

# **Sagebrush Focal Area Withdrawal Environmental Impact Statement**

**Idaho, Montana, Nevada, Oregon, Utah, and Wyoming**

**Draft Scoping Report**

**April 2016**





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Environmental Impact Statement  
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Prepared for

**U.S. Bureau of Land Management**  
Washington Office  
20 M Street, S.E.  
Washington, D.C. 20003

Prepared by

**North Wind Resource Consulting, LLC**  
1425 Higham St.  
Idaho Falls, ID 83402  
(208) 528-8718

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## **ACRONYMS AND ABBREVIATIONS**

ACEC	Area of Critical Environmental Concern
AEMA	American Exploration and Mining Association
ARMPA	Approved Resource Management Plan Amendments
BLM	Bureau of Land Management
CCCA	Candidate Conservation Agreements with Assurances
CCS	Conservation Credit System
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
COT Report	Conservation Objectives Team Report
DEIS	Draft Environmental Impact Statement
DEQ	Department of Environmental Quality
DOE	United States Department of Energy
DOGAMI	Oregon Department of Geology and Mineral Industries
DOI	United States Department of the Interior
EIS	Environmental Impact Statement
ESA	Endangered Species Act
FEIS	Final Environmental Impact Statement
FLPMA	Federal Land Policy and Management Act
FR	Federal Register
IHMA	Important Habitat Management Area
IM	Instruction Memoranda
LCD	Oregon Department of Land Conservation and Development
LUPA	Land Use Plan Amendment
MOU	Memoranda of Understanding
MUSYA	Multiple-Use Sustained-Yield Act
NACO	National Association of Counties
NBMG	Nevada Bureau of Mines and Geology
NDOW	Nevada Department of Wildlife
NEPA	National Environmental Policy Act

NFMA	National Forest Management Act
NGO	Non-Governmental Organization
NOI	Notice of Intent
NTT Report	National Technical Team Report
NVLMP	Nevada Land Management Plan for Greater Sage-grouse
NvMA	Nevada Mining Association
OAR	Oregon Administrative Rules
PAC	Priority Areas for Conservation
PEIS	Programmatic Environmental Impact Statement
PHMA	Priority Habitat Management Area
PLLRC	Public Land Law Review Commission
PLUPA	Proposed Land Use Plan Amendments
RMP	Resource Management Plan
ROD	Record of Decision
SEIS	Supplemental Environmental Impact Statement
SFA	Sagebrush Focal Areas
USBM	United States Bureau of Mines
USC	United States Code
USDA	United States Department of Agriculture
USFS	United States Forest Service
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
VER	Valid Existing Rights
WEX	Western Exploration, LLC
WGFD	Wyoming Game and Fish Department
YNP	Yellowstone National Park

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## 1.0 INTRODUCTION

The Bureau of Land Management (BLM) is preparing an Environmental Impact Statement (EIS) under the National Environmental Policy Act (NEPA; 42 United States Code [USC] 4332) to analyze and disclose the potential effects of a proposal to withdraw approximately 10 million acres of public and National Forest System lands from location and entry under the Mining Law of 1872 (30 USC 22-54), subject to valid existing rights. To comply with the requirements of NEPA, the EIS will disclose the potential environmental impacts associated with the withdrawal and consider alternatives to the proposal. The EIS process will inform the public and agencies about the potential impacts the withdrawal may have on human and natural resources. The areas proposed for withdrawal are located in Idaho, Montana, Nevada, Oregon, Utah, and Wyoming (as shown in Table 1). This document summarizes the results of public scoping for the EIS being prepared for the withdrawal.

**Table 1. Sagebrush Focal Area Acreage by State**

STATE	BLM ACREAGE	USFS ACREAGE	TOTAL ACREAGE
Idaho	3,603,942	250,680	3,854,622
Montana	983,156	0	983,156
Nevada	2,229,059	568,340	2,797,399
Oregon	1,928,992	588	1,929,580
Utah	183,358	47,450	230,808
Wyoming	252,162	0	252,162
<b>TOTAL</b>	<b>9,180,669</b>	<b>867,058</b>	<b>10,047,727</b>

### 1.1 BACKGROUND

Section 204 of the Federal Land Policy and Management Act of 1976 (FLPMA; Public Law 94-579, 43 USC 1701 et seq.) gives the Secretary of the Interior authority to make, modify, extend, or revoke withdrawals, subject to limitations specified in the section. A Notice of Proposed Withdrawal; Sagebrush Focal Areas (SFAs); Idaho, Montana, Nevada, Oregon, Utah, and Wyoming and Notice of Intent (NOI) to Prepare an EIS was published in the Federal Register (FR) on September 24, 2015 (80 FR 57635) informing the public of the Assistant Secretary of the Interior for Land and Minerals Management's proposal to withdraw federal lands within SFAs in Idaho, Montana, Nevada, Oregon, Utah, and Wyoming. Publication of the withdrawal proposal automatically segregated the lands from location and entry of new mining claims for up to 2 years, or until the Secretary decides whether to make the withdrawal, whichever comes first. Under FLPMA, the Secretary of the Interior can withdraw these lands for a maximum of 20 years, and may extend the period in the future. The notice also opened a 90-day public review period for the proposed withdrawal. A subsequent Extension of Public Comment Period and Schedule of Public Scoping Meetings and Public Meetings for the Proposed Withdrawal of SFAs in Idaho, Montana, Nevada, Oregon, Utah, and Wyoming, and an Associated EIS notice published on November 13, 2015, extended the public review period to January 15, 2016 (80 FR 70252).

The proposed withdrawal is one of several land use management recommendations from a series of BLM and U.S. Forest Service (USFS) land use plan amendments approved in September, 2015.<sup>1</sup> With the finalization of the BLM and USFS plans, the Secretary is taking prompt action to consider the recommendations. The purpose of the proposed withdrawal is to protect the greater sage-grouse and its habitat from adverse effects of locatable mineral exploration and mining, subject to valid existing rights. During the 2-year period following publication of the notice of proposed withdrawal, the BLM will conduct studies and environmental analyses to help the Secretary determine if the lands should be withdrawn from the Mining Law to protect sage-grouse habitat. The potential effects of the proposed withdrawal will be analyzed in an EIS pursuant to NEPA. This process invites participation by the public, tribes, environmental groups, industry, state and local government, as well as other stakeholders. These efforts have been undertaken under the leadership of the BLM in cooperation with the USFS.

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<sup>1</sup> Record of Decision and Approved Resource Management Plan Amendments for the Great Basin Region, Including the Greater Sage-Grouse Sub-Regions of Idaho and Southwestern Montana, Nevada and Northeastern California, Oregon, Utah, September 2015.

Record of Decision and Approved Resource Management Plan Amendments for the Rocky Mountain Region, Including the Greater Sage-Grouse Sub-Regions of Lewistown, North Dakota, Northwest Colorado, Wyoming, and the Approved Resource Management Plans for Billings, Buffalo, Cody, HiLine, Miles City, Pompeys Pillar National Monument, South Dakota, Worland, September 2015.



## **2.0 SCOPING PROCESS**

The scoping process is described in 40 Code of Federal Regulations (CFR) 1501.7 as “an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action.” Scoping is the process by which the BLM solicits input on the issues, impacts, and potential alternatives that will be addressed in the EIS, as well as the extent to which those issues and impacts will be analyzed. Public scoping involves notification and opportunities for feedback from other agencies, organizations, tribes, local governments, and the public.

The public scoping process begins the NEPA process by gathering comments and documenting important issues and concerns that will be addressed in the EIS. Local, state, and tribal government officials are consulted as part of the NEPA process. BLM is conducting this public process to consider information provided by the states, stakeholders, and others on mineral potential, as well as the importance of these areas as sagebrush habitat.

The scoping process for the SFA Withdrawal EIS included a comment period and a series of open houses/scoping meetings designed to provide background information, as well as an opportunity for members of the public to discuss the EIS process with project representatives and to identify issues and alternatives.

### **2.1 PUBLIC COMMENT PERIOD AND MEETING NOTIFICATIONS**

#### **2.1.1 MEETING NOTICES**

Notices announcing the public comment period and/or the scoping meetings included:

- 1) The NOI to prepare an EIS for the proposed withdrawal that was published in the FR on September 24, 2015 (80 FR 57635; Appendix A);
- 2) A subsequent notice that extended the comment period for the EIS to January 15, 2016 and announced the times, dates, and locations of the public meetings for the proposal that was published on November 13, 2015 (80 FR 70252; Appendix A);
- 3) A notice informing the public about cancellation of one of the meetings (80 FR 74129; Appendix A); and
- 4) A news release issued to media organizations and posted on the BLM’s project website (Appendix B).

#### **2.1.2 WEBSITE**

Both the September 24, 2015 and the November 13, 2015 FR notices were posted on the BLM sage-grouse website ([www.blm.gov/sagegrouse](http://www.blm.gov/sagegrouse)), informing the public of the proposed withdrawal as well as the scoping period and meeting times and locations. The BLM website address was included in the meeting notices.

### **2.2 PUBLIC MEETING LOCATIONS AND FORMAT**

Eight public meetings were held from December 14 to 16, 2015 at the following locations and times:

### **December 14, 2015**

Lakeview, OR; 5:00 PM – 7:00 PM  
Lakeview BLM District Office  
1301 South G Street  
Lakeview, Oregon 97630

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Salt Lake City, UT; 5:00 PM – 7:00 PM  
Salt Lake City BLM Office  
2370 South Decker Lake Drive  
West Valley City, Utah 84119

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### **December 15, 2015**

Boise, ID; 4:00 PM – 6:00 PM  
Best Western Vista Inn & Conference  
Center  
2645 Airport Way  
Boise, Idaho 83709

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Rock Springs, WY; 5:00 PM – 7:00 PM  
Rock Springs BLM Field Office  
280 Highway 191 North  
Rock Springs, Wyoming 82901

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Sparks (Reno), NV; 5:00 PM – 7:00 PM  
The Nugget  
1100 Nugget Avenue  
Sparks, Nevada 89431

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### **December 16, 2015**

Idaho Falls, ID; 4:00 PM – 6:00 PM  
Shilo Suites Conference Hotel  
780 Lindsay Blvd.  
Idaho Falls, Idaho 83402

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Elko, NV; 5:00 PM – 7:00 PM  
Elko Conference Center  
724 Moren Way  
Elko, Nevada 89801

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Malta, MT; 2:00 PM – 4:00 PM  
Great Northern Hotel  
2 South 1st Street East  
Malta, Montana 59538

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The meeting format, an informal open house with a looping video and poster stations staffed by BLM personnel, was designed to provide attendees an opportunity to review information about the proposal and the EIS, ask questions, and have informal one-on-one discussions. A total of 311 people signed in at the eight meetings, as follows:

- 40 in Lakeview,
- 9 in Salt Lake City,
- 28 in Boise,
- 13 in Rock Springs,
- 82 in Sparks (Reno),
- 9 in Idaho Falls,
- 98 in Elko, and
- 32 in Malta.

These numbers do not include BLM or USFS representatives who were on hand to answer questions or the EIS contractors.

Upon arrival, all attendees were invited to sign in and were offered comment cards and fact sheets (Appendices C and D). At each meeting, attendees were directed to view an introductory video and posters were used to provide a description of the proposal and definition of the withdrawal (two boards); explanation of the NEPA process (two boards); and how to/where to comment (two boards). BLM staff were available to answer questions. A large map of the United States and regional and state specific maps illustrating the proposed withdrawal areas were also available for discussion purposes, and flip charts were used to capture questions. Meeting attendees were encouraged to submit written scoping comments at the meeting or to send them in by mail or e-mail. A copy of the posters and maps from the meetings are included in Appendix E.

## **2.3 ADDITIONAL OPPORTUNITIES FOR COMMENT**

Members of the public and agencies were afforded several opportunities for providing comments during the scoping period:

- Comments could be handwritten on comment forms at the scoping meetings. Comment forms were provided to all meeting attendees and were also available throughout the meeting room where attendees could write and submit comments during the meeting.
- Emailed comments could be sent to a dedicated email address, as follows:  
[sagebrush\\_withdrawals@blm.gov](mailto:sagebrush_withdrawals@blm.gov).
- Individual written letters and comment forms could be mailed via U.S. Postal Service to:  
BLM Director  
1849 C Street NW. (WO-200)  
Washington, DC 20240.

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## 3.0 SCOPING COMMENT SUMMARY AND ANALYSIS

### 3.1 METHODOLOGY AND SUMMARY

A total of 5,078 unique letters were received during the scoping period with the majority of these (4,952) received through the dedicated email address and the rest as hardcopy from the scoping meetings (54) or by mail (72). Seven form letters or modified form letters, which accounted for 4,744 of the letters, and 334 unique letters were received.

Each letter was reviewed and specific comments were identified and sorted by topic. The comments covered a range of topics, including potential impacts to address in the EIS, suggested alternatives, and commenters support of or opposition to the proposal. The comments received during scoping will help to identify the predominant issues to be analyzed in the EIS, as well as to identify reasonable alternatives to be considered.

### 3.2 CATEGORIZATION OF SUBMITTALS RECEIVED

Of the 5,078 unique letters received, 4,991 were from the public, 55 from mining companies or their agents, and 32 from agencies, including local and state governments, state and federal agencies, and elected officials.

Comments received by issue subject are shown in Table 2 and described in more detail in Section 3.3.

**Table 2. Comments Received by Issue**

ISSUE CATEGORY	NUMBER OF COMMENTS
Air Quality / Climate / Climate Change	114
Areas of Critical Environmental Concern	3
Biological Resources	4,716
Cultural Resources	2
Geological and Mineral Resources/Mining	146
Geothermal Resources	2
Livestock Grazing	12
Human Health and Safety	1
Recreation Resources	103
Socioeconomics	529
Soundscapes	3
Transportation	5
Visual Resources	2
Water Resources	111
Wilderness	8
<b>TOTAL</b>	<b>5,757</b>

### **3.3 PUBLIC COMMENTS BY ISSUE**

This section represents a summary of the formal comments received during the scoping period from September 24, 2015 to January 15, 2016. The comment excerpts are abbreviated and summarized from the original comments submitted. Comments received on specific issues listed in the table above are described in this section, while the comments related to purpose and need, the legality of the proposal, the scientific basis for the proposal, and cumulative effects are described in Section 4. In addition, statements about the no action and proposed action or recommendations for various alternatives are also summarized in Section 4. Appendix F contains a table of all the comments received, organized by topic.

#### **3.3.1 AIR QUALITY AND CLIMATE/CLIMATE CHANGE**

##### **Benefits of Mining**

Commenters made statements about air quality, climate, and/or climate change. They stated that restricting mining in the United States will result in pushing this need to other countries (e.g., China) where environmental laws are more lax and thus could have deleterious effects on these resources on a global scale. Therefore, they posited that mining in the United States as opposed to other countries has a positive impact on air quality and climate. Representative comments included the following:

- ....Closure of ... townships to minerals development ... will limit metals production ... in the United States, requiring importation of ... metals for U.S. manufacturing. ... such an action,... leads to increased imports of metals ..., a violation of the recent Paris Accords on Global Climate Change by deliberately causing the increased carbon footprint of the U.S. ... any townships hosting existing mining districts should be excluded from the Proposed Action. If they are included ..., ... the agency ... should analyze the resultant increased causal carbon footprint in the National Environmental Policy document....
- ... the proposed withdrawals would severely and negatively affect the economy of Nevada as well as United States efforts to reduce dependence on strategic minerals and fossil fuels and do little to help sage grouse.... these proposed withdrawal areas have significant, identified Lithium deposits...Removing these Lithium deposits from potential use means severely hampering the nation's ability to generate a "green economy" and address major concerns such as climate change.
- The importance of the mineral resources inventory is a critical issue ... the area has been proposed as potential sites for carbon storage, therefore the EIS should address the impact of the withdrawal on the potential for underground carbon storage as an option for addressing climate change.

##### **Negative Effects of Mining**

Commenters made statements about the negative impacts of hard rock mining on air quality and/or climate. Representative comments included the following:

- ... consider the benefits of a comprehensive mining withdrawal to other resources and issues such as water quality, climate change, and the other wildlife species.
- BLM should also carefully evaluate the costs and harms of permitting new mining to occur on public lands. ... Environmental conditions, such as air and water quality ... deserve careful evaluation.

- Truly the best use of remaining public lands is to leave them alone, ... In these days of disastrous climate change caused weather events, we should be winding down mining and drilling, not adding new sites ....

### **3.3.2 ACEC**

Commenters made statements about Areas of Critical Environmental Concern (ACECs). One commenter expressed concern that establishing SFAs is an attempt to create an ACEC without going through the required process. One commenter provided information about an ACEC that is located within the focal area and stated the EIS should assess how mining could impact protected species in the focal area. Representative comments included the following:

- “Interior’s newly created term “SFA” is an attempt to create a FLPMA ACEC without going through the required process.....” adding that “In order to designate lands as ACECs, BLM must follow its existing regulations.... BLM has followed none of these procedures for purposes of adopting and designating the SFAs....” “When taking into account the established requirements for designating ACECs under FLPMA, it is clear that that the SFAs fail to meet this standard and may not be designated.....The 10 million acres proposed for withdrawal do not approach the threshold set by FLMPA and its regulations for designation as ACECs....the proposed mineral withdrawal must not be accepted.”
- “The Mountain Plover Area of Critical Environmental Concern is located within the focal area and may have bentonite development potential. The ACEC was created to protect habitat for Mountain Plover, a sensitive species, but the designation does prohibit mining....” They state the BLM should “Assess how mining could impact mountain plover and other wildlife in the focal area. The Mountain Plover ACEC (24,762 acres) is located within the focal area and may be threatened by development.....”

### **3.3.3 BIOLOGICAL RESOURCES**

#### **Benefits to General Wildlife**

Commenters made statements about wildlife and/or fish, including special status species (other than greater sage-grouse). Representative comments included the following:

- These lands are important habitat for not just sage grouse, but also moose, elk, pronghorn, and an expanding population of grizzly bears.
- The withdrawal will also result in long-term benefits from the conservation of habitat for a variety of wildlife species.
- The mineral withdrawal will benefit many Species of Conservation Concern.
- The withdrawal could have potential significant positive effect on numerous other sensitive, threatened or endangered sagebrush dependent species, including fish populations.
- This action would also help support other shrub-steppe species of conservation concern, most of which are declining region-wide.
- ...conservation of the sage brush steppe is not just about the grouse, though it is a species in real danger. It is also about the deer, elk, coyotes, foxes, owls, snakes, wrens, jays, and all manner of interesting creatures that depend on this ecosystem.
- We must do all we can to protect wild animals, birds, and especially sage grouse from destruction and fragmentation of habitat.

### **Benefits to Greater Sage-Grouse and Habitat**

Commenters made general statements about the beneficial impacts of the withdrawal on greater sage-grouse and habitat. Representative comments included the following:

- The value of healthy populations of sage-grouse outweighs any future benefit that might come from new hardrock mining and ensures that additional disturbance in these areas will never take place.
- The decline in Sage Grouse populations and loss of the deep sage they inhabitat [sic] is a current threat and far more important than hypothetical future mining claims.
- ...restoration of sagebrush steppe is difficult to achieve and sites disturbed from mining may never return to suitable conditions for sage-grouse.
- Impacts from mining surface-disturbing activities, noise, light and necessary infrastructure (roads, powerlines, fences, reservoirs) are long-term, often permanent. The result is habitat fragmentation and/or outright loss, perching advantages given to predators, loss of Sage Grouse travel corridors and wildlife migratory routes, loss of leks and brood-rearing areas.
- The U.S. Fish and Wildlife Service (USFWS), BLM, and the USFS have all identified the harm to sage-grouse habitat that can occur from mining, including the significant destruction of habitat and interference with use of habitat for all aspects of grouse life-cycle that come from the significant infrastructure and human activity involved in construction, operation and maintenance.
- Habitat fragmentation, whether due to mining, over grazing, or alien-weed induced wildfires, may ultimately cause the extinction of the greater sage-grouse from the Western United States.
- We must do all we can to protect wild animals, birds, and especially sage grouse from destruction and fragmentation of habitat.

### **Hunting of Greater Sage-Grouse**

Commenters made statements about hunting. Some questioned why protection for sage-grouse is needed when hunting is still allowed. Representative comments included the following:

- I am a bit confused as to why the government would allow a hunting season on a species that they feel is of special concern. It seems to me that hunting is having more of an impact on the species than mining.
- The very fact that this bird still has a hunting season on it leads me to believe that this more of a land grab then an effort to protect sage grouse habitat.
- What's more egregious is that people are still allowed to hunt sage grouse despite their supposed scarcity.
- Stop issuing hunting tags for Sage Grouse.
- If the goal is to protect the Sage Grouse why do we still hunt them?
- Your own agencies have concluded that the bird is not threatened or endangered and the population is sufficient to continue to allow hunting of this species in the very areas that are proposed for withdrawal.
- It seems oxymoronic to go through so much effort and tax dollars to protect a bird that is so heavily hunted in this area.



### **Conservation Funding/Reclamation Benefits Sage-Grouse**

Commenters stated that conservation funds/mitigation dollars from mining would be eliminated in withdrawal areas and/or that without these funds important habitat restoration projects would not occur. Representative comments included the following:

- Well-designed reclamation of public lands impacted by mining can ultimately lead to higher value habitat than if the same lands were left unmanaged.
- The mining industry has an excellent record on restoration of mined or otherwise affected lands.
- Not only have mining companies entered into sage grouse conservation agreements and conducted award winning habitat restoration, their active management of mine sites has routinely resulted in improved habitat for the sage grouse and other species.
- Industry is currently committed to offsetting their impacts on Sage Grouse habitat through conservation credits. These programs have also helped restoration of habitat after fire.
- Preservation of mineral rights in Sagebrush Focal Areas has the potential to provide funding for additional habitat improvement.
- Through required reclamation activities, thousands of acres of once mined land provide better habitat for native species, including the sage grouse, than existed prior to the mining activity.

### **Greater Sage-Grouse is a Keystone Species**

Commenters made statements about greater sage-grouse being a keystone species or that the health of the greater sage-grouse population is reflective of the broader health of the plant and animal community. Representative comments included the following:

- The greater sage-grouse is an umbrella species that indicates the health of the entire sagebrush habitat it shares with more than 350 other kinds of wildlife.
- We need the sage grouse as our barometer for the health of a **WHOLE ECOSYSTEM** – that is how **CRUCIAL** these birds are! They **MUST** be protected otherwise so many other **EQUALLY IMPORTANT** species could be endangered.

### **Greater Sage-grouse Numbers are Stable or Increasing**

Commenters stated that greater sage-grouse numbers are stable or increasing and that the action is not necessary. Some pointed to the recent decision by the USFWS not to list greater sage-grouse as evidence that the bird does not need protecting. Representative comments included the following:

- Sage-grouse total range-wide breeding populations have increased by 63% over the last 2 years.
- The Montana Fish Wildlife and Parks ... plan to remove Sage Grouse from Phillips County and move some to Alberta Canada, to help the populations in both countries.
- In Oregon, the Beatys and Louse SFAs contain stable populations of thousands of sage-grouse in both areas that don't require additional protections.
- The sage grouse populations at issue are at low risk of extinction. The USFWS has previously recognized that the sage grouse populations to be protected by the mineral withdrawal are at low risk of extinction.
- The bird has not been listed and for many good reasons, including the fact that there is an abundance of birds and the species is not remotely in jeopardy of going extinct.

### **Other Factors are Causing Greater Sage-grouse Declines**

Commenters stated that depredation, livestock grazing, and West Nile virus are important factors to address when examining sage-grouse population declines. Representative comments included the following:

- I am concerned that the BLM's own studies of West Nile Virus that has caused havoc to the greater sage grouse has not been included in the study.
- ...a concerted effort must be made to restore native plants species to the Great Basin...Restoration may not recreate native habitat perfectly, but restored shrub-steppe habitats may thwart the decline in sage- grouse populations.
- ...main enemy is the Raven and the Hawks (both protected) of the mountains and do the most damage by robbing the nests and killing a vast amount of young birds.
- State wildlife agencies can stop all hunting and Wildlife Services can kill all the ravens and other predators they can, and sage-grouse still will decline unless BLM reverses its traditional practice of prioritizing livestock needs over all others in their land management practices.
- Start a greater sage-grouse breeding and restocking program.

### **3.3.4 CULTURAL RESOURCES**

Commenters made statements about cultural resources. One stated that they have no historic preservation/cultural resource concerns at this time, and another suggested a definition for cultural resources. Representative comments included the following:

- "Cultural resources should be defined pursuant to 43 CFR 2300.0-5(e).a"
- "The State Historic Preservation Office looks forward to reading the draft EIS when it is prepared, and has no historic preservation/cultural resources concerns at this time."

### **3.3.5 GEOLOGY AND MINERAL RESOURCES/MINING**

Commenters made a variety of statements about geology and mineral resources or mining. Some stated that areas to be withdrawn have little mineral potential, so withdrawing them is not necessary. Others stated the lack of claim examiners will be problematic. Commenters stated an analysis of mineral potential of the proposed withdrawal areas has not been conducted, and commented that areas to be withdrawn have significant mineral potential, and exploration is required to discover that potential. Commenters stated that areas not covered by the withdrawal will also be affected. Some stated withdrawing these lands will impact our nation's dependency on foreign sources for strategic minerals. Some identified specific claims that will be affected by the withdrawal. Representative comments included the following:

#### **Areas to be Withdrawn have Little Mineral Potential or Development Interest**

- Fortunately these areas are not areas of high mineral potential or development interest and there are very few existing mining claims in either area. This supports the idea that the most important social and economic value in both areas is maintaining intact sage-grouse habitat.
- ...It seems to me that in the 144 years that these lands have been open to being claimed, any exploitable resources could have been found. The decline in Sage Grouse populations and loss of the deep sage they inhabitat [sic] is a current threat and far more important than hypothetical future mining claims.

### **Existing Mining Activity Has Negatively Impacted Sage-grouse Populations**

- Sand and gravel pits are regulated under the auspices of mineral materials sales. Their extraction involves strip mining on a small scale and involves the surface disturbance, heavy machinery, noise, vehicle traffic, and human activity that impact greater sage grouse known to impact sage grouse distribution and habitat use and degrade sage grouse habitat quality. These problems are illustrated by the McMurry gravel pit permitted near Boulder, Wyoming...But even the much smaller, previously permitted gravel pit in this location appears to have caused a significant decline of birds on neighboring leks, based on State of Wyoming lek counts...

### **Areas to be Withdrawn Have Little Mineral Potential, so Withdrawal is Unnecessary**

- The area under consideration for withdrawal is characterized by extremely low mineral potential. BLM's own analysis clearly establishes the proposed withdrawal of nearly one million acres is not justified because the lands within the withdrawal area simply do not contain much mineral potential.... Given the regulatory mechanisms in place for oversight of any proposed exploration and mining activity (by both BLM and the State of Montana), it can be anticipated that even this miniscule level of disturbance would be conducted in a way so as to minimize the impacts to sage grouse even further.

### **Lack of Claim Examiners will be Problematic**

- ... Given the low availability of experienced mineral examiners in the two agencies, such personnel are likely to be overwhelmed with review of the numerous claims that exist within the withdrawal plan SFAs. Assigning inexperienced or uncertified personnel to this task should not be an option and will ensure unfair treatment of the claims owners because inexperience will lead to omissions of important factors and lack of advanced understanding of the exploration and mining processes in such reviews.

### **An Analysis of Mineral Potential of the Proposed Withdrawal Areas has not Been Conducted**

- ... The authors of the Final Environmental Impact Statement (FEIS) failed to consult an extensive list of publications and databases available at the Nevada Bureau of Mines and Geology (NBMG), the U.S. Geological Survey (USGS), the archives of the U.S. Bureau of Mines (USBM), the Department of Energy (DOE), and academic institutions....
- ... The authors of the FEIS make the false assumption in Section 4.15.2 "Locatable Minerals" that data from old mining districts is unreliable and failed to use substantial data from these areas in the impact analysis, favoring existing mines as places most likely for discovery of new mineral resources.... The history of discovery ... is ample evidence that inactive historic mining districts are very positive indicators of the potential for discovery of new mineral deposits. They must be considered in the FEIS evaluation and excluded from the withdrawal areas....
- ... we are extremely concerned about the lack by the BLM of a suitable mineral potential report, as required by FLPMA. Without a firm understanding of the extent of the impact to mining and the production of minerals critical to the local, state, and federal economies, it is irresponsible (and a violation of FLPMA) for the Secretary to enact such a large scale withdrawal from future mining operations. Both the USGS and the Oregon Department of Geology and Mineral Industries (DOGAMI) have studied the mineral

potential of the proposed withdrawal areas in Oregon. The Secretary should take those analyses into account...

- ... federal agencies have implied mineral potential within the withdrawal areas is well known and documented. Nothing could be further from the truth. Mining exploration, mineral discovery, and mine operation is an ever-evolving process that are dependent on many variables including knowledge of the geological formations, exploration and beneficiation technologies, and commodity values.... As demonstrated from the final map, the USGS... has determined that a majority of the lands subject to the withdrawal contain prospective or favorable mineral potential.... Finally, an analysis has been completed by the Nevada Division of Minerals on a township-by-township basis of the potential for all mineral development in the withdrawal area. The analysis is included as Attachment A. The evaluation highlights the significant mineral potential of the area, not only for precious metals such as gold and silver, but also for lithium, uranium, copper, gallium, barite, and geothermal....

**Areas to be Withdrawn have Significant Mineral Potential, and Exploration is Required to Discover that Potential**

- The withdrawals do not take into account the vast mineral potential of these lands. The yet-to-be-discovered minerals are the future of economic growth and activity in these rural areas. Just because some of the areas proposed do not currently have active mining operations is not a valid reason for withdrawal. Consider the Carlin District in Nevada. It was not discovered or located prior to 1960. Now, it is one of the most prolific gold producing areas in the world.
- ... The SFA withdrawal areas do contain significant areas with high to moderate mineral potential, known deposits and historic mines and prospects. Such data is readily available and already being compiled by state geological surveys in Idaho and Nevada and likely the other states. It needs to be incorporated in the analysis .... A 50% reduction in withdrawal acreage would likely allow the most prospective mineral potential to remain open and still have plenty of high quality sagebrush habitat off-limits to development. Actual boundaries should be determined AFTER and not before an intensive assessment of mineral potential, as required by law....
- ... The fact that there are so many active claims in the area, being held at considerable expense through claim maintenance fees to the BLM, is a strong testimony to the mineral potential of the area....
- ... To defend its position on the withdrawal, various Interior officials indicated that “the withdrawn areas do not appear to be highly prospective for miners.”.... According to the USGS, when it comes to copper, silver and zinc and other key minerals “what is left to be discovered in the U.S. is almost as much as what has been discovered.”...
- ... Given the elusive nature of mineral deposits, discoveries cannot occur without widespread exploration.... geological mapping, geochemical and geophysical testing and drilling, must take place at many times at the cost of hundreds of millions of exploration dollars before an economically mineable discovery is made.... concentrations of useful minerals rich enough to form ore deposits are rare phenomena....The difficulty in finding commercial mineral deposits underlies the mining industry concerns about large scale mineral withdrawals, as crucial future resources may be put off limits.

- ... the 2004 USGS Bulletin 2218 ... an Assessment of Metallic Mineral Resources in the Humboldt River Basin, North Nevada... identifies extensive areas in the proposed withdrawal area that are identified as having a high probability of hosting undiscovered deposits.

#### **Areas not Covered by the Withdrawal will also be Affected**

- ... The BLM seems to think that they have left mining alone by avoiding the inclusion of the Carlin Trend in the withdrawal area. However, the rest of Elko County and most of the northern half of Nevada is covered by an irregular scattering of “Priority Areas for Conservation” to which the proposed “Land Use Plan Amendments” (LUPAs) will be applied. These LUPAs are burdensome restrictions on areas that are small to large regions spread over the state in areas not subject to the land withdrawal. To say that the areas not in the land withdrawal are not affected is to declare a complete lack of understanding about mineral exploration and the mining industry on the part of the BLM.
- The Interior Department is expecting natural resource exploration to occur on these open areas between the “Priority Areas” ONLY, with the expectation that any discovery can be accessed from outside the restricted areas. This concept ignores the fact that minerals deposits have a high probability of extending under these areas of withdrawn ground.... The BLM says that valid existing rights will not be affected in the withdrawal areas. So what happens when the deposit extends off the current claimed area, and NO new claims are allowed?...
- ... The recommendation to withdraw ten million acres ... is highly injurious since mineral exploration relies on access to public lands to locate valuable mineral deposits.... approval of the BLM’s Petition/Application for Withdrawal ... will injure many of my clients and I due to the impacts to available funding, inability to locate and develop valuable mineral deposits and perception that projects within or even near these areas will not be allowed to be developed should discoveries of valuable minerals already be made or if made in the future....

#### **Additional Factors Contribute to the Viability of a Mineral Deposit**

- Changes in price, demand, and technology can also factor into whether a deposit can be mined economically. For example, a mining company may have located a deposit that is too low grade to be mined at today’s prices but even a small increase in price could change that dynamic.....minerals and metals prices are determined by a variety of factors....Demand for minerals ... technology can change views regarding which deposits can be economically mined...
- ... Aside from the geology of the areas proposed for withdrawal, the BLM must also consider the market and available technology, because these factors determine whether mining in the areas would be economical—thereby affecting the mineral potential....the BLM cannot consider perceived domestic environmental benefits without also considering the global environmental consequences of its actions

#### **Withdrawing These Lands will Impact our Nation’s Dependency on Foreign Sources for Strategic Minerals**

- The United States is ... significantly dependent on foreign sources of common minerals and completely dependent on foreign sources for certain strategic minerals. Commercially viable mineral deposits are rare phenomena and are difficult to find.

The removal of any lands ... greatly reduces the chances of finding mineral resources. The proposed withdrawals contradict renewed efforts in Congress to identify and develop domestic sources of strategic minerals and will increase the Nation's reliance on foreign sources of these minerals.

- ... The government must make informed decisions about the impact of mineral withdrawals. If rare earths and critical minerals such as molybdenum, nickel, platinum, palladium, and uranium are located within these areas proposed for withdrawal, great economic impact and loss of national security will be the result.
- The importance of the mineral resources inventory is a critical issue in this case given the large uranium deposits and lithium deposits that are known to occur within the Oregon SFAs. Lithium is a strategic mineral that considered essential for the security of a nation but not available in sufficient quantity from domestic sources in time of war....

#### **Identified Specific Claims which will be Affected by the Withdrawal**

- ... we have unpatented mining claims in Elko County, Nevada. All of our private property and these enterprises are within the footprint of the proposed mining rights withdrawal.
- We have discovered valuable minerals on our claims, and suspect that other claimants throughout the Edgemont district have as well....
- .....the proposed withdrawal of SFAs includes known mineralization at the Ashbrook district in .....northwestern Box Elder County, Utah. ... Closure of the area surrounding and including the Ashbrook district could severely impact the future development and recovery of the identified and potential precious metal resources in northwest Box Elder County.
- A portion of these lands that are proposed for withdrawal are located in the Montana Mountains of extreme north-central Nevada near Oroville in the King River Valley.... This withdrawal would make further exploration and mining impossible.
- La Cuesta International, Inc. ... owns 48 mining claims in the Lost Cabin ... Mining District, Lake County, Oregon... we want to make the BLM and U.S. Department of Interior (DOI) aware, that the gold, silver, copper, lead and zinc mineral potential at Lost Cabin covers a much larger area than covered by our existing claims. The entire altered and mineralized area should be removed from the mineral entry segregation (withdrawal).

### **3.3.6 GEOTHERMAL RESOURCES**

Commenters provided information about geothermal resources and/or expressed concern about impacts to geothermal resources from the withdrawal.

#### **Information about Geothermal Resources**

- “Geothermal resources are also common in the region (Figures 2 and 3) and are critical to the nation's transition to renewable energy. Nevada has more geothermal potential than any other state, and several areas within the SFAs have been identified as having high potential for economically viable geothermal resources.....”
- Commenters state they have “conducted significant research” on “Federal lands in the SFAs of Nevada in these areas relating to mineral and geothermal resources....” and “have concluded that parts of these areas .... contain significant mineral and geothermal resource potential.....” They note that “even in this region of known mineral and



geothermal potential, additional exploration is needed to identify the specific locations of major deposits.”

### **Impacts to Geothermal Resources from the Withdrawal**

- “Although these comments are addressed specifically to the proposed mineral withdrawal, we believe that the “no surface occupancy with no exceptions” in the SFAs will also stifle geothermal energy drilling and development.”
- Commenters state that “...geothermal resources are commonly hidden in the subsurface, with no significant surface manifestations. Thus, extensive exploration is commonly needed to identify major deposits at depth. Due to the uncertainty of whether the resources can ultimately be developed, the proposed withdrawals of these lands from mineral entry will effectively stymie mineral exploration.....” which will “impact our nation's efforts to reduce its dependence on imported minerals and fossil fuels.....”

### **3.3.7 LIVESTOCK GRAZING**

Commenters made statements about livestock grazing. Some stated that livestock grazing should be reduced or controls should be tightened to improve sage-grouse habitat. Others stated grazing can help to improve habitat. Representative comments included the following:

#### **Livestock Grazing Adversely Impacts Sage-grouse Habitat**

- Commenters state that livestock grazing creates “constant habitat disturbance and provide an easy carrier for the introduction of noxious weeds.” Some state they “believe that that the ranching way of life needs more management.....and needs a thorough review.” Some recommend that BLM “Tighten the controls on cattle grazing and continue research on how to fight cheat grass.”
- Some state that they do not expect results “until BLM takes the more courageous step of confronting the harm to sage habitat by livestock grazing” which they state is “the real problem of livestock damage.” They add that “sage-grouse still will decline unless BLM reverses its traditional practice of prioritizing livestock needs over all others in their land management practices.”

#### **The Withdrawal Will Adversely Impact Livestock Grazing**

- Commenters state “The current use of these private land parcels for agriculture, ranching and other approved uses will be adversely affected by restrictions on grazing or access on adjacent public lands” or “the SFA will diminish or even eliminate future economic agriculture, ranching and other uses on private property” or “The management directives for the SFA threaten to eliminate or reduce the authorized use of the adjacent public lands for livestock grazing by imposing unworkable and authoritarian habitat management objectives.” One commenter states that “In all, SFAs livestock grazing will certainly be negatively affected even though historical use has shown that when more livestock were on the public lands, there were more Sage Grouse on the public lands.”
- Commenters state that “Because the SFA triggers evaluations for “Priority Grazing Permits,” the BLM should also include impacts to agricultural resources” that “include the economic cost of uncertainty, and consider the extent to which these actions discourage agriculture.” They add that “BLM should provide the process for determining the economic impacts for priority grazing permits.”

