mine and Payne Creek were dry during stream surveys, indicating they are losing and disconnected from groundwater. In addition, the report utilized limited groundwater elevation data from Notice-Level exploration drilling, which showed that groundwater elevations were underlying stream elevations, further supporting that these intermittent streams are not connected to groundwater.<br><br>McDermitt Creek is a perennial stream, which indicates it may be hydraulically connected to groundwater. However, McDermitt Creek most likely would be connected to the higher groundwater aquifer while the supply well targets deep groundwater (below 420ft). Due to the tuff deposits separating the two aquifers and the low hydraulic conductivity of these tuff deposits, the groundwater targeted is assumed to have little connection to the higher aquifer and surface water. In OWRD's review, the department further states that interference with surface water (Pls add brief definition of interference here) would not be anticipated to exceed 25% of the pumping rate at 30 days. Interference potential would only occur to perennial streams, as intermittent streams are above groundwater levels and do not receive groundwater flows. At the maximum pumping rate of 0.167 cfs, 25% interference would result in a maximum potential interference of 0.042 cfs. The lowest average monthly flow that McDermitt Creek experiences is during September and averages 2.6 cfs. If the water use were to have the maximum interference of 25% during low flows, it would |

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| | only represent impact to 1.6% of the low flow of McDermitt Creek. |
| The EA inaccurately utilizes Owyhee Basin and Malheur Basin to reference proposed groundwater use of the project, when the project area, while technically in the Owyhee basin, actually flows to the south as part of the Quinn River Basin of Nevada. | The EA has been updated in Section 3.4.1 Water Resources – Affected Environment, to clarify that the project area is within the administration of the OWRD; however, that unlike the rest of the basin, water flows directly south into the Quinn River Valley administrative basin in Nevada. The analysis in EA, Section 3.4.2 was updated to compare the proposed water use to water use in the Quinn River Valley – McDermitt Subarea. |
| The EA does not adequately analyze groundwater impacts at an appropriate scale. The Owyhee and Malheur basins are used as reference, which is not an accurate scale as these basins cover 11,247 square miles. | The EA has been updated in Section 3.4 Water Resources. The EA analyzes water impacts within the three HUC-12 sub watersheds the project area overlaps: Upper McDermitt Creek (160402010204), Payne Creek (160402010202), and Mine Creek (160402010205) which combine for approximately 49,197 acres (approximately 77 $mi^2$). In addition, a 5-mile buffer from the supply well was used as a conservative estimate to analyze potential impacts to water rights, as groundwater pumping has the potential to create a cone of depression from the supply well. The proposed action's water use was compared to the Quinn River Valley basin and the McDermitt Subarea (033B); while the project area is within the Owyhee basin administratively, water flows directly into the Quinn River Valley Basin - McDermitt Subarea which makes it more applicable for comparison. Utilizing the McDermitt Subarea for comparison of water use provides the most localized water use comparison available and is applicable as water use is typically reviewed by administrative basin in the determination of water availability and allocation. |
| The EA states that short term, minor decline in groundwater could occur however the EA does not quantify or describe the extent of this decline. This decline and potential effects should be related to the project watersheds: Payne Creek, | The EA was updated in Section 3.4 Water Resources. The Water Resources analysis area utilizes the HUC-12 sub-watersheds which includes Upper McDermitt Creek (160402010204), Payne Creek (160402010202), and Mine Creek (160402010205). Quantification of potential groundwater decline was not available due to the absence of wells targeting the deep aquifer in the area. Due to the absence of this data to construct a conceptual model of groundwater flows, estimating groundwater level declines would be inaccurate. To identify potential impacts of groundwater declines, the EA Section 3.4 analyzes water rights within a 5-mile buffer of the supply well to conservatively account for the cone of |

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| Mine Creek, and McDermitt Creek. | depression of the well lowering groundwater in the vicinity. The analysis found no underground water rights within the 5-mile buffer. In addition, in Oregon Water Resource Department's (OWRD) limited license review and issuance, the department found that the proposed water use, if properly conditioned, would avoid injury to existing water rights. Section 3.4 was additionally updated to clarify that the water supply well would be targeting a deep aquifer that is overlaid with tuff deposits expected to have low hydraulic conductivity to higher aquifers that may provide water to perennial streams. Due to the low conductivity, the targeted groundwater for the supply well is assumed to have little to no connection to higher groundwater aquifers and surface water and thus no potential effects to surface water in the analysis area watersheds. This is supported by OWRD's limited license review which was clarified in the EA Section 3.4, which found that the proposed use would have no potential of significant interference with surface water sources. |
| The EA does not adequately analyze sediment loads from vehicle crossings as it does not quantify the potential increases from the proposed action. | The EA has been updated in Section 3.4 Water Resources and includes an analytical assumption for how many stream crossings are expected. Based on expected crossings and average time to drill boreholes, approximately 1,028 crossings would occur. Section 3.4 was additionally updated to identify the design features used to minimize and reduce the potential effects from this impact, such as the design feature to only use crossings during periods of low or no flow or protecting stream crossings in accordance with the Portland District US Army Corps of Engineers temporary crossing standards. |
| The EA does not accurately reflect hydrologic baseline information collected. The EA relies on baseline data collected in 2022, but BLM noted during scoping that surface water sampling continued to be collected in 2023. | Baseline surface water sampling conducted for the Hydrological Baseline Report is representative of current site conditions. Data continues to be collected to monitor site conditions and provide opportunities for adaptive management when possible. Stream monitoring is conducted following the EPO Appendix E Monitoring Plan. The monitoring plan includes trigger thresholds and response actions identified in EPO, Table 3. The project proponent will document and report any findings, exceedances, and actions to BLM and DOGAMI per the Monitoring Plan. |
| The BLM should identify Public Water Reserve (PWR) No. 107 springs in the project area and | BLM reviewed desktop datasets (NHD), field inventories, and plan mapping and did not locate any springs within the Project Area (Hydrologic Baseline, Section 3.2). The Proposed Action avoids mapped riparian corridors by ≥300 ft and no proposed |

