

Response to Doc #2018-19961

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Agency: Forest Service

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The first thing that should be done is to completely throw out 36 CFR part 228 and turn over all mining activity oversight to the BLM. Take it completely out of the hands of the forest service.

I do not represent the Swauk Mining District. I am merely a member. Based on my experience and other members of the Swauk Mining District, regardless of what 36 CFR 228 says, the forest service actions show they want to return the entire forest back into a natural habitat and they do everything they can get away with to inhibit all mining activity instead of encouraging it.

Responses

#1c No. The problem is the phrase "significant disturbance of surface resources". It is completely up to interpretation by the forest ranger. The previous owner of my claims was told by a forest ranger that if he "broke one blade of grass she was going to have his ass". I would not call that a significant disturbance of surface resources but she did! The problem seems to be the rangers attitudes towards the miners, not the mining requirements themselves.

I agree with classifications and the requirements should depend on those classifications. It should be based on the quantity of yards of ore that one can process in a specified period of time. Example: under 20 yds in 8hrs., 21yds. to 80yds. in 8 hrs., 81yds and above in 8hrs. I used to work for a commercial gravel pit and we ran around 160 yds. in 8 hrs.

In this day and age even the little guy can get motorized carts, wheel barrows, trommels, small track hoes, etc. to help them get the ore out of the mine. They leave a very small footprint and do not cause a significant disturbance of surface resources in the whole scheme of things.

#1d Refer to #1c. The little guy processing under 20 yds. a day, they should not need anything or have to make any application to anyone. Does not require an approved application. Even for the little guy, sometimes you need to cut a tree or brush just to keep your access open

and an area for processing. You need an area to be able to move around a little bit. You also may need to build a driveway to get your processing equipment to the mine.

For the medium size operation, they should have to notify the BLM. Keep any dirty water out of the streams, no leaching chemicals, things like that. A very simple application to explain how they will keep things like that from happening. No approvals needed just a notification to BLM. Problem is the forest service very seldom approves anything.

The big commercial guys are different. They should be required to have an application approved by BLM, MSHA and EPA.

#1g Refer to #1d above.

#2a The statement “which will likely cause, or are actually causing, a significant disturbance of National Forest System surface resources” is so ambiguous. This statement needs to be broke down and spelled out in detail, so it is not up to any particular operator, ranger, or inspector for their interpretation. What is significant?

#2b If the agency officials’ attitude is that they are still trying to stifle all mining operations, then it won’t help. If the agency officials’ attitude is to help miners get their mines open and running then I think it would be great. Regardless of the intention of the Dept. of Interior to help the mining industry, the forest service still sees its job as returning the forest to its natural habitat. One way to do that is to stifle all mining operations on forest land.

#2d, e Once a plan is submitted the clock should start ticking. If the forest service has not responded within any 30 period the plan should be automatically approved.

#2f The form looks very detailed and confusing. It is very hard for the layperson to complete.

#3c Yes

#3d No. It can be requested just as in #3c. But not required just as in #3c. #3d as it reads now, is to ambiguous and leaves to much discretion up to the forest ranger.

#3e Refer to #2d above. It has to be on a timer. Otherwise it will still be sitting on someone’s desk next year.

#4g, h, i All mining operation accountability should be turned over to BLM and the forest service needs to mind its own business and stay away from the mining industry.

#5e, f I am not sure about all the regulations. I should be able to bring in a portable or mobile building for the mining season. It is only right to provide protection from the elements and a place to lock up equipment. Even if I only go to the mines a weekend a month.