### **Grazing Can Be Beneficial**

- Multiple commenters make statements about fuels reduction and other benefits of livestock grazing including “Ranchers: We need them on our public lands. Sheep and cows eat the cheatgrass and other fuel that otherwise will be left behind. Do you want wildland fires that burn fast, hot and out of control?” or there is an “increased fire danger on non-grazed land. Livestock no longer graze the grasses that fuel the fast moving range fires on traditional grazing lands..... and the sage grouse habitat is also lost for a long period of time and/or permanently when burnt over by an uncontrolled fires fueled by ungrazed grass.” They state the “BLM and USFS management in the past 40 years, which has caused the reduction in livestock numbers on public lands, has been the primary contribution to large fires which have removed Sage Grouse habitat that is now deemed necessary to protect and restore.” Another commenter adds that “Another consideration is the indirect impact on fire occurrences if stock watering and other water uses are reduced as a result of the Withdrawal” and another requests that you “use grazing as a management tool to control invasive species (cheatgrass).”
- One commenter states that you should “expand livestock grazing. We understand this is not politically correct, but is rather scientifically correct. Please see the attached historical study of the Sheldon Refuge showing with empirical data that the increase, then the demise of the sage grouse population is directly related to livestock grazing density.”
- One commenter states that there is a “huge benefit to the Sage Grouse from ranching and agricultural uses that promote riparian areas used for watering.”

### **3.3.8 HUMAN HEALTH AND SAFETY**

Commenters made statements about public health and safety. They stated public health and safety concerns should be included in the analysis. Representative comments included the following:

- The analysis should include the “following preliminary issues: (1) Fires and fuels (i.e., cost, increased fire incidents), (2) Food supply and domestic food security, (3) Mineral supply and national security, and (4) National security impacts from reduced agriculture and mining.”

### **3.3.9 RECREATION RESOURCES**

#### **General Statements about Recreation Resources**

Commenters made statements about recreation resources. Some stated mining adversely affects recreation or that the EIS should analyze the effects of mining to recreation. Some stated the withdrawal will beneficially impact recreation. Some expressed concern about the loss of public access for recreation. Representative comments included the following:

#### **Mining Adversely Affects Recreation**

- Commenters stated that the “act of mining will lead to the destruction of .... recreation in all forms.....”

#### **Analyze the Costs of Mining on this Resource**

- The effects to backcountry recreation “deserve careful evaluation.” The BLM should “carefully evaluate the costs and harms of permitting new mining to occur on public lands.”



### **Withdrawal Will Have Beneficial Impacts to Recreation**

- The withdrawal will result in “long-term benefits” including “preservation of open spaces and recreation opportunities” and will lead to “prioritization of other resources and considerations such as .... recreation.”

### **Concern about the Loss of Public Access for Recreation**

- Some make statements about the BLM taking away “freedom of public access to our country's open land.” They state it is “extremely upsetting” that the BLM is considering restricting public access and they urge them to “NOT close public lands to public access.” They state the proposed closure of public lands can be “catastrophic to .....public access for recreation, hunting, fishing, mountain biking, snow sports, wildlife watching, and other forms of use of our public lands.”
- Some “urge you to NOT close public lands to public access” and others request you “do not give away public access to sole use/extraction mineral interests!”

### **Concern about Specific Types of Recreation**

- Some make statements about specific types of recreation including that motorized recreation in any of its forms “does not have a significant impact on the Grouse.” They state motorized recreation and/or off-highway vehicles/off-road vehicles are “barely mentioned” in the USFWS listing petition decision.
- Some express concern “with regard to Special Recreation Permits. The proposed withdrawal appears to limit off-highway vehicles’ use to existing routes, and only allows Special Recreation Permits if the effects are neutral or result in conservation gain.”
- One commenter expresses concern about increased spread of invasive species from “careless public recreation and vehicle use” and they state they have “seen firsthand the creeping invasion of noxious weeds” from these activities. “As the weeds spread along the dirt roads, the sagebrush shrink and disappear.”

### **Concern about Rockhounding**

- Commenters were concerned that the Record of Decision (ROD) did not address recreational use of the land for rockhounding. They stated the ROD is unclear about whether the public could continue to use sage grouse management areas for rockhounding. They requested that rockhounding be identified as a recreational activity in the ROD implementation plans to allow continued collecting of rocks and minerals in sage grouse management areas. Commenters stated that rockhounding does not present a negative impact on the management of sage grouse. Commenters were concerned that the proposal will adversely impact rockhounding
- The ROD is unclear about whether the public could continue to use sage grouse management areas for rockhounding. Rockhounding should be identified as a recreational activity in the ROD implementation plans to allow continued collecting of rocks and minerals in sage grouse management areas.
- Commenters were concerned that the ROD did not address recreational use of the land for rockhounding. They stated that it is “unclear in the ROD whether the public could continue to use these historical rockhounding areas to collect rocks and minerals in the sage grouse management areas.” They made statements requesting that “rockhounding be identified as a recreational activity in the ROD implementation plans allowing rockhounds and the public to continue collecting rocks and minerals in sage grouse

management areas.” They stated that the collection of rocks and minerals using hand tools should be a “recognized recreational activity” or should be “specifically referenced as allowed activities.”

- Commenters stated that rockhounding is a “casual-use recreational activity” or “non-impacting or negligibly impacting casual use” that “does not present a negative impact on the management of sage grouse.” They stated they hope that a plan can be developed that “will help greater sage-grouse but also allow continued rock hunting.” They requested that collecting of rocks and minerals using hand tools should be allowed in the sage grouse management areas “when sage grouse are not nesting.”
- Commenters were concerned that the proposal will have a “severe impact” on recreational rockhounding. They stated losing access to rock hounding sites would be a “terrible loss.” They felt it limits the “public’s ability to collect minerals and specimens” or it is “over kill” or “unnecessarily restrictive” to limit the use of public lands for rock hounding.

### **3.3.10 SOCIOECONOMICS**

#### **Impacts from the Withdrawal**

Commenters made statements about impacts to socioeconomics from the withdrawal. Some stated the proposed withdrawal is already having negative economic impacts. Some stated the withdrawal will reduce economic activity and future growth and have significant long term adverse economic impacts. Some stated effects will be magnified in local communities or rural economies will be devastated. Some stated the EIS must disclose immediate and long-term economic impacts of the withdrawal to the exploration and mining industries, and to local, state, and federal economies. Some provided information for the socioeconomic analysis. Some stated the EIS must assess the social impacts to rural communities surrounding the withdrawal areas. Some discussed indirect effects. Representative comments included the following:

#### **Proposed Withdrawal is Already Having Negative Economic Impacts**

- ... Some of our members have already experienced harm in the form of prospective investors refusing to invest in their companies, citing concerns related to management of sage-grouse habitat. That harm promptly spilled over to service providers in the form of, for example, cancelled drilling projects.
- ...the Notice was published on September 24, 2015—23 days after maintenance fees were paid by all mining claimants wishing to hold their claims in good standing.... claimants will have to continue to pay annual claim maintenance fees through the length of the segregation, and any attempt to extend the segregation, not knowing whether or not these additional expenditures will be wasted.... to the significant, financial detriment of the claimants...

#### **Withdrawal will Reduce Economic Activity and Future Growth and have Significant Long Term Adverse Economic Impacts.**

- This will not just affect mining. Many other jobs in Nevada and the west will also be adversely affected by the reduction in mineral, oil and gas, ranching, recreation and development delays or cancellation. Many people/families make a living in support of these activities.

- There are 450 Bentonite mining claims in Valley County. The lost tax revenue from these claims would cost Valley County hundreds of thousands of dollars, not to mention the jobs the mining industry would bring to our County....
- ... this claim block is our flagship and most advanced property in Nevada and Utah. Inadequate review and invalidation of part or all of it could lead to the inability of the company to raise capital for advancing exploration data and reserves ... The existence of the company and the livelihoods of the people who work for and with the company are dependent on this property remaining intact and active.
- ... Not only will this impact our nation's efforts to reduce its dependence on imported minerals and fossil fuels, but it will also hurt the region's economy, which is highly dependent on both the exploration for and development of natural resources.
- The withdrawal of 10 million acres of land from mining and other economic activity will have a negative economic impact and ripple through communities throughout the West. ... The withdrawal of an additional 10 million acres for a single species will have a significant impact on the ability to develop minerals and other resource extraction activities on federal lands. ... in Idaho alone, mining and mineral processing, and the economic activity it creates added about \$1.5 billion to Idaho's Gross State Product last year. The industry paid \$750 million in wages to 12,600 workers and the economic activity it stimulated resulted in the payment of \$134 million in federal, state, and local taxes.... It is difficult to fully value the lost economic opportunity this ... will cause in the West; certainly hundreds of millions of dollars in future years, likely billions of dollars over a generation. ... This withdrawal will not only disrupt mining, but also ranching, grazing and recreational activities. This will result in lost jobs, decreased economic development, homebuilding and buying....
- The September 24, 2015 segregation of the proposed mineral withdrawal areas and the associated 2-year segregation<sup>1</sup> of 10 million acres of land from operation of the Mining Law have already harmed mining claimants and local communities in the withdrawal areas. The segregation and proposed withdrawal ... harms the economies of ... counties in which mineral exploration and development are significant economic drivers.... will also negatively affect local and state governments through reductions in mineral employment and tax revenues from mineral exploration and development activities.... having a chilling effect on mineral exploration in the United States...
- The drop in mineral exploration will affect not only the mining and drilling companies but all the motels, RV parks, restaurants, contract geologists, surveyors, environmental consultants and other support businesses in that area which will feel the effect immediately... This shift will affect other regions of the country through companies located in the sage grouse areas – like CAT in Illinois, drill bit manufacturers in Texas, and cement and steel companies located within a few hundred miles of the non-development....

**Effects Will be Magnified in Local Communities or Rural Economies Will be Devastated**

- ... withdrawing these lands from new mining claims ... will dramatically impact the livelihood of many citizens of Nevada including myself and my family.
- The proposed withdrawal of nearly 4 million acres in Idaho is ...nearly 12% of the total federal land in Idaho and will impact more than one-third of our counties. There is simply no way we can fully value the lost economic opportunity this ...withdrawal proposal will

cause in our state – certainly hundreds of millions of dollars in future years, likely billions of dollars over a generation....

- ... the EIS must include a discussion of the social and/ or economic impacts of the proposed action. ... Mining drives the economy for both Elko and Humboldt Counties. To the people who live in these counties, mining is not just a job. Rather, it is a way of life that has existed for multiple generations. The culture and daily lives of the people who live in this region revolves around the mining industry. The impacts to the mining industry could potentially devastate the community not only economically, but also psychologically.....

### **EIS Must Disclose Immediate and Long-term Economic Impacts of the Withdrawal to the Exploration and Mining Industries, and to Local, State, and Federal Economies**

- The EIS must evaluate the potential impacts of the proposed withdrawal and alternatives on mining claimants...to local communities...local and state governments...
- ... we are extremely concerned about the lack by the BLM of a suitable mineral potential report, as required by FLPMA. Without a firm understanding of the extent of the impact to mining and the production of minerals critical to the local, state, and federal economies, it is irresponsible (and a violation of FLPMA) for the Secretary to enact such a large scale withdrawal from future mining operations. Both the USGS and DOGAMI have studied the mineral potential of the proposed withdrawal areas in Oregon. The Secretary should take those analyses into account and present Congress with a realistic picture of the economic impact that the proposed withdrawal would have on the counties, the state, and the federal economies.
- The EIS must also fully analyze the potential socioeconomic impacts that this proposed withdrawal would have on the affected communities. ... it is abundantly clear that withdrawing these lands from mineral entry will have a devastating impact on this area. ... Should any or all of this withdrawal area be no longer available for mineral exploration and development, this part of Nevada would suffer tremendously and jobs and economic prosperity would disappear.

### **Provide Information for the Socioeconomic Analysis**

- Access to federal lands for mineral activities is important as these lands ... provide a large share of the metals and hardrock minerals produced in this country;
- ...Such a large-scale withdrawal will jeopardize the value added by major industries that rely on the \$78 billion of minerals produced in the United States, which is an estimated \$2.5 trillion (2014), or 14% of our gross domestic product,
- Today, less than half of the minerals American manufacturers need are sourced domestically.
- U.S. industries are currently import-dependent on 19 key minerals and 24 mineral commodities that are potentially available in the United States.
- ... The total gross domestic product of the State of Nevada is approximately \$132 billion. Of this, mining's economic output is \$8.8 billion, or about 6% of Nevada's economy. The majority of this economic output occurs in rural Nevada, contributing to the economic and social vitality of the state's rural communities. Mining directly employs 11,100 Nevadans in high paying, skilled positions. In 2014, \$1.25 billion was paid to workers in direct wages. It is estimated that for each mining job, four indirect positions are created. The industry also generates significant tax dollars that

support schools, road construction, and other state and local functions..... Without a doubt, species protection can successfully and peacefully coexist with mineral exploration and mining without the implementation of draconian measures such as land withdrawals. ...

### **EIS Must Assess the Social Impacts to Rural Communities Surrounding the Withdrawal Areas**

- The EIS must conduct a robust and complete analysis of the immediate and long-term economic impacts of the proposed withdrawal to the exploration and mining industries, and to local, state, and federal economies. The EIS must thoroughly assess the social impacts to rural communities surrounding the withdrawal areas. The EIS must analyze the impacts to state and federal budgets from the loss of claims fees as a result of the withdrawal action.

### **National and Global Impacts**

Commenters stated that the withdrawal would have national and/or global impacts. Some stated that access to federal lands for mineral activities is of strategic importance to the United States or it decreases our reliance on foreign sources. Withdrawing areas from mineral entry increases the country's dependence on unreliable foreign supply and/or presents security concerns.

Representative comments included the following:

### **Access to Federal Lands for Mineral Activities is of Strategic Importance to the United States or is in Our National Interest**

- Commenters stated that “products mined in Nevada have significant strategic importance to the U.S. in terms of economic stability and national interest” or “Access to federal lands for mineral activities is crucial to the local economy in Nevada and other Western States and of strategic importance to the U.S.” or “It is in the best National interest to maintain this lithium deposit and associated access to be available for future mining and for future generations” or “protecting the national interest is ensuring these areas are available for future exploration and development.”
- Some made statements about national defense, such as “Locking up potential mineral resources can become a national defense issue should those resources have to be imported from offshore sources. Reliance on imports of certain strategic minerals is ill advised, especially if we have our own sources within our own borders. This issue must be thoroughly vetted in the EIS” or “Mining these resources in the United States is also a matter of national security, protecting our country's interests and enhancing our available reserves for defense purposes” or “the most promising areas for rare earth elements, which are extremely critical to our national defense, are southeast Oregon and northeast Nevada.”

### **Withdrawal Affects National Security and Increases the Country's Dependence on Unreliable Foreign Supplies**

- Multiple commenters made statements about national security including, “Federal lands need to be accessible for our national security....Keep America strong by keeping our minerals available for both national security as well as financially with valuable minerals available for export, helping with our trade imbalances” or “domestic mineral supplies will strengthen U.S. national security and decrease our growing dependence on foreign minerals and metals” or “Mining activities protect our countries’ way of life and national



security by producing those necessary minerals to fuel our economy!” or “preservation of the Kings Valley Lithium deposit will ensure a long-term domestic source of lithium for the United States, and will reduce the Nation’s dependency on foreign sources” or the withdrawal would “severely and negatively affect the economy of Nevada as well as United States efforts to reduce dependence on strategic minerals and fossil fuels.”

- Multiple commenters expressed concern about mining practices in other countries including “Our national economy and security depends on the materials from our mines. To remove mineral entry is an immoral political attack on the good people of America which makes us dependent on international sources for our materials. International sources are often unreliable, and we have no control over their mining practices” and “Foreign producers are sometimes unreliable, often have very low environmental standards and corruption and human-rights abuses are all too common. The dependence upon foreign suppliers also presents very important security concerns” and “Without a strong mining community here in the US, people will be forced to turn to other countries for their rare earth minerals, countries which do not practice the same reclamation and environmental concerns as we do. By withdrawing ever more land from public access, you force miners to go out of business and the public to seek less-acceptable sources for their minerals.”
- One stated “This analysis should include the following preliminary issues: .....  
(3) Mineral supply and national security (4) National security impacts from reduced agriculture and mining.”

### **Balance between Mining and Conservation**

Commenters stated that there should be a balance between mining use and conservation. Some stated environmental protections need to be balanced with their economic impacts. They stated they support reasonable adjustments to meet preservation needs, but there must be a balance between protection of the natural environment and the social, economic, and societal benefits derived from resource extraction. Some stated we should not let the focus on economic return prevent us from making important decisions to protect the environment. Some stated the BLM should not cater to mining companies but should work to protect the environment.

Representative comments included the following:

- Multiple commenters made statements about finding a “balance and work together to create a solution to benefit both the environment and future generations without undue cost to either.” Some stated “these environmental protections need to be balanced with their economic impacts” or “there must be a balance between protection of the natural environment and the social, economic and societal benefits of derived from resource extraction - specifically mining.” Some stated they “support the responsible use of our natural resources for purposes of economic development and maintaining our state's way of life” or “agencies have the responsibility and the need to develop management methods that allow for support of biological communities while fostering mineral development.” Some stated that they can protect sage-grouse “without imposing undue economic hardship on our country and especially the small communities.”
- Commenters stated that “sage grouse and other wildlife are important to our environmental and natural heritage, but minerals are essential to our economy and national security. Protecting and using both are possible and need not be mutually exclusive. Act to preserve the balance of these resources and reject the withdrawal.” One commenter added that “Without a doubt, species protection can successfully and

peacefully coexist with mineral exploration and mining without the implementation of draconian measures such as land withdrawals.”

- Some stated that industry is “willing to make reasonable adjustments to meet their preservation needs” or they “are socially and environmentally responsible and extremely concerned with the preservation of the lands and cultures within which we work and live.”
- Others stated “Too often, we let our shortsighted focus on economic return and pleasing corporations prevent us from making important decisions to protect the few intact ecosystems we have left. It is time that the BLM fulfill its conservation mission and not only cater to mining companies who have little regard for ecological integrity.”

### **Benefits of the Withdrawal**

Commenters made statements about the socioeconomic benefits of the withdrawal. They stated the analysis should include the economic benefits of protecting lands from mining and evaluate the impacts on nonmarket values from the withdrawal. They stated that direct, measurable economic benefits can occur to local communities as a result of recreation opportunities provided by wilderness quality lands. Some stated mining would have short term economic benefits, but it would reduce economic viability in the long run by making the area less able to support fish and game. Some stated that the most important social and economic values come from maintaining intact sage-grouse habitat. Representative comments included the following:

### **Analysis Should Include the Economic Benefits of Protecting Lands from Mining and Evaluate the Impacts on Nonmarket Values**

- Commenters stated that “NEPA requires that BLM look at both the costs and benefits of proposed decisions (see, e.g., 40 CFR § 1508.8). For the current notice, this analysis should include the economic benefits of protecting lands from mining. The recreation opportunities provided by wilderness quality lands yield direct, measurable economic benefits to local communities” and “Withdrawing areas from mining can extend these benefits to communities in the interior West.”
- Commenters stated “BLM should conduct quantitative analysis of nonmarket values associated with these alternatives” or the “BLM should also evaluate impacts on nonmarket values from withdrawal, pursuant to current agency guidance (IM 2013-131).” They stated “Nonmarket values are described as values that “reflect the benefits individuals attribute to experiences of the environment, uses of natural resources, or the existence of particular ecological conditions that do not involve market transactions and therefore lack prices,” such as “the perceived benefit of hiking in wilderness.”” They added that “quantitative analysis of nonmarket values is strongly encouraged when: ... the alternatives to be considered present a strong contrast between extractive and nonextractive uses of land and resources.... (IM 2013-131, Attachment 1-7).”

### **Consider Benefits of Withdrawal**

- Commenters made statements about benefits to socioeconomics from the withdrawal including “When looking at public benefits such as those derived from a small group for mining and related uses, there are far more of the public who use the entire Yellowstone National Park (YNP) for their public benefit and for income to the surrounding communities, including YNP” or “The Greater Yellowstone Ecosystem is appreciated by many Americans and also brings in money to these areas when people visit the areas to

recreate and observe wildlife in their natural habitats” or “public benefits such as those derived from a small group for mining and related uses, there are far more of the public who use the entire YNP for their public benefit and for income to the surrounding communities, including YNP.”

- Some discussed the social and economic value of maintaining intact sage-grouse habitat, “Fortunately these areas are not areas of high mineral potential or development interest and there are very few existing mining claims in either area. This supports the idea that the most important social and economic value in both areas is maintaining intact sage-grouse habitat.”

### **Short-term Versus Long-term Economic Benefits**

- Commenters stated that “the land you are considering is economically viable long term without mining. By contrast, mining would bring a short term economic stimulus, but it would greatly reduce economic viability in the long run by making the area less able to support fish and game.”

### **3.3.11 SOUNDSCAPES**

Commenters made statements about soundscapes or noise. They expressed concern about mining-related noise effects to sage-grouse. Representative comments included the following:

- “It is my understanding that noise related to mining has a negative effect on Sage Grouse.” Commenters asked for protection of “Sage Grouse by closing the lands proposed for Withdrawal. That will help keep it quiet enough to hear all of the birds that belong in the deep sage.”
- Expressed concern about “documented significant impacts from coal mine-related activities on sage grouse populations.” ..... “Withdrawing the lands in question from future coal leasing protects these important sage grouse habitats from the same impacts as would be expected under locatable minerals development.”

### **3.3.12 TRANSPORTATION**

Commenters made statements about transportation and/or travel management. Some expressed concern about travel restrictions and/or state that strict travel restriction impact the ability to mine. Some stated the EIS must address the status of roads in the withdrawal areas.

Representative comments included the following:

#### **Strict Travel Restrictions Impact the Ability to Mine**

- Some state “The strict travel restrictions directly impacts Pilot Gold’s ability to mine...” and they “.....prevent Pilot Gold from using off-highway vehicles to stake claims or conduct soil sample surveys...precluded from building roads and drill pads to access targets, and will be prevented from upgrading existing roads for access to drill targets or private lands.”
- Travel restrictions are “excessively heavy handed” and “stymies any economic activity—mining, oil and gas, geothermal, ranching, etc.” “..... exploration or development projects on existing mining claims are throttled since building a new (temporary) road to drill a few holes and similar activities involving any disturbance will be prohibited. This renders the claims worthless and, with the travel restrictions mentioned above, wipes out the rights of ingress and egress which are guaranteed under existing law.”



### **EIS Must Address the Status of Roads in the Withdrawal Areas**

- “The EIS must address the status of roads in the withdrawal areas not included in the Travel Management Plans.”
- “The ROD/Approved Resource Management Plan Amendments (ARMPA) states that roads in greater sage-grouse habitat that aren't included in Travel Management Plans will be obliterated and seeded. The BLM/USFS must ensure that existing roads in the proposed withdrawal area are given the same consideration, as any other road, for inclusion in Travel Management Plans.”

### **3.3.13 VISUAL RESOURCES**

Commenters made statements about visual resources. They expressed concern about adverse effects on dark sky resources from mining. Representative comments included the following:

- “Hardrock mining may have significant adverse effects on dark sky resources.”

### **3.3.14 WATER RESOURCES**

Commenters made statements about water resources and/or water quality. Some stated they are concerned about negative effects of mining on water. Some stated that the EIS should consider the effects of mining on water quality or wetlands. Some made comments about considering the benefits of the withdrawal on this resource and/or the withdrawal will protect water quality. Some stated the withdrawal will ensure water resources are available for sage-grouse. Some stated the application should state that water is required because the best indicator of sage-grouse presence is water. Representative comments included the following:

- ... consider the effects of mining on water quality...
- ... Hardrock mining can result in significant adverse effects to water quality and quantity...
- ... I believe the proposed mineral withdrawal would be a critical step in ... ensuring a high level of water quality.
- We have inadequate data on the effects of hardrock mining on water quality and quantity....
- Another resource conflict is water. Both Abert Lake and Crump Lake went dry last year. If additional mining were to be approved on the Abert Rim or in the Beatys Butte area that would create addition competition for a scarce resource that is already over allocated. Preventing future prospecting and subsequent mining will help leave water in the riparian areas that are crucial to Sage Grouse brood survival in the spring....
- The application should state that water is required ... because the best indicator of Sage Grouse presence is water. There is a huge benefit to the Sage Grouse from ranching and agricultural uses that promote riparian areas used for watering. If there is a co-benefit of stock watering in a particular area, then the impact of reducing the associated use may be detrimental to Sage Grouse. Another consideration is the indirect impact on fire occurrences if stock watering and other water uses are reduced as a result of the Withdrawal. ... Finally, a withdrawal requires a statement with specific supporting data as to: (i) Whether the lands involved are floodplains or are considered wetlands; and (ii) Whether the existing and proposed uses would affect or be affected by such floodplains or wetlands and, if so, to what degree and in what manner....

### **3.3.15 WILDERNESS**

Commenters made statements about wilderness areas or lands with wilderness characteristics. Some commenters stated that mining disturbs areas designated as wilderness and/or lands with wilderness characteristics and the EIS should analyze the effects of mining on these resources. Some stated that the withdrawal would benefit wilderness areas and/or lands with wilderness characteristics and the EIS should consider those benefits. Representative comments included the following:

#### **Mining Disturbs Areas Designated as Wilderness and/or Lands with Wilderness Characteristics**

- “Mineral development would destroy more Sage Grouse habitat and disturb areas designated as Lands With Wilderness Characteristics. There's already too little wild, natural land left, compared to the vast amount of our public lands which have been developed for resource extraction and commercial and agricultural uses ..... Protecting the wild areas that we have left should be a priority of the BLM.”
- “The wilderness characteristics outlined above define many of the unique features at risk from mineral development .....

#### **EIS Should Analyze the Effects of Mining on These Resources**

- Commenters state, “BLM should assess how mining would affect identified “lands with wilderness characteristics.””
- “BLM should also carefully evaluate the costs and harms of permitting new mining to occur on public lands. Any new mining permits should fully adhere to the conservation measures and proposed planning decisions described by the BLM National Technical Team (2011)..... Environmental conditions, such as ..... wilderness qualities..... deserve careful evaluation.”

#### **Withdrawal Would Benefit Wilderness Areas and/or Lands with Wilderness Characteristics or Provide Information about Lands with Wilderness Characteristics**

- “My feeling is that focusing on sage grouse helps protect our wilderness for all our native species.”
- “Proposed Lands with Wilderness Characteristics and important wildlife habitat that overlaps SFAs, Priority Habitat Management Areas (PHMAs), and Important Habitat Management Areas (IHMAs) should be included in the withdrawal...”
- Commenters identified some additional areas with “wilderness characteristics” that “were not inventoried ..... but should be included due to their importance to sage grouse and other species.”

## 4.0 OTHER ISSUES, CONCERNS, AND ALTERNATIVES

In addition to the resource categories described in Section 3.3, a number of comments were received regarding various aspects of the project process, including purpose and need, the legality of the proposal, the scientific basis for the proposal, and cumulative effects. In addition, many thousands of comments were received that included statements about the no action or the proposed action, or that recommended various alternatives. Various comments related to consultation and coordination were also received. The distribution of comments received in these categories is shown in Table 3 and described more fully in the following sections.

**Table 3. Other Comments Received**

PROCESS CATEGORY	NUMBER OF COMMENTS
Purpose and Need	7
Legal Authority/Basis	296
Scientific Basis/Validity	91
Support No Action (Oppose Proposed Action)	640
Support Proposed Action	4,603
Recommend Alternatives	4,641
Cumulative Effects	9
Consultation and Coordination	53
<b>TOTAL</b>	<b>10,340</b>

### 4.1 PURPOSE AND NEED

Commenters made statements about the project's purpose and need. Some stated the purpose and need should explain why the project is necessary or how it protects sage-grouse. Some stated the purpose and need is important in establishing scope and developing alternatives. Some suggested specific wording. Representative comments included the following:

- BLM has not yet demonstrated that withdrawal of 10 million acres is necessary for conserving the sage grouse and its habitat, in light of the gross disparity between the dimensions of the vast greater sage-grouse habitat compared to the documented localized and minor impacts from mining upon this habitat.
- The boundaries of the SFAs are estimated using a statistical model and do not represent best science. Until the model is validated with extensive ground truthing, SFA boundaries, management assessments and proposals will remain arbitrary and capricious. The proposal to limit economic activity must be based on data and boundaries which are in agreement as critical to sage grouse habitat.
- The purpose and need should read, "The purpose of the proposed withdrawal of the Sagebrush Focal Areas in Priority Habitat Management Areas is to protect the Greater Sage-Grouse and its habitat from adverse effects of locatable mineral exploration and mining subject to valid existing rights above and beyond the protections outlined in the 2015 Amended Resource Management Plan to achieve the greatest level of conservation

in a manner that leaves as many lands with mineral potential open for mineral entry pursuant to FLPMA multiple use and sustained yield mandates.”

## **4.2 LEGAL AUTHORITY AND BASIS**

### **4.2.1 GENERAL STATEMENTS**

Commenters made general statements about the legality of the proposal. Some stated that government does not own the land or they are supposed to manage the land for the people. They made statements about "our land" and refer to the withdrawal as a "land grab." Some said that taking away use of lands for the withdrawal is illegal and/or unconstitutional. Some stated the government has no right to implement the land closure. Some stated congressional approval is needed for the withdrawal. Some stated that the public lands belong to all Americans and the BLM has the duty to protect public land for all to enjoy. Some stated they do not want public lands destroyed by mining. Representative comments included the following:

- Public lands belong to all American people; we want our lands protected for our grandchildren. Don't give our lands away to special interests, such as ranchers. Our wildlife heritage must be conserved and protected. It is the duty of the BLM to protect the sagebrush habitat from new mining.
- BLM works for citizens, not industry. Protect our public lands, waters, health, wildlife & future.
- We are all stakeholders ...conservation is the key to saving wildlife, natural resources and public land for future Americans.
- The EIS needs to clearly identify the laws and agency authority allowing establishment of the SFAs. Withdrawing land is beyond what BLM is authorized to do as a federal agency. This withdrawal is a completely unconstitutional land grab; an illegal regulatory overreach designed to destroy the economy. Removal of more than 5,000 acres of public land is illegal without approval of the U.S. Senate. Congressional approval is required for this unprecedented 10 million acre mineral withdrawal. CONGRESS established the 1872 mining laws in order to provide a safe and organized way for individuals and corporations to develop the mineral deposits that would build a strong industrial base for our country. The Sagebrush Withdrawal is just another attempt to eliminate 3,854,622 acres... from the American people, particularly from miners and ranchers. Designating giant swaths of public lands off limits is illegal and in opposition to the express intent of Congress with the Mining Acts of 1866 and 1872.
- BLM is not being honest about the reason for the withdrawal –it is not to protect the sage grouse. The Bureau of Land Management does not represent the will of the people but instead they represent the interests of groups who have no idea of the impact and/or devastation the listing of the sage grouse would have on our economy.
- Public lands belong to the American public (who have paid to own, use and maintain Federal public lands), not to the federal government.

### **4.2.2 FLPMA**

Commenters made statements about FLPMA and/or multiple use. Some made statements about specific requirements and/or identified specific analyses that must be undertaken for the withdrawal. Some stated lands should be managed under multiple use concepts. Some stated the

withdrawal would be detrimental to multiple use. Representative comments included the following:

- Mineral withdrawal is an important tool for conserving essential wildlife habitat, cultural and historical sites and other sensitive areas from the threat of mining. The Federal Land Policy and Management Act authorizes the Secretary of the Interior to make, modify, revoke and extend withdrawals that remove lands from the operation of the public land laws, including the Mining Law of 1872, subject to valid existing rights. The Records of Decision for the National Greater Sage-Grouse Planning Strategy identified mining as a threat to sage-grouse and noted that withdrawing areas from location and entry will help reduce potential surface disturbance in SFAs.
- Multiple Use/Mineral activities.
  - The Withdrawal ignores the multiple use mission as found in the Federal Land Policy and Management Act of 1976, and is unnecessary to conserve sage grouse and its habitat.
  - FLPMA expressly provides that none of its land use planning provisions, among others, "shall in any way amend the Mining Law of 1872 or impair the rights of any locators or claims under that Act, including, but not limited to, rights of ingress and egress." ... In enacting FLPMA, Congress explicitly acknowledged the continued vitality of the Mining Law of 1872. Section 302(b) of FLPMA states: BLM is required to strike an appropriate balance between potentially competing interests and land management objectives.
  - The proposal to withdraw mining and mineral exploration from our counties is simply another step to remove the Multiple Use criteria from BLM lands in Phillips County
- The DOI proposal to withdraw over 10 million acres of federal lands from mineral entry and new mining operations is unprecedented and constitutes the largest withdrawal in the history of Federal Land Policy and Management Act.
- The inclusion of the SFAs without opportunity for public comment directly violates the provisions of NEPA, and FLPMA, and will permit the BLM/USFS to unlawfully restrict publicly managed and privately owned lands for multiple uses.
- FLPMA was enacted to ensure the BLM manages the public lands on the basis of multiple use and sustained yield. FLPMA requires the BLM to foster and develop mineral activities; not stifle and prohibit such development. Public lands are to be managed to recognize the nation's need for domestic sources of minerals. The withdrawal is inconsistent with these mandates.
- Congress, not the Secretary, has the exclusive authority to enact the proposed withdrawal. The proposed Withdrawal of Greater than 5,000 Acres without Congressional Approval Exceeds Legal Authority under FLPMA. Proposing to withdraw 10 million acres from location and entry under the general mining laws without any congressional oversight flies in the face of FLPMA, the Constitution, and decades of cases interpreting the public lands laws of this country. The Supreme Court in the case of *INS v. Chadha*, 462 U.S. 919, in 1982 found that the Congressional oversight requirement of Section 204(c)(1) to be unconstitutional. This results in the entire Section 204(c) being invalid, which leaves a limit on the amount of land the Secretary of the Interior may withdraw.
- The EIS must comply with the requirements in both NEPA and FLPMA to prepare a detailed and substantive analysis of how the proposed withdrawal will affect a wide array

of environmental resources and the impact of the withdrawal on affected individuals, communities, local and state governments, and the Nation. BLM is required to submit a report to Congress “prepared by a qualified mining engineer, engineering geologist, or geologist which shall include but not be limited to information on: general geology, known mineral deposits, past and present mineral production, mining claims, mineral leases, evaluation of future mineral potential, present and potential market demands.”

- FLPMA requires the BLM to foster and develop mineral activities; not stifle and prohibit such development. Public lands are to be managed to recognize the nation's need for domestic sources of minerals. The withdrawal is inconsistent with these mandates. Putting known and future mineral resources in such a large area off limits for up to 20 years ... deprives the affected claimants of their rights of due process. Individual mining projects were unlawfully included within the proposed withdrawal area and should be immediately excluded from withdrawal under FLPMA.
- FLPMA was violated by ignoring the mandate that land use plans be consistent with State and local land use plans.
- Violation of FLPMA – specific sections cited:
  - The proposed mineral withdrawal covers one of the most prospective mineral belts in the world. The nature of the proposed withdrawal indicates that the primary purpose is to prevent mineral exploration and development, not to “protect” sage grouse. This clearly violates several mandates of Sec. 204 (43 USC 1714) of FLPMA (Public Law 94-579), specifically sub-section (c) (2) no. (2), (3), (4) and (12).
  - FLPMA at Section 103(c) (43 USC 1702) requires lands under management of the BLM adhere to the definition of multiple use.
  - FLPMA Section 204(c)(2).
  - FLPMA Section 202(e).
  - Pursuant to Section 204 of FLPMA, 43 USC §1701 et seq.
  - Withdrawal requirements for these lands with documented mineral potential are not met under FLPMA Section 204(c)(2).
  - FLPMA Section 204 governs the secretary’s withdrawal authority
  - FLPMA Section 103(c) demands a balanced approach to managing the Nation’s public lands that: “... best meet[s] the present and future needs of the American people” [and achieves] “a combination of balanced and diverse resource uses that takes into account the long-term needs of future generations for renewable and nonrenewable resources, including, but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic, scientific and historical values.” These FLPMA directives require BLM to reconfigure the boundaries for the mineral final withdrawal to exclude areas with known mineral potential.
  - The proposed Land Use Plan Amendments appearing in the FEIS do not comply with applicable laws, regulations, policies, and planning procedures... NEPA, the FLPMA, 43 USC §§ 1701-1784, the National Forest Management Act (NFMA), 16 USC §§ 1600-1687, the General Mining Act of 1872, (Mining Law) Ch. 152, 17 Stat. 91 (codified as amended at 30 USC §§ 22-24, 26-30, 33-35, 37, 39-43, 47), and the Mining and Minerals Policy Act of 1970, 30 USC § 21a.
- The withdrawal violates FLPMA, NEPA, 1872 Mining Act, and the Multiple-Use Sustained-Yield Act (MUSYA):



- This massive overhaul of public lands violates NEPA, FLPMA, and the Mining Law, among other laws.
- The USFWS, BLM, and USFS significantly changed the rules to employ the SFAs without notice, warning or any opportunity for stakeholder comment. This action violates the FLPMA of 1976, the NEPA of 1969, the General Mining Act of 1872, and the Multiple Use Sustained Yield Act of 1960, and will cause devastation to the Mining/Exploration, Agriculture/ Ranching, Energy, and Recreation industries. The public was not provided a notice and comment period to provide input on the boundaries and potential effectiveness of the SFAs, as they were first presented in the FEIS for the ARMPA. Second, the science the Agencies rely on does not support the SFA boundaries. Third, there are known alternatives to the proposed withdrawals.

#### **4.2.3 NEPA PROCESS AND/OR ISSUES**

Commenters made statements about NEPA issues and/or the NEPA process, including public participation. Some commenters stated the public comment period was not adequate. Some stated the public meetings and information provided were inadequate. Some commenters stated that the last minute inclusion of the SFAs deprived the public and cooperating agencies of the opportunity to provide comments. Some made statements about requirements for a range of alternatives. Some stated the required analyses of withdrawal impacts are lacking, and made statements about the Resource Management Plans (RMPs) and/or LUPAs. Some commented that the NEPA process was flawed or violated. Some made statements about the need for a Supplemental Environmental Impact Statement (SEIS). Some stated additional analyses are needed. Representative comments included the following:

- The EIS contemplated in the BLM's notice will be key to identifying areas for withdrawal. DOI and BLM should commit to a timeframe for completing the EIS in order to finalize withdrawal decisions prior to expiration of the segregation period. Further, DOI should ensure that mineral withdrawals, once put into place, are extended pursuant to DOI's FLPMA authority.
- RMP Deficiencies Must Be Corrected in This Process Through an Amendment, or at a Minimum a Candid Assessment of Inadequacies and Threats that Continue Must Be provided. This is necessary to assess whether Interior must conduct much more sweeping withdrawals, and designate ACECs to prevent lands from irreparable harm.

#### **Public Comment Period**

- ... The public did not have a hearing prior to the application ... was not provided adequate time to study a large document that had significantly changed since its draft form. ...Some revisions included important changes in methodologies, with insufficient justification or explanation for the public, making it difficult if not impossible even for scientific experts to make an informed response. Lack of transparency regarding criteria used to determine landscapes essential to conservation of the species undermines public confidence.
- ...Both EIS actions have had very minimal publicity to the general public or to the mining industry and other stakeholders.
- The withdrawal was announced without adequate opportunity for public comment...