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| consider impacts to PWR 107 springs. | disturbance intersects the Riparian Avoidance Area (EPO Figures: Proposed Exploration Drilling with Imagery/Topography). Travel uses three existing crossings only (two culverted, one low-water ford) and only during low-flow conditions, with best management practices (BMPs) per the Stormwater Pollution Control Plan (SWPCP). Surface-water monitoring locations and quality assurance and quality control measures are described in the Monitoring Plan (Figure 3), ensuring early detection and allowing adaptive response. If any spring or waterhole is discovered during operations, work will immediately cease, the BLM will be notified , and buffers or protections will be established. The BLM will conduct an evaluation of PWR-107 status prior to any resumption or redesign. Collectively, these design features and commitments are designed to avoid adverse effects to PWR-107 resources. Additionally, baseline data show the Project's supply well will draw from a deeper volcanic aquifer with sodium–bicarbonate–sulfate chemistry that is distinct from most local springs (which are calcium–sodium–magnesium bicarbonate), and the well is constructed and operated to isolate shallow units and avoid surface discharge. |

**Wildfire**

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| The EA's attached EPO's Hitech Fire Protection Plan the UES Comment Summary, Appendix F, page 6, has no listing for Fire protection response. | The BLM has updated the Emergency Response Plan in the EPO and attached it has Appendix I and includes the Wildfire Waiver, which is required any time the BLM designates public use restrictions on public lands. The Annual Wildfire Waiver Request will provide site-specific short-term actions that are seasonally sensitive in nature to minimize, reduce or avoid fire ignition risk. Appendix I, Table 2, contains the correct phone numbers for emergency contacts for fire protection and response. If an emergency occurs the operator will contact BLM's Vale District Dispatch Center. |
| The EA fails to adequately analyze the potential for the proposed activities to increase the risk of wildfire throughout the project area. | Wildfire risk was not analyzed in detail because of the existence of an Emergency Response Plan (ERP) in the EPO and the requirement of HiTech to obtain an annual Wildfire Waiver (Appendix I). Wildfire waivers are required anytime when the authorized officer designates public use restrictions on public lands. The authorized officer can revoke the waiver at any time, and all work must stop. The purpose of the Emergency Response Plan, Fire Prevention Table 2, is to identify actions that operators |

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| | will perform to reduce, minimize, or avoid the risk of wildfire from operations within the Project area. This includes access roads, drilling equipment, water management systems, processing facilities, any other property within the operating area as identified in the Plan of Operations and the Consolidated Permit Application. This also includes the point of contact, BLM Vale Dispatch Center, for notification of an emergency and the response to active wildland fires on public lands. The Annual Wildfire Waiver Request will provide specific details on actions that will minimize, reduce, or avoid wildfire risk. A blank waiver has been added in EA, Appendix I. The fire waiver will apply site specific short-term actions that are seasonally sensitive in nature to minimize, reduce or avoid fire ignition risk. Additionally, PDFs have been added in Appendix E and apply throughout the life of the project. Between the ERP, the Wildfire Waiver, and the PDFs it is expected that any potential impacts will be minimized, reduced or avoided. |

**Wildlife**

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| Wildlife impacts would be long term if drilling impacts foraging habitat and access to water, which could impact wildlife mortality during the cold season. | The EA Appendix D, (Terrestrial Wildlife), has been updated to further clarify effects to wildlife species from habitat loss and degradation, displacement, mortality (including during winter), and an increase in vehicle traffic. |
| The impacts of watersheds and LCT in the project area have not been adequately assessed. There are conservation plans and public-private undertakings and efforts underway to restore habitat and rehabilitate and foster a population of LCT. The EA acknowledges that populations of LCT exist in the upper reaches of Sage and Line (but not Coral) Creeks. | The EA, Appendix D, (Threatened and Endangered Species), has been updated to include Corral Creek as an occupied LCT stream and acknowledges that efforts are underway to restore habitat and reestablish LCT populations in the McDermitt Creek watershed. |
| The EA does not acknowledge Corral Creek as occupied LCT habitat or account for the importance of the Quinn River | The EA, Appendix D, (Threatened and Endangered Species), has been updated to include Corral Creek as an occupied LCT stream, recognize the importance of the Quinn River Management Unit in the recovery of |

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| Management Unit in the recovery of LCT and the public-private undertakings in the area. | LCT, and acknowledge that efforts are underway to restore habitat and reestablish LCT populations in the McDermitt Creek watershed. |
| The impact of this project on the Payne Creek Priority Wildlife Connectivity Area is not "minimal" because migration corridors allow animals to safely move to new habitat following disturbances related to anthropogenic impacts. | The EA, Appendix D, (Terrestrial Wildlife), has been updated to further clarify effects to the Payne Creek Priority Wildlife Connectivity Area and wildlife movement from surface disturbance and increased human activity. |
| There is inconsistency between the EA and public scoping materials regarding suitable habitat for the species. The HiTech Public Map – Aquatic Fish Habitat, identifies both Payne and Mine creek as "Special Status Fish Habitat". Despite this, the EA states that, "The creeks within the Project Area are not identified as suitable habitat for LCT" | The creeks in the project area have not been identified by ODFW as suitable habitat for LCT, however, the EA has been updated to disclose that LCT could use perennial or intermittent creeks within the project area during peak spring flows (EA, Appendix D). |
| Disturbance or mortality of Golden Eagles as a result of the project is illegal without a take permit. The EA does not mention how to protect Golden Eagles from vehicle mortalities, prevention of foraging dead animals along roadways, or disturbance to nests. Golden Eagles may also be impacted by noise from the project. | The EA, Appendix D, (Terrestrial Wildlife), has been updated to clarify potential impacts to eagles, including to nests and impacts from noise, and discusses design features that would minimize vehicle collisions to wildlife. If active eagle nests cannot be avoided with spatial buffers, BLM would contact the USFWS for guidance to minimize impacts and determine if a Migratory Bird Permit would be required. |
| Impacts to mule deer and pronghorn are not minimal because habitat disturbance is spread across the 7,200-acre project area and not only on 103 acres. Limited migration movement of pronghorn and reduction in forage availability may significantly impact populations. | The EA, Appendix D, (Terrestrial Wildlife), has been updated to include pronghorn essential habitat and further clarifies effects to mule deer and pronghorn from habitat fragmentation and effects to migration throughout the project area. |

