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First name: Larry

Last name: Sugden

Organization:

Title:

Official Representative/Member Indicator:

Address1:

Address2:

City:

State:

Province/Region:

Zip/Postal Code:

Country:

Email:

Phone:

Comments:

I oppose any regulations or laws which are not clear concerning who or what is affected. USFS has not made clear what is meant by "significant disturbance". In some cases, this is defined as more than five acres. In other cases, more than one acre. Although I agree that there needs to be some regulation of large mining operations that will have a large impact on the environment, too often these regulations do not specify that the small-scale miner, or "casual-use" miner is exempt.

For example, a regulation prohibiting the use of "motorized equipment" is intended to regulate internal combustion engines that may contaminate water and soil with fuels or oils. This is obviously an important concern. However, the vagueness of the definition of "motorized equipment" allows various interpretations of what is or is not motorized equipment. Local USFS personnel have varying opinions and therefore will enforce the regulations differently. Some interpret this to apply to earth-moving equipment. Some interpret this to include gas-powered generators. Some even interpret this to include electric, battery-operated water pumps which have no danger of fuel/oil spillage.

Traditionally, the small-scale miner, using shovel, pick, sluice, and gold pan has been exempted from such regulations, as we do not create a "significant disturbance". Therefore, no Plan of Operations is necessary. However, modern technology has enabled us to improve our mining techniques, making them efficient and environmentally safe. Using electric water pumps for high bankers and dredges allows the miner to work more efficiently.

The USFS (United States FOREST Service) is tasked with managing THE FOREST. It has no business regulating mineral locations. That authority rests with the BLM. The BLM has plenty of regulations and policies and does not require duplicate oversight by another agency. There are too many regulating agencies governing the single activity of mining. Miners should have only ONE agency to deal with when it comes to regulations, approvals, permits, etc.

The USFS also has the habit of closing roads which grant access to public land. This not only restricts miners from accessing their claims, but also restricts other forms of recreation such as hunting and fishing, especially for people with disabilities or who cannot walk miles to gain access to public land. Gates should NEVER be locked. Post a sign that states the reason travel is not advised and to enter at your own risk. By closing roads and locking gates, the USFS is in violation by "materially interfering with a mining operation" as well as restricting public access to public land.