

To:

Umatilla National Forest Supervisor's Office  
Attn: Blue Mountains Forest Plan Revision  
72510 Coyote Road  
Pendleton, OR 97801  
<https://www.fs.usda.gov/project/?project=64157>

## Preliminary Need to Change: BLUE MOUNTAINS NATIONAL FORESTS 6Nov24

We live in Grant County and will be impacted by the management of the Blue Mt. Forests (Affected Party). Please except our comments because we are natural resource professionals. We have continually provided our comments on the Blue Mt. Forest Plans, both in person and in writing. We supported the continued practice of mining and "multiple use" on our public land.

- Due to human health issues (Clean Air and Water Acts) and the need to **maintain or restore aquatic habitats and ecosystem Integrity** the catastrophic wildfires must be stopped.
  - Open closed roads and build more new roads for better emergency access, harvest more timber and biomass, increase the smoke jumpers 10x or more.
  - Remove fuels and improve access to fight fires.
  - With advanced technology to locate lightening strikes, mobilize crews ASAP and put them out during fire season!
- **Contribute to social and economic viability sustainability:**
  - More logging with less red tape will contribute to social and economic viability. With current USFS plans the last two large commercial sawmills in Grant County have closed this year! Develop multiple uses from forest service administered lands that promote social and economic vitality (not sustainability).
  - Does the USFS agency plan to develop management plans to improve those local economic conditions through more extractive/working lands models of management or does the Forest Service plan to sustain the current depressed economic conditions that have plagued the region for the last 40 years?
- **Promote mineral exploration, development and production** by allowing unfettered access to exploration, sampling, mapping, and expedite streamlining permitting. Some Plans of Operations have been submitted over 10 years ago and are still not completed in the Blue Mt. National Forests! (This violates the Mining and Minerals Policy Act of 1970)
- **Make all the Blue Mt. Forests open forests. Do not close roads.** Do not make more wilderness because the withdrawn forest will just burn. An open forest will make fire fighting easier and will promote:
  - Social and economic viability
  - aquatic habitats and ecosystem Integrity
  - reduce wildfire risks to habitats and communities
  - Instigate a USFS policy to not close roads on these forests. We, the taxpayer, paid for these roads, trails and ways. Unused roads and trails will naturally be reforested and should be kept open and maintained by those that use them as the needs and future needs arise

without taxpayer funds. This plan must follow the USFS objective of “better supports the needs of the forest and its surrounding communities today and into the future”.<sup>1</sup>

- **Work together to create durable, implementable, integrated land management plans**
  - The public has not been allowed into the process to create durable, implementable, integrated land management plans.
  - The public has consistently requested since 2018’s withdrawal of the failed attempt to revise the forest plans to be engaged at the BIC and participate as co-equals in the planning process and has been denied access all along, while special interest groups have been allowed membership at the detriment of those residents.

## **Supporting Reasons for the Forest Plan Change:**

### **1. Need for Logging, Thinning and Removal of Excessive Forest Fuels to Prevent Catastrophic Wildfires on the US Public Land**

These forests have a current and recent history of numerous catastrophic wildfires that have impacted the health of the residents of the local communities. Many of these wildfires are the result of USFS decisions: a) to not remove the excessive fuels from the forest, b) close roads that retard firefighting activity access, and c) let fires burn as being “natural”, and thus ignored the will of the US Congress and thereby promote unnecessary and undue degradation of our natural resources and the Clean Air and Water Act.

The Forest Plan must address all the issues that have contributed to the reduction of timber related jobs in Grant County, resulting in a decline in population and the local economy. Our communities depend on these natural resources for current and future economic stability, and it is critical that the USFS forest plan support the local economy, health, welfare and safety of the communities in Grant County.