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| The EA describes there would be minimal impacts to potential LCT habitat in McDermitt Creek due to the intermittent flows of Payne Creek, Cherokee Creek, and Mine Creek creating a lack of perennial connectivity. However, the Oregon Water Resources Department (OWRD) found in their review of the proposed well permit that McDermitt, Mine, and Payne creeks are hydrologically connected to groundwater. | The EA, Appendix D, (Threatened and Endangered Species), has been updated to further describe impacts to LCT and their habitat as well as the hydrological connection between McDermitt Creek and streams within the project area (see also Water section for further information on hydrological connectivity). |
| Impacts to LCT is not fully analyzed and it is not understood if the population data is lacking within the project area. Drilling and overland travel through waterways may increase the potential for sedimentation and indirectly impact LCT habitat.<br><br>Ephemeral streams should be included in the 300ft riparian buffer and drill sites should not occur in areas with slopes greater than 10%. If work is allowed in these zones, the EA must further analyze impacts to water from sedimentation. | The EA Appendix D, (Threatened and Endangered Species), has been updated to further describe impacts to LCT and their habitat, including sediment transport. Impacts to potential LCT habitat from sediment transport into streams from the construction of drill pads and temporary roads, including within ephemeral washes and slopes greater than 10%, are the same as those discussed under Aquatic Wildlife (EA, Appendix D), which has also been updated with more detailed analysis. Ephemeral streams will not be buffered because sediment is not likely to reach aquatic habitat within or downstream of the Project Area as described under Aquatic Wildlife (EA, Appendix D). |
| When describing temporary effects, the scale and timing are not defined. In addition, statements about the effects of surface disturbance and reclamation are inaccurate and misleading. | The EA Section 3.3 (BLM Sensitive Species – Greater Sage-grouse) and EA, Appendix D, (Terrestrial Wildlife) have been updated to clarify the timeframe of short- and long-term effects. In addition, these sections have been updated to clarify the effects of surface disturbance and how reclamation standards meet the requirement to rehabilitate wildlife habitat. |
| The EA should be updated to use the most currently available pygmy rabbit data and revise the analyses to include impacts within at least 1.24 miles of known burrows as | The EA Appendix D, (Terrestrial Wildlife), has been updated to include the most current pygmy rabbit data, describe how habitat suitability was assessed, and further describe effects to pygmy rabbit, particularly within 1.24 miles of burrows. |

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| well as how rabbit habitat suitability was assessed. | |
| The project will negatively affect mule deer habitat and populations which would impact traditional bow hunting. | The EA, Appendix D, (Terrestrial Wildlife), has been updated to further describe effects to mule deer habitat and populations from the proposed project, including from increased traffic and potential impacts to groundwater. The proposed project would not cause significant decline in mule deer population or habitat and would not result in long-term impacts to recreation (including bow hunting) as described in EA, Appendix D, (Recreation). |
| New roads may increase access and traffic to the area from visitors which could impact wildlife. | The EA Appendix D was updated to clearly state that overland travel and any roads created for the project will be restricted access during operations and post-closure. The EA, Appendix D, (Terrestrial Wildlife), has been updated to clarify potential impacts to wildlife from the increase in vehicle traffic, and discusses design features that would minimize impacts to wildlife. |
| Table 2-1 is inconsistent, and the EA needs to consider the size, maneuverability of modern equipment used in road construction, and revise the disturbance area and the impact analysis accordingly. | Table 2-1 has been updated and verified for the disturbance acres and renamed to Table 1 Existing and Proposed Phased Disturbance Within the Project Area. In Section 2.2.1 of the EA, the operator will construct temporary roads for single lane travel, to achieve an average safe travel width of 14 feet. The operator has proposed constructing temporary roads using a bulldozer (using less than a 12-foot-wide blade) and/or a track-mounted excavator. Analysis and impacts from temporary road construction are disclosed in individual issues found in EA, Chapter 3.2, 3.3, 3.4, and EA, Appendix D. |
| The impact of this project on the Payne Creek Priority Wildlife Connectivity Area is not “minimal” because big game migration corridors are vital to movement between seasonal ranges and disturbance to these important conduits can substantially impact populations. | The EA, Appendix D, (Terrestrial Wildlife), has been updated to further describe effects to the Payne Creek Priority Wildlife Connectivity Area. As described in EA, Appendix D (Terrestrial Wildlife) approximately 9.8 acres (0.7 percent) of the Payne Creek priority wildlife connectivity area will be disturbed. Applicant Committed Environmental Protection Measures (ACEPMs) to limit disturbance and control invasive species, as well as reclamation of drill sites and roads would reduce long-term impacts to wildlife habitat. |
| The EA does not adequately address the impact on pygmy | The EA Appendix D, (Terrestrial Wildlife), has been updated to further describe effects to pygmy rabbit and |

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| rabbits, including the results of any additional studies and a modeled connectivity corridor within the project area. | includes the most current pygmy rabbit data and recent literature on connectivity corridors |
| The EA does not fully address impacts to Golden Eagles, and one year of data is insufficient to determine nesting patterns in the project area. | The EA, Appendix D, (Terrestrial Wildlife), has been updated to further describe potential impacts to eagles. For exploratory mining, the USFWS recommends one year of baseline surveys of all suitable habitat out to a 2-mile area around the project on larger exploration projects (USFWS 2023). ACEPMs, including a seasonal drilling shutdown December 1 through June 30 each year, and conducting nest clearance surveys would be implemented and are expected to be sufficient to reduce impacts to golden eagles and other migratory birds below significance. |
| The EA does not adequately address ODFW-identified "Species of Greatest Conservation Need" and does not include several species that may be impacted by the project activities, including Swainsons hawk and Townsends Big-earred bat. | Many of the ODFW-identified "Species of Greatest Conservation Need" are also BLM-Sensitive species including sage-grouse, Pallid bat, Townsend's big-eared bat and pygmy rabbit. Impacts to raptors, bats, and BLM Sensitive species are addressed in EA, Appendix D, and T/E and Proposed species (e.g. LCT and Monarch butterfly) are addressed in Appendix D. These sections have been updated to further describe impacts to these species. |
| The EA cannot adequately address the potential impact to bat species with an absence of data on invertebrate species that exist in the project area. | The EA, Appendix D, (Terrestrial Wildlife), has been updated to further describe impacts to bats. Riparian corridors within the Project Area that serve as insect foraging habitat would be avoided due to the implementation of a 300-foot riparian avoidance area. |
| The BLM should clarify that all waters in the McDermitt Creek are important to LCT because of the nature of drought and how meta-populations work for LCT. | The EA, Appendix D, (Threatened and Endangered Species), has been updated to further describe LCT habitat and the importance of the McDermitt Creek watershed for LCT recovery. |

