

Date submitted (UTC-11): 10/7/2018 12:00:00 AM

First name: Allison

Last name: M

Organization:

Title:

Official Representative/Member Indicator:

Address1:

Address2:

City:

State:

Province/Region:

Zip/Postal Code:

Country: United States

Email:

Phone:

Comments:

Public Comment on changes to 36 CFR 228(a) - Locatable Minerals Regulations

General Comment:

I agree with the recommendations articulated in the United States Government Accountability Offices 2016 report on hardrock mining[1] for updating Forest Service practices, but have some concerns regarding several proposed actions in the Proposed Rule Document. I agree that updating planning procedures and establishing a fee structure for these additional efforts will increase environmental accountability for mining operators throughout the entirety of a mining operation. However, I oppose measures designed for no other purpose other than expediting the approval process for new mining operations. I support measures to improve the efficiency and effectiveness of our governmental processes, but most importantly I support the preservation of our shared lands and waters for generations to come.

Specific Concerns:

As stated in the GAOs 2016 study, the average approval time for mining requests is 2 years, and officials reported no project rejection due to a more thorough environmental impact statement or assessment[1]. EISs in the US typically take an average of 3.4 years, according to a study conducted by the Department of the Interior in 2007[2]. Therefore, the current review process for mine proposals is comparatively efficient, and the pressure to expedite mining proposals seems to disproportionately benefit private industry rather than the public at large and multiple-use statutes. Efforts to rush through the environmental review process (Comment Issue 2, section d) also counteracts the stated intent of the Forest Services proposed changes, which are first and foremost to clarify or to otherwise enhance its regulations that minimize adverse environmental impacts on National Forest System surface resources.[3]

In response requesting comments on (2) Submitting, Receiving, Reviewing, Analyzing, and Approving Plans of Operations, I agree with the proposal to mandate more planning meetings to increase the quality of the proposed plan prior to conducting an environmental impact statement (Comment Issue 2, section b). These meetings are in line with the original intent of NEPA, which is to promote efforts which will prevent or eliminate damage to the environment and biosphere (NEPA 1969 102, 42 U.S.C. 4321). Refining the Forest Services planning process to encourage prospective operators to deliver a higher quality plan of operation not only saves time and money for all parties involved, but also allows for NEPA enactment and reclamation enforcement to operate more effectively.

In regards to expediting the process for projects under 5 acres, I do not agree that these projects should be granted further expedition and exemption from a proper environmental review. All mines are capable of long term damage and are not exempt from environmental responsibility.

Closing Statement:

Hard rock mining causes irreparable damage to our public lands including but not limited to complete ecosystem collapse due to soil removal, pollution to our shared waterways for generations to come, and general destruction of the intrinsic beauty of our beautiful lands in the west[4]. These fiscal and health-related

costs of mining eventually come out of the taxpayers pockets[5], while the loss of natural beauty will be felt by our future generations for the foreseeable future. I support cleaning the clutter out of the bureaucratic process and lubricating the wheels of collaboration, but I encourage you to continue to exercise ethical discernment in approving any new projects that will inherently diminish the beautiful lands of the American West.

Thank you for your consideration of my concerns and for acting with integrity on behalf of public support for environmental preservation.

Sincerely, Allison M.

References:

1. United States Government Accountability Office. 2016. Report to the Chairman, Committee on Natural Resources, House of Representatives. Hardrock Mining: BLM and Forest Service Have Taken Some Action To Expedite the Mine Plan Review Process but Could Do More. GAO-16-165. Washington, DC: U.S. Government Accountability Office.
2. <https://www.gao.gov/assets/680/674752.pdf>
3. DeWitt, P., & DeWitt, C. (2008). RESEARCH ARTICLE: How Long Does It Take to Prepare an Environmental Impact Statement? *Environmental Practice*, 10(4), 164-174. doi:10.1017/S146604660808037X. <https://www.cambridge.org/core/journals/environmental-practice/article/research-article-how-long-does-it-take-to-prepare-an-environmental-impact-statement/C1B14ECB03EBB159A2CE6B3A43CB5FAB>
4. <https://www.regulations.gov/document?D=FS-2018-0052-0001>
5. Photo from BLM https://www.blm.gov/sites/blm.gov/files/uploads/Programs_Energy-and_Minerals_Nevada_Photo.JPG Press, T. A. (2018, August 10). 5th lawsuit filed against EPA over 2015 Gold King Mine waste spill. Retrieved from <https://durangoherald.com/articles/236124>