
Mark Brown
General Manager
mark.brown@teck.com

Teck Washington Incorporated 509 446 2461 Dir
Pend Oreille Operations 509 446 2830 Fax
P.O. Box 7 509 951 5004 Mobile
1382 Pend Oreille Mine Road
Metaline Falls, WA USA 99153 www.teck.com

Teck

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Via First Class Mail and Email to: r6_ewzplanrevision@fs.fed.us

Forest Plan Revision
Okanogan Valley Office
1240 Second Avenue S.
Okanogan, WA 98840

Re: Colville Forest Plan Amendment – Proposed Action

Dear sir or madam:

We are writing on behalf of Teck Washington Incorporated (Teck) to provide comments on the Proposed Action for the Colville National Forest Plan Revision. The revision of a Forest Plan is a substantial undertaking with significant implications for the management of federal forest lands. Teck appreciates the Forest Service's efforts to seek stakeholder input. As discussed in more detail below, Teck is concerned that the Forest Service improperly and imprudently proposes to recommend areas of significant mining activity and value for wilderness designation.

I. Teck's Operations in Pend Oreille County

Teck, a wholly-owned subsidiary of Teck Resources Ltd., owns and operates the Pend Oreille Mine located two miles north of Metalline Falls, Washington. Teck actively operated the Pend Oreille mine from 2004 until 2009, producing more than 170,000 tonnes of zinc and employing an average of approximately 300 workers during that time. Due to market conditions, the mine has been in a care and maintenance status since 2009. Teck intends to resume full mining operations when market conditions improve.

Although full mining operations have been suspended, Teck continues to maintain significant mining claims in the area. Teck holds approximately 18,500 acres of property in Pend Oreille County either as fee land, leased mineral rights or mining claims,

approximately 8,500 acres of which are found on federal lands managed by the Bureau of Land Management or the United States Forest Service. See Figure 1. These lands are highly mineralized and have tremendous potential to produce economic deposits of zinc and other minerals. Teck continues an active prospecting and exploration program in the area, and has identified several significant zinc deposits on its lands that it intends to mine in the future.

II. The Forest Service Should Not Recommend New Wilderness in Mineral Rich Areas Near Metaline Falls.

The Forest Service's Proposed Action recommends that 101,000 acres of the Colville National Forest be added to the National Wilderness Preservation System. The wilderness recommendations include five areas: the Abercrombie Hooknose (35,200 acres), Bald Snow (15,200 acres), Hoodoo (11,000 acres), Profanity (28,300 acres) and Salmo-Priest Adjacent (13,600 acres). Teck is particularly concerned about the proposals to recommend adding areas east of Metaline Falls to the Salmo-Priest National Wilderness, and to recommend designating areas west of Metaline Falls as the Abercrombie Hooknose Wilderness area.

The area around Metaline Falls is an area rich in minerals. The Bureau of Land Management has identified the area as having "high locatable mineral potential." **Figure 2** is a BLM Map showing the bureau's assessment of mineral potential in north eastern Washington counties, including Pend Oreille County. In fact, numerous acres of land, mining rights and claims are owned or leased by Teck and other mining companies. See Figure 3. These areas near Metaline Falls do not satisfy the criteria for wilderness designation, and designating them as wilderness would be contrary to federal public land management policy.

A. The Forest Service has not Presented the Rationale for these Wilderness Recommendations.

The Proposed Action for the Colville National Forest Plan Revision provides very little information about the wilderness recommendations or the Forest Service's rationale for them.

The Proposed Action document itself devotes only a page and a half to the wilderness recommendations. With no explanation or supporting data, the document simply claims that there is "a need for additional wilderness opportunities in the Forest." USFS, Proposed Action for Forest Plan Revision: Colville National Forest 71 (June 2011). The maps provided on-line and at the public meetings are of such a scale that it is difficult to understand exactly which areas the Forest Services proposes to recommend as

wilderness. The Proposed Action document does not explain why these particular areas are being recommended instead of other areas.

A separate document concerning the wilderness recommendation provides little additional rationale for the proposed recommendations. See USFS, Preliminary Administrative Wilderness Recommendation Information for Proposed Action: Colville, and Okanogan-Wenatchee Forest Plan Revision (June 30, 2011). This Wilderness Recommendation Information document speaks in only very general terms about the "Factors Driving Wilderness Recommendation." Id. at 10-11. Without explanation or data, it claims that the additional wilderness is needed, and that the recommended areas are capable and available for wilderness designation. Id.

With respect to the Salmo-Priest Adjacent area east of Metaline Falls, the document states:

Rationale: This area would add acres to the existing Salmo-Priest Wilderness, improving the overall wilderness setting, consolidating trails within wilderness, and improving boundary management. Is relatively important for fish, plant, and wildlife habitat and connectivity. It offers under-represented vegetation types and landforms. Trade-offs are few, but include mountain-biking and the range of tools available for vegetation manipulation. Most of the wildland urban interface and mining claims are excluded.