**Public Comment on Southeast Oregon Resource Management Plan:**

The Bureau, in preparing its 2024 Southeastern Oregon Resource Management Plan Amendment ("SEORMPA"), identified the HiTech project as a "reasonably foreseeable future action" and stated that "the BLM will initiate an environmental impact statement (EIS) for the proposed exploration project in 2023." Given the agency's own understanding of the project, why did the BLM decide to prepare an Environmental Assessment (EA) and not an EIS?

**Response to Comment:**

Reasonably Foreseeable Future Actions (RFFAs) are an estimate used to support the analysis of reasonably foreseeable environmental effects, previously referred to as cumulative effects. In Volume 3 of the 2024 Southeastern Oregon Resource Management Plan Amendment (SEORMPA) (p. 3-6), the McDermitt Lithium Exploration Project was an RFFA and an Environmental Impact Statement (EIS) was identified as the level of National Environmental Policy Act (NEPA) review planned. That estimate of an EIS for the RFFA was based on the applicant's description of the original plan of operations (9160-acre planning area, 260 bore holes, and 29 miles of temporary access roads), including one unit that was in wilderness, as well as a lack of baseline information from cultural and wildlife surveys. Currently, the applicant has reduced the project scale to a 7,200- acre planning area, 168 boreholes, and approximately 22 miles of temporary access routes. The exploration unit that was in wilderness was completely dropped from the proposal. In addition, since the signing of the SEORMPA, baseline studies for cultural and wildlife for the McDermitt Lithium Exploration have been completed and are applied in the current effects analysis (Chapter 3 and Appendix D). As outlined in both the BLM NEPA Handbook (2008, p. 5) and the 2025 NEPA Handbook (p. 3), the BLM determined the appropriate level of NEPA through the following process.

The first step in the environmental review process is to determine whether the proposed action qualifies for a Categorical Exclusion (CE). Upon review, it was confirmed that no CE applies to exploration-level mining activities (BLM 2008 & 2025 NEPA Handbooks).

The second step is to assess whether the proposed action has the potential to result in significant environmental effects (BLM 2008 & 2025 NEPA Handbooks). The BLM has substantial experience with evaluating exploration level mining activities, and that application of that experience indicated that there were no obvious indicators that the limited scope of exploration activity proposed by the applicant presented any obvious significant environmental effects, therefore it was decided that the EA level analysis would be undertaken. Furthermore, if during the preparing of a Finding of No Significant Impact (FONSI) cannot be issued, an EIS would be initiated. Following this process, the BLM initiated an EA for the McDermitt Lithium Exploration Project to evaluate the potential for significant impacts. The BLM concluded that a FONSI was appropriate (see citation on https://eplanning.blm.gov/eplanning-

ui/project/2025844/510). The EA supported a FONSI and therefore an EIS is not necessary for this project.

Additionally, a crosswalk, Table 1 below, was conducted between the 2024 SEORMPA and the McDermitt Lithium Exploration EA to ensure that all environmental effects were considered and disclosed. This comparison confirmed that no effects were omitted that would preclude the issuance of a FONSI. A comparison table was developed to support this review: Column one identifies the resource and the comparison determination; Column two summarizes the effects disclosed in the SEORMPA (with citations); and Column three presents the effects disclosed in the EA (with citations). The purpose of this table is to ensure consistency and completeness of the environmental analysis.

## Comparison of 2024 SEORMPA and McDermitt Lithium Exploration EA

**Table 1: Comparison of 2024 SEORMPA and McDermitt Lithium Exploration EA**

| Resource and comparison of SEORMPA and EA | SEORMPA Information and citation. | McDermitt Lithium Exploration EA information and citation. |
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| **Soils**<br><br>All soil effects identified in the SEORMPA are addressed in EA. | • Surface disturbance from road construction, borehole drilling, and equipment staging may lead to localized soil compaction and erosion.<br>• Reclamation is required.<br><br>**Citation:**<br>Section 3.7.4, p. 3-85 | **Short-Term Impacts (0–5 months/year)**:<br>• Soil compaction is expected due to heavy equipment use; 94% of soils in the project area have low resistance to compaction.<br>• Increased erosion potential, especially from water, as 90% of soils have moderate to high water erosion susceptibility.<br>• Fugitive dust generation from vehicle traffic and exposed soils.<br>• Damage or loss of biological soil crusts (BSCs), which are sparsely distributed (~1.4% ground cover).<br>• Mitigation measures include:<br>  • 300-foot stream buffers.<br>  • Erosion control BMPs (e.g., straw wattles, silt fencing).<br>  • Dust Control Plan with water application and speed limits.<br>  • Topsoil salvage and storage for reclamation.<br>**Mid-Term Impacts (6 months–5 years)**:<br>• Erosion may continue in areas where vegetation has not yet reestablished.<br>• Reclamation activities include recontouring, topsoil replacement, seeding with native species, and continued use of erosion control structures.<br>• Monitoring ensures that reclamation standards are met before sites are released.<br>• Soil recovery potential is moderate for 93% of the project area.<br>**Long-Term Impacts (5+ years)**:<br>• Vegetation stabilizes soils; some erosion may persist due to slow sagebrush recovery. |