### **2. Need for Mining on the US Public Land**

“Critical minerals play a significant role in our national security, economy, renewable energy development and infrastructure,” said Tanya Trujillo, Assistant Secretary of the Interior for Water and Science. “USGS data collection and analysis scans the horizon for emerging issues in crucial supply chains, and every three years identifies the nation’s current vulnerabilities to potential disruptions.” The Energy Act of 2020 defines a “critical mineral” as a non-fuel mineral or mineral material essential to the economic or national security of the U.S. and which has a supply chain vulnerable to disruption. Critical minerals are also characterized as serving an essential function in the manufacturing of a product, the absence of which would have significant consequences for the economy or national security.

### **Background Mineral Facts:**

- Critical & Strategic Minerals resources, production and market:
  - The US produced no chrome.
  - The US only produced 0.36% of cobalt and the Congo (Kinshasa) produced 71.4%.
  - The US produced no magnesium and China produced 81.8%
  - The US produced no manganese and South Africa produced 29%, China 6.8%.
  - The US only produced 15.2% of molybdenum and China produced 44.8%.
  - The US produced no tantalum, and the Congo (Kinshasa) produced 41.1%, 0.56% China.
  - The US only produced 0.64% of vanadium and China produced 54.8%.
  - As of today, China accounts for 63 percent of the world’s rare earth mining, 85 percent of rare earth processing, and 92 percent of rare earth magnet production. Rare earth alloys and magnets that China controls are critical components in missiles, firearms, radars and stealth aircraft.<sup>2</sup>
- Thus, the US depends on foreign countries, often unstable or hostile, for our factories, military, national defense, and our modern lifestyle.
- Critical and Strategic Minerals: Acts, Policies

- “Strategic and Critical Minerals are important to our security and economy. The broad importance of these minerals is often overlooked and misunderstood.” Congress recognized the importance of strategic and critical minerals when it enacted The Domestic Minerals Program Extension Act of 1953, which remains in force. This Act states, “It is recognized that the continued dependence on overseas sources of supply for strategic or critical minerals and metals during periods of threatening world conflict or political instability within those nations controlling the sources of supply of such materials gravely endangers the present and future economy and security of the United States. It is therefore declared to be the policy of the Congress that each department and agency of the Federal Government charged with responsibilities concerning the discovery, development, production, and acquisition of strategic or critical minerals and metals shall undertake to decrease further and to eliminate where possible the dependency of the United States on overseas sources of supply of each such material.” Charles G. Groat, Director, USGS before the subcommittee on Energy and Mineral Resources Committee on Resources, U.S. House of Representatives.<sup>3</sup>
- List of 50 critical minerals.<sup>4</sup> The new 2020 USGS list includes: Aluminum, antimony, arsenic, barite, beryllium, bismuth, Cerium, cesium, chromium, cobalt, dysprosium, erbium, europium, fluorspar, gadolinium, gallium, germanium, graphite (natural), hafnium, holmium, indium, iridium, lanthanum, lithium, lutetium, magnesium, manganese, neodymium, nickel, niobium, platinum group metals, praseodymium, ytterbium, yttrium, the rare earth elements group, rubidium, samarium, scandium, tantalum, tellurium, terbium, thulium, plus: tin, titanium, tungsten, uranium, vanadium, and zirconium.<sup>5</sup> Al, Sb, As, Ba, Be, Bi, Ce, Cs, Cr, Co, CaF<sub>2</sub>, Dy, Er, Eu, Ga, Gd, Ge, C, Hf, Ho, In, Ir, La, Li, Lu, Mg, Mn, Nb, Ni, Pd, Pt, Re, Rb, Rh, Ru, K<sub>2</sub>CO<sub>3</sub>, Sc, Sm, Sn, Ta, Tb, Te, Ti, Tm, Y, Yb, W, Zr.
- **Minerals in the Blue Mountains:**
  - Chromite mining produced chromium, a strategic metal important for increasing the hardness and corrosion resistance of steel. The most active mining periods in the Blue Mountains, therefore, coincided with World War I and World War II. Because chromite concentrates as lens-shaped bodies in the low-silica intrusive rocks of the Earth’s mantle, its ore bodies lie mostly in the Baker accreted terrane. The most productive chromite mining occurred near Canyon City on the northwest side of the Strawberry Mountains.<sup>6</sup>
  - Mineral list containing elements from the Blue Mountains Region: Ag, Al, As, Au, C, Ca, Co, Cr, Cu, Fe, Hg, K, Mg, Mo, Pb, Pd, Pt, Rh, S, Sb, Si, Ti, V, Zn, Zr. Also Bi, Co, Pb, Zn are found in the Dixie Creek drainage, Grant County. Thus, the Blue Mountains are home to **28% of the 50** Critical and Strategic Minerals! (14 of the 50)<sup>7</sup>
  - This is a list of exploitable or exploited mineral commodities recorded from this Blue Mountain region: Asbestos, Copper, Chrome, Cobalt, Gold, Lead, Manganese, Mercury, Molybdenum, Platinum, Silver, Uranium, Zinc.
  - “This dynamic geology produced veins of gold that are responsible for two-thirds of all the minerals found in the state of Oregon.”<sup>8</sup>
  - Review of all past mining claims and leasable minerals by exact location prior to any road closures and withdrawal from mineral entry in any area in the Blue Mountains.

