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First name: Thomas

Last name: Blalock

Organization:

Title:

Official Representative/Member Indicator:

Address1: 25833 Hillcrest Dr

Address2:

City: Farmer City

State: IL

Province/Region:

Zip/Postal Code: 61842

Country: United States

Email: tlinternationalthomas@mchsi.com

Phone:

Comments:

See attached file(s)

Comments for Proposed Rule Changes to 36 CFR Part 228 Subpart a United States Department of Interior Ryan Zinski President of the United States Donald Trump PROPOSED RULE CHANGES TO 36 CFR Part 228 Subpart A. Order No. 3359 implementing Executive Order 13817 signed by President Trump on Dec. 20, 2017 as to streamlining processes for the procurement and ensuring supply of critical minerals, ANDA. I propose improving access to lands and increasing the discovery and production of mineral resources.

B. I proposed rule changes focus primarily with a WAIVER needed for SMALL MINERS.

C. I am concerned for Regulatory Agency over regulating the mining industry as to Mining Law of 1872 with special attention to the "self initiating" aspect.

D. The proposed rule changes do not adhere to the mandate of Order 3359 nor its guiding EO 13817 as it relates to "access" and increasing the discovery and production of mineral resources, because: 1) They DO NOT protect the foundation of the mining industry, the small miner from the Federal Departments of the National Forest Service, BLM, EPA regulations and policies and rules. The self initiating aspect of the Mining Law of 1872 which has helped bring this powerful nation to its status up to the 1980s, has been and will be further eroded by the current proposed amendments; 2) Through an increased emphasis on preserving and protecting the lands the FS manages, they are not fulfilling their prime objective of ensuring a healthy and productive forest. The increase in size and numbers of major forest fires, and less sustainable level of harvest (logging) should motivate for a different approach to their policies of the last 40 years in this current opportunity; 3) The Forest Service is addressing the challenges and issues encountered in regulating operations on National Forest System lands to be cured by the Order in a one size fits all approach which does not properly allocate their available tax dollar resources to insure industrial sized mining which has been the cause for Super Fund Cleanups and most all marketing attempts against mining, is the focal point in their mandated streamlining.

E. Protect SMALL MINER RIGHTS by waiving 36 CFR Part 228 Subpart A application to small miners, To be defined as total activities under 3 acres of surface disturbance including roads, or under 2 acres of surface disturbance not including roads.

F. Current law and regulation already protect water and public safety, and small miners must adhere to those issues as do all users of the public domain.

G. The FS, BLM etc agencies can and do, too easily, drive up financial cost, time costs, ambiguity as to exposure to fines, uncertainties of approvals, from discontinuous department personnel ambiguous understandings and interpretations of document requirements and terminology definitions. These issues alone have driven out or have discouraged citizens from entering the mining and prospecting field, thereby losing any benefit attributable to a self initiating playing field which the 1872 Mining Law supports. The proposed changes do not solve access and discovery challenges mandated to be streamlined, but only enhance the failed methodology of FS management used for decades.

H. Get the Forest Service OUT of the small miners locatable minerals oversight and ensure their limited tax resources are allocated to woods and grasses, industrial sized mining and recreation.

I. A "SMALL MINER WAIVER" of 36 CFR Part 228 Subpart A is needed to partially satisfy EO 13817 and Order 3359. This will streamline and enhance FS effectiveness and help satisfy our Nations mineral needs, and ensure the self initiating powers in the Mine Law.

J. If in the event, the above does not happen with a "SMALL MINER WAIVER" the following should be the process for small miners and that is to remove the confusion and inconsistency between the FS/BLM and the miners when applying for a "Notice of Intent/Plan of Operations". The FS should have standard forms for the miner to complete. Once completed then the SMALL MINER application would automatically be approved

within 30 DAYS. The FS/BLM publish a dictionary of terms in extensive details as to define certain quantitative terms/conditions. i.e. "Surface Disturbance" etc.

K. One of the major problems with the FS/BLM is the induction of bias due to political views of the Federal Worker in the approval process of the NOI/POO. Because the regulations are written in vague terms the interpretation of these terms is left up to the Regulatory Agency worker to make that determination. In this politically charged environment against the mining industry this leads to the destruction of the mining industry and frustration of the miners. We need to remove this "bias" from the approval process with a process that protect the miners rights regardless of bias or political party of the "day".