



Comments on the USDA-Malheur Forest Plan from Federal Register Published 4Aug25

<https://www.fs.usda.gov/r06/umatilla/planning/blue-mountains-forest-plan-revision>

Please accept my Official Comment on Blue Mountains National Forests Plan Revision: Preliminary need to change, proposed action, and scope of the analysis, date above.

Emailed to: [REDACTED] – Request return e-mail to affirm receipt.

Mailed to: Mountains Forest Plan Revision, 72510 Coyote Road, Pendleton OR 97801.

This Forest Plan Must Focus on and uphold the Laws Passed by Congress:

- 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.
- Multiple-Use Sustained-Yield Act of 1960 (86-517:MUSYA) For national forests to develop and administer the renewable resources of timber, range, water, recreation and wildlife on the national forests for multiple use and sustained yield of the products and services. “Sustained yield - "the achievement and maintenance in perpetuity of a high-level annual or regular periodic output of the various renewable resources of the national forests without impairment of the productivity of the land.”
- Federal Land Management Policy Act of 1976. 43 U.S.C. §§1701-1785, §1769 [FLPMA §509], Public Law 94-579, October 21, 1976: Sec. 211:
“COORDINATION WITH STATE AND LOCAL GOVERNMENTS,” “The 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, change or amend existing zoning or other regulations concerning the use of such lands”
- All of the US Mining and Multiple Use Laws¹.

Preliminary Need to Change Document – July 25

- **2012 Planning Rule:** Page 3, “contribute to social and economic sustainability... and multiple uses that provide a range of social, economic, ecological benefits for the present and into the future.” The USFS has failed in this regard by closing roads, denying 42 USC 4331 to “preserve important historic, cultural, and natural aspects of our national heritage” and “permit high standards of living.” In the 1970’s there were 5 timber mills and full employment in Grant County, OR. Grant County population in 2018 was 7,183 folks, in 1986 the number was 8,330. In 2024 it was 7,093, a drop of 15%. Now all the sawmills are closed with one of the factors being the USFS management. The unemployment rate in April 2014 was 10.5 %, and in April 1990 only 8.7%. 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, which is in violation of MUSYA. What is the New Forest Plan for improving Grant County's high standard of living? The Plan must address the deficiencies identified by USDA leadership in 2019. Include a binding standard plan protecting subsistence uses and ensuring access for local residents to continue traditional activities, not just Tribal communities.

- **Reduce Wildfire Risks to Communities:** Page 5, "Citizens, firefighters, natural resources, capital investments, and private lands within the three national forests are at higher risk from uncharacteristic wildfire effects." The USFS' continued priority to "decommission or close roads" where they should be labeled as "historical used roads", some currently used but labelled as closed, to prevent and retard wildfire growth. (Note the USFS had to open over 2 miles of closed roads to fight the 350 acre Bridge Fire, 10 miles NE from Prairie City, OR. Arguably, the fire could have been suppressed earlier if the existing roads were not closed allowing expedient firefighter access. Sept25 USFS FOI) Do not close the roads that we, as taxpayers, built or paid the USFS to manage. If the roads are not used the roads will naturally be reclaimed. From the last unauthorized Forest Plan – Make an **OPEN FOREST!** It would be a win-win for the taxpayers to just leave the "historical used roads" as they are and those that use them will maintain them. The plan should prohibit closure, decommissioning, or obliteration of any road constructed before October 1976. These roads and access to the forest are our heritage. Thus, remove all language that supports the closure and decommissioning of roads while including a permanent standard plan prohibiting reductions in current and historical access levels for the life of the plan.
- The draft plan as written is complex, confusing and inconsistent with the laws passed by the US Congress, especially the Plan Writing act of 2010. The draft plan has a definite bias against developing mineral deposits while continuing to be biased against the local communities' traditional uses of the forest. The 1990 Plan states that minerals "contribute to the social and economic needs of local communities and the nation". This desired condition should be added.

Preliminary Draft Proposed Malheur Land Management Plans

Chapter 1.