## **Our Recommendations:**

Prior to adopting the Forest Plan for the Blue Mountain Forests, it is essential to follow the direction and laws passed by the US Congress in relation to mining, minerals and mineral entry and access. Prior to any withdrawals and changes of the natural resources from multiple use the USFS must:

- Revise the language for Minerals: **“New mining claims and mineral leases are prohibited within 1/4 mile of the river.” This USFS action is a blanket withdrawal of multiple use for these lands and prohibit placer claims for valuable minerals that are currently open to mineral entry (1990 MNF Plan). This violates the will of the US Congress in a multiple of active mining laws, one such “The Congress declares that it is the continuing policy of the Federal Government in the national interest to foster and encourage private enterprise in (1) the development of economically sound and stable domestic mining, minerals, metal and mineral reclamation industries.” 30 U.S.C. 21a.**

- Recognize the definition of wilderness and roadless area: (c) A wilderness, in contrast with those areas where man and his works dominate the landscape, is hereby recognized as an area where the earth and its community of life are **untrammeled by man**, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining **its primeval character and influence, without permanent improvements or human habitation**, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; and (c) Except as specifically provided for in this Act, and subject to existing private rights, there shall be no commercial enterprise and **no permanent road within any wilderness area** designated by this Act.<sup>9</sup> Thus, evidence of past roads and mining activity precludes any area to be roadless and a wilderness!
- All roadless Inventory areas (RIA) must actually be “untrammeled by man, be of primeval character and influence,” with **no** permanent roads, trails, ways, logging and mining activities in its history.
- From the USFS Draft Assessment, Forest Plan Revision, Infrastructure Detailed Report, ML 1 roads (page 4) are roads! There should be no USFS planned deterioration or road closure of these historic roads, other than natural deterioration. Use the USFS funds on ML-2 to ML5 roads and leave the ML-1 roads as they are so these unused roads and trails will naturally be reforested and will be kept open and maintained by those that use them as the needs and future needs arise, without taxpayer funds. These roads are access to our cultural heritage! Road closure impact access to fight wildfires which have a significant more impact on natural resources and water quality for fish habitat and spawning areas (page 5) than a primitive ML-1 road, that probably has some natural reclamations!
- Specifically, the **Dixie Butte** area, Table 3, page 22 and Map fseprd1171915.pdf of “Designated Areas Assessment Report-Plan Area that may have Wilderness Characteristics -Draft 2/6/24” is in error! The area is covered with mining and logging roads, has significant evidence of mining activity, and is home to strategic and critical elements, plus is being currently actively explored with support of the State of Oregon and US laws with funding by the US Government. Thus, this area is not roadless and is not a roadless inventory area (RIA)! There is lots of historical documentation of human use and habitation, via roads, logging and mining. This area must be managed for minerals and future logging, mining, and mineral development. Closed roads must be open for exploration and development, as needed according to US Mining Laws. Page 25, Take Dixie Butte (335) acres off the Malheur NF Research Natural Area due to past and future mineral bearing area. The area is not a natural ecosystem, , not primeval in character and influence and is trammed by man!
- Specifically, the Greenhorn Mountain area,<sup>10</sup> (Map fseprd1171915.pdf) “Designated Areas Assessment Report-Plan Area that may have Wilderness Characteristics, Draft 2/6/24” is in error! The area is covered with mining and logging roads, has significant evidence of mining activity, and is home to strategic and critical elements. Thus, this area is not roadless and is not a roadless inventory area (RIA)! There is lots of historical documentation of human use and habitation, via roads, logging and mining. This area must be managed for minerals and future logging, mining, and mineral development. Closed roads must be open for exploration and development, as needed according to US Mining Laws. Page 25, Take the Greenhorn Mountain area off the Malheur NF Research Natural Area due to past and future logging, road use, mineral bearing area. The area is not a natural ecosystem, not primeval in character and influence and is trammed by man!
- In designation of any RIA, the USFS for this Plan must review of all past mining claims, geological mineral potential, historic mining, leasable minerals by exact location and note on all USFS maps as areas of mineral bearing public land, and manage these lands for future mineral development as far as roads, road densities, and all surface USFS activity.
- In designation of any RIA, the USFS for this Plan must review of all past mining claims and leasable minerals by exact location prior to any forest withdrawals including withdrawal from mineral entry, change public lands designation from multiple use, plan or implement road closures and in any area in the Blue Mountains.
- Access for mineral, prospecting, exploration, sampling, mapping, development and operations on mineral bearing public land is guaranteed under the mining laws of the US. In mineral bearing public land, with current or historic mining, should not be restricted to any quota of road per square mile of area and no seasonal restrictions.
- Any withdrawal from mineral entry on the public lands must first have a potential mineral survey conducted which will include: historic mining claim inventory and data on minerals mined, historic access to those mining claims documented and mapped, geological mapping of the lands affected, use of geotechnical and geophysical surveys of the potential withdrawal lands, geochemical analyses of potential mineralization by geologist conducting the geological mapping, and in cases of previous mapping and surveys, conduct geochemical sampling of areas identified to have mineral potential and coordinate with the local County

Governments and the Oregon State Department of Geology and Mineral Industries. Report such findings to the public for coordination on the decision to withdraw any public lands from mineral entry.