Id. at 16. With respect to the Abercrombie Hooknose area west of Metaline Falls, the document states:

Rationale: This area provides a large wilderness-like setting, contributing a high quality primitive recreation experience with an existing trail system, which is a need on the Forest. It is relatively important for wildlife habitat and connectivity. Wilderness management is relatively helped by shape and size. It offers underrepresented vegetation types and landforms currently not widely found in the wilderness system. Trade-offs are few, but include mountain-biking which is not allowed in designated wilderness. Most of the wildland urban interface and mining claims are excluded. There is a cherry-stem with a private in-holding that may affect management of wilderness.

Id. at 12.

These general paragraphs fall far short of the scientific findings required to support the rarest and most protective designation in the National Forest system.

As discussed in more detail below, Teck objects to the recommendations to add the area east and north of Metaline Falls to the Salmo-Priest Wilderness and to designate areas west of Metaline Falls as the Abercrombie Hooknose Wilderness. The particular areas where mining claims are located are not addressed specifically in either the Proposed Action document or the Wilderness Recommendation Information document. As a result, it is impossible for Teck or other members of the public to understand the basis of the Forest Service's proposal, much less to provide comments that question or challenge the rationale underlying the proposal.

B. The Recommended Areas have Existing Mining Claims and Significant Mineral Potential.

Pend Oreille County and the Metaline Mining District in particular have a long history of commercial mining. Mining activity in the area dates back to the mid-nineteenth century. Lehigh Cement Company began the first large-scale commercial mining operation in 1904, and several lead and zinc mines followed. More than 20 commercial mines have operated in the district and at one point, the Metaline Mining District was the 12th largest lead and zinc producer in the United States.¹

The Bureau of Land Management has identified the area around Metaline Falls as having "high locatable mineral potential." **Figure 2.** Today, thousands of acres of mining rights and claims in the area are owned or leased by Teck and other mining companies. See Figure 3.

Teck is particularly interested in the areas near the existing Pend Oreille Mine. Teck affiliates hold approximately 18,500 acres in Pend Oreille county as either fee land, leased mineral rights or mining claims. A map showing Teck's mineral interests is attached as **Figure 1.** As shown in **Figures 4 and 5,** many of Teck's mining claims are found on Forest Service lands that are included in the proposed wilderness recommendation.

The Pend Oreille Mine lies near the center of the Kootenay Arc, a geologic feature extending from British Columbia to Northeast Washington and characterized by numerous base metal deposits. Teck has over 30 full time local employees exploring for

¹ See Seattle City Light, Pre-Application Document for the Boundary Hydroelectric Project (FERC No. 2144), Appendix 4-1 "Summary Information on Mining History and Mines in the Metaline Mining District" (May 2006).

minerals within the confines of our property using state-of-the-art technology. Since the mine closure, we have identified new resources of zinc minerals that Teck intends to mine as market conditions allow. Our geologists also believe that similar deposits exist in the adjacent public property. A wilderness designation, however, would likely preclude any investigation of the mineral potential.

The potential of the district has been researched for over 60 years by the state and federal governments. The United States Geologic Survey has directed two separate Professional Papers (Numbers 202 and 489) be written to evaluate the district. USGS geologist A.E. Weissenborn summarized the potential as follows: "Only a small part of the Metaline District in the vicinity of the existing mines has been explored except by widely scattered drill holes. This amounts to a small part of the area . . . that is potentially favorable for ore." In 1959, he testified before the Federal Power Commission, "it is not impossible that the ultimate production will exceed 146 million tons."

Teck plans use geologic and geophysical methods to explore its property holdings to identify the areas of greatest mineral concentration. We will then sample the areas and collate the data into a geologic description. Engineers will then estimate production methods and costs and we will perform an economic analysis of the minerals discovered. Teck intends to mine these deposits as market conditions allow.

C. The Recommended Areas Do Not Satisfy Wilderness Criteria.

Wilderness areas should be areas that are untouched by human activity. According to the National Wilderness Preservation System statute, wilderness is "an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain." 23 U.S.C. § 1131(c).

The Forest Service has interpreted the statute to require wilderness to satisfy three tests: "capability, availability and need." Forest Service Handbook (FSH) 1909.12, section 72 (2005). These tests are site-specific. The Forest Service should only recommend a particular area for wilderness designation if the area satisfies all three tests. In this case, the Forest Service has not demonstrated that the recommended areas satisfy these tests.

To be capable of being designed as wilderness, an area must have wilderness characteristics. This means it must be free of human disturbance or development, have natural integrity, provide solitude and offer special features, such as areas with unique geological, scenic or cultural significance. See FHS 1909.12, section 72.1. An area of historic and on-going mining activity and mineral exploration lacks the pristine natural character and solitude necessary to be considered capable of being wilderness. Although the Wilderness Recommendation Information document states that both the Salmo-Priest

adjacent area and the Abercrombie Hooknose areas are "generally naturally appearing," it also incorrectly states that most mining claims have been excluded from the wilderness recommendations. See Wilderness Recommendation Information at 10, 12, 16.