- Page 16, "Gold and other valuable minerals still exist beneath the land's surface"...This should be changed to Gold, critical, strategic, and other minerals...
- Page 17, Residents and visitors alike seek out the national forests year-round for recreational opportunities. Activities range from seeking solitude in the backcountry to staying in developed campgrounds along travel corridors. Additional recreational activities include hunting, fishing, wildlife watching, rock climbing, hiking, off-highway vehicle use, whitewater rafting, and horseback riding. Hunters travel to the national forests in search of elk, deer, and antelope during the appropriate seasons, which also contributes to local economies. The national forests also provide winter sports opportunities such as snowmobiling, cross-country, and downhill skiing. The local residence depend greatly on firewood as well. The USFS has failed in this regard by **closing roads** in the forest, thereby inhibiting 42 USC 4331 "preserve important historic, cultural, and natural aspects of our national heritage" and "variety of individual choice". By closing roads, the USFS is also purposely preventing our disabled veterans and seniors from use of portions of the forest!
- Page 21, "Developing land management direction to respond to social, economic, and ecological conditions." The plan must be flexible and respond to the input from the local county government, local public and citizens' desires residing in the local counties.

Chapter 2.

- Page 23, By not managing the forest for fuel loads and not putting out fires ASAP, the USFS is violating the Clean Air Act of 1970 and promoting severe respiratory difficulties for humans and wildlife.
- Page 25, "soil disturbance, existing or past disturbed areas" surface disturbances are allowed under the US mining laws should be added.
- Page 26, Fire managers strive to manage the natural role of fire while protecting values from adverse fire impacts. Add **seasonal**. Put out fires ASAP when conditions promote catastrophic wildfires!
- Page 32, 07. "National Forest System Lands contribute to flow regimes and hydrologic connections that maintain water elevations". Investigate snowmelt water retention during restoration plans for optimal summer/fall stream flows.
- Page 33, 01. "Best Management Practices" should add: while preserve important historic, cultural, and natural aspects of our national heritage.
- Page 42, 01. Post forest fire, replant local species of trees. If not, enough funds are available, at least the plant disperse pockets of local trees so the forest can revitalize.
- Page 46, Management Approach (FW-FOR-STR-MAPR): Include a priority for treatment areas closest to human habitation.

- Page 60, 04. “To reduce disturbance to denning wolves” Promoting wolves on the forest is in direct conflict with NEPA: preserve important historic, cultural, and natural aspects for humans. Humans removed wolves from these forests years ago and that is a historic, cultural aspect that impacts the elk and deer populations resulting in less economic activity during hunting season. The wolves drive wildlife from public to private land. There is not a greater impact on elk harassment than a pack of wolves!
- Page 64, Introduction. Add firewood gathering, it is a strong local custom and part of our local culture.
- Page 65, under the heading “Transportation”, 01 does not mention mining when it comes to providing safe and efficient ...access”. Also, If the transportation infrastructure is managed to “avoid or mitigate undesired effect to ecological integrity” where does that leave a miner who has reasonable access to their claims as specified in United States Mining Laws?
- Page 67: Introduction. Add No road closure – OPEN FOREST. The roads that we, as taxpayers, built or paid the USFS to manage, and if the roads are not used the road will naturally be reclaimed. It would be a win-win for the taxpayers to just leave the “historical used roads” as they are and those that use them will maintain them. These historically used roads are our historic and cultural heritage.
- Page 70, 02, “accessible to people of varying abilities and needs” Closing historical used roads is purposely preventing our disabled veterans and seniors from use of portions of the forest!
- Page 76, Table 8: Need documentation of calculations.
- Page 77, 03. As technologies are developed to utilize biomass, expand table 8-9, page 76-78 to accommodate. Be flexible.
- Page 79, 04. Add: Post forest fire, replant local species of trees. If not enough funds are available, at least plant disperse pockets of local trees so the forest can revitalize.
- Page 83, Malheur NF: “Currently managed at 104,095 AUMs annually”. What is the yearly number since the last Forest Plan? Maintain current grazing AUM levels as the 1990 plan and suitability designations.
- Page 85, Introduction. “The Forest Service encourages mineral and energy development by working with claimants.” That statement is untrue. The USFS takes ages to process mining permits and studies. Add: encourages mineral and energy development **by processing studies, statements and permits timely** while working with claimants... See executive order “Immediate Measures to Increase American Mineral Production”, March 20, 2025. It is confusing and unclear on page 85 when the Draft Plan states the Forest Service wants the miner to “provide for the ecological integrity and diversity of surface resources including endangered species...” The writers of the Draft Plan do not seem to realize that mining operations are surface disturbing, and providing for “ecological integrity and diversity” are not part of what they do. The reason for mining is to produce the minerals our nation needs so badly. We are not just talking about precious metals, but also critical and strategic minerals.
- Page 86, 01. Prospecting, geological mapping, surface sampling, and mining claim staking are casual mining activities. Closed roads are open to mineral entry and casual use. The Forest Service surface mining regulations under 36CFR228 state that no Notice of Intent or Plan of Operation is needed for “Operations which will be limited to the use of vehicles on existing public roads or roads used and maintained for National Forest System purposes”. This statement should be added to the standards and guidelines for Minerals and Geology.
- Page 89, 06. (c) Do not condemn, hassle, pressure, intimidate, or harass USFS innholders of private land to sell!