- Opening of existing or closed roads and skid trails for mineral exploration, development, operations, and closure as a casual use and not be a significant surface disturbance and considered a “use of vehicles on existing public roads”. This casual use would exclude MSHA required road modifications as a surface disturbance, unless major changes in the road are conducted (Not MSHA improvements), which would require a Notice of Operations (up to 5 acres total surface disturbance minus the existing road area).
  - Under the US Mining Laws: “The United States Forest Service has taken the positions that (1) the public has the right to enter National Forest Lands to prospect, locate and develop mineral resources; (2) it [USFS] has the right to approve and regulate all activities related to prospecting, locating and developing mineral resources and (3) the United States Forest Service is not required to insist that a prospector have a valid claim as a condition of her entry upon National Forest Lands to prospect, locate and develop mineral resources. It therefore follows that the United States Forest Service will not require a prospector to establish the validity of her claim as a condition of entry onto National Forest Lands”<sup>11</sup>
- Coordinating with USGS and Dogami to identify areas containing critical and strategic minerals.
  - USGS and Dogami are conducting Mineral Surveys and Geologic Mapping: (i) lithological mapping; (ii) structural mapping; and (iii) alteration mapping.<sup>12</sup> In Nov-21 the Infrastructure Investment and Jobs Act: funds a US Geological Survey (USGS) effort to compile critical mineral resource location data in the United States. Section 40201 provides \$320 million to the USGS to enhance the Earth Mapping Resources Initiative (Earth MRI), a program of above- and below-ground mapping of mineral resources across the United States.
  - Thus, the list of critical minerals will be the focus of USGS research quantifying critical mineral potential within the U.S. In President Biden’s Bipartisan Infrastructure Law, the USGS received funding for its Earth Mapping Resource Initiative, which will update the Nation’s mapping of these minerals, including those still in the ground and those present in mine wastes.
  - USGS and Dogami is using Landsat Mineral Surveys: The satellite map data is also useful for mapping outcrops and regolith systematics and vegetation cover across exploration blocks and over regional areas.<sup>13</sup>
- **Coordinate with Grant County Government. The USFS must coordinate under US Law:**
  - 1866, 1870 and 1872 Mining Laws.
  - Federal Land Policy and Management Act; 43 U.S.C. §§1701-1785, §1769 [FLPMA §509], Public Law 94-579, October 21, 1976:
  - Sec. 211 “COORDINATION WITH STATE AND LOCAL GOVERNMENTS Secretary shall notify the Governor of the State within which such lands are located and the head of the governing body of any political subdivision of the State having zoning or other land use regulatory jurisdiction in the geographical area within which such lands are located, in order to afford the appropriate body the opportunity to zone or otherwise regulate, or change or amend existing zoning or other regulations concerning the use of such lands”
  - From the USFS Draft Assessment, Forest Plan Revision, Infrastructure Detailed Report page 3, “These roads are a part of a network of an overall transportation system that is managed jointly with other public road agencies such as states, counties, and municipalities.”
- Revise the mining regulation on the forest to include: “encourage private enterprise in (1) the development of economically sound and stable domestic mining, minerals, metal and mineral reclamation industries.” 30 U.S.C. 21a.
  - Require the USFS to process all Notice of Operations in 15 days or otherwise they are automatically approved for operations that cause surface disturbance of up to 5 acres.