- ... there was no opportunity for the affected public to review these proposed withdrawal areas.
- Thought this was a town hall style meeting where we could talk to someone. Everyone is only angrier with this "meeting."
- This is an inappropriate method for the discussion that should be taking place. No instruction was given and public comments could not be addressed or heard by those present. This should have been a forum discussion setting to facilitate fluid conversation and adequate information to be heard. Representatives should have introduced themselves. Maps of proposed area should be available as handouts.
- The proposed withdrawal NEPA process was initiated with flawed public involvement at the scoping level. There was no formal briefing or presentation, no informational handout material, or no public discussion of concerns or impacts.
- The newspaper notice extending the comment period did not explain where to get more information on the internet. We were frustrated not to find any additional information on BLM's new ePlanning site (such as maps of the area affected by this proposal). The website is not user-friendly.
- I ask that at least one of the follow-on public meetings on the proposal's NEPA Programmatic Environmental Impact Statement (PEIS) Scoping/Drafting process schedule be set for Bozeman, Montana, in view of the large number of rockhounds from the mid-Montana area who routinely use the Montana/Idaho/Wyoming/Utah/ Oregon proposed withdrawal and management areas for casual-use rockhounding on both claimed and unclaimed public lands. Please add notification of public meetings on the PEIS (and any held on the withdrawal application in the future) by also publishing the information in the Bozeman Daily Chronicle.

#### **Last-Minute Inclusion of the SFAs Deprived the Public and Cooperating Agencies of the Opportunity to Provide Comments**

- The public was not provided a notice and comment period to provide input on the boundaries and potential effectiveness of the SFAs, as they were first presented in the FEIS for the ARMPA.
- Those EISs are patently deficient because the public did not have an opportunity to comment on the designation of SFAs and the analysis of the impacts of and on mineral exploration and development is severely lacking...the BLM's failure to include a map that depicts the location of existing mining claims within SFAs has prevented the American Exploration and Mining Association (AEMA), the Mountain States Legal Foundation, and their members, as well as the public from meaningfully participating in the scoping process.
- ... the SFA concept was not covered in the draft EIS for the RMPs. It was a late addition incorporated into the final EIS without public review and comment. While Hamey County was a cooperating agency in the development of the revisions to the resource management plans, it along with the public was excluded from the process prior to the addition of the SFA concept. The SFA strategy was not developed in the cooperation with the cooperators, nor were the cooperators afforded opportunity to comment prior to the SFA strategy...
- The mineral withdrawal proposed in the BLM's and USFS' Nevada Land Management Plan for Greater Sage-grouse (NVLMP) and the Final EIS was not part of the Preferred



Alternative in the Draft EIS and was added without explaining what changed between the Draft EIS and the Final EIS to justify the need for the new proposed withdrawal. The last-minute addition of the SFAs, which are now the proposed mineral withdrawal areas, deprived the public of its lawful and reasonable opportunity to provide comments, as NEPA and FLPMA require.

- The BLM and USFS significantly changed the conventions in the FEIS with the inclusion of the SFA without communication, forewarning or opportunity for public comment or appeal, .... Elko County maintains this directly violates the provisions of NEPA, FLPMA, and will permit the BLM/USFS to unlawfully restrict publicly managed and privately owned lands for the multiple uses as provided for in the Elko County Land Use Master Plans and Chapter Four of the Elko County, Nevada County Code.
- ... The USFWS, BLM, and USFS significantly changed the rules to employ the SFAs without notice, warning or any opportunity for stakeholder comment. this action violates the FLPMA of 1976, the NEPA of 1969, the General Mining Act of 1872, and the Multiple Use Sustained Yield Act of 1960, and will cause literal devastation to the Mining/Exploration, Agriculture/ Ranching, Energy and Recreation industries....
- The new habitat category, SFAs, has dramatically reshaped the proposed Federal action due to its management as: 1) recommended for withdrawal from the Mining Law of 1872, "subject to valid existing rights;" 2) managed as no surface occupancy, without waiver, exception, or modification, for fluid mineral leasing; and 3) prioritized for management and conservation actions in these areas, including, but not limited to, review of livestock grazing permits/leases and closure of roads. Because this new management category appeared for the first time in the Preferred Alternative of the FEIS, meaningful public comment on the Proposed Plan was precluded, and thus, an SEIS is required.
- Minerals operators, mining claim owners and mining companies did not receive notice and opportunity to comment on the decision to propose withdrawing their claims from mineral entry.... As a result, the public and specifically the parties most affected by the proposed actions were never even notified, much less provided an opportunity to comment on the SFAs.
- Request the BLM thoroughly explain and cite to scientific information describing how the SFAs were designated. The use of the ARPMA to segregate the 2.8 million acres designated as SFAs for withdrawal presupposes that the public was provided an opportunity for public hearing and meaningful comment. It also presupposes that reasonable alternatives to the SFAs were presented, which they were not. The public did not have a hearing or comment period prior to the application regarding the segregation and withdrawal boundaries because withdrawals first appeared in the FEIS....The Draft Environmental Impact Statement (DEIS) was issued on November 22, 2013, and the FEIS on May 28, 2015. Thus, while the BLM took more than 1-1/2 years to revise the EIS, the public was only allowed 30 days to protest the FEIS, which exceeds 2,000 pages in length, and 60 days for consistency review. This despite the fact that there were major departures from and additions to the DEIS, and lack of response to or incorporation of many comments that were well grounded in science (e.g., Humboldt County (2014) submitted a 40 page critique of the DEIS written largely by a University of Nevada Cooperative Extension expert.... It was virtually ignored in the FEIS). Some revisions included important changes in methodologies, with insufficient justification or

explanation for the public, making it difficult if not impossible even for scientific experts to make an informed response."

- Two new sage grouse habitat management constructs – SFAs, which first appeared in the Oct. 2014 Ashe Memo, and the application of lek buffer distances identified in a USGS report entitled Conservation Buffer Distance Estimates for Greater Sage-grouse — a Review, USGS Open File Report 2014 1239 (Manier, et al. 2014). The Lek Buffer Study, coupled with the Ashe Memo, collectively constitute “significant” post-DEIS information bearing on the proposed action or its impacts, and thus an SEIS is required.
- New Science and Mapping Require that the BLM Re-Initiate the Segregation and Notices, and Submit an SEIS....Request I-B-2: That the BLM publish an SEIS for public notice and comment regarding the SFAs and new mapping information. This information and public discussion at the Sagebrush Ecosystem Council meeting on December 11, 2015 makes clear that the purpose and use of the maps require further analysis, discussion, and reconciliation to ensure accurate and implementable Sage-Grouse protection measures. This also shows the need to provide an SEIS and to halt the segregation and Withdrawal period until that analysis is completed.

#### **No Clear Difference between No Action Alternative and Withdrawal Alternative**

- It is important that a true no action alternative be developed and disclosed to allow the public to review and comment on the impact of prohibiting mining as opposed to continuing the current activities and realistic potential of new development over the life of the withdrawal. Unfortunately, since the SFA was an add-on adopted outside the public arena, the social and economic impact to the local community from the proposed mineral withdrawal have not been clearly defined or disclosed and therefore will need to be disclosed in the action alternatives.
- The decision document on the Modifications of the Great Basin BLM Management Plan of September 2015, discusses two separate management strategies for the SFAs. Generically the focal areas are to eliminate most new surface disturbance in the most highly valued sage-grouse eco-system areas. Secondly, it is a strategy to avoid or limit new surface disturbance in priority habitat management areas of which SFAs are a sublet. However, the Fact Sheet: BLM, USFS Greater Sage-Grouse Conservation Effort references that with respect to mining, the "plans will seek to minimize surface disturbance caused by mining activities in sagebrush focal areas and other priority habitat" (p.3). However, the proposed withdrawal is a far more onerous standard than to "minimize." In the EIS, the BLM will need to quantify the "minimize" standard of the RMP as the no-action alternative and in turn provide the information necessary to compare the withdrawal alternative with the no-action alternative. In this situation by proposing to withdraw the minerals in both of these two categories the BLM is blurring the distinction between them, however, more importantly it is ignoring that within the priority habitat management areas the surface disturbance was to "avoid or limit." This is far different than the withdrawal strategy which is to eliminate mining location and development activities whether or not they cause surface disturbances that affect the Sage-Grouse.
- The Mineral Withdrawal EIS must include quantitative analysis and comparisons of key habitat attributes (i.e., sagebrush cover, sagebrush height, and perennial grass and forb cover and composition) between the No Action Alternative and the proposed action alternatives and disclose how mineral withdrawal will result in changes to these key

attributes that are needed to realize a net benefit for the Greater Sage-Grouse populations in the SFAs.

#### **Required Analyses of Impacts of the Withdrawal is Lacking**

- The.... analysis of the impact of locatable minerals on greater sage-grouse and its habitat, as well as the effects on mining, are severely lacking in the EISs....
- ... there is no discussion of the existing regulatory framework that can address exploration activities on either BLM or Forest Service managed lands.
- ... BLM is required to submit a report to Congress "prepared by a qualified mining engineer, engineering geologist, or geologist which shall include but not be limited to information on: general geology, known mineral deposits, past and present mineral production, mining claims, mineral leases, evaluation of future mineral potential, present and potential market demands."
- Thus the EIS must satisfy NEPA and FLPMA requirements by including a thorough analysis of alternatives to reduce the impacts from the proposed withdrawal.
- The EIS must comply with the requirements in both NEPA and FLPMA to prepare a detailed and substantive analysis of how the proposed withdrawal will affect a wide array of environmental resources and the impact of the withdrawal on affected individuals, communities, local and state governments, and the Nation. The following statement in the Notice is an inaccurate and pre-decisional dismissal of the serious impacts that will result from the proposed withdrawal: "Because of the nature of a withdrawal of public lands from operation of the mining law, mitigation of its effects is not likely to be an issue requiring detailed analysis. However, consistent with Council on Environmental Quality regulations implementing NEPA (40 CFR 1502.14), the BLM will consider whether and what kind of mitigation measures may be appropriate to address the reasonably foreseeable impacts to resources from the approval of this proposed withdrawal." 80 Fed. Reg. 57637. An EIS developed under this premise will be fatally flawed because it will not satisfy NEPA or FLPMA analysis requirements.... The EIS must analyze alternatives to the Proposed Action to withdraw 10 million acres from operation of the Mining Law to mitigate these impacts such as different locations and a reduced size for the withdrawal and alternatives that could achieve habitat conservation without the withdrawal. The EIS must quantitatively evaluate the profoundly adverse effect the withdrawal will have on jobs and local and state tax revenues associated with mining. The EIS must also quantify how the withdrawal will increase the Nation's reliance on foreign sources of the minerals needed to sustain modern life.
- To fully determine the mineral potential of the area, the BLM must also consider the mineral information developed by the USGS, as well as the affected states and private mining companies. By including, and considering, this other important information, the EIS and the mineral report, as required by FLPMA, will be more accurate. Aside from the geology of the areas proposed for withdrawal, the BLM must also consider the market and available technology, because these factors determine whether mining in the areas would be economical—thereby affecting the mineral potential.... the BLM cannot consider perceived domestic environmental benefits without also considering the global environmental consequences of its actions
- BLM provided greatly inadequate scoping information.... Nowhere does USFWS depict areas of native vegetation vs. cheatgrass, the degree of fragmentation of existing habitats and populations, loss of connectivity, areas where population viability is declining, areas

where grouse may face extirpation, etc.... This entire process has not been transparent. The BLM did not provide information indicating the effects of this proposal on state and local government interests, land use and users and the regional economy. An analysis of the effect of the proposed action on National interests, including economic and security should be done, along with An analysis of the expected length of time needed for the withdrawal, if any; and a report prepared by a qualified mining engineer, engineering geologist, or geologist that includes information (specific to Wyoming) on: general geology, known and potential mineral deposits, past and present mineral production, mining claims, mineral leases, evaluation of future mineral production, and present and potential market demands. Relevant geospatial data was not readily available on September 24, 2015, the date the SFA, segregation withdrawal was announced.

- A mineral withdrawal is a policy decision made at the explicit expense of the humans living in that environment. This is an extreme policy decision, and one which requires a complete and informed analysis of the potential impacts and possible mitigation strategies. It is such an impactful action that NEPA and FLPMA Sections 202 and 204 exist exclusively to ensure that agencies fully analyze and attempt to mitigate potential effects of mineral withdrawal. Therefore, ... the BLM [must] provide a full analysis with a plan for the mitigation of the effects of a withdrawal from public lands.
- Furthermore, Elko County maintains that NEPA at 40 CFR 1502.9(b) requires agencies to disclose responsible scientific opposition, and therefore, the BLM should have disclosed that both the National Technical Team (NTT) and Conservation Objectives Team (COT) Reports, were being challenged under the Data Quality Act when the FEIS was released. ...Therefore, the NEPA documents associated with each of the LUPA/SFA are flawed and incomplete.
- The notice ... states "there are no suitable alternative sites for the withdrawal." The National Association of Counties (NACO) urges the Agencies to reconsider this conclusion and to ensure that an active analysis of potential alternatives to a withdrawal occurs during the preparation of this application.... The SFAs and associated "withdrawal" did not appear until the FEIS, and the Withdrawals as proposed were not truly analyzed. The withdrawal notice lacks projected costs for both an alternative for either the conservation or the displaced use. This analysis requires the mineral information that has not been analyzed. The conclusion in the notice suggests the Secretary is relying on the ARMPA and LUPA FEIS for mineral information that was not analyzed in either document.
- NEPA also requires that agencies use available and relevant data, ... Neither the Draft EIS nor the FEIS documents include sections on geology, ... or use BLM's LR-2000 online database to quantify the number of mining claims affected by the SFA proposed mineral withdrawal zones. Additionally, the NV – CA Final EIS erroneously states that there is no scientific data documenting the synergies between managed livestock grazing and suppressing rangeland fuel loads despite the fact that the State of Nevada and at least four Nevada counties provided detailed bibliographies pointing out these references that needed to be considered in the NEPA analysis.
- AEMA and its members will also be injured if the BLM's environmental analysis fails to comply with NEPA procedural requirements... the BLM must take a hard look at all effects of the proposed withdrawal's prohibition on mineral exploration and development within the SFAs. The effects from the proposed withdrawal include impacts on the

economy and social environment, which are components of the human environment. The proposed withdrawal will result in numerous consequences, not solely environmental benefits, and those consequences must be considered.... the EIS must thoroughly discuss the economic and social effects of the proposed withdrawal on the human environment.

- The EIS must comply with NEPA's hard look requirements of the direct, indirect, and cumulative socioeconomic impacts associated with the proposed mineral withdrawal.... Thus, this EIS cannot be used to rubberstamp the mineral withdrawal proposed from a legally defective land use planning process that provided no balancing of resources or meaningful consideration or analysis of geology or mineral potential. It must quantitatively assess the impacts that will result from the proposed mineral withdrawal including the lost mineral potential and the impact that will have on the Nation's need for mineral resources. Estimates, assumptions, approximations, hypotheses, and projections will not satisfy NEPA requirements to use sound data and to take a hard look based on this data.... Completing the mineral potential reports and the EIS are enormous tasks that will require substantial time and resources. Any attempt to fast-track the preparation of these documents is likely to produce an EIS that will not meet NEPA "hard look" requirements and a mineral potential report that will not comply with the FLPMA mineral potential analysis requirements described below.
- The Final EIS that BLM and USFS prepared in conjunction with the NVLMP in which the proposed mineral withdrawal was introduced ignored the mineral potential of the proposed withdrawal areas and the impacts resulting from the proposed mineral withdrawal and thus violated NEPA and FLPMA. The Final EIS did not include a section on Geology in the Affected Environment chapter and failed to disclose that the proposed withdrawal included numerous known and important Nevada mining districts. Consequently, the mineral withdrawal EIS cannot rely on the NVLMP Final EIS, which unlawfully omitted these issues. Thus, as a starting point, the EIS Affected Environment chapter must include a thorough discussion of the geology and mineral potential of the proposed withdrawal areas and the known and potential mineral deposits and occurrences in the 2.8 million acres in the proposed Nevada withdrawal and the 10-million acre withdrawal throughout the west. Exhibit 1 presents an extensive bibliography prepared by the NBMG of the key published references documenting the mineral potential of Nevada. BLM should have used these references in the NVLMP process and must use this literature to develop the current EIS on the proposed withdrawal. BLM must carefully consider information on the mining districts and mineral deposits in the proposed withdrawal area in describing and quantitatively analyzing the mineral potential of the proposed Nevada withdrawal areas. The publication dates for most of the listed references pre-date the NVLMP and should have been considered in Chapter 3 of the Final EIS, Affected Environment, Chapter 4 - Environmental Consequences, and Chapter 5 - Cumulative Effects. BLM must consider a similar bibliography of technical references for the mining districts in the withdrawal areas in the other western states. The discussion of the mineral potential of the proposed withdrawal areas must include quantitative information about the Nevada mining districts and mineral deposits documented in the references in Exhibit 1 that will be put off limits if the current mineral withdrawal proposal is implemented. In order to satisfy NEPA's hard look requirements, the EIS must include a thorough discussion of the mineral potential of these districts and the impacts that would result from withdrawing these lands... Known mineral districts in



other states that are included in the proposed withdrawal must be subject to the same detailed analysis.

#### **NEPA Process Violated/Flawed**

- The decision to identify boundaries of SFAs to include mining claims and concluding no viable alternative existed to withdrawal was not fully informed or well considered and therefore violated NEPA and FLPMA.
- The EIS required under NEPA did not evaluate a full range of alternatives to the withdrawal. For example, the Draft EIS did not present a complete discussion of the plans already in place to protect greater sage-grouse habitat and the effectiveness of those plans.
- It appears that BLM requested the USFWS to “identify a subset of priority habitat most vital to the species persistence” which indicates that the withdrawals are based on the BLM’s predetermined decision to increase management in certain areas – a basic violation of NEPA. *Wyoming v. U.S. Dep’t of Agric.*, 661 F.3d 1209, 1264 (10th Cir. 2011) (“If an agency predetermines the NEPA analysis by committing itself to an outcome, the agency likely has failed to take a hard look at the environmental consequences of its actions due to its bias in favor of that outcome and, therefore, has acted arbitrarily and capriciously.
- NEPA process has not been followed and upheld. Altering data and using data from a different locale to determine the effect in all areas is flawed.
- Internal agency email correspondence reveals that the agencies knew the information they relied upon to create requirements in the NVLMP had shortcomings and yet did not disclose them. This withholding of information violated NEPA, which requires up-front disclosures of relevant shortcomings in the data or models.
- The withdrawal to date has been beset with serious procedural and administrative flaws, including:
  - The BLM has failed to provide state and local government meaningful involvement in the withdrawal process. For example, when local governments identified inconsistencies in the plan for the withdrawal, the BLM declined to address these observations in any meaningful way.
  - The BLM has not provided the best available science for comment by the public. For example, invasive plants and wildfires are serious threats to the greater sage-grouse species and habitat. However, the BLM did not adequately address these threats in the data provided to the public.
  - This area should have been analyzed during the EIS process that was just completed for land use management plan amendments. It is disingenuous of the federal agencies to propose a withdrawal of this magnitude almost as an afterthought.
  - Both NEPA and FLPMA Section 204(c)(2)(6) require a substantive analysis of alternatives to the proposed withdrawal. In order to satisfy these requirements, the EIS must analyze in detail feasible alternatives to withdrawing these lands. The alternatives to be analyzed should include substituting mitigation for some or all of the withdrawal, reducing the size of the withdrawal, and changing the location for the withdrawal to minimize impacts to mineral resources.

#### **Statements about RMPs**

- The proposal to withdraw the land is a result of the NEPA process to amend RMPs adopted by Federal managing agencies purportedly to protect Sage

Grouse.... the withdrawal process is based on a false premise that the Sage Grouse needs protection from mining throughout the West.

#### **Additional Analyses Required/Requested**

- An explanation of the proposed use of the land in Wyoming that led to the withdrawal;
- An inventory and evaluation of the current natural resource uses and values of the site and adjacent lands (public and non-public) in Wyoming and how it appears they will be affected by the proposed action, including aspects of the use or land use decision that may cause degradation of the environment, and the economic impact of the change in use on individuals, local communities, and the Nation;
- An identification of the present users of the land involved, and how they will be affected by the proposed action;
- An analysis of the of the manner in which existing and potential resource uses are incompatible or in conflict with Greater sage-grouse conservation objectives in Wyoming, including an economic analysis of withdrawal;
- An analysis as to whether any suitable alternative sites are available in Wyoming (including a cost analysis) for the proposed use or for uses such a withdrawal would displace;
- An analysis of the effect of the proposed action on state and local government interests in Wyoming and the regional economy;
- An analysis of the effect of the proposed action on National interests, including economic and security;
- An analysis of the expected length of time needed for the withdrawal, if any; and
- A report prepared by a qualified mining engineer, engineering geologist, or geologist which includes information (specific to Wyoming) on: general geology, known and potential mineral deposits, past and present mineral production, mining claims, mineral leases, evaluation of future mineral production, and present and potential market demands.

#### **4.2.4 TAKINGS**

Commenters made statements about takings. Some stated the proposal constitutes an illegal taking of citizen rights. Some stated it appears the proposal would allow taking of private property. Some commenters stated they expect compensation for this illegal taking.

Representative comments included the following:

##### **Withdrawal Constitutes an Illegal Taking of Citizen Rights**

- This action is a takings of private ground that may be within the sagebrush withdrawal. By taking the surrounding public land out of production the private land will be degraded economically.
- I see withdrawing land as an illegal taking of a citizen right....
- It is not listed and the federal government and its agencies who promote this removal do not have a legitimate reason to do so under existing laws. It appears that this proposal, based on the need to protect the species from being listed, would allow the taking of private property rights without congressional support. Mineral rights, grazing rights and water rights are all in jeopardy of being restricted with the final result a loss in value of

private lands, the loss of the creation of new wealth in our communities due to loss of business and economic development.

### **Withdrawal Constitutes an Illegal Taking of Property or Resources**

- So, a potentially significant resource of the future is considered “invalid”, “null and void” and is off limits as a strategic resource to the United States? Insanity. This alone can be considered absurd in the policy of U.S. national interest. Economic parameters always change. But worse is the immediate damage done to the proprietors of the claims containing discovery. Having invested significant private resources into the once guaranteed ownership of a mineral value or the potential of that value, each proprietor is stripped of his investment and of any potential resource he may have in those claims. This is called a lose/lose situation. And consider this. Companies in whose investment interest are traded publically on highly regulated stock exchanges can sell stock based upon resources. The definitions of reserves versus resources are very carefully defined under stock exchange reporting laws. But under these publically codified definitions, resources can be considered as an asset to the company upon which stock can be sold to the public..... The stock of a company with a mineral resource that is not yet economically viable can be sold as a privately owned asset to the public under stock exchange laws. And those resources can be held by unpatented mining claims in the United States. Many, many, many a company has sold stock as a public company, and many, many, many mergers and acquisitions have been performed upon this basis where the entities involved have a “only a resource”. This resource is an asset of the company. A resource that could now be negated under these new mineral examination guidelines being promulgated under these sage grouse management plans. This constitutes a taking.
- A precursor to a determination of a validating existing right (VER) for the granting of a land patent is a validity examination conducted by the federal agency. This is a time-consuming process that must be performed by knowledgeable and experienced personnel. It is our understanding that only about 20 mineral examiners are employed by the federal agencies, and as a result of retirement and turnover, those numbers are dwindling. ... It is reasonable to assume the federal agencies cannot subject all of these claims to a validity examination in a timely fashion. It remains unclear if, while validity examinations are ongoing, the claim holder will be allowed to work their claims as required under the law, be required to pay the necessary claims fees as prescribed by federal and state law, or proceed with exploration and operational development, thus placing a de facto prohibition in place on further claim development or mining activities. Under a strict interpretation, such restrictions and limitations of the rights of a claimant could be interpreted as a taking.
- BLM must evaluate whether any suitable alternative sites are available for uses that the withdrawal would displace. Thus, BLM must consider the extent to which there are alternative high mineral potential areas that would be available to displace the mineralized areas that would be withdrawn.
- I do not believe that the proposed withdrawal has adequately analyzed potential impacts for socioeconomics. Many industries -- ranching, mining, energy -- have invested funds (range improvements, exploration baseline surveys) in the area which cannot be leveraged if the withdrawal occurs. Is this considered a "take"? I manage an environmental/engineering company that will be impacted if the withdrawal occurs. This



impact will not only directly affect my and similar businesses, but will also affect those businesses we support. I believe responsible development is possible.

### **Withdrawal Constitutes an Illegal Taking and Expect Compensation**

- Federal laws required that the BLM and USFS (collectively, the “Agencies”) through the course of their recent land management planning efforts consider all of this information, the mineral potential, the socioeconomic impacts on the local and State communities, the potential for takings claims and relative compensable damages that may be sought and viable reasonable alternatives to proposing withdrawal of these lands from mineral entry....This blatant violation of NEPA and other federal laws in the course of the land management process which triggered and formed the basis for the proposed withdrawal renders the continued segregation of Pilot Gold’s claims unlawful and a taking that if not halted, will require just compensation for interference with Pilot Gold’s rights and reasonable investment-backed expectations. Accordingly, Pilot Gold’s claims should be excluded from the lands proposed for withdrawal immediately.
- The BLM must engage in a takings analysis as part of a Withdrawal pursuant to Exec. Order No. 12,630, 53 Fed. Reg. 8859 (Mar. 15, 1988). Although this withdrawal is subject to VERs, this does not take into account potential regulatory takings. Given that the definition of VER is a legal term of art, it is important to distinguish that definition from the one defined in the ARMPA at 5-24. Still, the definition provided in the ARMPA should be used to clarify what permit, license, lease, or claims holders possess and what they should expect through this process. NACO requests that the BLM pay special attention to VERs with no access or that become prohibitively expensive as a result of the SFA and Withdrawals. Also, the BLM must compensate "the holder of record of each permit, license or lease lawfully terminated or revoked after the allowance of an application, for all authorized improvements placed on the lands under the terms and conditions of the permit, license or lease, before the lands were segregated or withdrawn." Further, "The amount of such compensation shall be determined by an appraisal as of the date of revocation or termination of the permit, license or lease, but shall not exceed fair market value. To the extent such improvements were constructed with Federal funds, they shall not be compensable unless the United States has been reimbursed for such funds prior to the allowance of the application and then only to the extent of the sum that the United States has received. (b) When an application is allowed that affects public lands which are subject to permits or leases for the grazing of domestic livestock and that is required to be terminated, the applicant shall comply with the cancellation notice and compensation requirements of section 402(g) of the Act (43 USC 1752(g)), to the extent applicable."92
- The omission of these considerations that demonstrate withdrawal of the Western Exploration, LLC (WEX) claims is improper, renders the continued segregation of WEX’s claims unlawful and a taking which, if not halted, will require just compensation for interference with WEX’s property rights and plans. If the Agencies had evaluated the mineral potential of the WEX claims, the \$37.7 million invested in the Wood Gulch claims at issue, the fact that the USFS already granted a Plan of Operations for the Wood Gulch and Doby George projects, which the Agencies recognize are VERs, the significant interference with those rights, and WEX’s investment resulting from the segregation and the devastating socioeconomic impacts from halting the WEX Projects, the WEX claims would not have been included.3

#### **4.2.5 WATER RIGHTS**

Commenters made statements about water rights. Some stated that water rights will be needed for the proposal. Some questioned how water rights will be affected. Representative comments included the following:

##### **Water Rights will be Needed for the Proposal**

- The application stated "No water rights would be needed to fulfill the purpose of the requested withdrawal." ... Water availability is the most powerful predictor of brood rearing. Segregation and withdrawal will result in the expiration of private water rights, and will also implicate the water rights associated with grazing permits. Thus, the water the Sage-grouse currently uses is a result of those water rights. Without access to water supplies, the BLM may need to obtain water rights for the Greater Sage-Grouse, whether state or federal. The application only requires a "statement as to whether water will or will not be needed to fulfill the purpose of the requested withdrawal action." ...That water rights will be evaluated as a preliminary issue for the EIS is telling that this issue is inaccurately represented in the application. Thus, water rights would be needed to fulfill the purpose of the requested withdrawal. Request I-D: That the notice be revised to restate that water will be needed to fulfill the purpose of the requested withdrawal action, as required by 43 CFR 2310.3-1 (c) (13). This remedy will allow the public to more accurately comment on the water-related consequences of the withdrawal.
- ...the withdrawal application stated "No water rights would be needed to fulfill the purpose of the requested withdrawal." However, segregation and withdrawal will result in the expiration of private water rights, and will also implicate the water rights associated with grazing permits. The application only requires a "statement as to whether water will or will not be needed to fulfill the purpose of the requested withdrawal action." ... that water rights will be evaluated as a preliminary issue for the EIS is telling that this issue is inaccurately represented in the application. Thus, water rights would be needed to fulfill the purpose of the requested withdrawal.

##### **BLM/USFS Should Identify how Water Rights will be Impacted**

- Elko County Position / Recommendation No. 4: That the BLM/USFS acknowledge and observe State of Nevada Revised Statutes concerning water rights and identify; how valid existing water rights "will" be impacted; how federal land management use and potential ownership will be needed to fulfill the purpose of the requested withdrawal action; concede to full due process as per Nevada Revised Statutes and afford the public to accurately comment, appeal and/or protest the water and water rights related consequences of the proposed withdrawal.

#### **4.2.6 SEGREGATION/PETITION**

Commenters made statements about the segregation and/or the petition. Some stated the petition is inadequate or provides insufficient information. Some stated the segregation makes the withdrawal a fait accompli. Some stated the temporary segregation should be terminated until the withdrawal EIS is complete. Some stated temporary segregation protections should remain in place. Representative comments included the following:

##### **Temporary Segregation is Inadequate and Fails to Identify Existing Mineral Resources in the Withdrawal Area, thus Jeopardizing Their Investment Viability**

- The BLM's and USFS's decision to include the lands underlying the Projects in the SFA has jeopardized the viability and development of these Projects because the SFA lands have been included in the proposed withdrawal and are now segregated. In doing so, the Agencies violated their internal guidelines implemented under Executive Order 12630 that require they consider interferences with any reasonable, investment-backed expectation, regardless of its status as a property interest.<sup>4</sup>
- Pursuant to its regulations, the BLM must make a "preliminary identification of the mineral resources in the [withdrawal] area." The Petition provides that for the State of Wyoming, there are "28 producers, 82 past producers, 36 prospects, and 61 occurrences representing 42 different commodities including uranium, gold, platinum, silver, copper and silica." The Petition also includes a map of the areas to be withdrawn. Nowhere, however, does the petition identify the mineral resources as they pertain to the proposed withdrawn areas. Review of the BLM's map shows that parcels are scattered and sometimes isolated from other parcels. Thus, the "area" described in the Petition does not match the term "area" as used in the BLM regulation. There are many areas, but the Petition fails to correlate mineral resources to each parcel. Since the BLM has not identified which parcels have mineral resources, and what those resources are, the Coalition is left to speculate as to the impacts of the proposed withdrawal. Perhaps more importantly, the Petition misleads the public into thinking that there are no mineral resources with regard to a particular parcel. Thus, the Petition fails to identify the mineral resources in any meaningful capacity under 43 CFR 2310.1-3(b)(5).
- The ROD and greater sage-grouse land use plan amendments severely restrict Pilot Gold's uses on federal lands within greater sage-grouse habitat, especially in regards to mineral exploration and development which immediately impacts Pilot Gold given the 2-year segregation period has already commenced....Unlawfully subjecting Pilot Gold even to this temporary taking pending completion of the withdrawal process (through which Pilot Gold's claims should be excluded) will impose significant and potentially irreparable harm on Pilot Gold all of which could have been avoided if the Agencies had followed the Federal law requirements in the land use planning process.

#### **Petition Provides Insufficient Information to Show that Existing Regulations Fail to Protect Greater Sage-Grouse**

- Pursuant to Departmental Manual 603, "[a]ll withdrawals shall be kept to a minimum consistent with the demonstrated needs of the applicants." 603 DM 1.1(A). The "demonstrated need" for the withdrawal must include "an explanation of why existing law or regulation cannot protect or preserve the resource." *Id.* at (A)(3). The purpose stated in the Petition is to "protect Greater Sage-Grouse and its habitat from adverse effects of locatable mineral exploration and mining." *Pet.* at ¶7. The Petition then attempts to draw a connection between sagebrush "strongholds" as identified by the U.S. Fish and Wildlife Service and the BLM's "layered management approach" to protect the most valuable habitat. *Id.* at ¶7. The Petition fails, however, to show why the SFAs, as "subsets of PHMA," are necessary despite the existing "layered management approach" that the Petition belabors as part of BLM's landscape scale Greater Sage-Grouse conservation planning amendment. *Id.* In other words, the Petition cannot demonstrate that the withdrawals are necessary when the PHMA and General Habitat Management Area habitat designations protect a larger area against a greater range of disturbances. Rather, the Petition makes the contrary case that the existing regulatory framework is

extremely robust and the SFA's only penalize the mineral industry contrary to FLPMA, the Wyoming Executive order 2015-04, and BLM's multiple use mandates. The Departmental Manual does not require the Petition to show an increase in protection but instead, why the existing regulatory system is insufficient. The Petition is therefore insufficient under DM 603 which is binding on the agency. See 011 DM 1.2(B)); *Hymas v. United States*, 117 Fed. Cl. 466, 473 (2014).

- ... the Petition does not answer the mandatory question posed by DM 603 – “how is the integrity of the resources, to be protected or preserved by a withdrawal, at risk with the active management of the lands for other public purposes?” 603 DM 1.1(A)(3). Existing regulations, state conservation plans, and newly minted BLM plans all provide ample protections for sage-grouse and the current Petition makes no attempt to show how these mechanisms are insufficient. There appears to be no “rational connection between the facts found and the conclusions made.” *Native Ecosystems Council v. U.S. Forest Serv.*, 418 F.3d 953, 960 (9th Cir. 2005).

#### **Segregation Makes the Withdrawal A Fait Accompli**

- The withdrawals are hardly “proposed”, since they are already withdrawn for 2 years as “temporary segregations”, thereby making it more likely that the “proposed” withdrawal for 20 years will be done. The withdrawal is essentially a fait accompli. I object to this method as a lack of due process and improper method of making land decisions.

#### **Segregation is Necessary to Ensure No Habitat is Lost Before the Withdrawal Begins**

- ...temporary protections should remain in place through a moratorium on mining activities to ensure that habitat values are not lost in the interim.

#### **Two-Year Segregation Should be Terminated until the Withdrawal EIS is Complete**

- The Agencies should defer any segregation of lands until a Final Withdrawal Decision is issued.
- I ask that both the “Temporary Segregation” withdrawals and the formal application “processing” be terminated until a definition and procedures applicable to “Segregation Actions” (as differentiated from “Withdrawal Actions”) are developed and published, and until the Programmatic EIS on the impacts of the proposed Great Basin withdrawal actions is completed and a decision made by the Secretary of the Interior.

### **4.2.7 VALID EXISTING RIGHTS**

Commenters made statements about VERs. Commenters pointed out that neither the segregation nor the withdrawal would prohibit future mining operation on valid claims. Commenters stated the VER concept offers no real protection for exploration and development and will/has adversely affected exploration and investment capital. Some stated that guidance on VER determination is needed, while others stated that the process for establishing VERs should be described and documented. Some questioned what work can occur during the EIS process. Commenters suggested terms of definition for “Valid Existing Rights.” Some requested clarification on what work can be accomplished during the EIS process, and pointed out the enormous task BLM will have in determining valid existing claims. Commenters stated claims with VERs must be protected. Some commenters submitted proof of valid existing claims. Some commenters requested their claims be excluded from the withdrawal based on VERs. Others

stated that as part of validity inspections, legally invalid claims and leases should be eliminated from existence. Representative comments included the following:

**Neither the Segregation Nor the Withdrawal Would Prohibit Future Mining Operation on Valid Claims**

- ... Neither the segregation for up to 2 years, nor any subsequent withdrawal, would prohibit ongoing or future mining exploration or extraction operations on valid pre-existing claims. Neither the segregation nor the proposed withdrawal would prohibit any other authorized uses on these lands. Under FLPMA, the Secretary can withdraw these lands for a maximum of 20 years, and may extend the period in the future. All of these claims, oil and gas, renewable energy. Livestock facilities and other infrastructure must be fully assessed, mapped and impacts examined.

**VER Concept Offers No Real Protection for Exploration and Development and Will/Has Adversely Affected Exploration and Investment Capital**

- The current proposal for mineral withdrawal only protecting “valid existing rights” will totally destroy exploration and should not be implemented. It is not justified as mining and exploration only impact a tiny area. The prior system provides adequate protection for all interests.
- "Valid Existing Rights" offer no real and practical protection for exploration and development projects. The VER concept and the lack of supporting mechanisms from federal agencies will have a chilling effect on exploration activity and investment capital.
- “Validity determinations” of unpatented claims, which I was told by BLM and USFS personnel would be carried out under a 20-year withdrawal, would impose the demonstration of feasibility study-type economic requirements to prove a “valid” claim. This process would invalidate the vast majority of unpatented claims contrary to the well-established process allowing pursuit of a discovery; this process is long supported by the courts.
- The Withdrawal interferes with WEX’s valid existing rights and its reasonable investment-backed expectations in the Projects. FLPMA 204(c)(2)(3) requires the Secretary’s report identify present users of the land involved, and how they will be affected by the withdrawal. As indicated above, WEX is significantly adversely affected. WEX invested more than \$37.7 million in the lands at issue with reasonable expectations that its rights under Federal law would be respected and only subject to withdrawal in compliance with requirements set forth under Federal laws, including FLPMA, NEPA, the NFMA, and the U.S. Mining Laws. The segregation and proposed withdrawal of these lands has halted WEX’s ability to raise necessary funds to continue its development efforts and operations, jeopardizing the company and its significant investment and current discoveries. The segregation and withdrawal has interfered with WEX’s investment given that the segregation imparts a high level of uncertainty on WEX’s future prospects and has halted WEX’s ability to raise money needed to continue with its exploration drilling and operations to advance the Projects toward development.... In addition, the segregation is interfering with WEX’s existing Plan of Operations at Wood Gulch (that includes the Gravel Creek discovery), which the Agencies recently represented to a Federal District Court judge they recognize to be a VER with which they would not interfere.<sup>10</sup> The segregation has substantially interfered with WEX’s use and value of its Plan of Operations because as a result of the cloud of uncertainty and risk posed by the segregation, WEX’s



ability to raise funds to continue its activities has been severely compromised. In addition, the segregation undermines the value of additional drilling under the Plan of Operations and its usefulness in the future for development of the Project or to establish validity of the claim. Under the circumstances, the proposal to withdraw WEX's claims based upon the underlying study through the NVLMP process that did not evaluate the geology, mineral potential, existing Plans of Operations, socioeconomic and other impacts, or provide adequate notice and opportunity to comment on the proposed withdrawal interferes with WEX's reasonable investment-backed expectations....