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| | | • BSCs may begin to reestablish naturally, especially around mature shrubs.<br>• Reclamation standards require that sites show no evidence of active erosion or instability before being considered successfully reclaimed.<br>**Conclusion**:<br>• Soil impacts are localized, temporary, and effectively mitigated.<br>• No significant adverse effects to soil resources are anticipated.<br>**Citation:**<br>Appendix D. 10., Appendix E. 65-95 |
| **Water Resources**<br><br>All effects to water resources identified in the SEORMPA are addressed in EA. | • Sumps excavated at drill sites; water transported via tenders. Boreholes estimated at 400–600 ft depth.<br>• Potential for minor localized impacts to surface hydrology.<br><br>**Citation:**<br>Section 3.4, p. 3-6 | **Sump Design, Management, and Effects**<br>Design and Construction:<br>• Each drill site includes a sump approximately 10 feet wide, 20 feet long, and 6 feet deep, with a capacity of about 7,500 gallons.<br>• Sumps are excavated adjacent to the drill pad and connected to the borehole by a shallow ditch to collect drilling fluids and groundwater returns.<br>• One end of each sump is sloped to allow wildlife escape, and temporary fencing is installed around the sump for safety.<br>Fluid Management:<br>• Drilling fluids are bentonite-based and meet NSF/ANSI Standard 60, ensuring they are safe for use near drinking water sources.<br>• Fluids and cuttings are contained within the sump or mud tanks and are not discharged to the ground surface.<br>• If needed, Portland cement or excavated material may be added to the sump to absorb residual fluids before backfilling.<br>Reclamation and Closure:<br>• Sumps are backfilled within 30 days of drilling completion.<br>• Backfilling uses side-cast material and salvaged soil, with the surface left in a roughened condition to promote revegetation. |

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| | | • Temporary fencing is removed after backfilling is complete.<br>Environmental Protection:<br>• Sumps are not located within 300 feet of any stream or riparian area, reducing the risk of contamination.<br>• Wildlife protection measures (e.g., escape ramps, fencing) and erosion controls are implemented to minimize impacts.<br>**Borehole Depth:**<br>• Exploration boreholes will range from 300 to 800 feet deep, with an average depth of approximately 600 feet.<br>• Up to 40 boreholes may be converted into groundwater monitoring wells, constructed and abandoned in accordance with Oregon Administrative Rule (OAR) 690-240.<br>**Short-Term Effects (Operational Phase: 0–5 months/year)**<br>Surface Water Quality:<br>• Potential sedimentation from soil disturbance, road construction, and stream crossings.<br>• Mitigated by 300-ft buffers from streams, erosion control BMPs (e.g., straw wattles, silt fencing), and seasonal timing to avoid high-flow periods.<br>• Stream crossings (e.g., Cherokee Creek) will use existing fords or culverts and only occur during low/no flow.<br>Groundwater Quality:<br>• Drilling fluids will meet NSF/ANSI Standard 60, ensuring safety for drinking water.<br>• Boreholes will be cased and abandoned per Oregon regulations (OAR 632-033-0025), preventing aquifer commingling.<br>Groundwater Quantity:<br>• Water use (max 19.37 acre-feet/year) is <0.03% of the Quinn River Valley basin yield and <0.4% of current basin commitments.<br>• The deep aquifer targeted is geologically separated from shallow groundwater and surface water by low-permeability tuff layers. |

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| | | • OWRD and ODFW concluded the proposed use would have negligible impact on surface flows or existing water rights.<br>Springs:<br>• One spring (SP-9) may be hydrologically connected to the deep aquifer but contributes only ~0.3% of Mine Creek flow.<br>• No springs are within the project disturbance footprint.<br>**Mid-Term (Reclamation Phase: 6 months–5 years)**<br>Surface Water:<br>• Erosion potential continues until vegetation is re-established.<br>• Reclamation includes revegetation, erosion control structures, and monitoring to ensure stability.<br>Groundwater:<br>• No further pumping; residual effects from earlier use diminish.<br>• Monitoring wells and stream gauges provide valuable hydrologic data.<br>**Long-Term (post-reclamation: 5+ years)**<br>Surface Water:<br>• Reclamation success criteria include erosion control and vegetation establishment.<br>• Monitoring stations removed; minimal residual impact expected.<br>Groundwater:<br>• Groundwater levels begin to recover.<br>• Boreholes and monitoring wells are properly abandoned per state standards.<br><br>**Mitigation Measures**<br>Stream Buffers:<br>• A 300-foot buffer is maintained between all surface disturbances (e.g., drill pads, sumps, roads) and perennial or intermittent streams, or the edge of riparian vegetation, whichever is greater.<br>Stream Crossings: |

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| | | • Only existing stream crossings (culverts or fords) are used.<br>• Crossings are limited to periods of low or no flow to minimize sedimentation.<br>• Clean washed gravel or manufactured mats may be used at low-water crossings, following U.S. Army Corps of Engineers and Oregon Department of State Lands standards.<br>Stormwater and Erosion Control:<br>• Straw wattles and silt fencing to prevent sediment from entering drainages.<br>• Diversion channels to manage stormwater runoff.<br>• Water bars and surface roughening during reclamation to reduce erosion.<br>Drilling Fluids and Sumps:<br>• Only NSF/ANSI Standard 60-compliant drilling fluids are used.<br>• Fluids and cuttings are contained in sumps or mud tanks and not discharged to the ground surface.<br>• Sumps are backfilled within 30 days of drilling completion, with Portland cement or excavated material added if needed to absorb residual fluids.<br>Groundwater Protection:<br>• Boreholes are cased and abandoned per Oregon Administrative Rules (OAR 632-033-0025).<br>• Groundwater monitoring wells are constructed and abandoned in accordance with OAR 690-240.<br>• The water supply well is located at least 0.25 miles from surface water and is designed to avoid hydrologic connectivity with shallow aquifers.<br>Water Use and Rights:<br>• Water use is limited to 41,250 gallons/day under a temporary OWRD permit. |