  - Require the USFS to process all Plans of Operation within 30 days for a surface disturbance of greater than 5 acres, unless an EIS is required. Limit the time for the USFS to review the plans of operations to an additional sixty days, or the plan is automatically approved.
  - What we recommend the use of public land to foster and encourage private enterprise, as recommended by the host of US Mining laws, in the development of mining and the mineral industries on as in 36 CFR and the USFS Planning Team to:
    - Maintain the language of “significant surface disturbance”.
    - Define “significant surface disturbance” as over 5 acres total per operation and not reclaimed. Less than a significant surface disturbance requires no reclamation bond.

- Define mechanized earthmoving mining equipment as being able to move greater than 20 yards of material per operational hour.
  - Suction dredges that move less than 20 yards of material per operational hour are not mechanized earthmoving mining equipment.
  - Require the USFS to process all Notice of Operations in 15 days or otherwise they are automatically approved for operations that cause significant surface disturbance.
  - Require the USFS to process all Plans of Operation within 30 days, unless an EIS is required.
  - An EIS will only be required with chemical mining and/or operations are greater than 20 total acres of impact per year.
  - Keep all USFS land open to mineral entry and do not close the roads that we, as taxpayers, paid to open and build.
  - Consider opening of roads for mineral exploration, development, operations, and closure not a significant surface disturbance, unless major changes in the road are conducted which would require a Notice of Operations (over 5 acres total surface disturbance minus the existing road area).
  - Include technical experts from the mining industry, not just government bureaucrats and environmental consultants on all withdrawals from mineral entry and forest wide mineral plans.
  - Mining on this public land is a “natural aspect of our national heritage”, just looks at any of the regional maps. Mining on our public land does permit the “high standard of living and a wide sharing of life’s amenities”. Can you imagine a world without mining?
- In regard to the forest plans, Sage Grouse and grazing, a ten year scientific study at the University of Idaho by biologist Courtney Conway “show that cows sharing nesting habitat with grouse on federal land do not cause declines in greater sage grouse nest success”. And “Nesting success doesn’t seem to be affected by current levels of cattle grazing, and insect biomass increases with grazing” said Conway, the U of I professor and director of the USGS research unit who led the decade-long research project which wrapped up in Aug2023. The “10-year study does not support the idea that moderate spring grazing at levels currently allowed on BLM-managed land adversely affects sage grouse nesting success.”<sup>14</sup> This would include sage grouse habitat managed by the USFS!
  - In general, this USFS Management Plan should be based upon “sound science” and engineering and must follow the US Codes. The USFS and the Planning Team must economically evaluate any loss of access and ability to prospect, explore, mine, and process mineral from and on public land. It is very important to include technical experts from the mining industry, not just government bureaucrats and environmental consultants and concerns to make recommendations on the mineral industry and sustained development on these public lands.
  - Also, there are many disabled US veterans in Grant County as well as many senior citizens. Hunting, fishing and gathering are an essential part of our cultural, social and economic needs. Often harvesting and transporting a large game animal is extremely challenging for senior and disabled citizens. So, allow off road travel by motor vehicles for retrieval of harvest big game for processing.