- .... The recent proposal for mineral withdrawals to protect Sage Grouse habitat in the western United States contains a phrase that on its face sounds very reasonable but in actuality will completely destroy all mineral exploration in these areas: "subject to valid existing rights." .... To have a valid existing right to a mining claim means that you must prove to a government mineral examiner that you have a mineral discovery, meaning a currently viable economic mineral deposit. In essence, this mean that the only claims that will continue to be valid are only those that already have an identified, drilled out, and fully economically evaluated mineral deposit "showing that the mineral could be mined, removed, and marketed at a profit." This concept is obviously diametrically opposite of exploration, which is the search for such deposits, i.e., looking in areas where such deposits are not now known to exist but could be discovered through a diligent search. Under this proposal, exploration claims have become invalid and no exploration will be conducted. We cannot find what we cannot look for, and we will not look for minerals in areas where we cannot secure mineral rights.
- Mining laws do not adequately protect claimants within areas of withdrawals. The Notice states under the Supplementary Information section that the USFS is requesting the "...Secretary of the Interior withdraw, for a 20-year period, subject to valid existing rights..." What the Notice fails to recognize is that just being a claimant does not prevent the proposed withdrawal from adversely affecting your claims. There is very little protection for claims undergoing exploration and development. While claimants will be allowed to continue paying maintenance fees on the claims, the moment any ground-disturbing activities are proposed, the majority of claims will be declared invalid due to the insurmountable burden necessary as evidence to prove a discovery of valuable minerals. The BLM and USFS would be under no obligation to facilitate, permit, or allow mineral exploration activities on pre-existing claims, owing to the requirements necessary to meet the burden of proving mineral discovery. Mineral development does not begin and end with guaranteed profitable operation. Successful mineral exploration can take years to decades of sampling, mapping, drilling and other exploration techniques to determine if the project is economically feasible. By suggesting that because a valuable mineral deposit has not yet been determined undermines the very process necessary to make a discovery, and prematurely precludes a potentially profitable mining claim from discovery. The reality for the current claimants is that this withdrawal in all likelihood will strip away most if not all of the claims held within the bounds of the proposed withdrawal. The number of claims held by early stage explorers and developers by far exceeds the number of claims which would ultimately be considered a valid existing right and thus offers little real protection to those pre-existing claims.

### **Additional Guidance on VER Determination is Needed**

- Define in a public and transparent way, the term “valid existing rights,” and analyze its economic and legal implications under the proposed withdrawal.
- Valid existing rights undefined. The LUPA withdraws up to 2.7 million acres of lands from the General Mining Act of 1872, subject to VERs. It is estimated that 55% (almost 97,000) of all mining claims in Nevada reside in counties where SFA withdrawals are proposed. On its face, this exemption appears to be a somewhat reasonable concession to the withdrawal criteria. However, the term "Valid Existing Right" is not defined in federal law or regulation or in the LUPA, and it is not clear what mining rights and activities are to be protected (or not) by the proposed withdrawal action. Due to the lack of a concise legal definition, it is not possible to estimate the impacts and costs associated with the withdrawal as it relates to mining activities, the number of claims that might be subject to Validity Examinations (a currently required evaluation for obtaining a land patent), or the economic and social impacts of the potential forfeiture of claims deemed not valid.
- Concerned about the delays associated with this process for people & organizations that have existing valid claims. Also, apparently there is a risk that if the withdrawal does go into effect that this will carry over to people that had existing claims/rights. That seems unfair to state that their rights are not affected but all activity including expansion would cease after a withdrawal occurs. That greatly affects the economic well-being of individuals and companies.
- Although VERs are protected, we don't know what VERs are.
- A promise to honor “valid existing rights” does not reassure claimants because land managing agencies have applied an extremely narrow (and confiscatory) definition of such rights.
- The SFA Withdrawals are subject to VERs. Yet it is difficult to understand what that means in this context. As part of the segregation, the BLM has begun to initiate a claim validity analysis to determine what are VERs. This is a legal term of art, yet it is defined in the ARMPA as "Documented legal rights or interests in the land that allow a person or entity to use said land for a specific purpose and that are still in effect. Such rights include fee title ownership, mineral rights, rights of way, easements, permits, and licenses. Such rights may have been reserved, acquired, leased, granted, permitted, or otherwise authorized over time."<sup>78</sup> Specifically, NACO wonders whether any documented legal rights or interests, according to the ARMPA definition of VERs, will be extinguished when the land is withdrawn. NACO recommends that the BLM develop Claims Validity Analysis procedures for the other VER elements that need clarification. This should include a public review and comment for each claim subject to claims validity proceedings. Request II-B-4: That the BLM clarify Valid Existing Rights and develop procedures for VER elements that need clarification. This should include a public review and comment for each claim subject to extinction.
- The withdrawal notice states that the land will be withdrawn from location and entry under the United States mining laws, subject to valid and existing rights. It is unclear if this means that validity examinations will be required for existing claims within the proposed withdrawal area. If deemed necessary, validity examinations must be required on all claims and must not target only those claimants that have the misfortune of holding 'claims within the proposed withdrawal area.

- The EIS must fully describe and document the process to be used for establishing VERs including potential conflicts of adjacency. The EIS must fully evaluate the impacts to the claim holder of evaluating mineral potential through the imposition of a validity examination process and quantify the associated dollar value impact to claim holders (if any). The EIS must evaluate the ability and resources of the federal land management agencies to conduct validity examination to determine a VER, should one be required. The EIS must address the time it will take to conduct thousands of validity examinations in the withdrawal area, and the status of claims between the time the withdrawal goes into effect and a VER determination. This should include the current 2-year segregation period as well as a potential renewal for an additional 2 years. The EIS must address fairness and parity with regard to timeliness and standards for validity examinations inside and outside of the withdrawal areas.

### **Suggest Terms of Definition for VERs**

- For the purposes of withdrawal, a workable and reasonable definition of valid existing rights is needed. If the withdrawal is to move forward as proposed, a clear, concise, and legally defensible definition of VER is necessary. The Nevada Mining Association (NvMA) strongly recommends that the federal land managers adopt a reasonable and pragmatic definition that recognizes existing claims as valid, reduces the workload for validity examinations, and provides for timely determinations. The NvMA strongly advocates the federal agencies adopt a process that recognizes a VER as a claim that existed prior to September 24, 2015, and has filed the necessary location maps with the required federal and state agencies, is current in the payment of all necessary fees, and has completed the necessary assessment work in accordance with federal law.
- There is much confusion and there has been considerable discussion about protecting existing rights in the SFA. It is essential that all valid existing rights, plans of operation, notices of intent, and all claims where claim maintenance fees have been paid pursuant to the General Mining Law and the Federal Land Policy and Management Act be considered valid existing rights and excluded from mineral withdrawal. My staff and state resource departments stand ready to work with the SLM to properly define and identify these rights and claims.
- The purpose of the proposed mineral withdrawal is protection of Greater Sage-Grouse and its habitat from adverse effects of locatable mineral exploration and mining “subject to VERs. The BLM’s FR Notices do not define VER which has led to much confusion, particularly for exploration projects. The BLM and USFS ARMPA are the basis for the proposed withdrawal broadly defined VER as follows: Documented legal rights or interests in the land that allow a person or entity to use said land for a specific purpose and that are still in effect. Such rights include fee title ownership, mineral rights, rights-of-way, easements, permits, and licenses. While unpatented mining claims, mill sites and tunnel sites that are properly maintained by annual maintenance fee payments or annual assessment work under the U.S. mining laws would fall within this definition, BLM and USFS state and district offices are in need of additional guidance on the scope of VER to ensure a uniform application of this definition that preserves the substantial capital investments that have been made in reliance on the rights granted by the U.S. mining laws, and protects local economies that are dependent on a sound mineral exploration and mining economy. Since 1992, pursuant to the General Mining Law, a claimant may hold and maintain an unpatented mining claim, mill site or tunnel site by paying the appropriate annual maintenance fee to



the United States, or by conducting the requisite annual assessment work and making an appropriate annual filing with BLM. The holder of a properly maintained mining claim has the exclusive right to use lands within the claim for mineral exploration and mining. In enacting the requirement for annual claim maintenance fees, Congress sought to eliminate uncertainties associated with the historic annual assessment work requirements, and establish a clear line by which claimants can be assured that they have a valid right without the need for lengthy or complex administrative determinations.

- ... The following language is a suggestion for clarifying the definition of VER for mineral exploration projects to provide clear national guidance to agency field personnel that maintains consistency with existing laws and policies: Documented legal rights or interests in the land that allow a person or entity to use said land for a specific purpose and that are still in effect. Such rights include fee title ownership, mineral rights and associated access rights, rights-of-way, easements, permits, and licenses. For mineral exploration projects, valid existing rights include unpatented mining claims, mill sites and tunnel sites that were located prior to the effective date of the final withdrawal notice and that have been maintained by the timely payment of an annual maintenance fee or the satisfaction of applicable annual assessment work and annual filing requirements pursuant to the U.S. mining laws and the FLPMA.
- The Application conditions the withdrawal as subject to VERs with the implication that the impact of these restrictions on claim holders would be mitigated because their rights to their claims would be protected. The requirement for a VER is overly restrictive, places an unrealistic burden on mining operators exercising their rights under the General Mining Law, and creates a defacto withdrawal which is outside BLM's authority and contrary to law. For locatable minerals, "valid existing right" is a specific term reserved for those claims in which a "discovery" has been made. Therefore, the proposal to honor VERs fails to protect the rights associated with claims prior to a discovery of a valuable mineral. Very few mining claims can withstand the rigorous economic evaluation, required of a claim validity examination ("validity examination") to which they would be subjected as a result of this constraint. Validity examinations are used to determine whether a claim includes discovery of a valuable mineral deposit that qualifies as a VER which the federal government must exclude from the various restrictions, prohibitions and withdrawals. Thus, the many references to VERs in the Notice is misleading because it creates the false impression that the rights of mining claimants with claims in areas subject to restrictions, prohibitions, withdrawals and defacto withdrawals from future mineral entry would be respected and that claimants could continue to explore and develop their claims. Only after a claim is found to be valid as a result of a validity examination is it considered a VER. But mineral validity examinations create such a high threshold of proof that very few claims can demonstrate sufficient profitability to satisfy the criteria for a VER. Generally speaking, some but not all claims at operating mines may meet the claim validity examination test and be treated as having a VER. However, claims that are being actively explored almost never qualify as valid claims with a VER. Even claims at advanced exploration projects that are being proposed for mine development may not qualify as VERs.
- Based on my discussions with local and state-level BLM and USFS personnel, there still are many uncertainties in the plan and how it will be applied to unpatented claims in general as well as mineral deposits that have had significant work done on them as a block

of claims. The review process for claims to determine valid “discoveries” and economic viability of any deposit remains nebulous, and I have seen no guidance even at this late date in the public comment period as to what data will or will not be acceptable as supporting proof that discoveries exist on one or more claims in a given block. It appears from available information on the withdrawal process as if each unpatented claim will be treated as a standalone parcel for review.... Mineral deposits do not nicely conform to the limits of any given claim boundary, .... Exploration work does not move forward at the same pace on every claim in a claim block both for financial and technical reasons. Claim blocks are formed for three primary purposes: 1) The area of the claims is known to have mineralization, but work does not necessarily proceed at the same pace on each claim because the stronger showings of minerals usually are investigated first. Therefore, a larger block of claims is accumulated by the claim owner to allow for exploration to follow trends and additional exploration finds within that block based on surface and subsurface mineral information. This also is true of active mines where additional exploration around the mine is being explored for additional economic mineralization based on such trends or new ones found during mining. 2) A larger block of land beyond just the known mineralization is needed to allow for mining operations, such as a waste pile, processing facilities, offices, equipment maintenance facilities, and so on where these cannot be placed on top of economic mineralization without impairing the ability to eventually mine that mineralization. 3) Some buffer may be needed around the mineral deposit as known from exploration to ensure that competing companies do not impair future exploration or mining operations by claiming ground that will be needed for future mining or along trends that could represent economic mineralization when further exploration work is performed in those areas. Therefore, treating each claim in a claim block as if it has no relation to the others, and whether or not a specific claim has a “discovery” on it even when bordered by or nearby one or more claims that do have discoveries on them, is counter to any sense in the realm of geological exploration or mining engineering....

#### **Clarification on What Work Can Be Accomplished During the EIS Process**

- One of the biggest problems with this plan is there is not a set system of checks and balances. The decisions are being made independently without a solid validation program. It says this does not affect existing mining claims. That is not true. If you understand the exploration process you would understand not being able to stake new claim could kill a program. It is also a violation of or rights. This will directly affect the mining industry in a negative way. As a claim holder in the proposed areas this will sorely limit if not kill any potential projects we have in the area. If you effect mining this much you will affect the state economy.
- An additional question for the withdrawal plan that I have not yet seen answered in available literature is how activities on claims will be controlled during the review and EIS scoping process? Will there be a total freeze of all mineral activities until a given claim or claim block is vetted by the BLM and/or USFS? Can already approved activities such as Plans of Operations or NOIs continue? Can any activities such as non-disturbing surface work (e.g., geological mapping and sampling) continue? Can any results from ongoing activities, such as new assays, be brought into the claim review process after September 24, 2015, or will only results obtained before September 24 be admissible for the review? All active properties advance regulation compatible work on their mineral deposit at some pace that does not relate to outside factors other than funding availability.

There also are lead times to getting various types of work done on a property. Certainty as to how properties can be worked on while the review process goes forward must be given to claim owners.

### **BLM Has an Enormous Task in Determining Valid Existing Claims**

- As a result of the proposed withdrawal, the feasibility of current and future operations come into question in the financial markets —and, if these areas are withdrawn, mining claim validity examinations will be mandatory on all claims within the boundaries of the withdrawals. Given the amount of time typically required to conduct mining claim validity examinations (typically 2 to 5 years as a minimum), the lack of enough qualified Certified Mineral Examiners with experience to complete the validity determinations within the agencies to conduct these examinations and expected costs to the land management agencies to conduct those examinations it is ludicrous to think that valid existing rights will be honored since operators will be locked up in validity examinations for years without the right to continue exploration or development of their real property rights until the validity examinations are complete, and even then they may be caught in perpetual analysis paralysis because they are situated in the middle of large swaths for real estate segregated from the mineral estate by these actions.
- On a final note, NMA believes BLM needs to consider whether the withdrawal is even implementable given various BLM constraints. With the largest ever withdrawal in the history of FLMPA come BLM obligations of herculean proportions, not the least of which will be to conduct validity determinations of mining claims to ascertain which claims have valid existing rights and therefore are not subject to the withdrawal.... there are fewer than 20 certified mineral examiners at BLM and even fewer at the Forest Service and that nearly all are of retirement age. Mineral examinations for claim validity determinations are time intensive....Even if BLM provided additional resources to conduct determinations, it would take time to train and certify new examiners....
- The Federal Agencies do not have the expertise or resources to conduct validity examinations. A precursor to a determination of a VER for the granting of a land patent is a validity examination conducted by the federal agency. This is a time-consuming process that must be performed by knowledgeable and experienced personnel. It is our understanding that only about 20 mineral examiners are employed by the federal agencies, and as a result of retirement and turnover, those numbers are dwindling. The number of examinations that must be performed for the 10-million-acre withdrawal west wide is staggering. In Nevada alone, the Nevada Division of Minerals estimates 3,762 existing claims are present in the withdrawal areas. It is reasonable to assume the federal agencies cannot subject all of these claims to a validity examination in a timely fashion. It remains unclear if, while validity examinations are ongoing, the claim holder will be allowed to work their claims as required under the law, be required to pay the necessary claims fees as prescribed by federal and state law, or proceed with exploration and operational development, thus placing a de facto prohibition in place on further claim development or mining activities. Under a strict interpretation, such restrictions and limitations of the rights of a claimant could be interpreted as a taking. The map below, prepared by the Nevada Division of Minerals, depicts the number of claims by distribution and density within the State of Nevada and highlights the significant effort necessary to perform validity examinations on claims within the withdrawal area.

<http://minerals.nv.gov/uploadedFiles/mineralsnvgov/content/News/DistributionAndDensityOfUnPatClaims2016ClaimsPerSection.pdf...>

### **Claims with VERs Must be Protected**

- The Agencies Should Clarify Their Proposal for Upholding VERs in a Manner that Protects Properly Maintained Claims.
- Valid existing rights, including property rights and rights under the Mining Law, must be protected.
- The Withdrawal Must not Compromise the Security of Land Tenure. A viable exploration and mining industry requires long-term access to prospective lands to support projects at all stages of work from the initial prospecting to mine development. Certainty of land tenure is needed to encourage investment in exploration. The proposed withdrawals eliminate this certainty and violate claimant's property rights and rights under the Mining Law. The rights lost include rights to operate under authorized permits, which the BLM and USFS define as a valid existing right. The definition of "Valid Existing Rights" must accommodate the early stage projects lacking defined economic resources within the proposed SFA withdrawals. The withdrawal of lands adjoining confirmed resources jeopardizes development of support facilities for mines and the ability of developers to design mines that are economically efficient and environmentally effective. There must be provisions, in the event of any withdrawals, to provide access to lands necessary to the development of mine facilities. Also, the ability to expand resources onto adjoining claims during the life of the development or mining project.
- Several thousand unpatented mining claims and mill sites have been located by numerous individuals and entities within the proposed Mineral Withdrawal Area. In Nevada alone, more than 3,700 claims exist in the proposed withdrawal area for which significantly more than a half million dollars are paid to the United States yearly in annual maintenance fees. See Attachment A. Many of these areas are highly prospective for economic mineralization and tens of millions of dollars have been expended by the claim owners in conducting exploration activities related to those claims in reliance on the rights granted by the U.S. mining laws. While only a small fraction of those claims might ultimately be mined resulting in limited and localized disturbance, preserving the current rights of those claimants, including reasonable access rights, will promote several sound national policies, including:
  - Promoting Congress' intent to establish a clear line by which mining claims can be maintained through payment of annual maintenance fees.
  - Recognizing the substantial investment of resources that have been made in reliance on the current claim maintenance requirements.
  - Avoiding the high costs, administrative burdens and permitting delays that would be associated with a requirement to conduct claim-by-claim validity determinations.
  - Supporting local communities and regional economies that rely substantially on a sound mineral exploration and mining economy.
- Further, if public lands needed for ROWs for roads, power lines, pipelines, etc. are no longer available for development, ...the unpatented mining claims, patented claims, fee lands, and associated private property rights could be rendered worthless and could subject the federal government to a Fifth Amendment takings claim. ...the BLM's numerous references to VER has the potential to interfere with the access, use, and occupancy of lands open to location for mineral purposes, which are rights granted under the General Mining Law and Surface Use Act (30 USC § 612(b)).... The BLM asserts that

mining is exempt from the 3-percent cap, the proposed action is conditioned with the constraints to “applicable laws and regulations, such as the 1872 Mining Law, as amended and VERs. .... the proposal to honor VER, fails to protect the rights associated with claims prior to a discovery of a valuable mineral deposit. .... Only after a claim is found to be valid as a result of a validity examination is it considered VER. However, mineral validity examinations create such a high threshold of proof that a claim can be mined at a profit that very few claims can demonstrate sufficient profitability to satisfy the criteria for a valid claim and VER....The repeated and incorrect use of the term “Valid Existing Rights” when discussing the applicability of the conservation measures that restricts and prohibits land uses actually has the exact opposite effect on mining claims. It can be read to mean that the proposed land use restrictions apply to all mining claims in the SFA except those few claims that have a valuable discovery that can meet the economic tests to create VER. Thus, rather than limiting or exempting mining claims from the draconian land use restrictions, the references to VER throughout the LUPA/FEIS broaden the impact of these restrictions to nearly all mining claims in the State of Nevada.

### **Proof of Valid Existing Claims**

- WEX holds an approved Plan of Operations for the Wood Gulch Project, which the BLM testified at a recent Federal Court hearing constitutes a “Valid Existing Right”<sup>6</sup> with which the Agencies would not interfere. The Wood Gulch Project is located in the SFA and on lands that have been segregated and are proposed for withdrawal from mineral entry.
- Black Jack Exploration Inc. owns lode mining claims in sections 28 and 29, Township 44 North Range 52 East Mount Diablo Meridian, in northern Elko County, located and maintained all or in part since 2000. These claims are situated atop the former Burns Mine,... Photographs of the site are appended with this letter. Studies of the property and adjacent properties have been completed by major mining and junior exploration companies, the U.S. Bureau of Mines and the Nevada Bureau of Mines and Geology. Black Jack has sampled the workings, and obtained samples that assay as much as 78 ounces/ton silver and more than 22% lead from quartz-calcite-galena-sphalerite veins.... All were assayed at ALS Minerals Laboratory in Reno, Nevada and Vancouver, British Columbia. A public stock company, a junior explorer, had an option to purchase the claims in 2010 – 2012. That company conducted field surveys including electrical geophysical soundings of the property. A large induced polarization anomaly underlies the mine workings at approximately 150 meters below surface, or approximately 75 meters below the mine workings. The anomaly has a plan view expression approximately 500 meters north – south by 300 meters east – west, and was interpreted to be a potential limestone-hosted silver-lead replacement deposit. That company also had a technical report prepared of the property in 2011 – 2012 by an independent professional geologist for filing with Canadian securities exchanges. That report is included with this letter for your reference.

### **Request Claims Be Excluded from the Withdrawal Based on VERs**

- WEX should be immediately excluded from the withdrawal under FLPMA 202(e).... Accordingly, the proposed withdrawal of WEX’s lands is unlawful given the violations of the land use planning provisions and requirements under FLPMA and the continued



segregation of WEX's lands is imposing significant and potentially irreparable harm on WEX. WEX's investment of over \$37 million (which it made with reasonable expectations that its rights under Federal law would be respected) and the 758,800 ounces of gold at Doby George. WEX's Projects have significant mineral potential which was even acknowledged by the USFS. As such, the USFS has advised WEX that it would be requesting that WEX's Projects be excluded from the withdrawal. WEX respectfully requests that you work with the Secretary to formally and immediately exclude WEX's projects from the withdrawal process.

- Pilot Gold believes the proposed withdrawal is neither lawful nor necessary; and interferes with Pilot Gold's reasonable investment backed expectations in its unpatented mining claims and exploration rights on lands highly prospective for mineral development in which Pilot Gold has invested more than \$1 million to discover minerals. Pilot Gold holds an existing notice of intent approved by BLM for the Viper Project ("Project") which is entirely within the area proposed for withdrawal and necessary for Pilot Gold's economic development of its Project. Therefore, the segregation and threatened withdrawal of claims comprising the Project interfere with Pilot Gold's property rights.
- Unfortunately, according to the 9/24/15 ROD, the "pre-existing claims will be honored subject to validity" wording may significantly impact La Cuesta International, Inc.'s and its clients' ability to evaluate the mineral potential at Lost Cabin by drilling. It is strongly recommended that common sense be exercised and that, at the minimum, a Notice level exploration (<5 acres disturbance) be allowed to proceed at Lost Cabin prior to having a certified mineral examiner review of the property. Likewise, if every exploration project on federally-managed lands within the segregation, and perhaps throughout the USA, are held to the same claim validity, it would undoubtedly have a huge negative impact on mineral exploration.

#### **As Validity Inspections Take Place, Legally Invalid Claims Should Be Eliminated**

- In addition, federal agencies should require that all existing federal mining claims and mineral leases falling within the boundaries of the proposed mineral withdrawal be examined for validity before permitting any surface-disturbing activity to occur on them, as part of this decision-making process.... Such legally invalid claims and leases should be eliminated from existence.

#### **4.2.8 1872 MINING LAW AND OTHER LAWS**

Commenters made statements about the 1872 Mining Law and/or cited other laws that apply. Commenters stated that the 1872 Mining Law and other laws allow for the mineral withdrawal. Some commenters stated that the 1872 Mining Law prioritizes mining over other land uses. Commenters stated that legal questions exist that must be answered before proceeding. Some stated that the withdrawal attempts to circumvent the 1872 Mining Law. Some commenters stated the proposal conflicts with other laws pertaining to mining. Commenters questioned the legality and consistency of the withdrawal with regards to the 1872 Mining Law and other laws. Representative comments included the following:

#### **The 1872 Mining Law and Other Laws Allow for the Mineral Withdrawal**

- Acknowledging the destructive impact of all mining, the mineral withdrawal should be exercised not only under the General Mining law of 1872, but also under the mineral and

geothermal leasing laws including the Mineral Leasing Act, and also cover disposal under the Materials Act of 1947.

### **The 1872 Mining Law Prioritizes Mining over Other Land Uses**

- The proposed mineral withdrawal is essential to protecting sage-grouse and sage-grouse habitat because the 1872 Mining Law and associated case law prioritizes mining over all other land uses.

### **Legal Questions Exist That Must Be Answered Before Proceeding**

- The legislative history shows that Congress intended Section 204 to apply to all forms of mineral development, not just hard rock mining (43 USC §1714), based on the report by the Public Land Law Review Commission (“PLLRC”) identifying the need for reform of public land laws, especially the withdrawal process. Congress concluded that it was necessary to terminate the withdrawals and public land classifications that denied access for mineral leasing as well as access for mining under the 1872 Mining Law.... Congress assumed that Section 204 embraces the Mineral Leasing Act when it ordered the Interior Secretary on several occasions to issue emergency withdrawals.

### **The Withdrawal Attempts to Circumvent the 1872 Mining Law**

- The 10 million acres are already under a 2-year freeze from new mining claims while the BLM prepares its EIS. Under the 1872 mining law, federal officials don't have the discretion to deny mining claims. Withdrawing the 10 million acres from being subject to that law would allow BLM officials to block mining claims. The mining claims ban conveniently circumvents the 1872 mining law, which was designed to promote development in the West....
- This proposal would set a precedent for circumventing the Mining Law of 1872. This is an inappropriate application of regulatory oversight by the BLM and USFS. Changes to the Mining Law are the purview of the U.S. Congress, not regulators.
- I oppose any Sage Grouse decision which withdraws lands from use under the 1872 Mining Act. In fact, I see withdrawing land as an illegal taking of a citizen right.... I do not see how the Interior Department can resolve a monumental conflict between mining law and environmental law without consulting Congress. A 20-year decision can be a lifetime and is not appropriate outside the halls of Congress.

### **Proposal Conflicts with Other Laws Pertaining to Mining**

- By withdrawing a significant portion of the public lands in the western United States, this proposal is in direct conflict with the Mining and Minerals Policy Act of 1970 (30 USC § 21a), which declares a policy of fostering and encouraging private enterprise in the “orderly and economic development of domestic mineral resources...”
- The proposed mineral entry withdrawal does not help the Sage Grouse and may worsen wildfires in the SFAs. It is not a prudent stewardship policy and is in direct conflict with the 1872 Mining Law and good science....
- .... FLPMA expressly provides that none of its land use planning provisions, among others, “shall in any way amend the Mining Law of 1872 or impair the rights of any locators or claims under that Act, including, but not limited to, rights of ingress and egress.” Similarly, § 528 of MUSYA provide “Nothing herein shall be construed so as to affect the use or administration of the mineral resources of national forest lands. . .” In

enacting FLPMA, Congress explicitly acknowledged the continued vitality of the Mining Law of 1872. Section 302(b) of FLPMA states: BLM is required to strike an appropriate balance between potentially competing interests and land management objectives: Therefore, the Application is contrary to explicit statutory language in FLPMA, and MUSYA, and § 22 of the General Mining Law.

- .... The USFWS, BLM and USFS significantly changed the rules to employ the SFAs without notice, warning or any opportunity for stakeholder comment. Elko County maintains that this action violates the FLPMA of 1976, the NEPA of 1969, the General Mining Act of 1872, and the Multiple Use Sustained Yield Act of 1960 and will cause literal devastation to the Mining/Exploration, Agriculture/ Ranching, Energy and Recreation industries....

#### **Question Legality and Consistency of the Withdrawal with Regard to the 1872 Mining Law and Other Laws**

- The EIS must analyze the proposed withdrawal and its legality and consistency with the 1872 Mining Law. The EIS must evaluate the legal basis for the Secretary of the Interior to initiate a withdrawal of lands in the magnitude proposed.
- The Proposed Withdrawal Frequency Asked Questions document is here directly quoted: "The government may assess the validity of any mining claim at any time until patent is issued, regardless of whether the subject lands are segregated or withdrawn from mineral entry." This statement is wrong in that we already know that a patent moratorium has been in effect since 1993. But with this statement, if allowed to stand, no claims and no project is safe from the application of these egregious new guidelines of mineral examination....

#### **4.2.9 STATE PLAN CONSISTENCY**

Commenters discussed consistency with existing State Plans. Some urged the BLM to take actions consistent with state strategies. Some stated the proposal is inconsistent with state strategies. Some stated the EIS should analyze consistency with State Plans. Some commenters stated the withdrawal will undermine the effectiveness of state plans. Representative comments included the following:

##### **BLM Should Take Actions Consistent with State Strategies**

- The Committee is also troubled by the fact that BLM's proposed withdrawal of lands is inconsistent with Wyoming's Greater sage-grouse core area protection strategy. The State's management strategy allows for new mining activity in Greater sage-grouse core areas but restricts such activities by density and disturbance. Governor Mead rightly noted the considerable resources and time the State has expended in developing this management plan which effectively conserves Greater sage-grouse and its habitat and supports the principles of multi-use and sustained yield. It is imperative BLM take actions consistent with our State's strategy for this species, especially in light of the requirements under the FLPMA that specifies BLM's land use plans "shall be consistent with State and local plans to the maximum extent [the Secretary of the Interior] finds consistent with Federal law and the purpose of this Act" 43 USC 1712(c)(9).

##### **The Proposal is Inconsistent with Existing State Plans**



- This withdrawal is outside the scope of the Montana Sage Grouse Habitat Conservation Program and does not consult the Montana Sage Grouse Oversight Team.
- Finally, SFAs are inconsistent with the Nevada Greater Sage Grouse Conservation Plan, which utilizes economic incentives and the concepts of avoid, minimize and mitigate to ensure habitat protection and improvement. The BLM is obligated under 43 CFR 1610.3-1(d) and 1610.3-2(a) to provide management plans that are consistent with existing state plans.
- .... FLPMA was violated by ignoring the mandate that land use plans be consistent with State and local land use plans. This proposal is inconsistent with Wyoming's and Fremont County's stated land and resource use policies in our view....
- A mineral withdrawal is inconsistent with Montana's approach to protecting sage grouse, and will compromise Montana's ability to protect the bird on state lands and manage school trust lands. As described in my Consistency Review of the BLM Resource Management Plans, the Sagebrush Focal Area and associated mineral withdrawal now under consideration are inconsistent with the working landscapes approach taken by Montana to protect sage grouse. See Letter to Jamie Connell, date July 29, 2015, Attachment 1....
- The Montana Executive Order closely tracks the Wyoming State Greater Sage Grouse Core Area Strategy (Wyoming State Strategy). Both focus on working landscapes, where sage grouse and people coexist in a manner that not only protects sage grouse, but also protects the way of life for the people who live in sage grouse country. The success of sage grouse conservation in Montana is dependent upon implementation of conservation strategies on private and state land, and the Montana Executive Order is built specifically upon the premise that all lands would remain working lands sharing in common standards for sage grouse conservation. The proposed mineral withdrawal, in its current form, first surfaced in a memo from the USFWS calling for inclusion in the BLM Plans of a SFA (Memo from Dan Ashe, Director USFWS, to Director, Bureau of Land Management and Chief, U.S. Forest Service, October 27, 2014), and was developed with little regard for consistency with Montana's efforts.
- As reflected in the BLM's own analysis, the State of Montana can adequately protect sage grouse populations in the event of mineral development. When proposed mine exploration, development, or mining operations are on federal lands, state regulation is exercised in conjunction with federal controls. While focused on reclamation, Montana's regulatory reach covers all potential operational impacts of mining, including those on air and water resources. In addition to requirements of the Montana's Metal Mine Reclamation Act and Open Cut Mining Act which relate primarily to non-metalliferous minerals, Montana administers other environmental protection laws on lands within the state, including federal lands. Those include Montana's Water Quality Act, Air Quality Act, stream bed and bank protection laws and others. In addition, all permitting decisions by the Montana Department of Environmental Quality (DEQ) and other administrative agencies are subject to environmental review under the Montana Environmental Policy Act. This comprehensive regulatory framework is explicitly recognized in the BLM's own analysis. (HiLine Proposed Resource Management Plan and Final EIS, Appendix P, p. 1685). In addition, and not mentioned in the BLM's analysis, are other features of the Montana Executive Order, such as sequencing and mitigation and state regulation of linear features often associated with mineral development, that the USFWS found compelling in

concluding that listing was not warranted. The proposed mineral withdrawal is perplexing, given that a similarly-proposed mineral withdrawal in Wyoming has been significantly scaled back because of the recognition that Wyoming has the authority to deny mining permits on federal land. Montana has the same legal authority, but there is no recognition of this point, or associated reduction of the proposed withdrawal.

### **The EIS Should Analyze Consistency with Existing State Plans**

- The EIS must analyze the proposed withdrawal for consistency with the FLPMA and the State of Nevada Greater Sage Grouse Conservation Plan.
- Counties have land use planning and police powers, including an obligation to maintain transportation system and provide emergency services. It is this fact that drives the FLPMA directive that the BLM work closely with local and State governments to ensure consistency and implementation of planning efforts. Thus, it is very important that land management decisions be integrated with County planning efforts.... If the BLM determines that provisions of land use plans are not "consistent with the laws governing the administration of public lands," then NACO asks for a description of the differences and an explanation for why these differences or inconsistencies should not be resolved for the land use plans in the three counties where the SFA are located (e.g., Elko, Humboldt, and Washoe Counties). Elko County Land Use Plans.... Humboldt County Land Use Plans... Washoe County Land Use Plans....Request 11-B-5: NACO requests that the BLM pay special attention to local and State conservation and land use plans and laws, and to highlight and explain inconsistencies with those plans. It will be important to analyze the economic impacts to counties as a result of these inconsistencies.
- Hamey County actively participated in the USFWS' status review of the sage-grouse; the Bureau of Land Management's revisions to the resource management plans; the State of Oregon's adoption of Goal 5 resource protection for sage-grouse habitat; and, has incorporated land use restrictions into its Comprehensive Plan to address sage-grouse risks. The County is the local land use planning authority for Hamey County and has adopted land use plans and policies that effectively manage development within the sagebrush habitat within the County. In the development of the withdrawal, Hamey County requests that the Secretary early on make direct contact with Hamey County Judge Steve Grasty to ensure that the FLPMA's (43 USC §1712) consistency, coordination, and consultation processes<sup>1</sup> are implemented early and seamlessly....In addition to coordinating with Hamey County relative to land use planning and management, the Secretary is also to assure that her land use plans are consistent with the Hamey County plan to the maximum extent she finds consistent with Federal law and the purposes of FLPMA (43 USC §1 712(c)(9)).<sup>1</sup> To the extent the mineral withdrawal will impact lands wherein the surface estate is owned or managed by another federal entity (e.g., USFS), the BLM will need to fulfill the USFS' independent duties relative to local plans and policies.

### **The Withdrawal Will Undermine the Effectiveness of State Plans**

- The State Plan does not support the SFA Boundaries or withdrawals, and implementation of withdrawals will significantly undermine the potential effectiveness of the State Plan's Conservation Credit System (CCS). In 2014, Nevada's Sagebrush Ecosystem council adopted the Nevada CCS. The credit system is designed to offset impacts from human-caused disturbances through enhancements and protections that result in a net benefit for

greater sage-grouse habitat in Nevada. The State has invested \$650,000 so far to create this system. The State system presumes that mining and other industry will occur, but only with mitigation that results in net conservation gain for equivalent habitat...."The CCS is intended to provide regulatory certainty for industries by addressing compensatory mitigation needs whether or not the species is listed under the Endangered Species Act (ESA)."..."In fact, the Withdrawals will greatly impact the effectiveness and ability to implement the State Plan, which comes with significant funding to implement the State's Conservation and mapping efforts: "Nevada Gov. Brian Sandoval has requested legislative approval in his FY 15-17 Biennial Budget for over \$5.1 million for Sagebrush Ecosystem Program efforts,...Nevada is also working on a new mapping layer due out in May 2015 to identify locations of core habitat being threatened by pinyon-juniper encroachment; the map will be used to guide future decisions regarding removal projects."

## **4.3 SCIENTIFIC BASIS AND VALIDITY**

### **4.3.1 GENERAL STATEMENTS**

Commenters made statements about the scientific basis of the withdrawal or questioned the validity. Some stated the proposal is supported by sound science and/or is based on science. Some stated the proposal is biased with little science to support the decision making process. Some stated the proposal ignores reality and science. Some questioned whether there is a scientifically valid need for the proposal. Some asked to see the science that warrants the proposal. Some stated the proposal is based more on political considerations than science.

#### **The Proposal is Supported by Sound Science and/or is Based on Science**

- Commenters stated: ... The BLM is responsibly acting and these actions are supported by sound science. Your proposal respects valid existing rights and allows for a solid direction forward.... the proposed mineral withdrawal from locatable mineral entry is consistent with the agency's own expert recommendations for these lands.

#### **The Proposal is Biased with Little Science to Support the Decision Making Process**

- From the science that I have seen on the Greater Sage Grouse being effected by mining, I would say that more data needs to be collected and analyzed before crippling the industry.
- .... The current segregation and formal proposed withdrawals and recently enacted restrictive land use management plan decisions pertaining to Sage Grouse protection are clearly not balanced at all and in fact show exceptionally strong bias with little science to support the decision making process....
- The COT Report Supports Only Localized, Not Widespread Risk of Mining in SFAs. Even if a withdrawal is a preferred method of protection, the reports that the BLM relies on do not support the withdrawal boundaries as proposed...
- The science used to support the withdrawal is inadequate and ignored data in BLM's possession and prepared by sister agencies...

#### **The Proposal Ignores Reality and Science**

- It is a blatant lie to use the Sage-Grouse as an ESA environmental Trojan Horse to withdraw this land from full public use.....Ignoring reality and science does nothing for the environment.....

### **Questioned Whether There Is a Scientifically Valid Need for the Proposal**

- ... the scoping should consider whether there is any real and scientifically valid need for this withdrawal action. Does it actually improve sagebrush habitat? Or will it make it worse?
- .... While one element of achieving this objective may be obtained by a total withdrawal of all mining exploration and location, there is no quantification that demonstrates this is the only way to achieve this desired condition. Nor does it look at the broader picture of what is truly placing the sage-grouse habitat at risk in this area (e.g., fire, invasive species and juniper).

### **Scientific Basis for the Proposal**

- I am personally opposed do this decision based on the fact I haven't been able to find hard data points to justify this decision.... I cannot find any sort of proactive matrix to decide if the program is working, not working, or actually detrimental.... I do believe this is not being scientifically driven. Please start following the scientific method and work with us on decisions based on measurable goals that can be evaluated and changed if necessary.

### **The Proposal is Based More on Political Considerations than Science**

- ... this is not about science but a political agenda to remove exploration and other multiuse activities throughout the west in direct conflict with pre-existing law.... This was very poor science and obviously forced workers with little data and a poor knowledge of geospatial statistics to put together a conclusion forced by a political agenda.
- .... Mining has been demonstrated to occur on less than 1% of 1% of the total public lands that were historically sage grouse habitat.... the BLM says lets withdraw from "Potential Mining", something that may or may not ever occur in the future, 10 million acres or roughly 30% of the total sage grouse habitat. Where's the scientific basis for this action? There is none! Because this proposal is a political action to appease the liberal environmental radicals.... nothing to do with protecting Sage Grouse habitat.
- .... There is no peer-reviewed science that demonstrates that mineral exploration and development affects sage grouse, in fact, there is no scientific basis at all to the various LUPA/SFA proposals. Instead there is only opinion and innuendo generated by radical-environmentally biased bureaucrats and their affiliates in various Non-Governmental Organizations (NGOs)....