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| | | • The well targets a deep aquifer geologically separated from surface water by low-permeability tuff layers.<br>• OWRD and ODFW concluded that the proposed use would not significantly impact surface flows or existing water rights.<br>Monitoring:<br>• Stream monitoring stations and groundwater wells are installed to collect baseline and ongoing data.<br>• Daily and weekly inspections are conducted to ensure BMPs are functioning.<br>• Adaptive management is implemented if erosion or sedimentation is observed.<br>**Conclusion**<br>• No significant impacts to water resources are anticipated due to the project's robust design features, regulatory compliance, and monitoring to avoid unnecessary or undue degradation (UUD).<br>• Impacts are localized, temporary, and mitigated through PDF, best management practices, buffers, and regulatory oversight.<br>**Citation:**<br>Section 3.4 of the EA, Appendix E. 165-172 |
| **Vegetation**<br><br>All effects to Vegetation identified in the SEORMPA are addressed in EA. Habitat information can be found in the wildlife section. | • Vegetation removal for access roads and drill pads may result in short-term habitat loss.<br>• Reclamation required.<br><br>**Citation:**<br>Section 3.7.6, p. 3-103 | **Short-Term Impacts (0–5 months/year)**:<br>• Vegetation removal from drill pad and road construction, overland travel, and sump excavation.<br>• Loss of native plant cover and potential for invasive species establishment.<br>• No beneficial effects are expected during this phase.<br><br>**Mid-Term Impacts (6 months–5 years)**:<br>• Reclamation activities include reseeding with native species, erosion control, and monitoring. |

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| | | • Vegetation recovery begins, but full reestablishment—especially of sagebrush—may take longer.<br>• Invasive species control is implemented through the Noxious Weed Management and Monitoring Plan and Integrated Invasive Plant Management (IIPM) EA.<br>**Long-Term Impacts (5+ years)**:<br>• Vegetation is expected to stabilize and return to pre-disturbance conditions, though sagebrush recovery may take 10+ years.<br>• Reclamation success is measured against reference sites and includes criteria for species composition, cover, and erosion control.<br>• No long-term beneficial effects are expected, but adverse effects are minimized through design features and adaptive management.<br>**Design Features and Mitigation**:<br>• Use of BLM Approved certified weed-free seed mixes.<br>• Temporary fencing to protect reclamation areas.<br>• Monitoring and adaptive management to ensure revegetation success.<br>• Avoidance of sensitive plant species and habitats where feasible.<br>**Conclusion**:<br>• The project would result in localized, temporary impacts on vegetation.<br>• With implementation of reclamation and weed management plans, no significant adverse effects are anticipated.<br>• The project does not contribute to unnecessary or undue degradation (UUD) under 43 CFR 3809.<br><br>**Citation:**<br>Section 3.2, Appendix D. 5 & 11, Appendix E. 21-54, 100-144 |

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| **Wildlife**<br><br>All effects to wildlife identified in the SEORMPA are addressed in EA. | • Temporary displacement of wildlife due to noise and activity.<br>• No direct impacts to special status species identified.<br><br>**Citation:**<br>Section 3.7.11, p. 3-167 | **General Wildlife and Habitat**<br>• The project area supports a variety of wildlife species typical of sagebrush steppe ecosystems, including mule deer, pronghorn, small mammals, reptiles, and birds.<br>• Up to 73 acres of surface disturbance would result in temporary habitat loss and fragmentation.<br>• Wildlife may be displaced due to noise, human activity, and increased vehicle traffic during the 5-month annual operational window (July 1–November 30).<br>• Design features such as phased disturbance, reduced vehicle speeds, and seasonal restrictions help minimize these impacts.<br>**Greater Sage-Grouse (GRSG)**<br>• The entire project area lies within Priority Habitat Management Area (PHMA) and the Trout Creek Priority Area for Conservation (PAC).<br>• There are 4 occupied leks within the project area and 25 leks within 3.1 miles.<br>• Impacts include:<br>  • Habitat loss and fragmentation (73 acres = 0.1% of the analysis area).<br>  • Noise and activity potentially disrupting lekking and brood-rearing behavior.<br>  • Temporary fencing around drill pads may increase collision risk.<br>• Mitigation includes:<br>  • Seasonal shutdowns (Dec 1–June 30) to avoid breeding season.<br>  • Fence marking and anti-perch devices on the MET station.<br>  • Reclamation with native seed mixes and weed control.<br>  • Coordination with ODFW for compensatory mitigation.<br>**Lahontan Cutthroat Trout (LCT)** |

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| | | • LCT are not present within the project area but are known to occur downstream in McDermitt Creek.<br>• The project area includes intermittent streams (e.g., Mine Creek, Payne Creek) that are tributaries to McDermitt Creek.<br>• Potential indirect effects to LCT habitat include:<br>  • Increased sedimentation from surface disturbance and stream crossings.<br>  • Elevated water temperatures due to vegetation removal or sedimentation.<br>• Mitigation measures include:<br>  • 300-foot buffers from perennial and intermittent streams.<br>  • Use existing culverts and low-water crossings only during dry conditions.<br>  • Erosion control BMPs (e.g., straw wattles, silt fencing).<br>  • No discharge of drilling fluids to surface waters.<br>• These measures are expected to prevent degradation of downstream aquatic habitat and avoid impacts to LCT populations.<br>**Special Status Species**<br>• No federally listed threatened or endangered species are known to occur in the project area.<br>• BLM-sensitive species such as pygmy rabbit and burrowing owl may be present.<br>• Impacts include temporary habitat loss and displacement, mitigated through avoidance and reclamation.<br>**Conclusion**<br>• Wildlife impacts, including to LCT and sage-grouse, are localized, temporary, and mitigated through design features, seasonal restrictions, and reclamation.<br>• The project does not result in unnecessary or undue degradation (UUD) and complies with BLM wildlife protection standards under 43 CFR 3809. |