### **Our Reasons for the Forst Plan Change:**

The main issue for these forests and public land is the economic and social well-being of the residents in the surrounding communities. Maintaining the infrastructure in local communities is important to the survival of local communities in Grant County and the surrounding Oregon counties.

We do not support any alternative that uses the “Purpose and Need” and reduces road density, places the restoration and expansion of wildlife corridors, desired landscape conditions, or any forest impacts that are incompatible with “multiple use” and the economic and social well-being of the local communities. No new wilderness areas!

The first documented industrial use of the natural resources on these public lands was by miners in 1862, and the mineral industry, even before the formation of the USFS. When you look at the regional maps, they are dotted with prospects and mines. Multiple use of public land must include the access and ability to prospect, explore, mine, and process minerals from and in the forest public land.

The USFS and the Planning Team must follow the US Congress as established by Public Law 91-631, The Mining and Minerals Policy Act of 1970 which states:

"The Congress declares that it is the continuing policy of the Federal Government in the national interest to foster and encourage private enterprise in (1) the development of economically sound and stable domestic mining, minerals, metal and mineral reclamation industries." 30 U.S.C. 21a.

Domestic production of metals and materials are vital to the US balance of trade and is essential to the US economy. Mining is currently done in a manner safe to the environment. The mined products from the United States are exported around the world. Many of the US mined products are processed by our industries to finished goods, adding value, jobs and taxes to our economy, and enhancing our exports.

It is important to note that back in the early 1970's when the original regulations were being written and approved by Congress, the original USFS draft regulation required a Plan of Operations for any mining disturbance whatsoever, just like these current proposed regulations. Congress, in its wisdom, realized this was taking things too far and demanded that "Notice" level activities be allowed and clear exemptions for needing a Notice. Congress realized that in order to mine, a certain level of disturbance is necessary... after all, you can't dig a hole without moving some dirt! Congress ruled that the USFS did NOT have the authority to require what basically amounts to as a "permit" for prospecting and mining. Some plans of Operation for Mining on these forests are not complete even after 10 years due to the USFS neglect and ignoring the laws passed by the US Congress.

We specifically protest the closing of RS2477 right of ways to mining claims, either patented, unpatented or in the process of current or future exploration activities on the public US land unless withdrawn from mineral entry by the US Congress. "The nature of Congress's grant of a "right of way for the construction of highways over public lands, not reserved for public uses." Act of July 26, 1866, ch. 262, § 8, 14 Stat. 251, 253, codified at 43 U.S.C. § 932. And "The establishment of these rights of way "required no administrative formalities: no entry, no application, no license, no patent, and no deed on the federal side; no formal act of public acceptance on the part of the states or localities in whom the right was vested." Id. Indeed, "R.S. 2477 was a standing offer of a free right of way over the public domain," the acceptance of which occurred "without formal action by public authorities." Id. (internal citations and quotation marks omitted). "All that is required" for title to pass "are acts on the part of the grantee sufficient to manifest an intent to accept the congressional offer." Id. at 754; see also San Juan County, 503 F.3d at 1168 ("[A] right of way could be obtained without application to, or approval by, the federal government. Rather, the grant referred to in R.S. 2477 became effective upon the construction or establishing of highways, in accordance with the state laws." (quoting Hodel, 848 F.2d at 1078)