#### **4.3.2 SFAs**

Commenters made statements about SFAs or the SFA boundaries. Some commenters questioned the boundaries and/or questioned the science behind the SFA boundaries. Some said the science relied on does not support the boundaries. Some said SFAs were employed without notice or opportunity for input and some cite the Ashe Memo. Some stated that the BLM needs to identify the authorities used to establish the SFAs. Some stated that the data shows some of the habitat in SFAs is unsuitable. Some stated the SFAs should be updated with the best available science. Some stated all stronghold areas should be included in withdrawal lands.

### **Questioned the SFA Boundaries and/or the Science behind the Boundaries**

- Some state the SFA boundaries “need to be adjusted to reflect existing projects and mining claims “on the ground.”
- Some state BLM has not clearly explained the science behind the SFAs: ... the public has no indication from where the science was identified to derive the SFAs... Neither the BLM, the USFWS, the USFS, nor any of our State agencies can provide a description or definition of the process used to delineate the SFA. There is no information regarding the data or analyses... The BLM did not provide any documentation at this scoping meeting from their agency, the USFS, or the USFWS showing what data or research was used to determine these sagebrush focal areas are critical to the Greater Sage Grouse..... USGS researchers admitted to the Sage Brush Eco-System Council that the boundaries are estimated based on computer generated probabilities ... Without accurate, statistically defensible data, the boundaries of the SFA are a best guess and cannot represent “best science” without extensive ground truthing efforts. Until the model is validated in this way, SFA boundaries, management assessments and proposals will remain arbitrary and capricious....

### **The Science Relied on Does Not Support the Boundaries**

- A withdrawal of the SFAs ... may not even benefit Sage-Grouse, and ... would undermine the State Plan.... “The methods provided for delineation of the SFAs are not explicit or transparent, and therefore of poor scientific quality.”.... Mineral withdrawal from the areas designated as SFAs is not scientifically supported....
- Commenters requested “the BLM cite to the science and provide an explanation that supports the SFA strongholds (other than the un-citable maps in the USFWS Memo), and that the BLM and USFWS point to each contradiction ....

### **SFAs Were Employed without Notice or Opportunity for Input, and Some Cite the Ashe Memo**

- Some stated the agencies abruptly employed the SFAs and gave the public no notice: The USFWS, BLM and USFS significantly changed the rules to employ the SFAs without notice, warning or any opportunity for stakeholder comment. ...the public was not provided a notice and comment period to provide input on the boundaries and potential effectiveness of the SFAs, as they were first presented in the FEIS for the ARMPA.
- Some stated the SFAs first appeared in the 2014 Ashe Memo and have no validity: SFAs are not legally valid, science based and are inconsistent with FLPMA. SFAs are an artificial concept derived from a 2014 memorandum from USFWS Director, Dan Ashe.... The SFAs ...are not a valid land management or legal mechanism and cannot be used to support any land management action, including the proposed mineral withdrawal. Interior’s newly created term “SFA” is an attempt to create a FLPMA ACECs without going through the required process....
- Some stated the SFAs constitute a substantial change and require an SEIS: “...The debut of SFAs in the Proposed Land Use Plan Amendments (PLUPA)/FEIS on which the proposed withdrawal is predicated constitutes a “substantial change” in the proposed action, ... and an SEIS is required prior to adoption of the PLUPAs or the proposed mineral withdrawal.”



### **The BLM Needs to Identify the Authorities Used to Establish the SFAs**

- Some commenters questioned the authority used to establish SFAs: “According to the BLM, the SFAs were designated ... to provide the needed regulatory certainty to avoid a listing under the ESA. ... the USFWS asked for this withdrawal because of the "strongholds" identified in the October 27, 2014 memo ... The BLM cites only to the USFWS memo, yet the USFWS in that memo does not cite to any scientific literature to support the SFAs, or, what the USFWS refers to as "strongholds." Nor does the USFWS cite to any scientific literature to support the SFAs in its listing decision. 31 The SFAs only appear in the maps attached to the memo, which are cited as "Pre-Decisional; For Internal Review Purposes Only. Do Not Distribute. PHMA current as of October, 2014." 32 .... the designation of SFAs in the RODs and greater sage-grouse land use plan amendments violates federal law, because neither the BLM nor the USFS has authority to designate SFAs or critical habitat...neither the BLM nor the USFS has any textual authority, either statutory or regulatory, to designate SFAs...

### **The Data Shows Some of the Habitat in SFAs is Unsuitable**

- Some pointed out unsuitable habitat that is contained in SFAs: “...this small portion of the SFA is a piecemeal afterthought, and neither integral nor essential to the SFA. On the ground, this area is in fact not a sagebrush ecosystem, the area was burned in a wildfire within the last 10 years, and a robust grassland ecosystem has been established by seeding. This clearly identifies the area as outside the scope and purpose of the SFA..... In addition, the habitat maps delineating this habitat have not been ground truthed, and in areas where assessments have determined that habitat does not exist, the field office will not accept that data.

### **The SFA Boundaries Should Be Updated with the Best Available Science**

- Some commenters stated: ... the Sagebrush Ecosystem Council's ("Council's") new map ... reflects new science that impacts the SFAs.... the map should be adopted only in context of the State Plan, which permits ground-truthing and does not support wholesale programmatic exclusions or withdrawals. The new map ... is the "Management Category Map (Draft December 2015) released by the Sagebrush Ecosystem Council ("Council") on December 11, 2015 at the Nevada Department of Wildlife (NDOW). ... this map is specifically designed for program-level decisions, not project-level decisions. Management areas within the Coates Map ... triggers the need to ground-truth at the project level to help identify the habitat needed to implement the State Plan's Conservation Credit System. ... To adopt this map for project-level decisions is inappropriate and not supported by the best available science. ... this map is significantly different than what is provided in the ARMPA, ... If there is a commitment to adopt this map, then the BLM must also reconsider the strongholds in light of this new scientific information.

### **All Stronghold Areas Should Be Included in Withdrawal Lands**

- All USFWS-proposed ‘stronghold’ areas should be included in the withdrawal... There is no circumstance under which it is appropriate to exclude lands from the mineral withdrawal that were designated either as “stronghold” areas... we have undertaken a more vigorous analysis of existing sage grouse populations and habitat, and have identified supplemental stronghold areas in need of designation and mineral withdrawal....

## **4.4 SUPPORT FOR THE NO ACTION**

### **4.4.1 STATE/LOCAL PLANS ARE SUFFICIENT**

Commenters asserted that state or local plans are sufficient/superior to the federal plan for protecting sage-grouse. Representative comments included the following:

#### **General Statements about State Plans**

- ...we recommend that federal agencies continue to work closely with state agencies to continue to carry out proven, existing plans that will ensure success of the Greater Sage-Grouse while also allowing the responsible development of mineral resources on our public lands.

#### **Statements about Nevada Plans**

- ... the best way to provide protection for the sage grouse while simultaneously allowing continued economic development is for the Agencies to recognize conservation measures that have been developed in cooperation with the regulated community.... On October 1, 2014 the Sagebrush Ecosystem Council approved the Nevada Greater Sage Grouse Conservation Plan. This plan is a balanced, science-based program for the protection of the species and its associated habitat. A critical component of the Plan is the CCS that, ... prioritizes habitat types and quality and provides for incentives for habitat improvement and protection. The CCS also allows for scientifically based mitigation opportunities for all types of anthropogenic disturbances without regard to the source(s) of those impacts....
- ... Nevada's Plan and CCS create meaningful disincentives for mining and exploration in priority sage-grouse management areas through compensatory mitigation requirements that achieve and quantify a net conservation gain for greater sage-grouse. The CCS is also consistent with President Obama's recent Mitigation Policy..... Nevada proposes a No Action Alternative and prefers our state plan and CCS as the proper management and conservation plan for Nevada.
- Population increases of nearly two-thirds from 2013 to 2015 cannot be attributed to land management plans finalized in October of 2015.... these increases are, and must be, attributable to local and State efforts....
- ... Protection and conservation of sage grouse habitat should be handled on the state level. The NDOW has developed guide lines with which to protect the bird and its habitat. Biological and rangeland studies conducted by various state and federal agencies have demonstrated that conservation efforts by ranchers and mining companies have been very effective in protecting sage grouse habitat from its biggest threat, range fires....
- .... Nevada has spent over \$7.4 million since 2012 in support of Greater Sage-Grouse conservation efforts...

#### **Statements about Oregon Plans**

- ... Such an arbitrary, large scale withdrawal thwarts the intent of Congress, the intent of the Oregon legislature, and the thoughtful approach put together by Oregon land use authorities to protect sage grouse and allow for economic benefits that flow from mining. The contradiction between your proposal and the work that has already been completed is clear and disturbing....



- Due in large part by pro-active conservation efforts of the State of Oregon, affected Oregon counties, federal agencies as U.S. Department of Agriculture (USDA)-Natural Resources Conservation Service, and many private businesses, namely ranch families in developing Candidate Conservation Agreements with Assurances (CCAAs), the sage-grouse IS NOT FEDERALLY-LISTED under the ESA. ... Through a multi-year project called SageCon, the State of Oregon and affected counties developed Oregon Administrative Rules (OARs) .... The OARs under the Oregon Department of Land Conservation and Development (LCD) govern private land use planning, adequately limits developments in sage grouse habitats, and provide a very limited threshold on how much grouse habitat can be adversely affected.

#### **Statements about Montana Plans**

- ... the State of Montana has the authority to deny mining permits on federal land. In sum, safeguards are in place to protect sage grouse habitat without taking such an extreme measure.
- ... the State of Montana has undertaken significant efforts to establish a comprehensive sage grouse conservation program... the Management Plan and Conservation Strategies for Sage Grouse in Montana (2005). ... Montana has a 10-year history of working on this important conservation issue. In April 2013, I created a citizen-based sage grouse advisory council and asked them to formulate recommendations on policies and actions for a state-wide strategy to preclude listing of sage grouse under the Endangered Species Act.... The result was Montana Executive Order No. 10-2014, which created the Montana Sage Grouse Oversight Team, the Montana Sage Grouse Habitat Conservation Program, and the accompanying management plan.... To further emphasize Montana's progress and commitment to sage grouse conservation, we were successful in passing the Montana Sage Grouse Protection Act during the 2015 legislative session. This act ensures that critical funding and support are available for necessary sage grouse conservation efforts in the future. This commitment is more than words: in addition to funding for staff resources, there is also a revolving conservation fund with an initial balance of \$10 million from the State of Montana. Today, our Sage Grouse Habitat Conservation Program has permanent staff and is fully operational. Our sage grouse conservation strategy has also been adopted by Montana's State Land Board and is being implemented on Montana's state lands.

#### **Statements about Wyoming Plans**

- The state of Wyoming has been working with the BLM, USFS, and the USFWS since 2007 to develop and implement a strategic plan to protect the Greater Sage Grouse and their habitat.... with Executive Order 2011-5 Wyoming Governor Matthew H. Mead implemented Wyoming's Greater Sage Grouse management plan. This plan is unique in that it incorporates state, federal, and private landowners into the implementation of the management plan. USFWS endorsed Wyoming's effort; "core area strategy... if implemented by all landowners via regulatory mechanisms would provide adequate protection for sage grouse and habitat in that state"....
- ... Wyoming regulates locatable mineral operations at both the exploration and extraction phases regardless of surface or mineral ownership. ... The State has a successful record of using this authority in the past. In addition, nearly 50% of the SFAs in the Wyoming

Sage-Grouse Amendment Planning Areas had already been withdrawn from locatable mineral entry....

- .... Even the smallest locatable mineral exploration activity requires a Plan of Operations/Mining Permit from BLM and the Wyoming State DEQ and is subject to the rules of the habitat protection plan....
- ... The BLM, USFS, and the USFWS have all recognized Wyoming's leading effort to protect sage grouse. ... In addition to the state plan, Fremont County has a land Use Plan in place that recognizes multiple use as valid and important to the economy, health, safety and welfare of its citizens.
- ... the BLM rightly acknowledged that the "State of Wyoming has permitting authority for locatable mining operations and has committed to use its authority to ensure that operations proceed in accordance with the core area strategy and [has] a successful record of using this authority in the past." We agree with BLM's findings in the Record of Decision. And it is those findings, coupled with the fact that the areas recommended for withdrawal are exclusively within SFAs, which in themselves are exclusively within Wyoming Sage Grouse Core Areas, that gives us cause for concern. We believe the findings in the decision documents and endorsement by the Fish and Wildlife Service of Wyoming's Core Area Strategy are sufficient to preclude withdrawal.
- The staff of the Wyoming Game and Fish Department (WGFD)...believe that the withdrawal is unnecessary because of Governor Mead's Sage-grouse Executive Order which provides a regulatory mechanism to cover non-fluid mineral activity regardless of mineral ownership. Sagebrush habitat within the SFAs would be adequately protected without a withdrawal....

#### **Statements about Idaho Plans**

- ... Idaho already has the necessary framework in place to protect the sage-grouse from any perceived threat by the mining industry. Idaho has regulatory authority that governs the impacts of mining within the state. The Idaho Department of Lands, in coordination with the Idaho DEQ, Idaho Department of Fish and Game, and Idaho Department of Water Resources, administers the Idaho Surface Mining Act. Through Executive Order 2015-04, I directed the Department of Lands to implement my sage-grouse plan, which addresses mineral development, when issuing permits pursuant to the Idaho Surface Mining Act. This provides more than adequate protection for sage-grouse and its habitat from the impacts of locatable mineral operations, making the withdrawal unnecessary.

#### **4.4.2 EXISTING REGULATIONS ARE ADEQUATE**

Commenters asserted that existing regulations or mining specific NEPA/mitigations are sufficient to protect sage-grouse. Representative comments included the following:

- Mining operations which take place under the existing regulations can be designed, implemented, mined areas reclaimed and monitored successfully without withdrawing the areas from mining activity. Well-designed reclamation of public lands impacted by mining can ultimately lead to higher value habitat than if the same lands were left unmanaged.
- ...mining is not a primary threat to greater sage-grouse and its habitat...existing surface management regulations are more than adequate to conserve the greater sage-grouse and its habitat from any purported harm caused by mining.... The greater sage-grouse land use

plan amendments already contain severe restrictions on mineral exploration and development, in addition to existing surface management regulations on federal and state levels. Therefore, the proposed withdrawal is unnecessary

- Should further work be recommended as a result of the initial geological studies, there are ample reclamation bonds, required permits, rules and regulations in place to oversee the social, wildlife and habitat impacts from drilling and other advanced exploration activities. Should an economic deposit be discovered and put into production, extensive permitting regulations are already on the books, bonds to cover reclamation are put into place, mitigation lands are identified, and habitat improvement that far exceeds the mine area reclamation requirements are initiated to enhance habitat quality for future generations. This is all done at no cost to the taxpayers.
- ... Regulatory tools currently mitigate impacts to the sage-grouse. These protections include those provided by the Nevada State Plan, Council, and Sagebrush Ecosystem Technical Team, or by the ARMPA. These include, but are not limited to: permit and license restrictions, exclusion areas, habitat designations, seasonal travel restrictions, lek buffers, mitigation requirements, and the Conservation Credit System....
- ... BLM manages mining operations on public lands under the 1872 Mining Law and FLPMA. FLPMA and BLM's 43 CFR 3809 surface management regulations require all locatable mineral activities on public lands to prevent unnecessary or undue degradation of public lands ... The 3809 Performance Standards (§3809.420) require compliance with all applicable Federal and state environmental laws and regulations ... Under the regulations, all mining activities are conducted under a plan of operations approved by the BLM, and following environmental analysis under NEPA. The BLM may require additional measures to ensure that any mining operation that will not cause unnecessary or undue degradation of the public lands. BLM rules also require significant bonding to ensure full reclamation of surface resources....
- ... While focused on reclamation, Montana's laws take into account all potential operational impacts of mining, .... The Montana DEQ (and its predecessor the Montana Department of State Lands) has been considering impacts on sage grouse habitat in its mine permitting decisions, and mandating protective and mitigative measures for any such impacts, since at least 1977. .... Montana administers other environmental protection laws on lands within the state, including federal lands. Those include Montana's Water Quality Act, Air Quality Act, aquatic ecosystems protection laws, and solid and hazardous waste laws. ... The combination of these laws, and the regulations promulgated pursuant to these laws, means that the proposed withdrawal is not necessary to accomplish the stated purposes of the withdrawal.

#### **4.4.3 OTHER THREATS ARE GREATER**

Commenters stated that other factors, such as wildfire and weeds, are greater threats to sage-grouse than mining. Representative comments included the following:

- ... The greatest danger to sagebrush is fire, the greatest danger to sage-grouse is predation.... wind energy development, pipelines and unregulated recreational activity.
- ... and conifer encroachment.... Long-term climatic variation... wildfires run amok due to the lack of proper management of grazing,...
- A University of Idaho Study shows that Ravens are taking a high percentage of the Sage Grouse eggs out of the nest.... Other feathered predators include the Magpie...

- ... coyote population blooms.....
- ... continuous, year-round use by wild horses, wildfires, and invasive species are prevalent....
- ... Although mining has been a huge part of Nevada's economy for over 150 years, it impacts less than 0.5% of the land within the state....In contrast, wildfires from 2000 to 2015 alone burned ~25% of the SFAs in Nevada, amounting to greater than 695,000 acres....
- .... In fact, the agency's own report shows that all development activities only impact 7% of the entire ecoregion, yet mining is asked to pay the price with mineral withdrawals which are vastly disproportionate to its footprint....
- ... Mining is not even considered a major threat to the bird or its habitat as evidenced by the department's own supporting documents, which point to wildfires and invasive species as the greatest threats to the sage grouse...

#### **4.4.4 WITHDRAWAL EFFECTS ARE DISPROPORTIONATE**

Commenters stated that the withdrawal is disproportionate to the small impact mining has on landscape. Representative comments included the following:

- BLM's proposed mineral withdrawal is significantly disproportionate to the amount of land used for mineral development and the impacts associated with that mineral exploration and development....
- ... Less than 0.1% of the 173 million acre habitat is impacted by all mining. This is minuscule compared to the overwhelming impact of unregulated wildfire.
- ...the proposed designation of 2.8 million acres for withdrawal is a grossly disproportionate proposal given the intended purpose of the withdrawal....
- The EIS Purpose and Need and alternatives analysis must clearly explain why withdrawing 10 million acres, which is nearly 6% of the habitat and nearly 60 times larger than the 0.1% of the habitat that is impacted by mining is necessary...The EIS must address this glaring incongruity between the enormous size of the withdrawal compared to the minimal impact that mining has on greater sage-grouse habitat to explain the need for the proposed withdrawal.
- A federal analysis shows that activities such as ranching, mining, and oil and gas exploration affect only 7% of the bird 's ecosystem....
- In the EIS, the BLM will need to explain why the COT identified only two areas within Oregon wherein mining was a present and widespread threat to the sage-grouse. It was only the Baker population (Unit 17) and the Central Oregon population (Unit 28) wherein mining was a present and widespread threat, all other areas of Oregon were identified as only localized threats ... However, neither the Baker population nor the Central Oregon population are located with the 1,929,580 acres of SF As identified for withdrawal. The EIS will need to explain why, when the threat is localized, a 1,929,580 acre withdrawal is warranted. The proposed withdrawal is clearly not the minimum necessary, nor is there a localized approach....

#### **4.4.5 WITHDRAWAL IS NOT NECESSARY**

Commenters stated the withdrawal is unwarranted, not necessary, or provide other reasons why they oppose it. Some expressed opposition without a specific reason. Some stated the existing mitigation requirements for mining are overly restrictive. Representative comments included the following:

- ... I oppose this withdrawal on the Public Land proposed by the BLM...I strongly disagree with the withdrawal of the lands for new mining claims for 20 years.... the proposed withdrawal is unnecessary.... we object to the proposed withdrawal in its entirety... I object to the proposed withdrawal of 10 million acre mineral rich federal lands from new mining activities.....
- Also in the EIS there must be analysis of alternatives to the proposed withdrawal. The BLM must consider valid alternatives, one of which should be the alternative of no withdrawal.
- The NFMA position, which I support, is that blanket exclusion from being able to file a mineral claim under the 1872 Mining Law in Sagebrush Focal Areas is an unnecessarily restrictive level of Public land management – even for a 2-year “temporary restriction” period...
- The BLM must include an alternative of "no action." In the context of land management planning, no action means no change from the current management direction. Because the 2015 ARMPA and the State Plan are in effect, this alternative should contain the protections outlined in the 2015 Amended Resource Management Plan and the State Plan.
- Lastly, there are other viable and reasonable alternatives ... which balance the interests of both mining exploration and conservation and, in fact, result in greater protection of Greater Sage-Grouse habitat than placing these highly prospective lands for mineral development off limits.
- The strict surface disturbing restrictions directly impacts Pilot Gold’s ability to mine...BLM has severely interfered with Pilot Gold’s ability to mine its own land given the surface disturbing restrictions in place...
- ...Your new proposal to withdraw large swaths of lands from all mineral entry however, is not reasonable but very heavy handed, unjustified, and unnecessarily harmful both to my company and to mineral exploration in general.
- The proposal to withdraw an additional 2 million acres of federal land in southeastern Oregon is excessive and unwarranted when compared to the extent of land already set aside in the region. The large amount of previously withdrawn lands containing quality Sage Grouse habitat was largely ignored ... The proposal to withdraw even more land ignores the amount of land already providing crucial habitat protection....

## **4.5 SUPPORT FOR THE PROPOSED ACTION**

### **4.5.1 SUPPORT PROPOSED WITHDRAWAL**

Commenters stated reasons for their support of the proposal. Some commenters made statements about the ESA listing. Some commented that the proposal will benefit other species in addition to the greater sage-grouse. Commenters stated other plans are not working. Some were concerned about specific areas. Representative comments included the following:

#### **Statements in Support of the Proposal**

- Commenters stated they “strongly support conservation efforts to protect the greater sage-grouse” or “whole-heartedly urge the BLM to proceed.” Some stated the proposal represents a “step in the right direction” or is a “vital step for the BLM to fulfill its obligation to preserve sage-grouse habitat” or represents an “important “piece of the puzzle” for sage-grouse conservation” or it will “significantly assist with sage-grouse conservation.”



- Some described the BLM proposal as “fair: it respects valid, existing rights and is proceeding in a thoughtful, scientifically defensible manner” or stated it is “RIGHT, FAIR, JUST, HUMANE AND HEALTHY ACTION .....TO PROTECT GREATER SAGE-GROUSE” or it provides “appropriate management and regulatory certainty for the survival of the sage grouse.”
- They stated different reasons for their support including that the “withdrawal is essential to protecting sage grouse and sage grouse habitat because the 1872 Mining Law, and associated case law, prioritizes mining over all other land uses” and “Absent a mineral withdrawal, these public lands could not be effectively managed for the conservation of this important species.” Some “express support for the proposal to protect 10 million-acres of public land in six western states from new mining claims to prioritize the conservation of Greater Sage-Grouse and their habitat.”

### **Statements about the ESA Listing**

- Commenters stated that “One of the main reasons why the Greater Sage-Grouse was not protected under the ESA in September 2015 was because recently-approved Resource Management Plans indicated that the BLM would protect Sagebrush Focal Areas from habitat fragmentation” or “USFWS assumed as part of its September 2015 decision not to list sage-grouse under ESA that large expanses of essential sage- grouse habitat will be withdrawn from mineral development as part of federal strategies to conserve and recover the bird.”
- Some stated the “proposal helps fulfill the BLM’s obligation to conserve sage-grouse habitat” or “This withdrawal helps fulfill that promise.” Others stated “Preventing new mining activity in these key sage-grouse strongholds will help ensure that BLM’s plans to protect the habitat of this important species will be successful.”
- Some stated “A withdrawal of SFAs from new mineral entry will help provide the regulatory certainty required to continue keeping the bird from being listed” or “If these areas cannot be conserved and protected, the likelihood of eventual listing is high.”

### **The Proposal Will Benefit Other Species in Addition to the Greater Sage-Grouse**

- Commenters stated that “This action will protect greater-sage grouse habitat and help preserve populations of many other species that utilize the shrub-steppe ecosystem” or “Clearly, this withdrawal will benefit many other Sagebrush-dependent Species of Conservation Concern in Montana, including Greater Sage-Grouse, Mountain Plover, Ferruginous Hawk, Golden Eagle, etc.” or “The “winners” will include all sagebrush dependent species.”

### **Other Plans Are Not Working**

- Some commenters stated the withdrawal is “necessary because there is no evidence to demonstrate the long-term success of conservation credit programs” or “voluntary requirements fail to provide adequate protections for sage-grouse.”
- Others stated the “state plans are greatly deficient” or they are “alarmed at the arbitrary nature of the existing state plans ..... which will result in continued large-scale loss of habitat (due to grazing-caused weeds, and expanded developments that are allowed under the poor plans).” Some stated the “state plans are all over the place, ineffective, and cannot be shown to effectively protect sage-grouse.”

### **Concerned about Specific Areas**

- Some stated support for withdrawal of “approximately 640,000 acres in eastern Idaho for mineral withdrawal” while others said they support withdrawal of “new mineral claims as proposed on 3.6 million acres in Idaho.”
- Others stated that the “Beatys and Louse SFAs are clearly some of Oregon's most important and viable sage-grouse populations” and “ask that all of the portion of Oregon Lands that have been proposed for withdrawal from any future mining claims under the 1872 act be withdrawn and closed to future mining claims.”
- Other made comments about the Yellowstone area, including “Yellowstone region is a national treasure” or “Lands in the Greater Yellowstone Ecosystem are particularly diverse and worthy of increased protections” and they support the “recommendation to withdraw the proposed lands within the Greater Yellowstone Ecosystem from hard rock mining.”
- Some said they “specifically support this proposal in Montana” and the withdrawal will “eliminate several sources of habitat fragmentation on almost 1 million acres of the best BLM sagebrush habitat in Montana.”
- Some support “the proposed BLM plans that would close areas to mining in Rich and Box Elder counties.”

### **4.5.2 GENERAL SUPPORT STATEMENTS**

Commenters expressed general support for the withdrawal without making explicit statements. Representative comments included the following:

- Some stated they “support the recommendation to withdraw the proposed lands from hard rock mining” or they “strongly supports the withdrawal of sensitive resource areas from mineral entry” or “strongly urge you to protect Greater Yellowstone from mining.” Some recommended that the BLM “Move forward with the recommended withdrawals” or urge them to “resist mining leases to these important lands” or “Please stop the leases. Withdraw them.” Some state “Removing this environment from new mining claims is the start of protecting these lands from other environmental impacts that can degrade and ultimately ruin this fragile environment.”
- Some made statements about protection of other wildlife such as “Wildlife must be protected from destructive hard rock mining so I urge the federal government to support the recommendation to withdraw the proposed lands from hard rock mining.” Some state “How wonderful it would be if the BLM were to decide on protecting fish and wildlife habitat from the devastation caused by mining activities in eastern Idaho and the Greater Yellowstone ecosystem.”
- Some made statements involving sage-grouse such as “I would appreciate the BLM, Fish and Game, Forest Service, etc., do everything possible to protect and safe guard the greater sage grouse, habitat, disturbance and fragmentation by hard rock mining operations” or “I am pleased to hear about the proposal to protect 10 million-acres of public land from new mining claims to prioritize the conservation of Greater Sage-Grouse and their habitat” or “I urge you to protect the sage grouse from the impacts that would come from mining activity in their territories.” Some state “We want to support the BLM’s work on behalf of sage grouse and other imperiled birds and wildlife” or it is a “positive and sound approach to learning how such withdrawal affects sage grouse.”



## **4.6 SUPPORT FOR OTHER ALTERNATIVES**

### **4.6.1 INCREASE BOUNDARIES**

Commenters recommended additional areas, such as priority areas, be added to the proposed withdrawal. Some commenters recommended specific areas to add to the withdrawal.

Representative comments included the following:

#### **Additional Areas, such as Priority Areas, Should be Added to Proposed Withdrawal**

- While the proposed 10 million acre mineral withdrawal in SFAs is significant, best available science indicates that all Greater Sage-Grouse priority areas for conservation (PACs) should be protected from mining to ensure sage grouse survival and recovery. I therefore urge that the draft EIS include an alternative which analyzes the environmental benefits of expanding the mineral withdrawal to include all PACs.
- ...BLM must .... also act to remove other heavy stressors on the sagebrush environment....
- .... make needed adjustments to the proposed withdrawal areas to ensure that the best habitat is protected, which may require expanding the current proposal and require that any mapping errors be corrected.....
- .... the withdrawal of federal mineral estate should be undertaken not only for minerals underlying federally-owned surface estate, but also for all federal minerals underlying state or private lands. According to the recommendations of the National Technical Team (2011:25), “Where the federal government owns the mineral estate, and the surface is non-federal ownership, apply the conservation measures applied on public lands.”

#### **Recommend Specific Areas be Added to the Withdrawal**

- BLM should evaluate withdrawing certain areas in Northwest Colorado.... we recommend that ... three areas comprising approximately 590,000 acres, be considered for withdrawal ... These areas would protect the Blue Mountain, Great Divide and North Park sage-grouse population areas (see attached map).... all SFAs in Wyoming. ...habitat in the Lander Field Office. ... .... lands in Northwest Colorado. ... the Blue Mountain, Great Divide and North Park sage-grouse population areas. .... The Dutch Flat area north of Mud Lake and northwest of the Camas National Wildlife Refuge , .... ... the lands in the Centennial Valley of Montana... Antelope Refuge in Oregon, and the Seedskaadee and Cokeville Meadows National Wildlife Refuges in Wyoming.... Parker Mountain in Utah; the Powder River Basin, Laramie Plains, and Jackson Hole in Wyoming; the Arapaho National Wildlife Refuge and surrounding lands in northwestern Colorado; and all sage grouse habitats in the Dakotas... ... (... southern Utah, Laramie Basin, Jackson Hole, Powder River Basin, Dakotas).....All occupied habitats for the Bi-State/Mono Basin and Columbia Basin Sage Grouse populations .... Craters of the Moon National Monument and Preserve in Idaho, Charles M. Russell and UL Bend National Wildlife Refuges and the UL Bend Wilderness in Montana, Sheldon National Wildlife Refuge in Nevada, Hart Mountain.... All PHMAs in Nevada.

#### **4.6.2 WITHDRAW ADDITIONAL MINERALS**

Commenters recommended other minerals/chemicals be withdrawn in addition to hardrock mining. Representative comments included the following:

- I urge you to consider withdrawing important lands from mining of leasable materials such as phosphate and coal and saleable materials like gravel and sand. These activities are similarly destructive to wildlife habitat and should be withdrawn.
- ...include all the leasable minerals such as coal oil and gas. The proposal ought to include the possibility of buying out existing mining claims.
- ....The withdrawal should encompass all forms of federal mineral location, leasing, and sales, and not be limited to locatable minerals only.
- Braun (1986) and Remington and Braun (1991) documented significant impacts from coal mine-related activities on sage grouse populations.... Withdrawing the lands in question from future coal leasing protects these important sage grouse habitats ...
- The Secretary of Interior has full authority to withdraw the public lands ... from fluid mineral leasing, non-energy minerals leasing, mineral materials sales, and coal leasing. ...These sensitive habitats should therefore also be withdrawn from future non-energy mineral leasing as well.....
- .... The BLM's National Technical Team (2011:22) recommended that the agency "[c]lose priority sage-grouse habitat areas to fluid mineral leasing" under both of its recommended scenarios. Withdrawing the lands in question from future oil and gas leasing satisfies this biological imperative.
- Non-energy leasable minerals include leases to permit mining for potash, sodium, phosphate, sulfur, and gilsonite. The BLM's National Technical Team (2011:25) made ... recommendations ...: Close priority habitat to non-energy leasable mineral leasing. ... These sensitive habitats should therefore also be withdrawn from future non-energy mineral leasing as well.
- Because the Lander Resource Management Plan was finalized before the U.S. Fish and Wildlife Service made its 'stronghold' recommendations, ... no federal minerals in the Lander BLM Field Office have been proposed for withdrawal according to the agency's published maps. USFWS-proposed "stronghold" habitats ... face major threats from uranium mining and oil and gas development, as well as lesser threats from jade prospecting and mining and sand and gravel pit development. ... In Wyoming, the proposed withdrawal also excludes ... Sagebrush Focal Areas .... Uranium mining is underway in the Greater South Pass PHMA, which also has been designated as a Sagebrush Focal Area, with mines under development.... These lands are unaccountably excluded from the proposed mineral withdrawal. Portions of the South Pass Historic Landscape,.... The Upper Green River Valley,.... also is excluded from the SFA mineral withdrawals. These sensitive sage grouse habitats must all be withdrawn from future mineral entry....

#### **4.6.3 WITHDRAW ADDITIONAL ACTIVITIES**

Commenters recommended additional activities, such as grazing, be withdrawn from SFAs. Representative comments included the following:

- ... We urge BLM to consider withdrawing public lands from other destructive uses that are more extensive across the range of the sage grouse, such as livestock grazing, in order

to protect focal areas ... consider voluntary retirement of grazing permits in the scope of your proposal.

- ... grazing impacts, facilities, etc. are the most harmful impacts and greatest controllable threat to sage-grouse across the focal areas.
- Wind, solar and geothermal energy, as well as the power lines to bring that energy to market, negatively affect sage-grouse habitat. ... A plan that allows for the possibility of large power lines in the bird's priority habitat and creates a "carve out" for solar and wind projects in certain portions of priority habitat does not support survival of the sage-grouse. Please eliminate this carve out for power lines, solar plants and wind turbines in priority sage-grouse habitat.

#### **4.6.4 NEVADA PROPOSAL**

Commenters endorsed the proposed Nevada sage-grouse habitat additions. Representative comments included the following:

- If the withdrawal application is approved, Nevada has developed maps that propose better boundaries that take into account existing mining operations and exploration activities that are crucial to the economy of Nevada and the nation. I directed the Department of Wildlife, Department of Conservation and Natural Resources and the Nevada Division of Minerals to work cooperatively to analyze the SFA for its mineral potential and activity and to identify high value, priority greater sage-grouse habitat to better inform the BLM as decisions are made. As a result of this exercise by my state agencies, attached are maps whose boundaries achieve the stated goal of protecting priority habitat for the greater sage grouse.
- The dual importance of these resources to the State of Nevada and to the nation has led to consensus opinion that the area should be carefully managed in a collaborative manner between the Federal and State governments. Nevada strongly recommends that approximately 82,250 acres be designated as the Lone Willow Pilot Project, which will be excluded from the BLM Mineral Withdrawal Area and managed as a special experimental stewardship project as allowed under the Public Rangelands Improvement Act or similar existing authority....

#### **4.6.5 DECREASE BOUNDARIES**

Commenters recommended exclusion of specific mining claims or areas of high mineral potential or state other reasons why the proposed action boundaries should be decreased. Representative comments included the following:

##### **Recommended Exclusion of Specific Mining Claims**

- ...the BLM should exclude existing mineral operations and mining claims from the boundaries of SFAs, and consequently from the withdrawal...
- .... AEMA supports the Kings Valley Lithium Project and the Buckskin-National Project, and requests that these projects, and other similarly situated projects, regardless of the type of hardrock mineral being mined, be excluded from the proposed withdrawal and the boundaries of the SFAs be adjusted.
- ...request that the SFA boundary be modified and moved to the east to exclude ... the Western Lithium Kings Valley Lithium Project ....

- ... USFS is recommending to the BLM that WEX's claims be excluded from the proposed withdrawal. WEX makes the same request and respectfully submits the exclusion of its claims .... Excluding WEX's claims from the withdrawal ... would balance the preservation of WEX's interests, the economic interests of the local and State communities, the Nation's need for minerals with the desired conservation of Greater Sagegrouse and their habitat.
- ... allow Pilot Gold and similarly situated active projects to continue activities subject to the significant restrictions and mitigation requirements imposed on lands identified within PHMA.

### **Recommended Exclusion of Areas of High Mineral Potential**

- BLM must not withdraw any areas of known mineral potential because they will not be fully evaluated – the segregation and withdrawal will prevent the necessary evaluation and prohibit future development. The final boundaries for the withdrawal must comply with the FLPMA Section 102(a)(12) mandate that the Nation's public lands be managed in a manner that recognizes the country's needs for domestic sources of minerals.
- Both NEPA and FLPMA Section 204(c)(2)(6) require a substantive analysis of alternatives to the proposed withdrawal. In order to satisfy these requirements, the EIS must analyze in detail feasible alternatives ...[which]...should include substituting mitigation for some or all of the withdrawal, reducing the size of the withdrawal, and changing the location for the withdrawal to minimize impacts to mineral resources.
- The BLM must exclude areas with known mines and mineral prospects as documented by the Idaho Geological Survey's minerals database and mining property compilations....

### **Provided Other Reasons Why the Proposed Boundaries Should be Decreased**

- Revise the footprint to accurately reflect sage-grouse habitat....
- All alternatives analyzed in the EIS should exclude known Lithium depositions ...Lithium is a critical and strategic mineral to the nation ... Strategic and critical minerals should be exempt from SFA restrictions.
- Use the 2015 USGS/State of Nevada Habitat Map....
- BLM should further minimize ... adverse impacts... by preferentially locating the withdrawals in areas that are already functionally off-limits to exploration and mining.
- The broad area being proposed for withdrawal covers a very broad range of landscape conditions. Since some of these landscape features are unsuitable for sage grouse in any season ...these areas should be excluded. ... an alternative should be drafted that excludes these landscape features.
- The EIS should include an alternative that reduces and re-configures the withdrawal areas to preferentially withdraw PHMA with unfavorable geology for the discovery and development of mineral deposits. Lands that are covered with thick deposits of volcanic rocks or Quaternary alluvium would be two examples of geologic settings that typically are not priority targets for mineral exploration ....
- ...Set aside two million acres for Sage Grouse habitat in areas where there are no mines currently operating ... Allow mining in the areas where there is little or no Sage Grouse residing because of lack of suitable habitat....
- ...The BLM should consider an alternative that excludes existing mining operations and active mining claims from the proposed withdrawal.

- Eliminate all claims that paid the 2016 claims maintenance fee from the withdrawal. ... 3,762 unpatented lode, placer, and tunnel claims, and millsites (“mining claims”) are located within the boundaries of the proposed Nevada mineral withdrawal areas... A 2.7% reduction in the size of the proposed Nevada mineral withdrawal to eliminate the extremely adverse direct, indirect, and cumulative impacts to the claim owners and communities located near these claims is a reasonable alternative that must be considered in the EIS. A similar analysis must be performed for the other western states with proposed mineral withdrawals...