Chapter 3.

- Page 90, 2A, Malheur, Inventoried Roadless Area, 189,375 acres is grossly in error!
- Page 92, Desired Conditions (MA1A-DWA-DC): 01.It should include from the Wilderness Act: “the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain”, and “an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation.” Thus, public lands with historic roads and mines exempt the land from wilderness characteristics.
- Page 94, Introduction, Add, Intermittent streams are not rivers.
- Page 99, Table 19, Dixie Butte 12,208 acres is covered by used and historically used roads and dotted with signs of mining activity. This area has a history of being mined for strategic and critical minerals and is currently being explored by a Federal Grant for these minerals. Thus, it is not roadless! I am sure there are other areas covered in this plan that have the same characteristics.
- Page 102, Table 19, Dixie Butte 335 acres is covered by used and historically used roads and dotted with signs of mining activity. This area has a history of being mined for strategic and critical minerals and is currently being explored by a Federal Grant for these minerals. Thus, it is not an RNA.! I am sure there are other areas covered in this plan that have the same characteristics.
- Page 106, Table 26, Vinegar Hill 12,830 acres is covered by used and historically used roads and dotted with signs of mining activity. This area has a history of being mined for strategic and critical minerals and is currently being explored by a Federal Grant for these minerals. Thus, it is not a scenic area.! I am sure there are other areas covered in this plan that have the same characteristics.

- Page 110, The 2012 Planning Rule did not include ephemeral streams, which need no protection under the 2012 Rule guidance, since these are normally dry streams that only carry water during a storm event. Take ephemeral streams out of this forest plan.
- Page 111, Category 4. Put all intermittent, perennial streams with fish or non-fish in this category even though it is greater than 1 acre. PACFISH and INFISH were the amendments to the 1990 Forest Plan that set these arbitrary buffers. The good thing was that these amendments exempted mining ponds and other facilities when there was no reasonable alternative for where they could be located. As information, mining operations often rely on off-channel ponds as their water source. These must be close enough to the stream to tap into groundwater and provide 5,000 gallons of water a day for processing. Ponds that hold water all season are beneficial to wildlife, cattle, and amphibians and also can be used for fighting fire. Mining operations must continue to be exempt from complying with these artificial buffers.
- Page 112, Desired Conditions (MA3A-RMA-DC) Add: Other than land used under the US Mining Laws and executive orders. The Draft Plan, under 04, states roads should not be within riparian Management Areas. These buffer areas are much larger than the actual riparian areas. Mining roads near streams should be rocked and waterbarred as needed, but they must not be prohibited.
- Page 116, Management Approach (MA3A-RM-MAPR) Add: Other than land used under the US Mining Laws and executive orders. The 2012 Rule instructs Forests to designate which lands are “suitable” for which activities. For each Plan Component, there should be a statement as to which management areas are considered suitable. For mining, it should clearly be stated that mining activity **is suitable in all management areas**, except for wilderness, plus areas where valid existing rights (claims located before the wilderness) would dictate if mining would be suitable.
- **There is no need for more Research Natural Areas, which are not required in the plan to identify RNAs.**

