

Date submitted (UTC-11): 10/7/2018 1:00:00 PM

First name: Shannon

Last name: Poe

Organization:

Title:

Official Representative/Member Indicator:

Address1: PMB #607

Address2: 6386 Greeley Hill Road

City: Coulterville

State: CA

Province/Region:

Zip/Postal Code: 95311

Country: United States

Email: shannonp@americanminingrights.com

Phone:

Comments:

I oppose this proposal. Without a clear definition of what a significant disturbance is, it allows anyone in the decision making position within the USFS to require lengthy procedural processes to frustrate the miners fundamental rights to obtain the minerals in the ground on their mining claims. Suction dredges do not pollute, in fact they are beneficial to the rivers and streams as they are a net removal of pollutants in the form of lead and mercury which is removed by up to 98% during the operation. In the past, a significant disturbance was defined as earth moving equipment such as a bulldozer, an excavator or backhoe. Now, the USFS is attempting to say anything which disturbs the surface is a significant disturbance, including camping on a valid mining claim. This "death by a thousand cuts" over-regulation must stop. It is harming the rural communities which rely on the income generated by the hundreds of thousands of mining claim owners and the over one million small miners in America.

I am asking for the USFS to clearly and definitively define what a significant disturbance is based on sound scientific data and consider the economic impacts of this regulatory scheme.

The USFS should not be "interpreting" any definition, those should be in place for the USFS or it allows for rogue employees who may have a negative opinion on small miners to "interpret" those undefined definitions to their ideological benefit.

Requiring a PoO for accessing a mining claim is also ludicrous. Under RS2477 (recently upheld by the Utah Supreme Court) should be recognized and the mining grants passed by Congress furthers that fundamental right of access. Does the USFS recognize the Mining Grants and RS2477? Under 2813.14 of the USFS manual, access cannot cause an "undue burden". Requiring anyone to carry heavy equipment to access their claims is definitively an undue burden.

I oppose this scheme vehemently.