#### **4.6.6 ADAPTIVE MANAGEMENT**

Commenters proposed an adaptive management approach. Representative comments included the following:

- ... Nevada strongly recommends that approximately 82,250 acres be designated as the Lone Willow Pilot Project which will be excluded from the BLM Mineral Withdrawal Area and managed as a special experimental stewardship project as allowed under the Public Rangelands Improvement Act or similar existing authority. The purpose of the pilot project is to cooperatively manage the mineral and wildlife resources on a case-by-case, site-scale basis that will incorporate valuable mitigation strategies and requirements using the State Conservation Credit System and incorporating a strong local rehabilitation/reclamation component with research opportunities. The Lone Willow Pilot Project will be managed by a collaborative management group of professional geologists, wildlife biologists, range ecologists, and reclamation specialists based on local scientific findings. The Management Group will define and operate under a suite of guidelines which will be approved by the BLM, NDOW, and Nevada Division of Minerals....
- Considering the economic damage that can be done by the proposed restrictions and withdrawals, compared with the preliminary success of the local efforts, NO new restrictions or withdrawals should be done for at least 5 years to see what effect the local conservation efforts will produce.
- There is an area in the SFA identified for withdrawal that has outstanding greater sage grouse habitat and is also a world class lithium deposit, ... It is also an area that was badly burned by the Holloway Fire and is in desperate need of rehabilitation. We propose using this area as a pilot project in order to demonstrate an alternative, adaptive management approach that constrains mineral exploration while avoiding the loss of critical sage-grouse habitat and rehabilitating a wildfire burn area. We believe this can be done with cooperation between agencies, state and federal, and the private company working to develop a management plan that achieves all the stated goals.
- ... Humboldt County supports an EIS preferred alternative whereby withdrawals occur only upon adaptive management protocols following ground truthing on an individual project basis. .... This alternative might also incorporate the state conservation credit system within SFA's. ... In addition, all alternatives analysis within the EIS shall fully recognize the Humboldt County Master Plan and the management provisions identified within recommendations offered by the Nevada Sage Brush Ecosystem Council.
- ... Why not allow existing mining claim owners to retain all of their historical rights and allow new mining claims within the identified habitat areas until such land claims exceed 5% of the habitat. Should that happen, then the BLM can begin to monitor the impact of mining and put reasonable restrictions in place. ....

- ... work on land practices that will have a positive impact on the two major contributors to shrub steppe habitat degradation. Tighten the controls on cattle grazing and continue research on how to fight cheat grass. ... Also active fire suppression is needed to preserve what sagebrush habitat remains.
- NACO suggests that the BLM evaluate an alternative to the Proposed Action that adopts a Modified Proposed Action whereby withdrawals would occur only upon adaptive management and ground-truthing on a project by project basis. The SFA boundaries could be used as trigger for consultation for an on the ground proposal which would warrant review for withdrawal. This Alternative might also incorporate the State Conservation Credit system within the SFAs....

#### **4.6.7 ALLOW LIMITED MINING ACTIVITY**

Commenters advocated allowing some mining activity, such as staking and exploration, within the SFAs. Representative comments included the following:

- ... the implementation plans to address the conditions under which mineral claims can be filed in a sage grouse management area and mitigations that would have to be in place for exploration or mining activities....
- ... request that the staking of mineral claims under the 1872 Mining Law be allowed with regulations covering mechanized extraction and exploration within the sage grouse management areas.
- ... include language in the implementation plans for sage grouse management areas to allow for the collection of rocks and minerals using hand tools as a recognized recreational activity.
- ... companies are allowed to stake claims but that additional risk mitigation would be enforced to insure that the sage grouse habitats are protected, but that if the company can show, by appropriate biological survey that the areas are not a prime habitat that the restrictions would not apply.
- Instead of a full withdraw of locatable minerals, a viable alternative could be to withdraw sections pending sage grouse evaluation. If anyone wants to stake new claims in the withdrawn section, the claims would not be valid until the evaluation is complete. Then, following the current NEPA requirements, critical habitat can either be avoided or mitigated.

### **4.7 CUMULATIVE EFFECTS**

#### **4.7.1 CUMULATIVE EFFECTS**

Commenters made statements about cumulative effects. Some stated negative impacts from mining could be long term and cumulative. Some stated the EIS must address adverse cumulative effects of disturbances in withdrawn lands and other occupied sage-grouse habitat. Some talked about effects of other uses that threaten these lands and identified some of those actions for inclusion in the analysis. Some stated cumulative impacts are significant. Some expressed the importance of understanding the program-wide level cumulative effects before making a decision. Some stated that the withdrawal in combination with other restrictions (i.e., wilderness) cumulatively affect the multiple use mandate and the analysis should include



cumulative impacts of creating additional acreage of special category lands. Representative comments included the following:

### **Mining Will Have Cumulative Effects**

- Some stated “negative impacts from mining could be long term and cumulative.” Some stated “cumulative impacts are significant.”

### **The EIS Must Analyze Cumulative Effects**

- Some stated the EIS must “candidly address all serious adverse direct, indirect and cumulative effects of the serious disturbances that are already taking place in and surrounding the withdrawn lands, as well as all other occupied sage-grouse habitats.”
- Some stated “It would also be inappropriate to try to minimize the Programmatic-level analysis of cumulative impacts by trying to shift those impact analyses to subsequent Regional or Forest-level NEPA analyses of grouse-related, local or regional project proposals; that would clearly lead to segmentation that is inappropriate under Federal Council on Environmental Quality (CEQ) NEPA regulations.”
- Some expressed the importance of understanding the program-wide level cumulative effects before making a decision, stating that the “analysis of future Cumulative Impacts that would result from the unprecedented Mining Act abrogation represented by this level of withdrawals ..... will be extremely important to the Nation and must therefore be extremely well-done in view of the requirements of the CEQ June 24, 2005 guidelines that call for Federal Agency analyses of cumulative impacts to include the effects of past actions ..... so that the Program-wide-level of differential cumulative effects are understood before a decision is made.”

### **Effects of Other Uses and Identification of Some of Those Actions for Inclusion in the Analysis**

- Commenters stated that the analysis should include “livestock grazing disturbance, facilities, roading, oil and gas leases and development, agency vegetation treatments and fuel breaks (fragment habitats, create ideal sites for weed invasion, often increase frequent fire risk, etc.)” as well as “all existing and foreseeable land “treatments” and rules projects. This includes livestock forage crested wheat or other seedings, and all agency projects for all periods of time. Please also identify all lands identified for restoration following wildfires over the past 30 years.....”
- Some stated other actions “must be fully assessed, mapped and impacts examined.”
- Some expressed concern that there has not been analysis of “cumulative impacts of creating an additional 2 million acres of special category land, further restricting the wide range of historic and traditional multiple uses of the Federal public lands” or that “the withdrawal in combination with other restrictions (such as wilderness) cumulatively effect the multiple use mandate and the analysis should include cumulative impacts of creating additional acreage of special category lands.”
- Some described their main concern as the “cumulative effect of the proposed withdrawal in addition to the management actions/restrictions applied for big game crucial and winter range and sage grouse core areas on state trust lands. The collective effect of these restrictions will, more times than not, make it extremely difficult to responsibly manage State trust lands for income generation for our beneficiaries, which we are obligated to do as trustees of this land.”



## **4.8 CONSULTATION AND COORDINATION**

### **4.8.1 OTHER AGENCIES**

Commenters made statements about coordinating with other agencies and/or states, counties, or tribes. Some stated they need to work together for a balanced approach of conservation of the species that also protects local economies. Some identified the need to work together to identify areas that do not include areas of great mineral potential or to develop plans that will actually protect the greater sage-grouse or to modify the proposed withdrawal so that it is compatible with state interests. Some stated that local land managers need to be involved in the process and/or they should coordinate with local plans. Some stated coordination is needed to conduct the analysis or to analyze the current status of mineral and resource inventories and potential. Some made statements about past cooperation efforts and/or stated they want meaningful cooperation. Representative comments included the following:

#### **Coordination with Other Agencies and/or States, Counties, or Tribes**

- Commenters expressed that “agency cooperation is key to a successful NEPA process, especially as it relates to State and local governments.” They requested that BLM work with “its local and State partners for meaningful participation and staff support.” They suggested that BLM “pursue a collaborative statewide process bring federal (BLM, USFS, USFWS), State (Nevada Division of Environmental Protection, Nevada Fish & Game, other), mining and exploration industries, farmers, ranchers, oil and gas together (use the ID model) to focus on habitat rehab.”
- Some mentioned specific agencies for collaboration including “BLM must collaborate with the USGS, as well as the Idaho Geological Survey” or “BLM should consult with the State of Nevada, Commission on Mineral Resources Nevada Division of Minerals and the USGS” or “collaborate with the Idaho Department of Fish and Game to conduct the necessary analysis.”
- One stated that they should “undertake consultation with tribal nations to determine whether they would like to see reservation lands to be withdrawn from mineral availability as part of this mineral withdrawal.”
- “Congress also specifically mandated within FLPMA that with respect to a mineral withdrawal the Secretary was to consult with the local government bodies.” One requests that contact be made “early on” .... “to ensure that the Federal Land Policy and Management Act’s consistency, coordination and consultation processes are implemented early and seamlessly.”

#### **Work Together in a Balanced Approach for Conservation**

- One commenter discussed working with the BLM in a “balanced approach of conservation of the species.” Some stated that it is “important now, more than ever, that the BLM and USFS ..... work closely with local government to ensure the protection of the Greater Sage Grouse is balanced with the need to protect Nevada’s citizens; and perhaps discover that the two are not mutually exclusive” or the BLM should “work with other federal agencies and impacted Western states ..... while also protecting adjacent communities that depend on the public lands.” Another stated it is “imperative” that they work closely with the state and county to “ensure the proposed protection of the Greater

Sage-Grouse is equalized with the priority to protect regional and Elko County culture, economics and citizens.”

#### **Involve Local Land Managers in the Process or Coordinate with Local Plans**

- One commenter stated that BLM should “work closely with local and State governments to ensure consistency and implementation of planning efforts” while another stated it is “very important that land management decisions be integrated with County planning efforts....” and one “requests that the BLM pay special attention to local and State conservation and land use plans and laws....”
- One commenter suggested “entering into a Coordinated Agreement and Memoranda of Understanding (MOU) to work with the State” or requested that the BLM “enter into a Cooperating Agreement with the State of Nevada to implement the State Conservation Credit System.....” One stated the “Bi-State Action Plan is a prime example for how local, State, and federal Agencies can work together.”

#### **Coordination is Necessary for Analysis**

- Some stated the BLM “must collaborate with the USGS, as well as the Idaho Geological Survey” in the analysis of the “current status of mineral and resource inventories and potential in Idaho.”
- Some asked that the BLM “work with the State to identify alternative areas that might be better suited for withdrawals that do not include areas of great mineral potential.”
- “Coordination and cooperation between local government and federal agencies is based on the premise that concerns and expertise are best conveyed, and decisions made more robust, when multi-jurisdictional entities engage in dialogue.”

#### **Past Cooperation Efforts**

- Commenters voiced concern about the BLM’s “disregard of its local cooperating agencies” in past sage-grouse conservation efforts and stated that it was an “affront to established precedent and has harmed the relational dynamic.” Some stated that moving forward with the withdrawal is “a dramatic departure from our previous cooperation.”

### **4.8.2 LOCAL GROUPS**

Commenters made statements about cooperation with locals and/or local groups, such as mining claimants, mining groups, the ranching community, and local landowners. Some stated stakeholders should be involved in the process or stakeholder collaboration is needed. Some stated the BLM needs to directly notify active mining claimants within the affected areas or they should work with mining operators to conserve sage grouse and habitat. Some stated that local people are good sources of information. Some stated they need to work together to protect sage-grouse habitat and allow for mining to continue. Representative comments included the following:

#### **Stakeholders Should Be Involved in the Process or Stakeholder Collaboration Is Needed**

- ... I have never seen a process such as this advanced with so little collaboration with all stakeholders .... Since 1980, I have worked in a collaborative process addressing project development needs and concerns that included Federal and state agencies, NGOs, communities, ranching, and other industries. This withdrawal process disregarded collaboration and equal participation by all stakeholders, which resulted in skewed data gathering and resulted recommendations -- the 10 Million acre withdrawal.

- .... request that formal comment/input be solicited from the National Mining Association, the Northwest Federation of Mineralogical Societies and the parent American Federation of Mineralogical Societies... during conduct of each of DOI's and USDA's "mineral potential" analyses.... Affected Western-State-level Chambers of Commerce, the National Mining Association, and local Governmental agency organizational inputs on the economic impacts of both the blanket mining claim and entry "withdrawal" proposal ... and the restrictions proposed to be placed ... should be included in the Programmatic EIS impact analysis.
- Why were the Resource Advisory Council members who represent Mining and Energy not consulted?

**The BLM Needs to Directly Notify Active Mining Claimants within the Affected Areas or They Should Work with Mining Operators to Conserve Sage-Grouse and Habitat**

- The BLM needs to directly notify active mining claimants within the affected areas and provide adequate time for these stakeholders ... to review the issue and documentation and provide comments to the agency.
- The best way to provide for protection of the sage grouse, while simultaneously allowing continued economic development, is for BLM to develop conservation measures in cooperation with the regulated community that include a strong but pragmatic mitigation program.
- Conscientious and scientifically directed stewardship of the land is critical to successfully operating on this public land..... Consequently we are deeply invested in any actions the BLM might pursue as a result of their public land management practices. Therefore we would request that the BLM, in their consideration of the mining rights withdrawal and EIS scoping, give significantly more weight to the comments of citizens like ourselves, who live on and help manage the range, ....

**Local People Are Good Sources of Information**

- The people who use these lands are the best source of information your agencies will have about what is on the land and where. We can help direct field agencies to where the best possible locations are to collect data from what we have observed. We will work with all agencies on how to best manage the land and help minimize any effect on the local habitat.
- It has been widely reported in the west that the Federal government basically ignored all efforts and proposals by the states and local entities for solutions other than the proposed land withdrawals and related restrictions. From the publicly reported preliminary data, it is apparent that the local solutions are having a positive effect.

**Need to Work Together to Protect Sage-Grouse Habitat and Allow for Mining to Continue**

- ...the BLM could enter into a Cooperating Agreement... with the State of Nevada to implement the State Conservation Credit System similar to what was provided for the Barrick Gold and Newmont Mining Corporations.
- Our members will work closely with state and federal regulatory agencies to protect sage grouse in accordance with the new sage grouse habitat conservation strategy in all future activities.
- The State of Montana, by its actions and deeds, has demonstrated its full commitment to protecting sage grouse... Protecting sage grouse in Montana depends, first and foremost,

on the cooperation of private landowners, and their faith that we are asking them to step up and do the things that are necessary to succeed....

- Well-designed reclamation of public lands impacted by mining can ultimately lead to higher value habitat than if the same lands were left unmanaged...During mine reclamation, operators routinely restore such low-value habitats into prime potential sage grouse habitat...when coupled with appropriate reclamation requirements, mining activity on public lands can play an important role in restoring sage grouse and other species to long-term viability...When lands are withdrawn, mining companies that provide these valuable contributions are removed from the conservation effort and reclamation benefits are lost...Prohibiting the conservation efforts of mine operators though mineral withdrawals reduces the ability to conduct these active management approaches, further jeopardizing sage grouse habitat.

#### **4.8.3 COOPERATING AGENCY REQUEST**

Commenters requested cooperating agency status. They stated they welcome the opportunity to participate as a cooperating agency in order to participate in development of the EIS. Some stated they can provide cooperative assistance and/or provide local input and expertise.

Representative comments included the following:

- Commenters made statements about becoming cooperating agencies such as “respectfully, requests Cooperating Agency status in order to participate in the development of this environmental analysis” or “unanimously voted to become a cooperating/coordinating agency concerning the Notice of Proposed withdrawal.” One commenter stated the BLM should “call upon its local and State partners for meaningful participation and staff support to assist with the ..... analyses.” They added that “agency cooperation is key to a successful NEPA process, especially as it relates to State and local governments” and they are “required to invite the participation of impacted states and governmental entities and provide them with an opportunity for participation in preparing an environmental impact statement.”
- Commenters stated they can “offer assistance to the BLM as it identifies and analyzes the potential impacts, but they can also provide cooperative assistance in the proposed withdrawal areas” or “provide input regarding county land use in the planning area, as well as provide input regarding the unique custom, cultural, and socioeconomic attributes in the planning area. Additionally, the county can provide expertise related to the health, safety, and welfare of its citizens” and they can assist “in the NEPA process at the earliest possible time; participating during the scoping process; assuming responsibility for providing context and analysis for those areas of designated special expertise during the EIS process; making staff available at the agencies' request; and undertaking these efforts using county funds.” Another provided a list of items they would be “happy to assist with” including “Identify relevant local and regional organizations and interest groups.... Identify coordination needs associated with local land use plans, policies, and controls..... identifying data and inventory needs as well as anticipated management issues and concerns..... Suggest goals and objectives for potential alternatives..... Identify connected, similar, and cumulative actions..... Identify data needs and provide data, information collection, and technical analyses..... Arrange for resource, environmental, social, economic and institutional data and information to be collected, or assembled if already available.”

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## **5.0 FUTURE STEPS IN THE EIS PROCESS**

The BLM will use the comments collected during scoping to define issues and to develop a range of alternatives to address those issues that will be analyzed in the EIS. The impacts that could result from implementing the alternatives will be analyzed and documented in the DEIS. During this part of the process, the BLM will engage with cooperating agencies to identify issues and provide input on issues and alternatives. CEQ regulations provide that state agencies, local governments, tribal governments, and other federal agencies may serve as cooperating agencies during the EIS process if they have either jurisdiction by law or special expertise (40 CFR 1508.5). They also emphasize the use of such arrangements as a means of ensuring timely coordination with local, state, tribal, and Federal agencies in the preparation of NEPA analysis and documentation. The BLM places great importance on working effectively with its governmental partners through cooperating agency relationships. Federal, state, county and tribal agencies or governments that may meet qualifying criteria have been invited to participate in the NEPA process. Working together with the BLM, cooperating agencies will have the opportunity to provide input and information to be considered in the identification of issues and mitigations and in the development and analysis of the project alternatives. Cooperating agencies will also be invited to review administrative drafts of the EIS and other key documents, as appropriate.

Once the DEIS is developed it will be made available for public review. The availability of the DEIS will be announced in the FR and advertised in the local and regional media. Public comments will be accepted for 90 days, during which time public meetings or hearings will be held to receive comments on the adequacy of the DEIS. The BLM will review and consider all comments received on the DEIS. The document will be modified as appropriate based on public comments; all substantive comments and responses will be incorporated into the FEIS.

The availability of the FEIS will be announced in the FR and advertised in local and regional media. A ROD selecting the alternative to be implemented will be made by the DOI no sooner than 30 days after the date the Notice of Availability of the FEIS is published in the FR.



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# **APPENDIX A**

## **Federal Register Notices**

issues raised during the protest period and how they were addressed, please refer to the Director's Protest Resolution Reports for all four ARMPAs, which are available at the following Web site: [http://www.blm.gov/wo/st/en/prog/planning/planning\\_overview/protest\\_resolution/protestreports.html](http://www.blm.gov/wo/st/en/prog/planning/planning_overview/protest_resolution/protestreports.html).

The BLM received notifications of inconsistencies and recommendations as to how to resolve them during the Governor's consistency review period from the States of Idaho, Montana, Nevada, Oregon, and Utah. The BLM also received a concurrence letter of consistency from the State of California. On August 6, 2015, the BLM State Directors for Idaho, Montana, Nevada, Oregon, and Utah sent notification letters to their respective States as to whether they accepted or rejected their recommendations for consistency. The States were then given thirty days to appeal the State Directors' decisions. The States of Idaho, Nevada, and Utah appealed the BLM State Directors' decisions. The BLM Director affirmed the State Directors' decisions on these recommendations as the recommendations did not provide the balance required by 43 CFR 1610.3-2(e). The Director communicated his decisions on the appeals in writing to the Governors concurrently with the release of the RODs.

The Proposed LUPAs/Final EISs were selected in the ROD as the ARMPAs, with some minor modifications and clarifications based on protests received, the Governors' consistency reviews, and internal agency deliberations.

*Copies of the Idaho and Southwestern Montana GRSR ROD and ARMPA are available upon request and are available for public inspection at:*

- BLM Idaho State Office, 1387 S. Vinnell Way, Boise ID 83709;
- BLM Boise District Office, 3948 Development Avenue, Boise, ID 83705;
- BLM Owyhee Field Office, 20 First Avenue West, Marsing, ID 83639;
- BLM Idaho Falls District Office, 1405 Hollipark Drive, Idaho Falls, ID 83401;
- BLM Salmon Field Office, 1206 South Challis Street, Salmon, ID 83467;
- BLM Challis Field Office, 1151 Blue Mountain Road, Challis, ID 83226;
- BLM Pocatello Field Office, 4350 Cliffs Drive, Pocatello, ID 83204;
- BLM Twin Falls District Office, 2538 Kimberly Road, Twin Falls, ID 83301;
- BLM Shoshone Field Office, 400 West F Street, Shoshone, ID 83352;
- BLM Burley Field Office, 15 East 200 South, Burley, ID 83318;

- BLM Coeur d'Alene District Office, 3815 Schreiber Way, Coeur d'Alene, ID 83815;
- BLM Cottonwood Field Office, 1 Butte Drive, Cottonwood, ID 83522;
- BLM Montana State Office, 5001 Southgate Drive, Billings, MT 59101;
- BLM Butte District Office, 106 North Parkmont, Butte, MT 59701; and
- BLM Dillon Field Office, 1005 Selway Drive, Dillon, MT 59725-9431.

*Copies of the Nevada and Northeastern California GRSR ROD and ARMPA are available upon request and are available for public inspection at:*

- BLM Nevada State Office, 1340 Financial Boulevard, Reno, NV, 89502;
- BLM Winnemucca District Office, 5100 E. Winnemucca Boulevard, Winnemucca, NV, 89445;
- BLM Ely District Office, 702 North Industrial Way, Ely, NV, 89301;
- BLM Elko District Office, 3900 E. Idaho Street, Elko, NV, 89801;
- BLM Carson City District Office, 5665 Morgan Mill Road, Carson City, NV, 89701;
- BLM Battle Mountain District Office, 50 Bastian Road, Battle Mountain, NV, 89820;
- BLM California State Office, 2800 Cottage Way, Suite W-1623, Sacramento, CA, 95825;
- BLM Alturas Field Office, 708 W. 12th Street, Alturas, CA, 96101;
- BLM Eagle Lake Field Office, 2950 Riverside Drive, Susanville, CA, 96130; and
- BLM Surprise Field Office, 602 Cressler Street, Cedarville, CA, 96104.

*Copies of the Oregon GRSR ROD and ARMPA are available upon request and are available for public inspection at:*

- BLM Oregon State Office, 1220 SW. 3rd Avenue, Portland, OR 97204;
- BLM Baker Resource Area Office, 3100 H Street, Baker City, OR 97814;
- BLM Burns District Office, 28910 Highway 20 West, Hines, OR 97738;
- BLM Lakeview District Office, 1301 S. G Street, Lakeview, OR 97630;
- BLM Prineville District Office, 3050 NE. 3rd Street, Prineville, OR 97754; and
- BLM Vale District Office, 100 Oregon Street, Vale, OR 97918.

*Copies of the Utah GRSR ROD and ARMPA are available upon request and are available for public inspection at:*

- BLM Utah State Office, 440 West 200 South, Suite 500, Salt Lake City, UT, 84101;
- BLM Cedar City Field Office, 176 East D.L. Sargent Drive, Cedar City, UT 84721;
- BLM Fillmore Field Office, 95 East 500 North, Fillmore, UT 84631;

- BLM Kanab Field Office and Grand Staircase-Escalante National Monument, 669 South Highway 89A, Kanab, UT 84741;
- BLM Price Field Office, 125 South 600 West, Price, UT 84501;
- BLM Richfield Field Office, 150 East 900 North, Richfield, UT 84701;
- BLM Salt Lake Field Office, 2370 S. Decker Lake Boulevard, West Valley City, UT 84119; and
- BLM Vernal Field Office, 170 South 500 East, Vernal, UT 84078.

**Authority:** 36 CFR 219.59, 40 CFR 1506.6, 40 CFR 1506.10, 43 CFR 1610.2; 43 CFR 1610.5.

**Amy Lueders,**

*Acting Assistant Director, Renewable Resources & Planning.*

[FR Doc. 2015-24213 Filed 9-22-15; 4:15 pm]

BILLING CODE 4310-22-P

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[LLW0210000.15X.L11100000.PH0000 LXISIGST0000]

### Notice of Proposed Withdrawal; Sagebrush Focal Areas; Idaho, Montana, Nevada, Oregon, Utah, and Wyoming and Notice of Intent To Prepare an Environmental Impact Statement

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice.

**SUMMARY:** The Assistant Secretary of the Interior for Land and Minerals Management has approved an application to withdraw approximately 10 million acres of public and National Forest System lands identified as Sagebrush Focal Areas in Idaho, Montana, Nevada, Oregon, Utah, and Wyoming from location and entry under the United States mining laws to protect the Greater Sage-Grouse and its habitat from adverse effects of locatable mineral exploration and mining, subject to valid existing rights. This notice temporarily segregates the lands for up to 2 years while the application is processed. This notice also provides the public with an opportunity to comment on the proposed withdrawal application. In addition, this notice initiates the public scoping process for an Environmental Impact Statement (EIS) to analyze and disclose impacts of the proposed withdrawal.

**DATES:** Comments on the proposed withdrawal application or scoping comments on issues to be analyzed in the EIS must be received by December

23, 2015. Please clearly indicate whether comments are in regard to the withdrawal application or scoping comments on the EIS. The date(s) and location(s) of any scoping meetings will be announced at least 15 days in advance through local media, newspapers and the BLM Web site at: <http://www.blm.gov/wo/st/en/prog/more/sagegrouse.html>. In order to be included in the Draft EIS, all comments must be received prior to the close of the 90-day scoping period or 15 days after the last public meeting, whichever is later. Additional opportunities for public participation will be available upon publication of the Draft EIS.

**ADDRESSES:** Written comments should be sent to the BLM Director, 1849 C Street NW., (WO-200), Washington, DC 20240 or electronically to [sagebrush\\_withdrawals@blm.gov](mailto:sagebrush_withdrawals@blm.gov).

**FOR FURTHER INFORMATION CONTACT:** Mark A. Mackiewicz, PMP, Senior National Project Manager BLM, by telephone at 435-636-3616, or by email at [mmackiew@blm.gov](mailto:mmackiew@blm.gov); or one of the BLM state offices listed below. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 to reach the BLM contact person. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

**SUPPLEMENTARY INFORMATION:** The Bureau of Land Management (BLM) filed an application requesting the Assistant Secretary of the Interior for Land and Minerals Management to withdraw, subject to valid existing rights, approximately 10 million acres of public and National Forest System lands located in the States of Idaho, Montana, Nevada, Oregon, Utah and Wyoming from location and entry under the United States mining laws, but not from leasing under the mineral or geothermal leasing or mineral materials laws. Copies of the map entitled "BLM Petition/Application for Sagebrush Focal Areas Withdrawal" depicting the lands proposed for withdrawal are posted on our Web site at <http://www.blm.gov/wo/st/en/prog/more/sagegrouse.html> and are also available from the BLM offices listed below:

Idaho State Office, 1387 S. Vinnell Way, Boise, Idaho 83709.  
Montana State Office, 5001 Southgate Drive, Billings, Montana 59101-4669.  
Nevada State Office, 1340 Financial Boulevard, Reno, Nevada 89502.  
Oregon State Office, 1220 SW 3rd Avenue, Portland, Oregon 97204.

Utah State Office, 440 West 200 South, Suite 500, Salt Lake City, Utah 84101.

Wyoming State Office, 5353 Yellowstone Road, Cheyenne, Wyoming 82009.

The Sagebrush Focal Areas include all public and National Forest System lands identified in the townships below:

#### Idaho

##### Boise Meridian

T. 1 N., Rs. 17 and 29 E.,  
Tps. 1 and 10 N., R. 18 E.,  
Tps. 1 and 9 to 12 N., R. 19 E.,  
Tps. 1, 2, and 8 to 12 N., R. 20 E.,  
Tps. 1, 2, and 5 to 12 N., R. 21 E.,  
Tps. 1, 2, and 4 to 11 N., R. 22 E.,  
Tps. 1 to 13 N., Rs. 23 and 24 E.,  
Tps. 9, 10, and 12 N., R. 24½ E.,  
Tps. 2 to 12, 15 and 16 N., R. 25 E.,  
Tps. 2 to 5, 8 to 11, and 13 to 16 N., R. 26 E.,  
Tps. 1, 2, 4 to 11, and 13 to 16 N., R. 27 E.,  
Tps. 1, 4 to 9, and 13 to 15 N., R. 28 E.,  
Tps. 1 and 6 to 9 N., R. 30 E.,  
Tps. 8 and 9 N., Rs. 31 and 32 E.,  
Tps. 7 to 9 N., Rs. 34 and 35 E.,  
Tps. 9 to 12 N., R. 36 E.,  
Tps. 10 to 12 N., R. 37 E.,  
Tps. 10 and 11 N., R. 38 E.,  
Tps. 9 to 11 N., R. 39 E.,  
Tps. 8 to 11 N., R. 40 E.,  
Tps. 8 to 10 N., R. 41 E.,  
Tps. 8 to 16 S., R. 1 W.,  
Tps. 9 to 16 S., R. 2 W.,  
Tps. 10 to 16 S., R. 3 W.,  
Tps. 11 to 16 S., R. 4 W.,  
Tps. 12 to 16 S., R. 5 W.,  
Tps. 13 to 16 S., R. 6 W.,  
Tps. 8 to 14, and 16 S., R. 1 E.,  
Tps. 7 to 14 S., R. 2 E.,  
Tps. 8 to 14 S., R. 3 E.,  
Tps. 8 to 16 S., R. 4 E.,  
Tps. 9, and 11 to 16 S., R. 5 E.,  
Tps. 11 to 16 S., R. 6 E.,  
Tps. 13 to 16 S., Rs. 7 and 8 E.,  
Tps. 14 to 16 S., Rs. 9 and 10 E.,  
Tps. 3 and 4 and 14 to 16 S., Rs. 11 E.,  
Tps. 2 to 4 and 13 to 16 S., R. 12 E.,  
Tps. 2 to 4 and 12 to 16 S., Rs. 13 and 14 E.,  
Tps. 1 to 4 and 12 to 16 S., Rs. 15 and 17 E.,  
Tps. 1 to 4, and 13 to 16 S., R. 16 and 18 E.,  
Tps. 1 to 3 S., R. 19 E.,  
Tps. 1 to 4 S., Rs. 20 and 24 E.,  
Tps. 1 to 4, and 14 S., R. 21 E.,  
Tps. 1 to 5, and 14 S., R. 22 E.,  
Tps. 1 to 6 S., R. 23 E.,  
Tps. 1 to 3 S., Rs. 25, and 27 to 29 E.,  
T. 1 S., R. 30 E.

The areas described contain approximately 3,854,622 acres in Bingham, Blaine, Butte, Camas, Cassia, Clark, Custer, Elmore, Fremont, Gooding, Jefferson, Lemhi, Lincoln, Minidoka, Owyhee, Power, and Twin Falls Counties.

#### Montana

##### Principal Meridian

Tps. 21 to 23 N., R. 20 E.,  
Tps. 20 to 23 N., R. 21 E.,  
Tps. 20 N., R. 22 E.,  
Tps. 19 to 21, 23 and 24 N., R. 23 E.,  
Tps. 18 to 21, 23 and 24 N., Rs. 24 and 25 E.,  
Tps. 18 to 20, 22 to 25, 27 and 28 N., R. 26 E.,  
T. 24 N., R. 26½ E.,  
Tps. 19 to 29 N., R. 27 E.,  
Tps. 20, 22 to 24 and 26 to 29 N., R. 28 E.,  
Tps. 22 to 27 N., R. 29 E.,  
Tps. 22 to 26 N., R. 30 E.,  
Tps. 23 to 26 N., Rs. 31 and 32 E.,  
Tps. 23 to 29 N., Rs. 33, 35 and 36 E.,  
Tps. 24 to 29 N., Rs. 34 and 37 E.,  
Tps. 26 and 27 N., R. 38½ E.,  
Tps. 24 to 28 N., R. 38 E.,  
Tps. 24 to 27 N., R. 39 E.,  
T. 26 N., R. 40 E.

The areas described contain approximately 983,156 acres in Fergus, Garfield, Petroleum, Phillips, and Valley Counties.

#### Nevada

##### Mount Diablo Meridian

Tps. 44, 46, and 47 N., R. 20 E.,  
Tps. 43 to 47 N., Rs. 21, 40, 45, 53, 54, 55, 69, and 70 E.,  
Tps. 43, 44, and 47 N., R. 22 E.,  
T. 47 N., R. 23 and 23½ E.,  
T. 45 N., R. 31 E.,  
Tps. 44 to 47 N., Rs. 32, 33, 41 and 42 E.,  
Tps. 44 to 48 N., Rs. 34 to 36 E.,  
Tps. 45 to 47 N., R. 37 E.,  
Tps. 42 to 44 N., R. 38 E.,  
Tps. 42 to 47 N., Rs. 39, 46, 49, 50, 57, 58, 60 to 62, 67 and 68 E.,  
Tps. 44 to 46 N., R. 43 E.,  
Tps. 40 to 47 N., R. 47 E.,  
Tps. 41 to 47 N., Rs. 48, and 63 to 66 E.,  
T. 44 N., R. 52 E.,  
Tps. 46 and 47 N., R. 54½ E.,  
Tps. 42 to 45, and 47 N., R. 56 E.,  
Tps. 42 to 44, 46 and 47 N., R. 59 E.,

The areas described contain approximately 2,797,399 acres in Elko, Humboldt, and Washoe Counties.

#### Oregon

##### Willamette Meridian

Tps. 35 and 36 S., R. 21 E.,  
Tps. 32 to 40 S., R. 22 E.,  
Tps. 31 to 40 S., Rs. 23 and 24 E.,  
Tps. 34 to 41 S., Rs. 25, 29, and 46 E.,  
Tps. 33 and 34, 38 to 41 S., R. 26 E.,  
Tps. 32 to 41 S., R. 27 and 28 E.,  
Tps. 35 to 41 S., R. 30 E.,  
Tps. 36 to 41 S., Rs. 31, 40 to 43, 47 and 48 E.,  
Tps. 37 to 40 S., R. 32 E.,  
T. 37 S., R. 32½ E.,  
Tps. 38 to 40 S., R. 33 E.,  
Tps. 40 and 41 S., R. 36 E.,  
Tps. 36 and 37, 39 to 41 S., R. 37 E.,  
Tps. 38 to 41 S., Rs. 38 and 39 E.,  
Tps. 33 to 41 S., Rs. 44 and 45 E.,  
Tps. 37 to 41 S., R. 49 E.



The areas described contain approximately 1,929,580 acres in Harney, Lake, and Malheur Counties.

#### Utah

##### Salt Lake Meridian

Tps. 9 and 10 N., R. 3 E.,  
Tps. 9, 10, 10½, and 11 N., R. 4 E.,  
Tps. 9 to 12 N., R. 5 E.,  
Tps. 9 to 13 N., Rs. 6 to 8 E.,  
Tps. 12, 14, and 15 N., R. 17 W.,  
Tps. 11 to 15 N., R. 18 W.,  
Tps. 10 to 15 N., R. 19 W.

The areas described contain approximately 230,808 acres in Box Elder, Cache, and Rich Counties.

#### Wyoming

##### 6th Principal Meridian

Tps. 27 and 28 N., R. 99 W.,  
Tps. 27 to 29 N., R. 100 W.,  
Tps. 25, 28, and 29 N., R. 101 W.,  
Tps. 28 N., R. 102 W.,  
Tps. 22 N., Rs. 104 and 120 W.,  
Tps. 22, and 25 to 27 N., R. 105 W.,  
Tps. 26 and 27 N., Rs. 106 to 108 W.,  
T. 24 N., R. 112 W.,  
Tps. 23 and 24 N., Rs. 113 and 115 W.,  
Tps. 22 to 24 N., Rs. 114 and 119 W.,  
Tps. 20 to 24 N., R. 117 W.,  
Tps. 21 to 24 N., R. 118 W.,  
Tps. 19 and 20 N., R. 121 W.

The areas described contain approximately 252,162 acres in Fremont, Lincoln, Sublette, Sweetwater, and Uinta Counties.

The total areas described aggregate approximately 10 million acres of public and National Forest System lands in the six states and counties listed above.

The Assistant Secretary of the Interior for Land and Minerals Management has approved the BLM's application. Therefore, this document constitutes a withdrawal proposal of the Secretary of the Interior (43 CFR 2310.1-3(e)).

The purpose of the proposed withdrawal of the Sagebrush Focal Areas in Priority Habitat Management Areas is to protect the Greater Sage-Grouse and its habitat from adverse effects of locatable mineral exploration and mining subject to valid existing rights.

The use of a right-of-way, interagency or cooperative agreement, or surface management by the BLM under 43 CFR part 3715 or 43 CFR part 3809 regulations or by the Forest Service under 36 CFR part 228 would not adequately constrain nondiscretionary uses, which could result in loss of critical sage-grouse habitat.

There are no suitable alternative sites for the withdrawal.

No water rights would be needed to fulfill the purpose of the requested withdrawal.

Records relating to the application may be examined by contacting the BLM offices listed above.

For a period until December 23, 2015, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the BLM Director, 1849 C Street NW., (WO-210), Washington, DC 20240, or electronically to [sagebrush\\_withdrawals@blm.gov](mailto:sagebrush_withdrawals@blm.gov).

All comments received will be considered before any final action is taken on the proposed withdrawal.

The purpose of the public scoping process is to determine relevant issues that will influence the scope of the environmental analysis, including alternatives, and guide the process for developing the EIS. At present, the BLM has identified the following preliminary issues: Air quality/climate, American Indian resources, cultural resources, wilderness, mineral resources, public health and safety, recreation, socio-economic conditions, soil resources, soundscapes, special status species, vegetation resources, visual resources, water resources, and fish and wildlife resources.

Because of the nature of a withdrawal of public lands from operation of the mining law, mitigation of its effects is not likely to be an issue requiring detailed analysis. However, consistent with Council on Environmental Quality regulations implementing NEPA (40 CFR 1502.14), the BLM will consider whether and what kind of mitigation measures may be appropriate to address the reasonably foreseeable impacts to resources from the approval of this proposed withdrawal.

The BLM will utilize and coordinate the NEPA scoping process to help fulfill the public involvement process under the National Historic Preservation Act (54 U.S.C. 306108) as provided in 36 CFR 800.2(d)(3). The information about historic and cultural resources within the area potentially affected by the proposed action will assist the BLM in identifying and evaluating impacts to such resources.

The BLM will consult with Indian tribes on a government-to-government basis in accordance with Executive Order 13175 and other policies. Tribal concerns, including impacts to Indian trust assets and potential impacts to cultural resources, will be given due consideration. Federal, State, and local agencies, along with tribes and other stakeholders that may be interested in or affected by the proposed withdrawal that the BLM is evaluating, are invited to participate in the scoping process and, if eligible, may request or be

requested by the BLM to participate in the development of the environmental analysis as a cooperating agency.

Comments including names and street addresses of respondents will be available for public review at the BLM Washington Office at the address noted above, during regular business hours Monday through Friday, except Federal holidays. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

For a period until September 24, 2017, subject to valid existing rights, the lands described in this notice will be segregated from location and entry under the United States mining laws, unless the application/proposal is denied or canceled or the withdrawal is approved prior to that date. Licenses, permits, cooperative agreements, or discretionary land use authorizations may be allowed during the temporary segregative period, but only with approval of the authorized officer of the BLM or the USFS.

The application will be processed in accordance with the regulations set forth in 43 CFR part 2300.

Neil Kornze,

Director, Bureau of Land Management.

[FR Doc. 2015-24212 Filed 9-22-15; 4:15 pm]

BILLING CODE 4310-84-P

#### DEPARTMENT OF THE INTERIOR

##### Bureau of Land Management

[LLWO350000.L14400000.PN0000]

##### Renewal of Approved Information Collection

AGENCY: Bureau of Land Management, Interior.