Chapter 4 page 127

Monitoring Project Overview: This Objective misses the mandate of Congress to “permit high standards of living and a wide sharing of life's amenities.” Thus, the USFS must monitor the local economy and the effects of this plan and individual project USFS on the local economy to ensure a high standard of living.

- Page 128. 9. Social, economic, and cultural sustainability must be addressed in the monitoring program. This issue is not fully addressed in this document. There is a need for how the above sustainability will be monitored in regard to the local economy, social and cultural impact of this plan. From historic data above, the USFS has been ignoring the NEPA guidelines, and the laws passed by Congress. Example: The past road closures in historic mining areas have precluded mineral access and exploration leading to a decline in mining activity and the jobs that could have been created.
- Page 128. The plan must be flexible and respond promptly to local input and comments and coordinate with local government.

Appendix A. Page 155. The NW Forest Plan should **not** “focuses first and foremost on broad-scale aquatic resource conservation and protection, coupled with strategically focused active restoration in priority areas,” but on the laws passed by Congress to “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.” Plus “achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities” and Multiple Use.

Appendix B:

- Page 173. Fire. No prescribed fires during fire season. No program to allow our forests to burn because of the opinion that fires are natural during fire season.
- Page 177. Social and Economic Sustainability, The USFS has been doing a very poor job of this.
- Page 178. Transportation Infrastructure. There should be no non-motorized areas unless it is a wilderness area passed by Congress. No closed roads. It would be a win-win for the taxpayers to just leave the “historical used roads” as they are and those that use them will maintain them. These historically used roads are our historic and cultural heritage.
- Page 180, Minerals. Processing mineral applications, operating plans, leases, licenses, permits, and other use authorizations efficiently and in a timely manner. The USFS has done a terrible job of this, and it is against the MMPA of 1970.

Appendix C:

- Page 181, “best available scientific information” only if that science was conducted on the Forest in question. Scientific studies conducted elsewhere will be biased when applied to a different location, and are thus invalid. Population density studies on the forest relating to local habitat are the only legitimate scientific studies. The list of

species of conservation concern (SCC) is an NGO environmental wish list and should be substantiated with the local on-the-ground studies. All “Revised Land Management Plans must be designed to sustain or restore habitat for SCC populations and ensure, to the extent possible, that these species can remain on the landscape over the long term.” Only after consideration of all of the US Laws passed by Congress to ensure multiple use, and “coordinate Federal plans, functions, programs, and resources to the end that the Nation may 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, plus achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities.”

Appendix D:

- Page 191, Scenic Integrity objective should not interfere with multiple and customary use, and the US Mining Laws.
- Page 193, Areas of high scenic integrity are overlaying past and future mineral development and contain known deposits of critical and strategic elements required by our national economy and defense. The US Mining laws have priority over scenic integrity and that should be identified in the forest plan.

Appendix E:

Recreation planning and ROS: **”The USFS has continued** to label “historic used roads” as “closed roads” even though some are currently used to prevent and retard wildfire abatement while offering excellent recreation opportunities. Do not close the roads that we, as taxpayers, paid to open and build and if the roads are not used these roads will naturally be reclaimed. From the last unauthorized Forest Plan – Make an OPEN FOREST! It would be a win-win for the taxpayers to just leave the “historical used roads” as they are and those that use them will maintain them. The plan should prohibit closure, decommissioning, or obliteration of any road constructed before October 1976. These roads and access to the forest are our heritage. Thus, remove all language that supports the closure and decommissioning of roads while including a permanent plan prohibiting reductions in current and historic access levels for the life of the plan.