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| | | **Citation:**<br>Section 3.3, Appendix D. 14, 15, 16, Appendix E.145-164 |
| **Wilderness Characteristics**<br><br>All effects to wilderness characteristics identified in the SEORMPA are addressed in EA. | • One wilderness characteristics unit overlaps with recreation areas but is not directly affected.<br>• Surface disturbance from exploration could temporarily alter visual character in localized areas.<br><br>**Citation:**<br>Section 3.7.16, p. 3-252 | This project excluded the one wilderness characteristics unit, identified in the SEORMPA. The McDermitt Exploration Project does not occur within any designated Wilderness Areas, Wilderness Study Areas (WSAs), or lands inventoried as having wilderness characteristics under the 2002 Southeastern Oregon Resource Management Plan (SEORMP) or its 2024 amendment. The EA concludes that the 73 acres of proposed surface disturbance (approximately 1% of the 7,200-acre project area) would not significantly alter the broader landscape's visual or natural character. The disturbances are temporary, phased, and subject to reclamation, which includes recontouring, revegetation, and erosion control.<br>**Citation:**<br>Appendix D. 1. |
| **Visual Resources**<br><br>All effects to visual resources identified in the SEORMPA are addressed in EA. | • Surface disturbance from exploration could temporarily alter visual character in localized areas.<br><br>**Citation:**<br>Section 3.7.16, p. 3-252 | **Visual Setting**:<br>• The project area is located in a remote, undeveloped portion of Malheur County, Oregon, characterized by open sagebrush steppe, rugged terrain, and expansive views. There are no designated Visual Resource Management (VRM) classes assigned to the project area, and no developed recreation sites are present.<br>**Project Visibility and Duration**:<br>• The proposed action would disturb up to 73 acres within the 7,200-acre project area. Visual impacts would result from the presence of drill rigs, temporary roads, a laydown yard, and other exploration infrastructure. These features would be visible during the 5-month operational window (July 1–November 30) each year for up to five years.<br>**Short-Term Impacts**: |

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| | | • Temporary visual intrusions would occur due to active drilling, vehicle traffic, and equipment staging. These impacts would be localized and short-term, as operations are phased and limited in duration at each site. Public access would not be restricted, but temporary fencing and signage would be used to ensure safety around active work areas.<br>**Long-Term Impacts and Reclamation**:<br>• All disturbed areas would be reclaimed following exploration. Reclamation includes recontouring, reseeding with native vegetation, and erosion control. Natural barriers such as berms or rocks may be used post-reclamation to prevent damage to revegetated areas, but these would not significantly alter the visual character of the landscape.<br>**Conclusion**:<br>• The project would not result in significant long-term impacts on visual resources. Effects are temporary, reversible, and limited in scale. The project does not contribute to unnecessary or undue degradation (UUD) of visual quality and is consistent with the multiple-use objectives of the Southeastern Oregon Resource Management Plan.<br>**Citation:**<br>Appendix D. 12**.,** Appendix E. 209-211 |
| **Air Quality**<br><br>All effects to air quality identified in the SEORMPA are addressed in EA. | • Dust and emissions from drilling and vehicle use may cause short-term, localized air quality impacts.<br><br>**Citation:**<br>Section 3.7.22, p. 3-341 | **Short-Term Impacts**:<br>• Temporary, localized increases in fugitive dust and vehicle emissions are expected during construction, drilling, and roadwork.<br>• Estimated greenhouse gas (GHG) emissions are approximately 921 metric tons $CO_2$-equivalent per year, which is:<br>  • ~3.7% of the EPA's 25,000 MT $CO_2$e/year reporting threshold.<br>  • 0.0015% of Oregon's 2021 statewide GHG emissions.<br>  • 0.000014% of U.S. 2022 emissions. |

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| | | • These emissions are considered de minimis and not significant.<br>**Mitigation Measures**:<br>• A Dust Control Plan (Appendix C of the EPO) includes:<br>  • Watering of roads and pads.<br>  • Speed restrictions (15–25 mph).<br>  • Use of gravel or vegetative mulch where needed.<br>  • Application of non-toxic, BLM-approved road binders on the first 8 miles of Disaster Peak Road (only with BLM approval).<br>  • Prohibition of petroleum-based dust suppressants and restrictions near water bodies.<br>• Monitoring will be conducted daily by the Site Supervisor and Environmental, Safety, and Governance (ESG) Manager, with adaptive management if visible dust is observed.<br>**Conclusion**:<br>• With implementation of the Dust Control Plan and compliance with Oregon DEQ and Clean Air Act standards, impacts to air quality are expected to be negligible, localized, and short-term.<br>• The project would not cause or contribute to a violation of air quality standards or significantly affect Class I air quality values.<br>**Citation:**<br>Appendix D. 2**.,** Appendix E. 1-20 |
| **Climate Change (SEORMP)**<br><br>All effects to greenhouse gas emissions identified in the SEORMPA are addressed in EA. | • Minor greenhouse gas emissions from vehicles and equipment.<br>• Not expected to significantly contribute to climate change.<br><br>**Citation:** | **Greenhouse Gas Emissions (EA)**<br>**Estimated Emissions**:<br>• The project is expected to emit approximately **921 metric tons of $CO_2$-equivalent per year** from vehicle and equipment use during exploration activities.<br>• This amount is:<br>  • ~3.7% of the EPA's 25,000 metric ton $CO_2$e/year reporting threshold for stationary sources.<br>  • 0.0015% of Oregon's 2021 statewide GHG emissions. |

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| | Section 3.7.22, p. 3-341 | • 0.000014% of total U.S. 2022 emissions.<br>• 0.0000016% of global 2022 emissions.<br>**Significance of Emissions**:<br>• These emissions are considered de minimis (minimal) and not significant .<br>• The project would not meaningfully contribute to climate change or require additional mitigation under federal or state GHG regulations.<br>**Mitigation Measures**:<br>• Although GHG emissions are minimal, the project includes best management practices to reduce emissions, such as:<br>  • Limiting vehicle speeds.<br>  • Using efficient equipment.<br>  • Implementing a Dust Control Plan to reduce fugitive dust and associated emissions.<br>**Conclusion**:<br>• The McDermitt Exploration Project's GHG emissions are temporary, localized, and minor.<br>• The project complies with applicable air quality and climate-related regulations and does not result in significant adverse effects related to greenhouse gas emissions.<br>**Citation:**<br>Appendix D. 2**.** Appendix E. 1-20 |
| **Recreation**<br><br>There were no effects to recreation identified in the SEORMPA. However, the EA | No significant impacts to recreation identified.<br><br>**Citation:**<br>Section 3.7.15, p. 3-236 | **Recreation Setting**:<br>• The project area is located within an Extensive Recreation Management Area (ERMA) and offers dispersed recreational opportunities such as rockhounding, hunting, camping, hiking, and off-highway vehicle (OHV) use.<br>• There are no developed recreation sites within the project area, though a rockhounding kiosk is present and will remain in place.<br>**Short-Term Impacts**: |