**NEPA, 1969: Sec. 101 [42 USC § 4331].**

(b) In order to carry out the policy set forth in this Act, it is the continuing responsibility of the Federal Government to use all practicable means, consistent with other essential considerations of national policy, to improve and **coordinate** Federal plans, functions, programs, and resources to the end that the Nation may

3. preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity, and variety of individual choice.
4. **achieve a balance between population and resource use, which will permit high standards of living and a wide sharing of life's amenities.**

In the Blue Mountains National Forests Plan under NEPA, “requires that all major Federal actions significantly affecting the human environment from proposed management be analyzed, and the consequences to the quality of the human environment from proposed management actions are to be considered.” This proposed plan misses the mark and fails to adequately identify and serve the cultural, social and economic needs, both current and future, and the wellbeing of the Grant County residents, (serving the people) in an attempt to move forward a heavy-handed closed forest system, all under the cover of meeting the National Environmental Policy Act (NEPA) requirements that are being incorrectly used to “protect the environment” when the true intent of the legislation was to protect the “human environment, not control us.” Staff on the BMFPR team over the last 20+ years has and is attempting to place the burden of environmental protectionism squarely on the backs of local residents and not fully engaging in a truly in-depth analysis of the true impacts on rural, economically depressed communities, but incorrectly lumps rural residents into large regional and national economic assessments that dilutes and misrepresents the disproportionate effects on not only local residents, but local governing bodies abilities to protect the Health, Welfare and Safety of their communities.

In general, we observe that the USFS has managed the public land covered by this plan to the disadvantage and **deprivation** of the quality of life for the local humans since the passing of NEPA. In the 1970’s there were 5 timber mills and full employment in Grant County. Grant County population in 2018, 7,183 folks and in 1986 a number of 8,330 a drop of 13.77 %. The unemployment rate in April 2014 was 10.5 %, <sup>15</sup> and in April 1990 only 8.7% <sup>16</sup>. In new statistics, “Grant County continued to lose population over the past year, according to the latest estimates from the PSU population research Center. As of July (2023) PSU researchers estimate, Grant County had 7,298 residents, down 142, or 1.91% from 7,440 in July 2022. The headcount also fell in six of the county’s incorporated communities (cities).” Please note that July population figures represent the highest population for the year with good weather, the highest employment and the strongest economy of the year. Plus, the article “Hunger on the rise on US, Oregon” <sup>17</sup> Just from these statistics the USFS has violated the NEPA act! The decline in the quality of life in Grant County is the direct result of Federal Bureaucrat’s mismanaging our public land at the negative expense of our local culture, industry, prosperity, education and stability of the population and citizens of Grant County, Oregon. The US Forest Service previous plans show a heavy analysis of ecological/environmental concerns and how human interaction affects nature both flora and fauna, as well as “cultural resources” sites. As stated in the previous forest plans, above the primary objective of NEPA is to protect the “**human environment**” and to analyze federal actions on human beings not the effects of human beings on the environment. There is no analysis of specific effects on rural communities from a financial standpoint, no analysis of effects on local governments’ ability to protect their resident’s safety and welfare. The previous forest plans fails to take a hard look at Executive Order 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations”. As of July 1, 2019, the average number of people living below the poverty level in Oregon Statewide is 11.4% compared to the US of 10.5%, while the poverty rate in the adjacent directly affected counties is Baker 13.6%, Wallowa 12.3%, Union 13.6%, and the three bordering counties Malheur 21%, Grant 15.3%, Umatilla 13.9% below the poverty level. <sup>18</sup> This plan will have a directly disproportionate negative effect on these communities to supplement their home heating and food cost due to lack of open access to the forest.

In conclusion, we request that the USFS do not close any roads, do not withdraw any additional public land from multiple use and the USFS must follow the laws passed by the US Congress on mining, multiple use and open access, or an open forest.