To determine whether a particular area is available for wilderness designation, the Forest Service must evaluate "how wilderness designation would be beneficial or detrimental to various resource values." USFS, Northeastern Washington Forest Plan Revision: Wilderness Recommendation Process 2 (2011). Although designating a particular area as wilderness might protect certain recreational opportunities, the area should not be considered available if the area has other important values, such as a significant mineral potential. For this reason, the Forest Service Handbook indicates that highly mineralized areas should not generally be considered available for wilderness designation. FSH 1909.12, section 72.21.

The Wilderness Recommendation Information document acknowledges that there are numerous mining claims in the Salmo-Priest Adjacent area and that one mining plan has been filed. Wilderness Recommendation Information at 16. Although the document states that these mining claims have been excluded from the recommendation, the maps depicting the recommended areas appear to include many of Teck's mining claims. **Figures 4 and 5** show the overlap between mining claims and recommended wilderness areas. These areas should not be considered available for wilderness designation.

The Wilderness Recommendation Information document also acknowledges that there are "[m]any active mineral claims on the periphery" of the Abercrombie Hooknose area. Wilderness Recommendation Information at 12. Again the document states that most of these mining claims have been excluded from the recommendation, but the maps depicting the recommended areas appear to include many of Teck's mining claims. See **Figure 4**. These areas should not be considered available for wilderness designation.

Finally, to pass the need test, an area must be needed to provide additional wilderness values. This requires a site-specific analysis. The question is not simply whether more wilderness is needed, but whether there is a need to designate the particular areas that are being proposed. For example, a particular area might be needed to provide specialized habitat for plants or animals, or to protect unique scientific values. See U.S. Forest Service, Northeastern Washington Forest Plan Revision: Wilderness Recommendation Process at 3.

Both the Proposed Action document and the Wilderness Recommendation Information document claim that additional wilderness area is needed in the Colville National Forest. See Proposed Action at 71; Wilderness Recommendation Information at 10-11.

However, neither presents data or other information that demonstrate the need for more wilderness in general, much less the need for the particular areas being recommended.

The Proposed Action document appears to base its claim for need on the recreational needs of visitors. However, the data suggests that there is no need for additional wilderness. The Proposed Action document states that 362,000 recreational visitors came to the Colville National Forest in 2009, but that only 1000 visited the existing wilderness area. Proposed Action at 45. With 29,000 acres of wilderness already available to these 1000 visitors, it is not at all clear why additional wilderness is needed. The Wilderness Recommendation Information document provides little further insight, simply saying that the population of the greater Spokane metropolitan area is growing and is "under-served for wilderness recreation." Wilderness Recommendation Information at 10-11. The wilderness available in the Colville National Forest is substantial given the number of people who actually visit wilderness areas. Furthermore, there are an additional 1,470,000 acres of wilderness available in the nearby Okanogan-Wenatchee National Forests.

Even if it were true that some additional wilderness acreage were needed in the Colville National Forest, the Forest Service has provided no reason to believe that there is a need to designate the particular areas it recommends near Metaline Falls as wilderness. The Wilderness Recommendation Information document states that this area could provide wilderness recreation, relatively high quality habitat and underrepresented vegetation and landforms. However, it does not claim that this area is uniquely able to do so, or even that it is better able to do so than other areas in the Forest. Important mining areas should not be designated as wilderness when other areas could provide the same or similar wilderness benefits.

D. Recommending Mining Areas for Wilderness Designation Would be Inconsistent with Federal Policy and Forest Service Regulations.

Congress has long declared as a matter of policy that the Federal Government shall "foster and encourage . . . the orderly and economic development of mineral resources." 30 U.S.C. § 21a. Public lands, in particular, are to be "managed in a manner which recognizes the Nation's need for domestic sources of minerals." 43 U.S.C. § 1701(12).

Forest Service policy reflects these statutory commands through the concept of "multiple use." When it comes to planning, Forest Service regulations provide that the "first priority for planning to guide management of the National Forest System is . . . to provide for a wide variety of uses, values, products and services. 36 C.F.R. § 219.2(a).

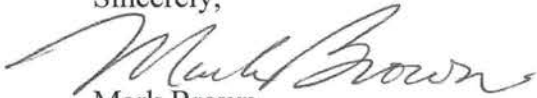
The Proposed Action is directly contrary to these statutory and regulatory commands. Important mineral resources on federal lands should be available for economic extraction. Experience has shown that mining can coexist on federal lands with other uses and values. Designating areas with valid mining claims as wilderness would be contrary to stated Congressional and Forest Service policy.

III. Conclusion

For the foregoing reasons, the Forest Service should revise its Proposed Action to exclude mineral rich areas near Metaline Falls from its wilderness recommendations, or at a minimum, to consider an alternative in the EIS process that would exclude these areas from wilderness designation.

Please feel free to contact me if you have questions concerning these comments or need more information about Teck's mining claims. Teck looks forward to participating in the on-going process associated with the revision of the Colville Forest Plan.

Sincerely,



Mark Brown
General Manager
Pend Oreille Operations