Appendix F:

- Page 198, From the Wilderness Act: “the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain”, and “an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation,” Thus public lands with historic roads and mines exempt the land from wilderness characteristics.
- Before any designation of a proposed wilderness area, it should be required for the US agency managing that area to conduct a historic, current and potential geological assessment of strategic, critical and economic evaluation of the minerals in that area, including geological mapping, sampling and historic mining activity with a professional geologist’s public report to be included.

Appendix G:

- Page 199, Wild and Scenic River Eligibility should only contain streams and rivers that have significant surface water all year round and have no private water rights upon that surface water. To be considered a stream or wild and scenic river it must be of “*free-flowing character*”.
- Before any designation of a proposed wild and scenic river area, it should be required for the US agency managing that area to conduct a historic, current and potential geological assessment of strategic, critical and economic evaluation of the minerals in that area, including geological mapping, sampling and historic mining activity with a professional geologist’s public report to be included.
- Page 206, Vinegar Creek has historic mining activity and the potential for future mining.
- Page 212, Standard Creek, a tributary of Dixie Creek, north of Prairie City, OR should be included in this Malheur National Forest that is not eligible due to being intermittent and the site of historic, current and potential mining with geological evidence of strategic, critical and economic minerals in that area. This area, amongst others on the forest, is being explored for strategic, critical and economic mineral by USGS and DOGAMI.

Thus:

Keep these existing roads open and label all roads in existence prior to 1Nov1976 as “**historical used roads**”. Public and private interests built or paid for these roads with or without USFS management so do not spend our tax dollars to close any roads on public land! By closing roads, the USFS is purposely preventing our disabled veterans and seniors from use of this project area. We need access for fighting fires, recreation, mineral exploration, gathering wood and mushrooms, hunting, snowmobiling, hiking, and camping. Road closures should only be temporary during maintenance, relocation and reconstruction as needed.

- Public access to the public land in this plan is part of our “important historic, cultural and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity and variety of individual choice.” The USFS is required by Federal Law to **Preserve this part of our Grant County’s culture and historic Use.** I 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 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))
- **Suggestion on Elk and Roads:** Close only just a few roads during elk season except for seniors over 60 and disabled folks who will have access. Do not close or decommission roads permanently!
- **Suggestion on making the forest more fire resistant:** Treat 5% of the forest each year (once every 20 years) for potential forest fires by building access, thinning, piling, burning, planting, and where possible, selective-cut logging to harvest biomass and logs for local sawmills.
- This is a list of exploitable or exploited mineral commodities recorded from this Blue Mountain region: Asbestos, Copper, Gold, Lead, Manganese, Mercury, Molybdenum, Platinum, Silver, Uranium, Zinc. The Mineral list containing elements from the Blue Mountain Region: Ag, Al, As, Au, C, Ca, Co, Cr, Cu, Fe, Hg, K, Mg, Mo, Pb, Pt, S, Sb, Si, Ti, V, Zn, Zr. Thus, the Blue Mountains are home to 37.14% of the 35 Critical and Strategic Minerals! It is important to review all past mining claims, leasable minerals by exact location prior to any road or area closures and withdrawal from mineral entry in any public area in the Blue Mountains. This should also include potential mineralization as well to be determined by an economic geologist. 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. Define in the USFS Forest Plan:
 - Maintain the language of “significant surface disturbance”.
 - Define “significant surface disturbance” as over 5 acres total per operation and not reclaimed. Reclaimed lands will not be included in surface disturbance calculations. Less than a significant surface disturbance requires no reclamation bond.
 - Define mechanized earthmoving mining equipment as being able to move greater than 20 cubic yards of material per operational hour.
 - Casual use will include exploration, mining, processing and reclamation of less than 5 acres where smaller mining equipment is used including small, motorized machines and earthmoving equipment moving less than 20 cubic yards per hour.
 - 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 operation to an additional sixty days, or the plan is automatically approved.
 - An EIS will only be required with chemical mining and/or operations that are greater than 20 total acres of impact per year.
 - Opening of existing roads and skid trails for mineral exploration, development, operations, and closure is 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).
 - 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 a geologist conducting the geological mapping, and in cases of previous mapping and surveys, conduct geochemical sampling of areas identified to have mineral potential. Report such findings to the public for coordination on the decision to withdraw any public lands from mineral entry.