ACTION: 30-day notice and request for comments.

SUMMARY: The Bureau of Land Management (BLM) has submitted an information collection request to the Office of Management and Budget (OMB) to continue the collection of information from owners of surface estates who apply for title to underlying Federally-owned mineral estates. The Office of Management and Budget (OMB) previously approved this information collection activity, and assigned it control number 1004-0153.

Northeast quarter of Section 8 for a distance of 921.75 feet to the Point of Beginning; thence continuing along said North line, South 88°10'18" East 921.26 feet; thence South 01°29'02" West parallel with the West line of said Northeast quarter, 1316.97 feet to the South line of the North half of said Northeast quarter; thence North 88°07'39" West along said South line, 921.26 feet; thence North 01°29'02" East, 1316.26 feet to the Point of Beginning. EXCEPT the right of way of NW 319th Street.

The above-described lands contain a total of 156.401 acres, more or less, which are subject to all valid rights, reservations, rights-of-way, and easements of record.

This proclamation does not affect title to the lands described above, nor does it affect any valid existing easements for public roads, highways, public utilities, railroads, and pipelines, or any other valid easements of rights-of-way or reservations of record.

Dated: November 6, 2015.

**Kevin Washburn,**

*Assistant Secretary—Indian Affairs.*

[FR Doc. 2015-28805 Filed 11-12-15; 8:45 am]

BILLING CODE 4337-15-P

#### **ACTION:** Notice.

**SUMMARY:** On September 24, 2015, the Bureau of Land Management (BLM) published a Notice of Proposed Withdrawal: Sagebrush Focal Areas; Idaho, Montana, Nevada, Oregon, Utah, and Wyoming and Notice of Intent to Prepare an Environmental Impact Statement for the Proposed Withdrawal in the **Federal Register**. This notice extends the comment period for both the proposed withdrawal and initial scoping for the environmental impact statement (EIS) being prepared to consider the merits of the proposed withdrawal and announces the times, dates, and locations of public meetings.

**DATES:** Written or emailed comments for scoping for the EIS and on the proposed withdrawal may be submitted through January 15, 2016. In addition, through this Notice the BLM is also announcing that it will hold public meetings in December 2015 to focus on relevant issues and environmental concerns, identify possible alternatives, help determine the scope of the EIS, and provide an opportunity for public comments on the proposed withdrawal. For dates and locations for the scoping meetings, please see the **SUPPLEMENTARY INFORMATION** section below.

**ADDRESSES:** Written comments should be sent to the BLM Director, 1649 C Street NW, (WO-200), Washington, DC 20240 or emailed to [sagebrush\\_withdrawals@blm.gov](mailto:sagebrush_withdrawals@blm.gov).

**FOR FURTHER INFORMATION CONTACT:** Contact Mark Mackiewicz, BLM, by telephone at 435-636-3616. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 to reach the BLM contact person. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual.

You will receive a reply during normal business hours.

**SUPPLEMENTARY INFORMATION:** The BLM filed an application requesting the Assistant Secretary of the Interior for Land and Minerals Management to withdraw, subject to valid existing rights, approximately 10 million acres of BLM-managed public and National Forest System lands located in the States of Idaho, Montana, Nevada, Oregon, Utah and Wyoming from location and entry under the United States mining law, but not from leasing under the mineral or geothermal leasing or mineral materials laws.

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969 (NEPA), the BLM will prepare an EIS and conduct public scoping meetings on the withdrawal from the mining law of approximately 10 million acres of BLM- and United States Forest Service-administered public lands, in 6 western states as identified in the **Federal Register** notice of September 24, 2015 (80 FR 57635). The period for initial scoping comments from the public has been extended from December 23, 2015, to January 15, 2016. These public scoping meetings will also meet the requirements under 43 CFR 2310 to provide public meetings for comment on the Notice of Proposed Withdrawal that published on September 24, 2015.

The dates, times, and locations of the meetings are as follows:

#### **DEPARTMENT OF THE INTERIOR**

##### **Bureau of Land Management**

[LLWO210000.16X.L11100000.PH0000  
LXSISGST0000]

##### **Extension of Public Comment Period and Schedule of Public Scoping Meetings and Public Meetings for the Proposed Withdrawal of Sagebrush Focal Areas in Idaho, Montana, Nevada, Oregon, Utah, and Wyoming, and an Associated Environmental Impact Statement**

**AGENCY:** Bureau of Land Management, Interior.

Dates & times	Locations	BLM contact
Dec. 14, 2015:		
5 p.m. to 7 p.m. ....	Harney County Chamber of Commerce, 484 North Broadway, Burns, OR 97720.	Jody Weil, 503-808-6287.
5 p.m. to 7 p.m. ....	Lakeview BLM District Office, 1301 South G Street, Lakeview, OR 97630.	Jody Weil, 503-808-6287.
5 p.m. to 7 p.m. ....	Salt Lake City BLM Office, 2370 South Decker Lake Drive, West Valley City, UT 84119.	Megan Crandall, 801-539-4020.
Dec. 15, 2015:		
4 p.m. to 6 p.m. ....	Best Western Vista Inn & Conference Center, 2645 Airport Way, Boise, ID 83709.	Erin Curtis, 208-373-4016.
5 p.m. to 7 p.m. ....	Rock Springs BLM Field Office, 280 Highway 191 North, Rock Springs, WY 82901.	Kristen Lenhardt, 307-775-6015.
5 p.m. to 7 p.m. ....	The Nugget, 1100 Nugget Avenue, Sparks, NV 89431	Steve Clutter, 775-861-6629.
Dec. 16, 2015:		
2 p.m. to 4 p.m. ....	Great Northern Hotel, 2 South 1st Street East, Malta, MT 59538	Al Nash, 406-896-5260.
4 p.m. to 6 p.m. ....	Shiloh Suites Conference Hotel, 780 Lindsay Blvd., Idaho Falls, ID 83402	Erin Curtis, 208-373-4016.



Dates & times	Locations	BLM contact
5 p.m. to 7 p.m.	Elko Conference Center, 724 Moren Way, Elko, NV 89801	Steve Clutter, 775-861-6629.

The EIS will consider a No Action alternative and consider reasonably foreseeable mineral development activities. The EIS does not support a land-use plan or a land-use plan amendment. It will provide a comprehensive programmatic NEPA analysis for the proposed action of the Secretary of the Interior withdrawing these public lands from operation of the mining law for the conservation benefit of the Greater Sage-grouse.

The BLM has initially identified the following issues for analysis in this EIS: Air quality/climate, American Indian resources, cultural resources, wilderness and wilderness characteristics, mineral resources, public health and safety, recreation, social and economic conditions, soil resources, soundscapes, special status species, vegetation resources, visual resources, water resources, and fish and wildlife habitat.

In addition, the BLM expects to address economic effects of withdrawing these public lands from operation of the mining law, wildlife habitat conservation; improvement, restoration of ecosystem processes; protection of cultural resources, watershed and vegetative community health, new listings of threatened and endangered species and consideration of other sensitive and special status species.

**Steve Ellis,**  
Deputy Director, Bureau of Land  
Management.

(FR Doc. 2015-28877 Filed 11-12-15; 8:45 am)

BILLING CODE 4310-04-P

#### DEPARTMENT OF THE INTERIOR

##### Bureau of Land Management

[LLNVC00000.L16100000.DR0000; 14-08807; MO# 4500080864]

**Opportunity To Comment on Changes to the Nevada and California Greater Sage-Grouse Bi-State Distinct Population Segment Carson City Field Office Consolidated Resource Management Plan and the Tonopah Field Office Resource Management Plan Amendment, Nevada**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice.

**SUMMARY:** The Bureau of Land Management (BLM) is soliciting

comments on significant changes to the Proposed Plan as set forth in the Greater Sage-Grouse Bi-State Distinct Population Segment (BSSG) Forest Plan Amendment and Final Environmental Impact Statement (EIS), announced on February 13, 2015. Following consideration of any comments on these changes, the BLM intends to issue a Record of Decision (ROD) amending the Carson City Field Office Consolidated Resource Management Plan and the Tonopah Field Office Resource Management Plan.

**DATES:** Written comments on the changes to the Proposed Plan will be accepted until December 14, 2015.

**ADDRESSES:** You may submit comments related to the significant changes to the Proposed Plan by any of the following methods:

- **Email:** [blm\\_nv\\_ccdowebmail@blm.gov](mailto:blm_nv_ccdowebmail@blm.gov).
- **Fax:** 775-885-6147.
- **Mail:** BLM Carson City District, Attn: Colleen Sievers, Project Manager, 5665 Morgan Mill Rd., Carson City, NV 89701.

**FOR FURTHER INFORMATION CONTACT:** Colleen Sievers, Project Manager, telephone: 775-885-6168; address: 5665 Morgan Mill Rd., Carson City, NV 89701; email: [blm\\_nv\\_ccdowebmail@blm.gov](mailto:blm_nv_ccdowebmail@blm.gov). Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

**SUPPLEMENTARY INFORMATION:** The United States Forest Service (USFS) was the lead agency for preparing the BSSG Forest Plan Amendment (Plan Amendment) and Final EIS. As part of that effort and based on the analysis in the Final EIS, the BLM, a cooperating agency, proposes to amend the Carson City Field Office Consolidated Resource Management Plan and the Tonopah Field Office Resource Management Plan. Following the release of the Proposed Plan and the conclusion of the protest process, the BLM identified changes and a clarification for the Proposed Plan as explained below and determined, pursuant to the applicable authorities (43 CFR 1610.2(f)(5) and 43 CFR 1610.5-1(b)), that public comment on those measures is necessary. The

environmental consequences of the proposed changes and clarification have been analyzed as part of the Plan Amendment and Final EIS. After considering any comments on these changes, the BLM expects to issue a ROD amending the Carson City Field Office Consolidated Resource Management Plan and the Tonopah Field Office Resource Management Plan.

The Environmental Protection Agency (EPA) published the Notice of Availability (NOA) for the BSSG Forest Plan Amendment/Draft EIS in the **Federal Register** on August 23, 2013 (78 FR 52524), which initiated a 90-day comment period. An NOA for the BSSG Forest Plan Amendment/Revised Draft EIS was published by the EPA on July 11, 2014 (79 FR 40100), which initiated a second 90-day comment period. The EPA published the NOA for the BSSG Forest Plan Amendment and Final EIS in the **Federal Register** on February 13, 2015 (80 FR 8081), which initiated a 30-day BLM protest period and 60-day Governors consistency review period. The Plan Amendment and Final EIS identified the BLM Plan as the Proposed Plan. The BLM received three protest letters. In response to those protests and based on additional policy discussions, the BLM has determined that it will clarify and make changes to the Proposed Plan.

The clarification and changes include: (1) Identifying disturbance levels within BSSG habitat; (2) Adjusting buffers for tall structures near active or pending leaks; (3) Adding a restriction for new high-power transmission lines; and (4) Changing on-the-ground management for habitat connectivity. This notice identifies those clarifications and changes and initiates a 30-day public comment period (43 CFR 1610.2(f)(5) and 43 CFR 1610.5-1(b)).

#### Habitat Disturbance—Proposed Change

The BLM is changing the Proposed Plan, as it was set forth in the Plan Amendment and Final EIS, to set a total anthropogenic disturbance of no more than 3 percent of the total BSSG habitat on Federal lands within the Bodie Mountain/Grant, Desert Creek/Fales, and White Mountains population management unit boundaries (C-Wild-S-04), and a total anthropogenic disturbance of no more than 1.5 percent of the total BSSG habitat on Federal lands within the Pine Nut Mountains population management unit (PMU).

licensee to allow or permit an intoxicated or disorderly person to come into or remain in or about the premises.

O. For an on-sale or off-sale retailer or an employee of such retailer to sell, dispose of, deliver or give spirituous liquor to a person between the hours of 2:00 a.m. and 6:00 a.m.

P. For a licensee or employee to knowingly permit any person on or about the licensed premises to give or furnish any spirituous liquor to any person under the age of 21 or knowingly permit any person under the age of 21 to have in the person's possession spirituous liquor on the licensed premises.

Q. For an on-sale retailer or an employee of such retailer to allow a person to consume or possess spirituous liquors on the premises between the hours of 2:30 a.m. and 6:00 a.m.

R. For an on-sale retail licensee to employ a person for the purpose of soliciting the purchase of spirituous liquors by patrons of the establishment for themselves, on a percentage basis or otherwise, and no licensee shall serve employees or allow a patron of the establishment to give spirituous liquor to, or to purchase liquor for or drink liquor with, any employee.

S. For an off-sale retailer to sell spirituous liquors except in the original container, to permit spirituous liquor to be consumed on the premises, or to sell spirituous liquor in a container having a capacity of less than eight ounces, or for an on-sale retailer to sell spirituous liquor for consumption off the premises in the container having a capacity of less than eight ounces.

T. For a person to consume spirituous liquor from a broken package in a public place, thoroughfare or gathering, and the license of a licensee permitting a violation of this paragraph on the premises shall be subject to revocation. This paragraph shall not apply to sale of spirituous liquors on the premises of and by an on-sale retail licensee.

U. For a person to have possession of or to transact spirituous liquor which is manufactured in a distillery, winery, brewery, or rectifying plant contrary to the laws of the United States and any property used in transporting such spirituous liquor shall be forfeited to the Community and shall be seized and disposed of by the Gila River Indian Community Police Department.

V. For a licensee or employee to fail or refuse to make the premises or records available for inspection and examination as provided in this title or to comply with a lawful subpoena issued either by the State of Arizona or the Gila River Indian Community under state or Community law.

## CHAPTER 5. VIOLATIONS, APPEALS AND LICENSE PROCEEDINGS

### 14.501. Violations; Penalties; Revocation.

Any person or licensee who is fined under this title or who has had their license suspended or revoked may appeal such action to the Committee. Upon receipt of said appeal, the Committee shall set a date to hear the appeal. The Committee shall hear such evidence as the appellant, Community, and other interested parties may offer, and render its decision at the conclusion of such hearing.

A. Unlawful Acts. Any person or licensee who violates any enumerated provision of section 14.408 shall be fined \$500.00. In the event of multiple violations, the Committee may levy one fine per violation or may levy a single \$500.00 fine.

B. Licensees. The Committee may revoke the license of any licensee who violates any provision of this title.

### 14.502. Appeal.

The Committee's decision may be appealed to the Gila River Indian Community Court, provided that the appeal is duly filed within 20 working days of the Committee's decision.

### 14.503. Effect of Suspension or Revocation of State License.

A. All licensees shall comply with the laws of the United States and the State of Arizona governing the manufacture and sale of spirituous liquor.

B. Any suspension or revocation of an Arizona-issued liquor license shall automatically take effect against a licensee's Gila River Indian Community-issued license.

C. Notwithstanding the appeal process described in sections 14.501 and 14.502, no appeal shall be permitted for any Community-issued license suspended or revoked under subsection 14.503.2.

### 14.504. Effective Date.

In accordance with 18 U.S.C. 1161 (2005), this title shall be effective on the date upon which, after having been certified by the Secretary of the Interior, it is published in the **Federal Register**.

[FR Doc. 2015-30001 Filed 11-25-15; 8:45 am]

BILLING CODE 4337-15-P

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[LLWO210000.16X.L11100000.PH0000  
LXSISGST0000]

### Cancellation of Bureau of Land Management Public Meeting for the Sagebrush Focal Areas Proposed Withdrawal, Oregon

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

**SUMMARY:** This notice cancels the public meeting scheduled for December 14, 2015 at the Harney County Chamber of Commerce building located at 484 North Broadway, Burns, Oregon, as published in the **Federal Register** on November 13, 2015, (80 FR 70252). Parties interested in participating in the public process are encouraged to attend the meetings scheduled at the Bureau of Land Management District Office in Lakeview, Oregon on December 14th from 5 p.m. to 7 p.m., or the Best Western Vista Inn & Conference Center, at 2645 Airport Way, Boise, Idaho on December 15th from 4 p.m. to 6 p.m.

Michael Stiewig,

Chief, Division of Lands, Realty, and Cadastral Survey.

[FR Doc. 2015-30222 Filed 11-25-15; 8:45 am]

BILLING CODE 4310-84-P

## DEPARTMENT OF THE INTERIOR

### National Park Service

[NPS-PWR-PWRO-  
17266;PX.P0169628B.00.1]

### Notice of Intent To Prepare Environmental Impact Statement for Wilderness Stewardship Plan, Yosemite National Park, Madera, Mariposa, and Tuolumne, California

AGENCY: National Park Service, Interior.

ACTION: Notice of Intent.

**SUMMARY:** Yosemite National Park is initiating the conservation planning and environmental impact analysis process needed to inform consideration of alternative strategies for the future management of Yosemite Wilderness. The Yosemite Wilderness encompasses 704,638 acres that were designated by the California Wilderness Act of 1984 (an additional 927 acres were designated as potential wilderness additions). Through the preparation of the Wilderness Stewardship Plan/Environmental Impact Statement (WSP/EIS), Yosemite National Park (YOSE) proposes to update the park's current

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## **APPENDIX B**

Web Announcement: Meeting Locations and Times



Release Date: 11/13/15

Contacts: Jeff Krauss, 202-912-7410

## UPDATED- BLM Schedules Public Scoping Meetings on Proposed Minerals Withdrawal in Sagebrush Focal Areas and Extends Public Comment Period

The Bureau of Land Management (BLM) is holding a series of public meetings across the west to gather information on a proposal to withdraw lands determined to be crucial to the survival of the greater sage-grouse from location and entry under the 1872 Mining Law, subject to valid existing rights. The BLM is also extending the public comment period on the withdrawal proposal until January 15, 2016 to allow the Secretary of the Interior to collect additional information relevant to the decision on whether to withdraw these areas from the location of new mining claims for up to 20 years. An interactive map of the areas included in the proposed withdrawal is available at [www.blm.gov/sagegrouse](http://www.blm.gov/sagegrouse).

Meetings are scheduled for:

### December 14:

Lakeview, OR; 5:00 PM – 7:00 PM  
Lakeview BLM District Office  
1301 South G Street  
Lakeview, Oregon 97630

Salt Lake City, UT; 5:00 PM – 7:00 PM  
Salt Lake City BLM Office  
2370 South Decker Lake Drive  
West Valley City, Utah 84119

### December 15:

Boise, ID; 4:00 PM – 6:00 PM  
Best Western Vista Inn & Conference Center  
2645 Airport Way  
Boise, Idaho 83709

Rock Springs; 5:00 PM – 7:00 PM  
Rock Springs BLM Field Office  
280 Highway 191 North  
Rock Springs, Wyoming 82901

Reno; 5:00 PM – 7:00 PM  
The Nugget  
1100 Nugget Avenue  
Sparks, Nevada 89431

### December 16:

Idaho Falls; 4:00 PM – 6:00 PM  
Shiloh Suites Conference Hotel  
780 Lindsay Blvd.  
Idaho Falls, Idaho 83402

Elko; 5:00 PM – 7:00 PM  
Elko Conference Center  
724 Moren Way  
Elko, Nevada 89801

Malta; 2:00 PM – 4:00 PM  
Great Northern Hotel  
2 South 1st Street East  
Malta, Montana 59538

The previously announced withdrawal proposal is consistent with the unprecedented effort to conserve the greater sage-grouse and its habitat and was made in response to the U.S. Fish and Wildlife Service (FWS) identifying habitat disturbance and fragmentation caused by certain hardrock mining operations as a threat to sage-grouse habitat. This finding was why the BLM and the U.S. Forest Service (USFS) land use plan amendments and revisions finalized in September recommend that the Secretary of the Interior exercise her authority under the Federal Land Policy and Management Act (FLPMA) to safeguard the most important landscapes identified by the FWS within Priority Habitat Management Areas – identified as Sagebrush Focal Areas (SFAs) – by reducing the threat posed by certain future hardrock mining operations through what is known as a “withdrawal.”

As part of the careful consideration of this withdrawal proposal, information will be sought from the states, stakeholders and others on mineral potential, including rare earths, as well as the importance of these areas as sagebrush habitat. These efforts will be undertaken under the leadership of the BLM in cooperation with the USFS and in compliance with the National Environmental Policy Act. At the end of the process, a decision on the proposal may be made.

As part of the withdrawal process the lands covered by the proposal have been temporarily segregated for period of up to two years. During that period, the agencies will undertake environmental and other analyses to determine if the lands should be formally withdrawn to protect sage-grouse habitat from adverse effects of future locatable exploration and mining. This process will be transparent and invite participation by the public, tribes, environmental groups, industry, state and local government, as well as other stakeholders.

Neither the segregation for up to two years, nor any subsequent withdrawal, would prohibit ongoing or future mineral exploration or extraction operations on valid pre-existing mining claims, or any other authorized uses on these lands. Under FLPMA, the Secretary may withdraw these lands for a maximum of 20 years, and may extend the period in the future.

Written comments must be received by January 15, 2016. Comments should be addressed to the BLM Director, 1849 C Street NW (WO-200), Washington, DC 20240 or electronically to [sagebrush\\_withdrawals@blm.gov](mailto:sagebrush_withdrawals@blm.gov).

The BLM manages more than 245 million acres of public land, the most of any Federal agency. This land, known as the National System of Public Lands, is primarily located in 12 Western states, including Alaska. The BLM also administers 700 million acres of sub-surface mineral estate throughout the nation. The BLM's mission is to sustain the health, diversity, and productivity of America's public lands for the use and enjoyment of present and future generations. In Fiscal Year 2015, the BLM generated \$4.1 billion in receipts from activities occurring on public lands.

--BLM--

Last updated: 12-07-2015

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[Privacy Policy](#) | [FOIA](#) | [Inds Policy](#) | [Contact Us](#) | [Accessibility](#) | [Site Map](#) | [Home](#)

# **APPENDIX C**

## **Fact Sheet**





12/9/2015 4:33 PM

*FACT SHEET: Proposed Withdrawal from Mineral Entry in Sagebrush Focal Areas*

***Background:***

The U.S. Fish and Wildlife Service (FWS) identified habitat disturbance and fragmentation caused by certain hardrock mining operations as a threat to sage-grouse habitat. As a result, the Bureau of Land Management (BLM) and U.S. Forest Service (USFS) land use plans recommend that the Secretary of the Interior exercise her authority under the Federal Land Policy and Management Act (FLPMA) to safeguard the most important landscapes identified by the FWS within Priority Habitat Management Areas – identified as Sagebrush Focal Areas – by withdrawing them from the operation of the Mining Law of 1872 (the Mining Law).

With the finalization of the BLM-USFS plans, the Secretary is taking prompt action to consider the recommendations. Through a public, transparent process, the Interior Department will evaluate the proposed withdrawal of Sagebrush Focal Areas that anchor the range-wide conservation strategy for the greater sage-grouse for protection from the threat of hardrock mining, while preserving valid existing rights.

***The elements of the proposed withdrawal include:***

Temporary segregation: The Interior Department proposed to withdraw approximately 10 million acres of public and National Forest System lands located in the states of Idaho, Montana, Nevada, Oregon, Utah, and Wyoming from location and entry under the United States mining laws, subject to valid existing rights. Under FLPMA, the Secretary can withdraw these lands for a maximum of 20 years, and may extend the period in the future.

The notice of proposed withdrawal was published in the Federal Register on September 24, 2015. Publication of the withdrawal proposal automatically segregated the lands from location and entry of new mining claims for up to two years, or until the Secretary decides whether to make the withdrawal, whichever comes first. The notice also opened a 90-day public review period for the proposed withdrawal. A subsequent Federal Register notice extended the public review to January 15, 2016.

***Sagebrush Focal Area Acreage by State***

STATE	BLM ACREAGE	USFS ACREAGE	TOTAL ACREAGE
IDAHO	3,603,942	250,680	3,854,622
MONTANA	983,156	0	983,156
NEVADA	2,229,059	568,340	2,797,399
OREGON	1,928,992	588	1,929,580
UTAH	183,358	47,450	230,808
WYOMING	252,162	0	252,162
Total	9,180,669	867,058	10,047,727

Effect on existing mining claims and other authorizations: Neither the segregation for up to two years, nor any subsequent withdrawal, would prohibit future mining operations on valid mining claims. Neither the segregation nor the proposed withdrawal would prohibit mining under the Mineral Leasing Act, the Material Sales Act, or the Geothermal Steam Act.

Analyses: During the two-year period following publication of the notice of proposed withdrawal, BLM will conduct studies and environmental analyses to help the Secretary determine if the lands should be withdrawn from the Mining Law to protect sage-grouse habitat. This process invites participation by the public, tribes, environmental groups, industry, state and local government, as well as other stakeholders. These efforts will be undertaken under the leadership of the BLM in cooperation with the USFS and in compliance with the National Environmental Policy Act.

Public process: The Department of the Interior is conducting a public process to consider information provided by the states, stakeholders and others on mineral potential, including rare earths, as well as the importance of these areas as sagebrush habitat. At the end of the process, a decision on the proposed withdrawal may be made.

The potential effects of the proposed withdrawal will be analyzed using an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA).

The public review process begins the NEPA process by gathering comments and documenting important issues and concerns that will be addressed in the EIS. Local, State and Tribal government officials will be consulted as part of the NEPA process.

The economic impact of this proposal will be an important focus within the EIS. Similarly, the suitability of lands for mineral extraction will be evaluated as part of the EIS process. Alternatives to this proposed action may be considered.

*Submitting your comments:*

*Public comments are due January 15, 2016 and can be submitted in the following ways:*

- Complete and submit a comment form provided at this meeting.
- Mail comments to:

Sagebrush Withdrawal EIS Comments  
c/o Mark Mackiewicz, PMP, National Project Manager  
BLM, Price Field Office  
125 South 600 West  
Price, UT 84501

- Email comments to: [Sagebrush\\_withdrawals@blm.gov](mailto:Sagebrush_withdrawals@blm.gov)

*For more information about the project:*

- Visit the project website: <http://www.blm.gov/sagegrouse.html>

- Contact the BLM Project Manager:

Mark Mackiewicz, PMP  
BLM Senior National Project Manager  
435-636-3616  
[mmackiew@blm.gov](mailto:mmackiew@blm.gov)

*For more information on NEPA, visit:*

[http://www.blm.gov/pgdata/etc/medialib/blm/nm/programs/planning/planning\\_docs.Par.53208.File.d  
at/A Citizens Guide to NEPA.pdf](http://www.blm.gov/pgdata/etc/medialib/blm/nm/programs/planning/planning_docs.Par.53208.File.d%20at/A%20Citizens%20Guide%20to%20NEPA.pdf)

# **APPENDIX D**

## **Comment Forms**



**Sagebrush Focal Area  
Withdrawal  
Scoping Meeting**



Please Print

NAME

ADDRESS

CITY

STATE

ZIP

Email

Organization (If applicable)

Add to Mailing List ☐ Yes ☐ No

Withhold Personal Information ☐ Yes ☐ No

**Please use the other side for your comments**

SUBMIT COMMENTS TODAY OR MAIL TO:

Sagebrush Withdrawal EIS Comments  
c/o Mark Mackiewicz, PMP Senior National Project Manager  
BLM, Price Field Office, 125 South 600 West, Price, UT 84501

E-mail: [sagebrush\\_withdrawals@blm.gov](mailto:sagebrush_withdrawals@blm.gov)

**All timely comments will be considered, but the BLM can best use your comments and information if received by January 15, 2016.**

Before including your address, phone number, e-mail address, or other personal identifying information in your comment, be advised that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold from public review your personal identifying information, we cannot guarantee that we will be able to do so.

**Comment Form Front**

### Sagebrush Focal Area Proposed Withdrawal

[illegible]

## Comment Form Back



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## **APPENDIX E**

### Scoping Meeting Posters



# WELCOME

**PLEASE SIGN IN**



**Provide your mailing or email  
address to get:**

- *Updates on project progress*
- *Future meeting announcements*
- *Draft documents for review*



## A BASIC DESCRIPTION OF THE PROPOSAL

- 10 Million acres of BLM and Forest Service land in six western states (see map) proposed to be withdrawn from future mineral claims.
- A “Withdrawal” is being proposed to change the management direction of the lands related to locatable minerals.
- Valid existing rights would NOT be affected by this proposal if it is approved.

Sagebrush Focal Area Acreage by State

STATE	BLM ACREAGE	USFS ACREAGE	TOTAL ACREAGE
IDAHO	3,603,942	250,680	3,854,622
MONTANA	983,156	0	983,156
NEVADA	2,229,059	568,340	2,797,399
OREGON	1,928,992	588	1,929,580
UTAH	183,358	47,450	230,808
WYOMING	252,162	0	252,162
Total	9,180,669	867,058	10,047,727



## WHY IS THIS PROPOSAL BEING MADE?

- The U.S. Fish & Wildlife Service decided that Greater Sage-Grouse does *not* warrant placement on the Endangered Species List.
- One of the key conservation measures that factored into the decision was the recommendation to safeguard the most important sage-grouse landscapes.
- These important areas are known as “Sagebrush Focal Areas.”
- To implement this conservation measure, the Assistant Secretary of the Interior has approved a withdrawal application to withdraw up to approximately 10 million acres from location or entry under the U.S. mining laws for two years.
- The BLM and the Forest Service are completing this EIS to enable the Secretary to consider the merits of a 20-year withdrawal.



## NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)

- The effect of the proposed withdrawal will be analyzed using an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA).
- This meeting is intended to *begin* the NEPA process by gathering comments and documenting important issues and concerns that will be addressed in the EIS.
- The economic impact of this proposal will be an important focus within the EIS.
- The suitability of lands for mineral extraction will be evaluated as part of the EIS process.
- Local, State and Tribal government officials will be consulted as part of the NEPA process.
- Alternatives to this proposed action may be considered.







## WHAT ARE THE STEPS IN THE EIS PROCESS?



**Sagebrush Focal Area Withdrawal  
Environmental Impact Statement**



## **WE VALUE YOUR COMMENTS!**

- Complete and submit a comment form provided at this meeting.
- Mail comments to:

**Sagebrush Withdrawal EIS Comments  
c/o Mark Mackiewicz, PMP  
National Project Manager  
BLM, Price Field Office  
125 South 600 West  
Price, UT 84501**



- Email comments to:  
**Sagebrush\_withdrawals@blm.gov**

*Comments Due January 15, 2016*

Sagebrush Focal Area Withdrawal  
**Environmental Impact Statement**



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## **FOR MORE INFORMATION**

***Project website:***

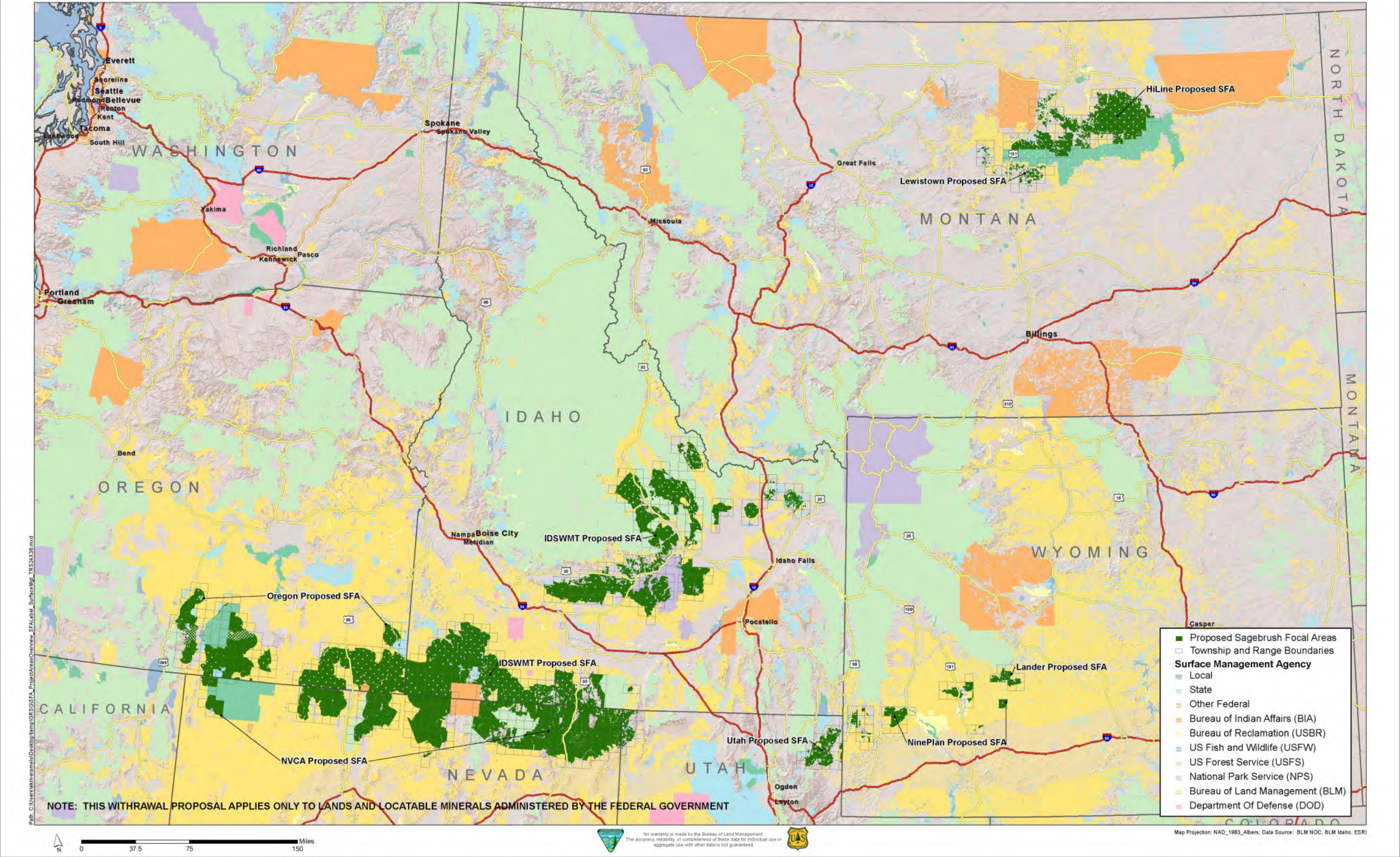
<http://www.blm.gov/wo/st/en/prog/more/sagegrouse.html>

***Project contact:***

Mark Mackiewicz, PMP  
BLM Senior National Project Manager  
435-636-3616  
[mmackiew@blm.gov](mailto:mmackiew@blm.gov)