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| did identify an ERMA and disclosed all effects appropriately. | | • Temporary disturbance to recreational users may occur due to noise, vehicle traffic, and visual intrusions from drill rigs and equipment during the 5-month annual operational window (July 1–November 30).<br>• Some short-term reduction in the quality of backcountry experiences may occur due to the presence of exploration activities and personnel.<br>• Public access will not be restricted, but temporary fencing and signage will be used to ensure safety around active work areas.<br>**Long-Term Impacts**:<br>• No long-term adverse effects to recreation are anticipated.<br>• All disturbed areas will be reclaimed to pre-exploration conditions, including recontouring and revegetation.<br>• Natural barriers (e.g., berms or rocks) may be used post-reclamation to protect revegetated areas, but these will not limit public access or recreational use.<br>**Potential Benefits**:<br>• Temporary roads constructed for exploration may improve access to some areas for recreational users such as rockhounds and hunters.<br>• Increased geological knowledge from exploration could enhance future rockhounding opportunities.<br>**Conclusion**:<br>• The project would not result in unnecessary or undue degradation (UUD) of recreation resources.<br>• Effects are localized, temporary, and mitigated through design features and reclamation.<br>• Recreational access and opportunities will be maintained throughout the life of the project.<br>**Citation:**<br>Appendix D. 8**.** |

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| **Cultural Resources**<br><br>All effects to cultural resources identified in the SEORMPA are addressed in EA. | • No known cultural resources affected.<br>• Any future development would require site-specific surveys and consultation.<br><br>**Citation:**<br>Section 3.7.13, p. 3-201 | **Affected Environment**:<br>• The Area of Potential Effects (APE) encompasses 4,370 acres within the 7,200-acre project area.<br>• The region includes known archaeological sites and is historically and culturally significant to the Northern Paiute and Western Shoshone tribes, who have occupied the McDermitt Caldera for over 10,000 years.<br>• Cultural resources include archaeological sites, traditional cultural properties, and culturally important plants (CIPs).<br>**Potential Impacts**:<br>• Up to 73 acres of surface disturbance could affect archaeological sites through ground-disturbing activities such as road and drill pad construction, sump excavation, and reclamation.<br>• Approximately 24 acres of identified cultural sites may be impacted, representing about 33% of the proposed surface disturbance.<br>• Impacts include the potential loss of archaeological context, artifact displacement, and increased risk of illegal artifact collection due to increased access.<br>**Mitigation and Protection Measures**:<br>• A Programmatic Agreement (PA) under Section 106 of the National Historic Preservation Act (NHPA) has been executed between BLM, Oregon SHPO, and the project proponent.<br>• The PA outlines avoidance as the preferred mitigation strategy. If avoidance is not feasible, data recovery (e.g., Phase II or III excavations) may be implemented.<br>• Annual work plans will identify avoidance buffers and be reviewed by BLM and consulting parties.<br>• Tribal consultation is ongoing, and tribal monitors may participate in fieldwork and compliance inspections.<br>• An Inadvertent Discovery Plan (IDP) is in place to address unexpected finds during operations. |

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| | | **Culturally Important Plants (CIPs)**:<br>• Thirty-three CIP species were identified in the project area. Approximately 12.6% of CIP occurrences within the APE may be affected.<br>• The BLM applied a 20% disturbance threshold based on the Seeds of Success protocol to ensure plant populations remain intact.<br>• Since the project would disturb less than this threshold, impacts to CIPs are not considered significant.<br>**Conclusion**:<br>• With implementation of the PA, avoidance buffers, tribal consultation, and the IDP, the project is not expected to result in significant adverse effects to cultural resources.<br>• The project complies with Section 106 of the NHPA and does not result in unnecessary or undue degradation (UUD) of cultural values.<br>**Citation:**<br>Section 3.1, Appendix D.3, Appendix E. 55-59 |
| **Socioeconomics**<br><br>All effects to socioeconomics identified in the SEORMPA are addressed in EA. | • Exploration activities may provide short-term employment and economic activity.<br>• No long-term economic effects expected.<br><br>**Citation:**<br>Section 3.7.14, p. 3-218 | **Short-Term Economic Effects**:<br>• The project would create temporary employment opportunities for up to 15 contracted workers, with preference for local hiring where feasible.<br>• Most specialized labor is expected to come from the mining workforce in Humboldt County, while support roles (e.g., seed collection, road maintenance) may benefit residents.<br>• No significant increase in local or state tax revenue is expected, as workers are likely to reside in Nevada, which does not have a personal income tax.<br>**Effects on Grazing and Recreation**:<br>• The project may result in a temporary loss of up to 9 Animal Unit Months (AUMs) per year, totaling 90 AUMs over the 10-year operational and reclamation period. |

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| | | • This loss is considered negligible in terms of economic impact to the grazing permittee.<br>• Recreational users (e.g., rockhounds, hunters) may experience temporary disruptions due to noise, traffic, and visual impacts, but access will remain open and long-term effects are not expected.<br>**Quality of Life and Community Impacts**:<br>• Some short-term impacts on quality of life may occur due to increased industrial activity in a remote, traditionally quiet area.<br>• However, the scale of the project is too small to meaningfully affect poverty rates or overall economic well-being in either county.<br>**Conclusion**:<br>• The project would result in minor, short-term economic benefits and localized disruptions.<br>• No significant adverse effects to socioeconomics or quality of life are anticipated.<br>• The project does not contribute to unnecessary or undue degradation (UUD) of socioeconomic resources.<br>**Citation:**<br>Appendix D. 9., and Sub Appendix D1. |