- Promote occupancy in Notices and Plans of Operations where mechanized earthmoving mining equipment is used and parked for security reasons and safety to the public on the mine site.
- “Tribal access to exercise treaty-reserved rights and **mining access to exercise statutory rights are supported by the forest transportation system**: 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 his 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 his claim as a condition of entry onto National Forest Lands.”
- Include Short-term (1 year or less) mineral, energy, or geophysical investigations and their incidental support activities that may require cross-country travel by vehicles and equipment, and construction of less than 5 miles of low standard road, or use and minor repair of existing roads. Examples include, but are not limited to:
 - (i) Authorizing geophysical investigations which use existing roads that may require incidental repair to reach sites for drilling core holes, temperature gradient holes, or seismic shot holes;
 - (ii) Gathering geophysical data using shot hole, vibriosis, or surface charge methods;
 - (iii) Trenching to obtain evidence of mineralization by sampling.
 - (iv) Clearing vegetation for sight paths or from areas used for investigation or support facilities;
 - (v) Redesigning or rearranging surface facilities within an approved site;
 - (vi) Approving interim and final site restoration measures; and
 - (vii) Approving a plan for exploration under a “Notice of Operations” which authorizes repair of an existing road and the construction of 1 mile of temporary road; clearing vegetation from an acre of land for trenches, drill pads, or support facilities.

In general, this USFS Management Plan should be based upon “sound science” and engineering and must follow the US Codes and Laws. The USFS and the Planning Team must economically evaluate any loss of access and ability to prospect, explore, mine, and process mineral from and in public land. It is very important to include technical experts from the mining industry, not just government bureaucrats and environmental consultants and NGOs to make recommendations on the mineral industry and sustained development on these public lands.

In addition, this rule directs the Forest Service to write Watershed Analysis which are internal documents and do not include public notification, comments or objections. The Draft Plan says this analysis should be “complemented with local information”, like asking the public about road conditions.” I remember that many of us did extensive work documenting the conditions of roads in 2016 and 2017 and the Forest Service ignored our input. The watershed analysis documents rely on computer models to “characterize a variety of road-related impacts to watersheds and aquatic resources” see page 165. These documents, where the public has no input, are how the Forest Service will be able to close our roads. This is unacceptable! I suggest that these watershed assessments be **coordinated** with the counties, who in turn will **look out** for the needs of the local communities.

It appears that the writers of this document didn’t know or ignored the law, each of them appears to have focused on their own plan component area, and they forgot to coordinate with other writers, thus resulting in information strewn throughout the Draft Plan. And they forgot their requirement under the Plain Writing Act, to produce a document that was clear, concise and understandable to the public. If the public can understand what the Draft Plan is saying, they will be able to make comments on how the Draft Plan should be changed. I suggest the Draft Plan be withdrawn, the writers of this document be retired, and a new group, without the bias against the public using the forest, and particularly against mining, be hired, and the Forest Service start all over again.

This proposed plan misses the mark on serving the local residents of Eastern Oregon (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 NEPA legislation was to protect the “human environment.” Staff on the BMFPR team over the last 30+ years has and is attempting to place the burden of environmental protectionism squarely on the backs of local residents and not fully

engage in a truly in-depth analysis of the impacts on rural, economically depressed communities, but incorrectly lumps rural residents into large regional and national economic assessments that dilute and misrepresent the disproportionate effects on not only local residents, but local governing bodies' abilities to protect the Health, Welfare and Safety of their communities.

Respectfully

Thom Seal, Ph.D. PE, QP.



¹ 30 USC 21a, 30 USC section 21(a), 30 USC Sections 1601-1605, 30 USC Sections 1607 and the Executive Orders.