Thank You

Signatures: Dr. Thom Seal, PE

Jette C. Seal



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- <sup>1</sup> <https://www.fs.usda.gov/detail/umatilla/home/?cid=fseprd1066821>
- <sup>2</sup> China Dominates the Rare Earths Market, Politico, 14Dec22, <https://www.politico.com/news/magazine/2022/12/14/rare-earth-mines-00071102>
- <sup>3</sup> <https://www.usgs.gov/congressional-statement/statement-charles-g-groat-director-usgs-6>
- <sup>4</sup> USGS new list of 50 mineral commodities critical to the U.S. economy and national security after an extensive multi-agency assessment, 22Feb22, <https://www.usgs.gov/news/national-news-release/us-geological-survey-releases-2022-list-critical-minerals>.
- <sup>5</sup> Final List of Critical Minerals 2018, <https://www.federalregister.gov/documents/2018/05/18/2018-10667/final-list-of-critical-minerals-2018>
- <sup>6</sup> [https://www.oregonencyclopedia.org/articles/blue\\_mountains/#.YE6RetxICUk](https://www.oregonencyclopedia.org/articles/blue_mountains/#.YE6RetxICUk)
- <sup>7</sup> Mindat.org. Blue Mountains, Oregon: <https://www.mindat.org/loc-252574.html>
- <sup>8</sup> The Undiscovered Blue Mountains of Washington and Oregon, <https://nwtravelmag.com/undiscovered-blue-mountains-washington-oregon/>
- <sup>9</sup> THE WILDERNESS ACT, Public Law 88-577 (16 U.S.C. 1131-1136), 88th Congress, Second Session, September 3, 1964, (As amended)
- <sup>10</sup> Blue Mt National Forest Land Management Plan Revision, Map of Inventory of Lands in Plan Area that may have Wilderness Characteristics: link from <https://www.fs.usda.gov/detail/umatilla/home/?cid=fseprd1169710> to fseprd1171915.pdf
- <sup>11</sup> Earthworks v US DOI, Civil Action No. 09-1972 (HHK/JMF), US Dist. Court of Columbia, 17Feb12
- <sup>12</sup> Detecting Lithium (Li) Mineralization from Space: Current Research and Future Perspectives Joana Cardoso-Fernandes, 2,\* , Ana C. Teodoro 1,2 , Alexandre Lima 1,2 , Mônica Perrotta 3, and Encarnación Roda-Robles 4.
- <sup>13</sup> <https://www.satimagingcorp.com/applications/energy/mining/>
- <sup>14</sup> Idaho magazine, University of Idaho, F23, page 22-28, [uidaho.edu/magazine](http://uidaho.edu/magazine)
- <sup>15</sup> <https://fred.stlouisfed.org/series/LAUCN410230000000003A>
- <sup>16</sup> [https://www.google.com/search?ei=tC5RYMbrOoLC0PEPIY2h0Ak&q=grant+county+oregon+population&oq=grant+county+oregon+population&gs\\_lcp=Cgdnd3Mtd2l6EAEYADICCAA6BwgAEEcQsAM6BAghEApQyxdY2UtgVp0AnACeAGAAAgBiAGnG5IBBjAuMjUuMZgBAKABAaoBB2d3cy13aXrIAQi4AQLAAQE&scient=gws-wiz](https://www.google.com/search?ei=tC5RYMbrOoLC0PEPIY2h0Ak&q=grant+county+oregon+population&oq=grant+county+oregon+population&gs_lcp=Cgdnd3Mtd2l6EAEYADICCAA6BwgAEEcQsAM6BAghEApQyxdY2UtgVp0AnACeAGAAAgBiAGnG5IBBjAuMjUuMZgBAKABAaoBB2d3cy13aXrIAQi4AQLAAQE&scient=gws-wiz)
- <sup>17</sup> Blue Mountain Eagle Newspaper, Wednesday, 6Dec23, No 49, page 1&49.
- <sup>18</sup> <https://www.census.gov/quickfacts/fact/table/OR,US/PST045219>