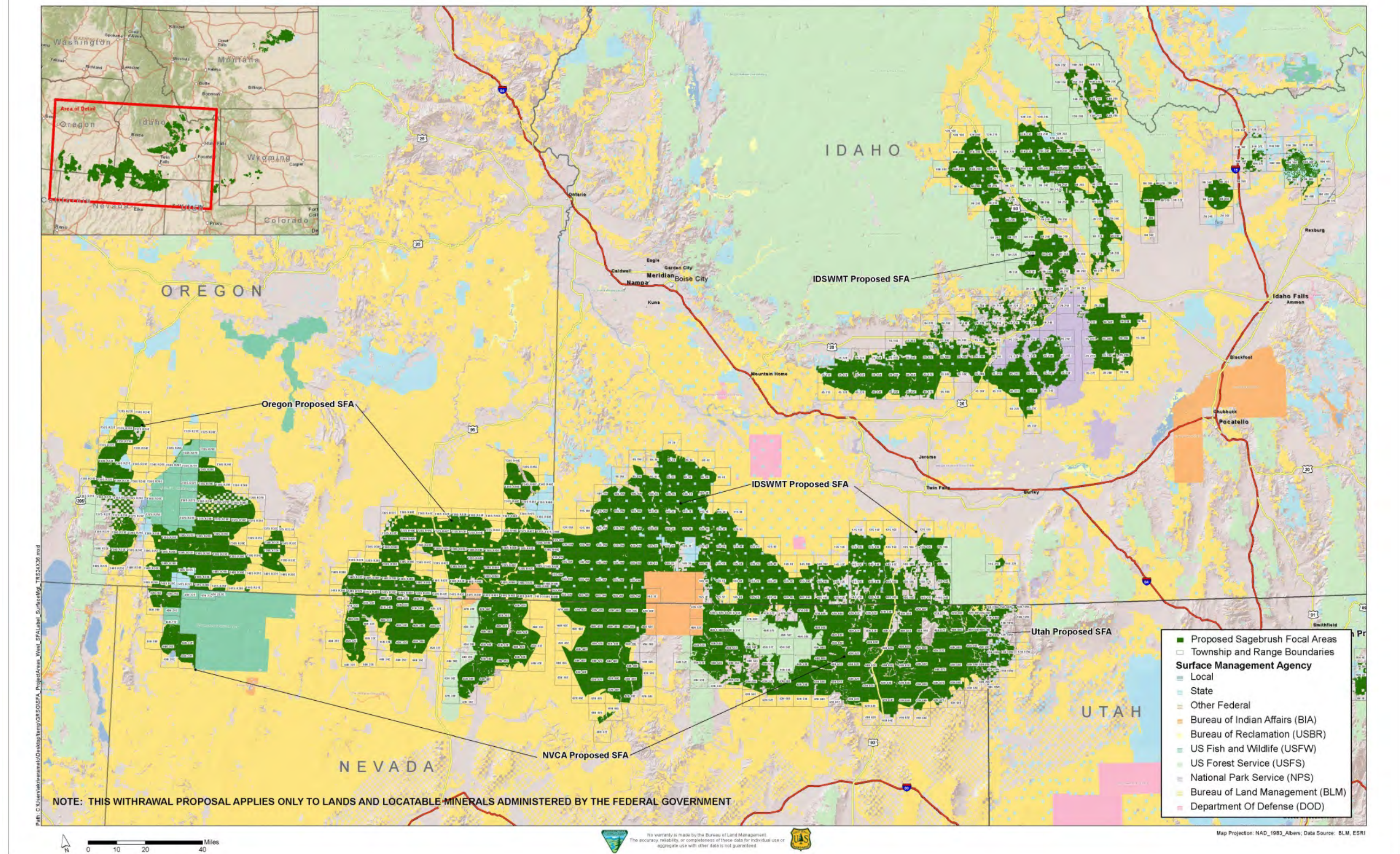


# Sagebrush Focal Areas Proposed Withdrawal



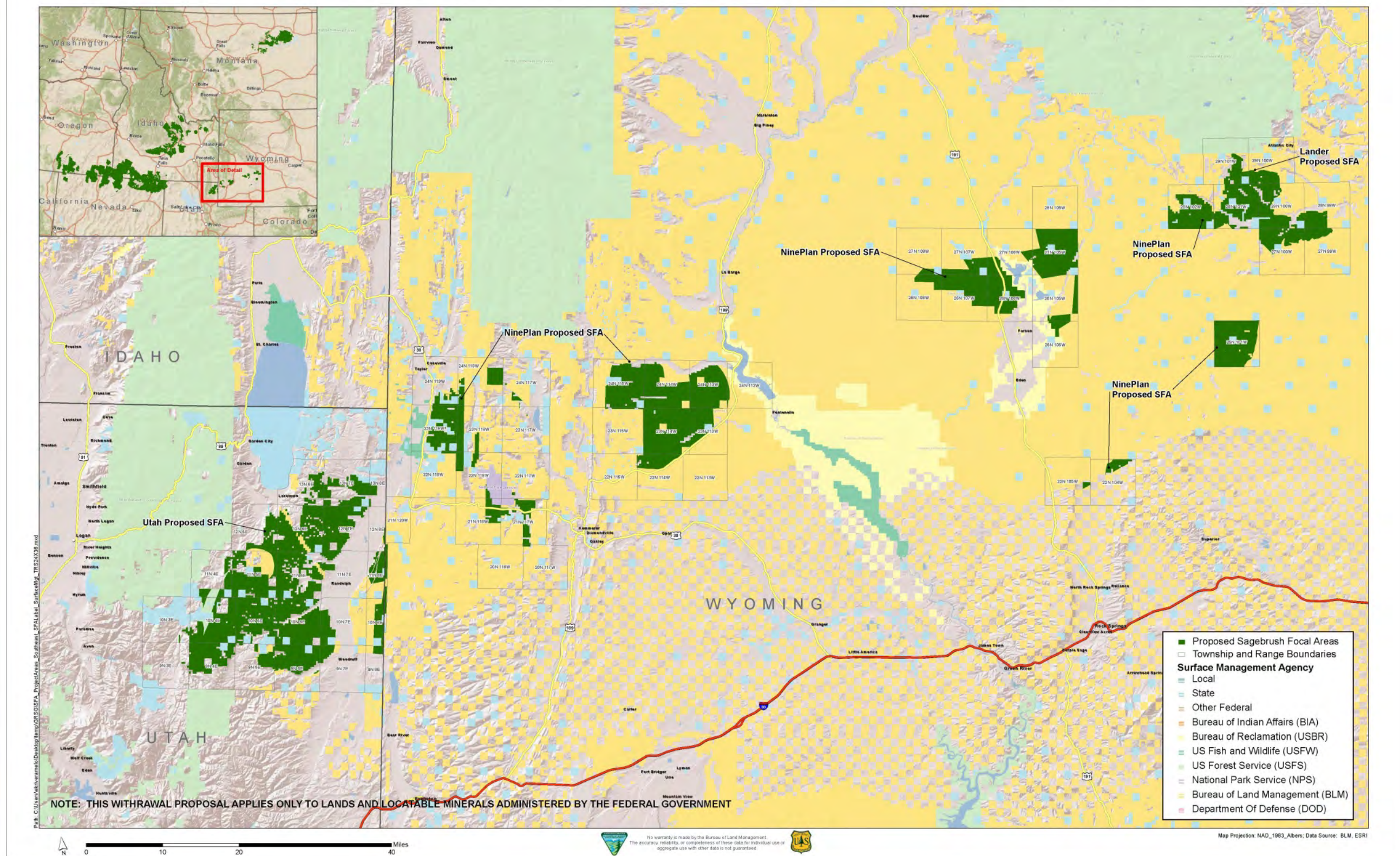


# Sagebrush Focal Areas Proposed Withdrawal: Idaho/Nevada/Oregon/Western Utah



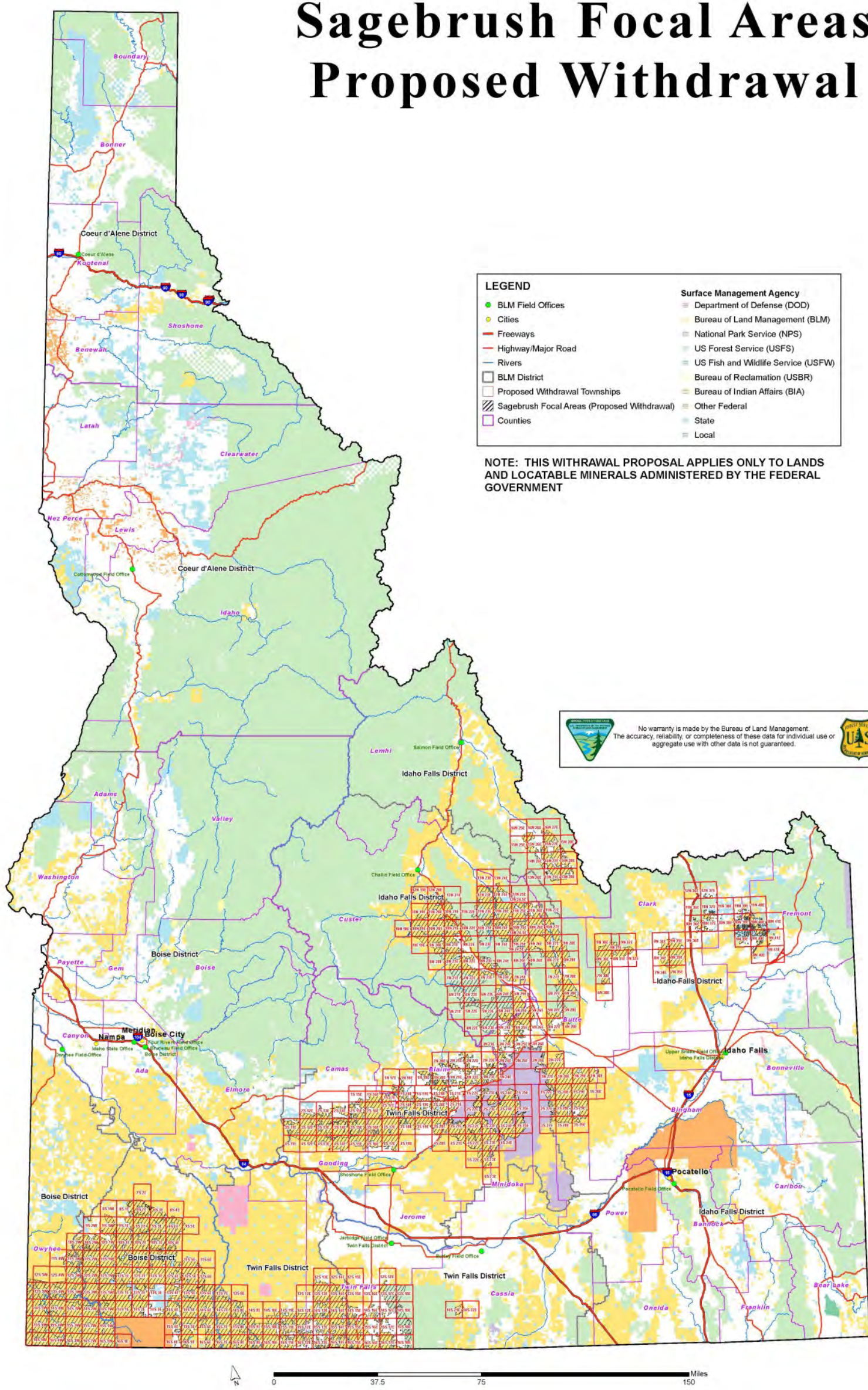


# Sagebrush Focal Areas Proposed Withdrawal: Eastern Utah/Wyoming





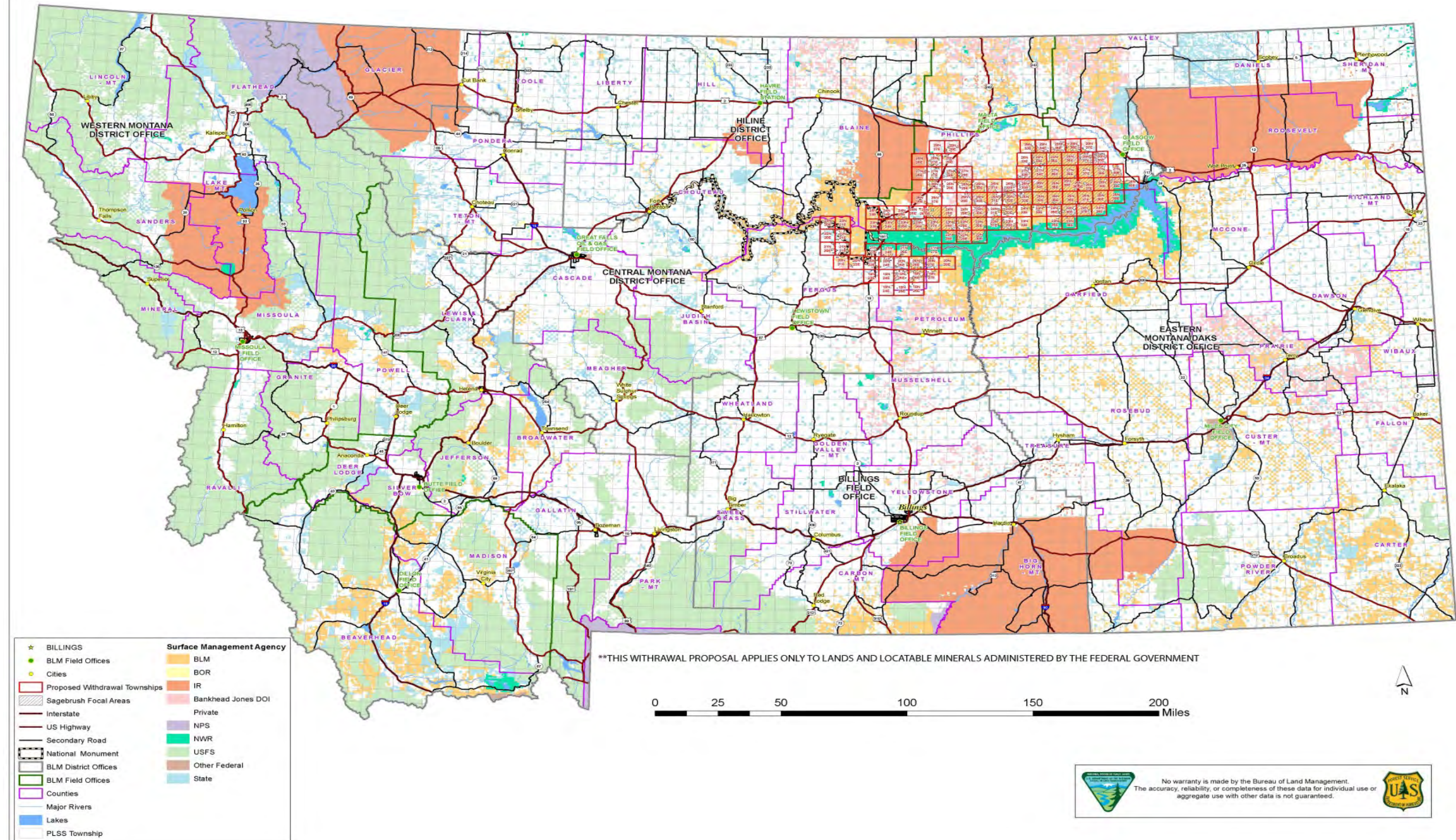
# Sagebrush Focal Areas Proposed Withdrawal



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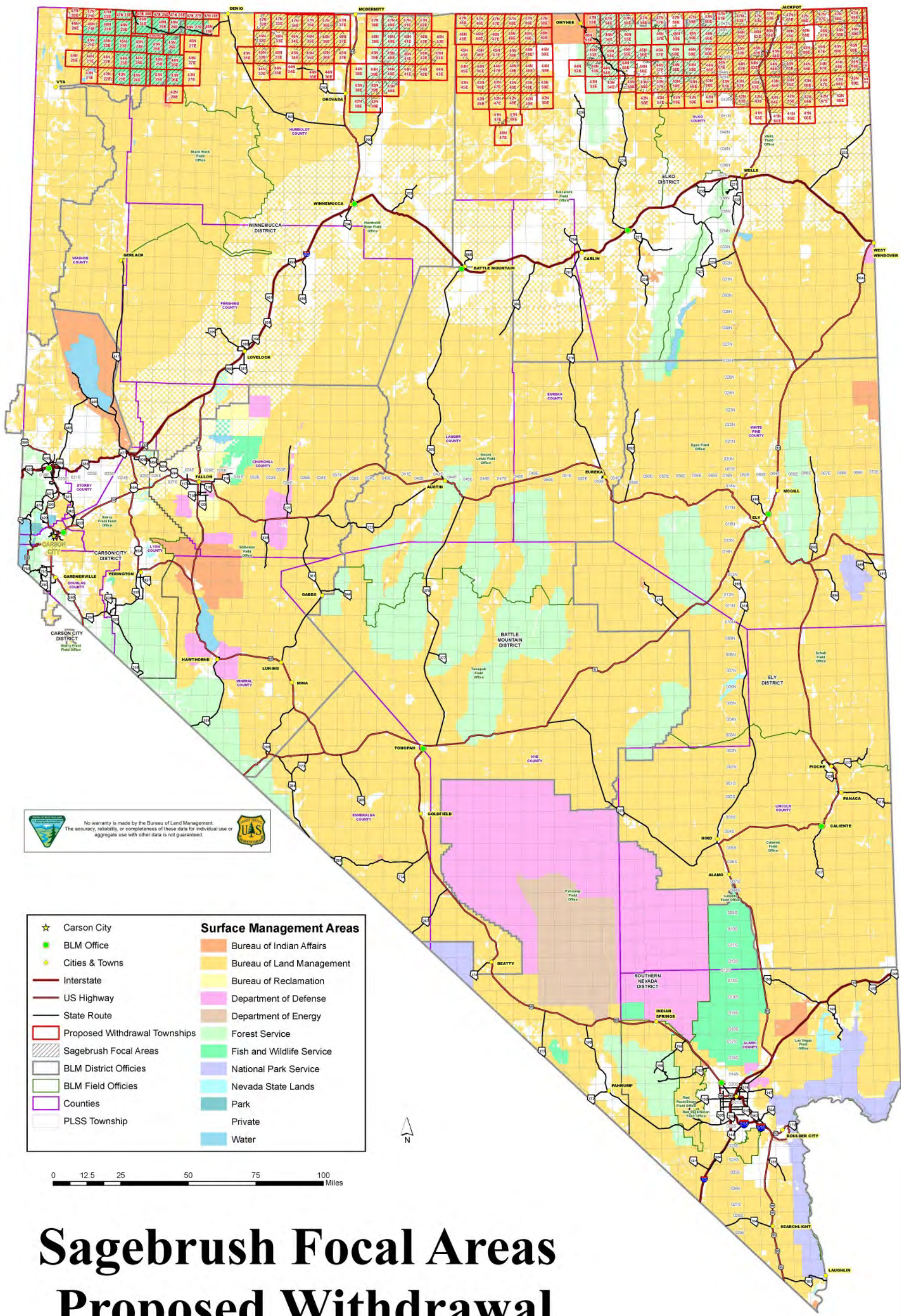


# Sagebrush Focal Areas Proposed Withdrawal





\*\*THIS WITHDRAWAL PROPOSAL APPLIES ONLY TO LANDS AND LOCATABLE MINERALS ADMINISTERED BY THE FEDERAL GOVERNMENT



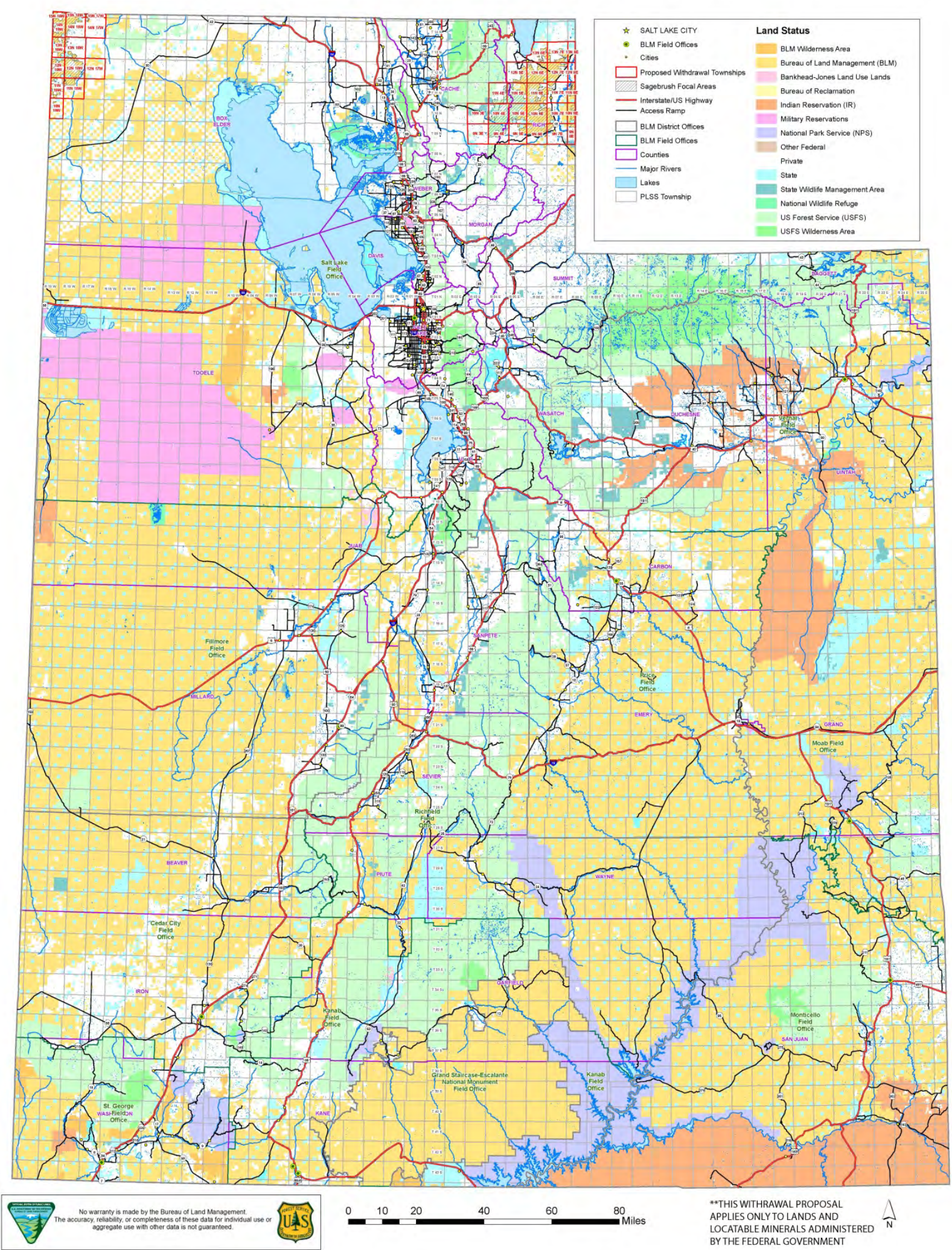
# Sagebrush Focal Areas Proposed Withdrawal





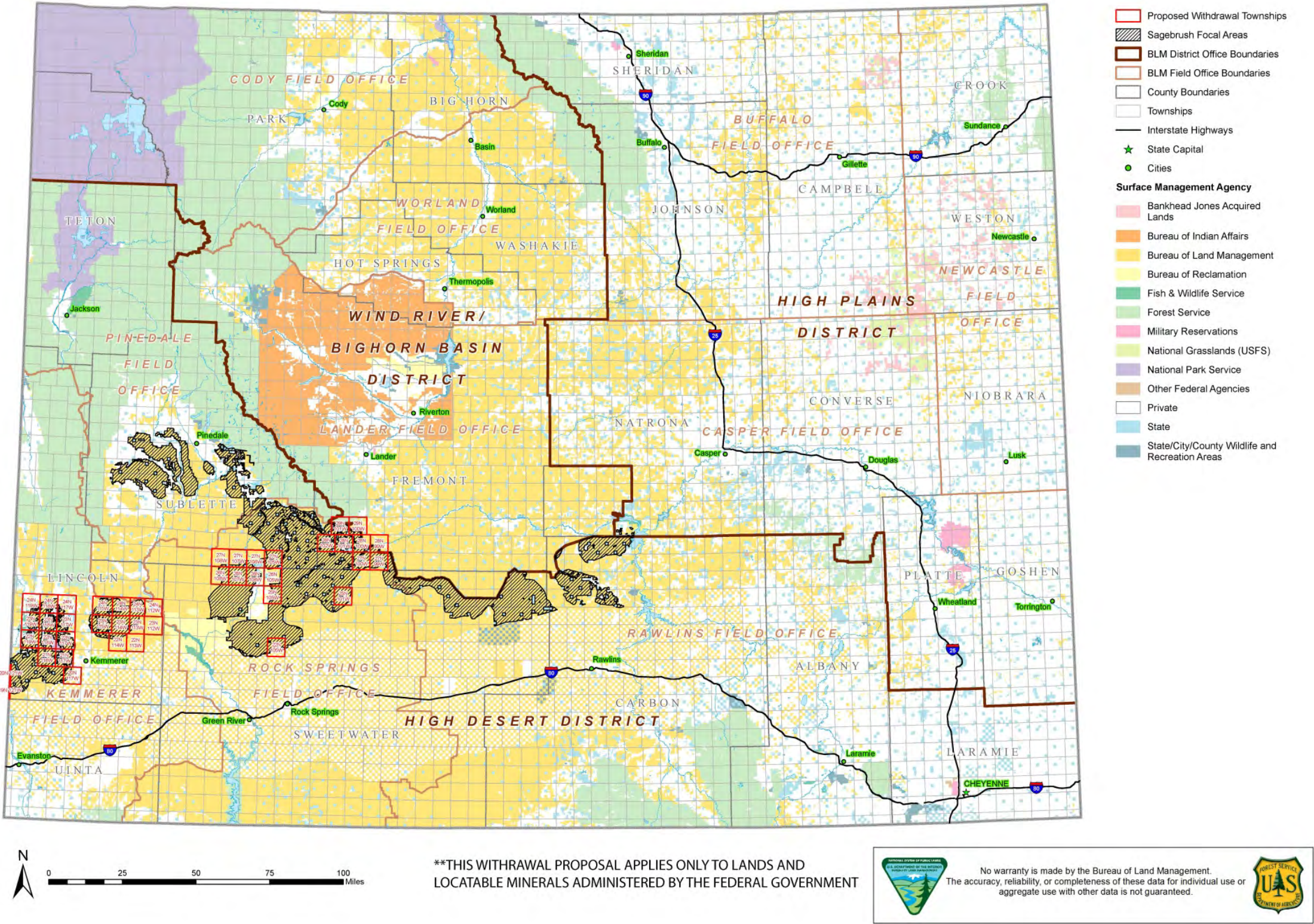


Sagebrush Focal Areas Proposed Withdrawal





# Wyoming Sagebrush Focal Areas Proposed Withdrawal





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# **APPENDIX F**

## Comment Summaries

Database of all comments received available at <https://blmsagegrouse.northwindgrp.com/>.

Comment	Number of Commenters Providing this Comment
<b>3.1.1 Air Quality and Climate/Climate Change: Benefits of Mining: Commenters make statements about air quality, climate, and/or climate change. They state that restricting mining in the U.S. will result in pushing this need to other countries (e.g., China) where environmental laws are more lax and thus could have deleterious effects on these resources on a global scale. Therefore, they argue that mining in the U.S. as opposed to other countries has a positive impact on air quality and climate.</b>	
My conclusion is that the proposed withdrawals would severely and negatively affect the economy of Nevada as well as United States efforts to reduce dependence on strategic minerals and fossil fuels and do little to help sage grouse. The negative impacts would come through greatly reducing the possibility to explore for and develop known and potential geologic resources....the ROD proposes withdrawing large areas near McDermitt in northern Nevada....these proposed withdrawal areas have significant, identified Lithium deposits...Removing these Lithium deposits from potential use means severely hampering the nation's ability to generate a "green economy" and address major concerns such as climate change.	1
There are many activities that this proposal will inhibit but I will only address mining. The Great Basin is a very rare piece of the earth's crust with unprecedented mineral abundance. If we are forced to derive more of our resources from overseas they will not only be transported longer but be mined by less environmentally responsible methods. This proposal will increase the carbon footprint of the US.	1
The Proposed Action would withdraw numerous townships from mineral entry throughout northern Nevada....Closure of such townships to minerals development as a wide-spread practice will limit metals production further in the United States, requiring importation of additional metals for U.S. manufacturing. Clearly, such an action,... leads to increased imports of metals from overseas, a violation of the recent Paris Accords on Global Climate Change by deliberately causing the increased carbon footprint of the U.S. For this reason alone, any townships hosting existing mining districts should be excluded from the Proposed Action. If they are included in future withdrawals, then the agency and/or Proponent should analyze the resultant increased causal carbon footprint in the National Environmental Policy document....	1
Mining is a base industry from which all other industries are possible. Mining creates new wealth and materials for society to use in their houses, cars, offices, highways and electronics. The Federal lands of the nation that are available should remain open to mineral entry at all costs so we have local sources for materials. Our national economy and security depends on the materials from our mines. To remove mineral entry is an immoral political attack on the good people of America which makes us dependent on international sources for our materials. International sources are often unreliable, and we have no control over their mining practices. Importing resources makes our nation's carbon foot print much larger. Because of these reasons I feel it is irresponsible to remove additional Federal lands from mineral entry.	1
NACO preliminarily requests that specific analyses be conducted for the following issues: Air Quality/Climate. It is important to analyze the impacts to Air Quality and the Climate and GSG Emissions and impacts from (i) Increased driving distances (ii) Energy consumption from re-routing infrastructure (iii) Increase in fire impacts from additional fuel (iv) Impacts to the viability of renewable energy across Nevada and California.	1
The Proposed Action would withdraw numerous townships from mineral entry throughout northern Nevada....Closure of such townships to minerals development as a wide-spread practice will limit metals production further in the United States, requiring importation of additional metals for U.S. manufacturing. Clearly, such an action, the deliberate exclusion of identified mining districts from development, leads to increased imports of metals from overseas, a violation of the recent Paris Accords on Global Climate Change by deliberately causing the increased carbon footprint of the U.S. For this reason alone, any townships hosting existing mining districts should be excluded from the Proposed Action. If they are included in future withdrawals, then the agency and/or Proponent should analyze the resultant increased causal carbon footprint in the National Environmental Policy document.	1
The importance of the mineral resources inventory is a critical issue in this case given the large uranium deposits and lithium deposits that are known to occur within the Oregon SFAs. Lithium is a strategic mineral that considered essential for the security of a nation but not available in	1



Comment	Number of Commenters Providing this Comment
sufficient quantity from domestic sources in time of war. (USGS Circular 930-1 International Strategic Minerals Inventory Summary Report). In addition, the area has been proposed as potential sites for carbon storage, therefore the EIS should address the impact of the withdrawal on the potential for underground carbon storage as an option for addressing climate change.	
<b>3.1.2 Air Quality and Climate/Climate Change: Negative Effects of Mining: Commenters state support for the withdrawal citing the negative impacts of hard rock mining on air quality and/or climate.</b>	
Finally, in your analysis I encourage you to consider the benefits of a comprehensive mining withdrawal to other resources and issues such as water quality, climate change, and the other wildlife species.	95
BLM should also carefully evaluate the costs and harms of permitting new mining to occur on public lands. Any new mining permits should fully adhere to the conservation measures and proposed planning decisions described by the BLM National Technical Team (2011). The costs and harms to sage-grouse habitat and life-cycle, as well as for other species that depend on these same lands must be considered. Environmental conditions, such as air and water quality, and other resources, such as wilderness qualities and backcountry recreation, deserve careful evaluation.	1
I encourage you to consider the beneficial effects of a comprehensive mining withdrawal on other issues such as water quality and climate change.	1
--climate change is wreaking havoc on the habitat of many species of birds as it is, without any more manmade destruction	1
Truly the best use of remaining public lands is to leave them alone, except perhaps for a few properly sited solar or wind projects. In these days of disastrous climate change caused weather events, we should be winding down mining and drilling, not adding new sites to be toxically contaminated. And mining on public lands is a particular abuse of the public interest.	1
Is the bottom line today that all we care about is making a profit - no matter the cost - and not looking back at what destruction we do to this planet to achieve that goal? The world is concerned about Global Warming. Doesn't this contribute to that? Are you gambling with our lives that our planet will be "just fine" forever?	1
These lands are important habitat for not only sage grouse, but also moose, elk, pronghorn, and an expanding population of grizzly bears. It is time to improve environmental protections and establish management priorities which will provide better management for resources other than mining. I strongly support a comprehensive mining withdrawal and prioritization of other resources and considerations such as wildlife, water quality, climate change, recreation and a viable reserve of undisturbed habitat for the future.	1
I encourage you to consider the benefits of a comprehensive mining withdrawal to other resources and issues such as water quality, climate change, and the other wildlife species.	1
I believe the water quality, climate change and the protection of wildlife species are all more important than the expansion of the mineral withdrawal in areas with sage grouse habitat as well as other wildlife in including moose (whose numbers are declining around the country), grizzly bears, pronghorn, elk and many other bird species. Hard rock mining is very destructive to these habitats.	1
I think, too, that a comprehensive mining withdrawal in the Greater Yellowstone Ecosystem is a worthy commitment with many additional benefits, including water quality, other wildlife protection, and facing the challenge of protecting this region with a changing climate that will bring new pressures to bear....	1
In your analysis, I request that you consider the effects of mining on water quality, climate change, and habitat for other wildlife species.	1
It is also important to consider the widespread repercussions of mining in your analysis. We could all benefit from a comprehensive mining withdrawal that would help restore and preserve other resources and positively impact issues like water quality, climate change, and other wildlife species.	1
The benefits of a comprehensive policy that discourages mining in special places like the Greater Yellowstone Ecosystem would also benefit water quality and have a positive effect on climate change as well as preserving wildlife species.	1

Comment	Number of Commenters Providing this Comment
<b>3.2 ACEC: Commenters make statements about ACECs. One commenter expresses concern that establishing SFAs is an attempt to create an ACEC without going through the required process. One commenter provides information about an ACEC that is located within the focal area and states the EIS should assess how mining could impact protected species in the focal area.</b>	
The SFAs established by the 2014 Ashe Memo which predicate the proposed mineral withdrawal are not a valid land management or legal mechanism and cannot be used to support any land management action, including the proposed mineral withdrawal. Interior's newly created term "SFA" is an attempt to create a FLPMA Areas of Critical Environmental Concern (ACEC) without going through the required process.... In order to designate lands as ACECs, BLM must follow its existing regulations.... BLM has followed none of these procedures for purposes of adopting and designating the SFAs.... When taking into account the established requirements for designating ACECs under FLPMA, it is clear that the SFAs fail to meet this standard and may not be designated. According to an August 2015 report developed by the Western Association of Fish and Wildlife Agencies (WAFWA), "the number of male birds documented this year has rebounded significantly from a recent low in 2013....The number of males counted on leks has increased 63% since 2013."40 The WAFWA Report also found that "there is no evidence that the number of active leks has declined recently..."41 ... Neither BLM nor FWS has presented adequate information to show that absent the mineral withdrawal of 10 million acres, the sage grouse is at risk of irreparable damage due to mining activity....The 10 million acres proposed for withdrawal do not approach the threshold set by FLMPA and its regulations for designation as ACECs....the proposed mineral withdrawal must not be accepted.	1
The primary mineral of concern is bentonite....As a result of exploration and expansion of current operations, it is estimated that two bentonite mining projects will be developed in the focal area (Brazil area.) These mines would be open-cut and have 100 acres of disturbance per operation,... According to the BLM Final HiLine RMP, there are a total of 6,442 acres with high development potential, 11,453 acres with moderate development potential, and 71,514 acres with low development potential within the Focal Area. There are 11 BLM parcels within the focal area identified as "lands with wilderness characteristics." It is unclear from the maps provided whether any of the LWCs are within the area identified as having low, moderate or high potential of bentonite. A portion of Caravan Marsh Hawk Hills may have some potential. The Mountain Plover Area of Critical Environmental Concern is located within the focal area and may have bentonite development potential. The ACEC was created to protect habitat for Mountain Plover, a sensitive species, but the designation does prohibit mining.... Assess how mining could impact mountain plover and other wildlife in the focal area. The Mountain Plover ACEC (24,762 acres) is located within the focal area and may be threatened by development..... BLM should assess how mining would affect identified "lands with wilderness characteristics."	1
...the withdrawal is for the purpose of protecting and preserving the Split Rock Interpretive Site...already fully protected as it is part of an ACEC as well as part of a Wilderness Study Area...these designations provide more than adequate protections for the Site.	1
<b>3.3.1 Biological Resources: General Wildlife: Commenters make statements about wildlife and/or fish, including special status species (other than greater sage-grouse).</b>	
These lands are important habitat for not just sage grouse, but also moose, elk, pronghorn, and an expanding population of grizzly bears.	95
Finally, in your analysis I encourage you to consider the benefits of a comprehensive mining withdrawal to other resources and issues such as water quality, climate change, and the other wildlife species.	95
The withdrawal will also result in long-term benefits from the conservation of habitat for a variety of wildlife species as well as the preservation of open spaces and recreation opportunities important to all Oregonians.	46
The mineral withdrawal will benefit many Species of Conservation Concern in Montana, including Greater Sage-Grouse, Mountain Plover, Ferruginous Hawk, Golden Eagle, and more. Sagebrush-dependent species are largely declining in Montana; this mineral withdrawal could help reverse this trend;	14

Comment	Number of Commenters Providing this Comment
I strongly support any measure in support of protecting sage grouse habitat. Please DO withdraw 10 million acres of public land from "development" in order to enrich the habitat for sage grouse. For in doing so, you are also enriching the habitat for many, many other species, including the human species, who needs open space and clean air every bit as much as the grouse.	2
Native sagebrush habitats are important to protect because many of the wildlife species associated with them occupy large territorial ranges, are vulnerable to human disturbances, and they disappear from the landscape if habitat patches become too small or fragmented. In addition to Greater Sage-Grouse, the mineral withdrawal will benefit many Species of Conservation Concern in Montana, including Mountain Plover, Ferruginous Hawk, Golden Eagle, Loggerhead Shrike, Sage Thrasher, Brewer's Sparrow, Sage Sparrow, and more. Sagebrush- dependent species are largely declining in Montana. The mineral withdrawal proposal contains Important Bird Area (IBA) habitat...The decision to recommend a 20-year mineral withdrawal on BLM land in northeastern Montana should take into account the location of IBAs, applying appropriate protections to ensure the continued conservation value of these critical habitats. This is especially important given the range-wide population declines documented for birds that breed within grassland and sagebrush-steppe habitats, likely due to widespread habitat loss and alteration.	1
The withdrawal could have potential significant positive effect on numerous other sensitive, threatened or endangered sagebrush dependent species, including fish populations.	1
The EIS must fully assess the impacts of the withdrawals on all fish and wildlife resources. The sagebrush steppe is home to more than 350 species of fish and wildlife. As part of its analysis, DOI should carefully evaluate the benefits of mineral withdrawal on all fish and wildlife resources that depend on sagebrush habitats. Further, BLM should carefully evaluate the costs and environmental harm of permitting new mining to occur in sage-grouse habitat on both the birds and other fish and wildlife—and the many other values of this ecosystem in peril.	1
The scope of the EIS should include an evaluation of the benefits of the withdrawals, an evaluation of the costs and harms of permitting new mining and include additional areas for mineral withdrawal. BLM should carefully evaluate the benefits of these withdrawals for sage-grouse habitat and life-cycle and for other species that depend on these same lands including threatened species like grizzly bears...Withdrawing mineral leases would benefit the GYE and the species that depend on it, including the Greater Sage Grouse.	1
I have learned how important the sagebrush is by the diversity of species that use it for reproduction, habitat, food sources. Keeping large tracks of this land in tact is important to maintain the bio-diversity. Breaking up the land only contributes to loss of viable, sustainable habitat for all the plants and animals who depend on sagebrush to sustain life.	1
These lands are important habitat for not just sage grouse, but also moose, elk, pronghorn, an expanding population of grizzly bears and the various trout species.	1
We lose now about 200 species/day as we proceed into 1 of the 6 largest worldwide species extinctions that have been identified since lifeforms became large enough to be seen with the unaided eye 540 million years ago. Do we think we are not a species? Do we think we will not ourselves go extinct for the same reasons the others are?	1
I specifically comment on Sage Brush Focus Areas in Montana in Fergus, Garfield, Petroleum, Phillips and Valley Counties. The withdrawal will help other Species of Conservation Concern in Montana besides the Greater Sage Grouse, including Mountain Plover, Ferruginous Hawk, and Golden Eagle. Sagebrush-dependent species are largely declining in Montana and this mineral withdrawal will help reverse this trend.	1
The mineral withdrawal will benefit many Species of Conservation Concern in Montana, including Greater Sage-Grouse, Mountain Plover, Ferruginous Hawk, Golden Eagle, and more. Sagebrush-dependent species are largely declining in Montana; this mineral withdrawal could help reverse this trend;	1

Comment	Number of Commenters Providing this Comment
I am in support of this proposed withdrawal action...BLM plans scientific studies to focus withdrawals in the best habitat...withdrawal will benefit many other Sagebrush-dependent Species of Conservation Concern in Montana, including Greater Sage-Grouse, Mountain Plover, Ferruginous Hawk, Golden Eagle...Greater Sage-Grouse was not protected under the Endangered Species Act in September 2015 in part because BLM Resource Management Plans indicated that Sagebrush Focal Areas would be protected from habitat fragmentation.	1
Assess how mining could impact mountain plover and other wildlife in the focal area. The Mountain Plover ACEC (24,762 acres) is located within the focal area and may be threatened by development. BLM should carefully evaluate the benefits of these withdrawals for sage-grouse habitat and life-cycle, as well as for other species that depend on these same lands.	1
Because the sage grouse was not listed under the ESA in order to allow for state and federal plans to work, the BLM has a responsibility to help conserve the bird for generations to come. We support the mineral withdrawal on 10 million acres in 6 western states to help prevent habitat fragmentation and the downward trend of the sage grouse as well as other birds like the mountain plover.	1
This action would also help support other shrub-steppe species of conservation concern, most of which are declining region-wide.	1
Adjustments to the proposed withdrawal areas may be needed to ensure that the best habitat is protected which may require expanding the current proposals and require that mapping errors be corrected. Specific areas that may benefit from the added protection that mineral withdrawal would provide should be specifically identified. Mining could impact mountain plover and other wildlife in the focal area and those potential impacts must be assessed.	1
Please consider adding mining prohibitions to the NE Montana BLM areas affected by the sagebrush withdrawals. Full protection for wildlife habitat and landscapes is important. The mountain plover could be impacted by mining as well as other native species.	1
I understand that these measures will aid in ensuring the survival of this and many other threatened species.	1
Thank you for spending time on this thorny, important, sage grouse issue. As you know, conservation of the sage brush steppe is not just about the grouse, though it is a species in real danger. It is also about the deer, elk, coyotes, foxes, owls, snakes, wrens, jays, and all manner of interesting creatures that depend on this ecosystem. With that in mind, I ask you to withdraw new mineral claims as proposed on 3.6 million acres in Idaho, at least for a few years until we -- BLM and other interested and affected parties -- get a better handle on the natural and manmade dynamics affecting the lands. Please, take this conservative approach. Let's fix this, carefully, step at a time.	1
The proposed mineral withdrawal areas include three Montana Important Bird Areas (IBAs)...These mineral withdrawals will benefit many Species of Conservation Concern in Montana including the: Greater Sage-Grouse, Golden Eagle, Ferruginous Hawk, and Mountain Plover, Loggerhead Shrike, Sage Thrasher, Brewer's Sparrow, Sage Sparrow, and Chestnut-collared Longspurs.	1
We must do all we can to protect wild animals, birds, and especially sage grouse from destruction and fragmentation of habitat. It is our responsibility as residents, voters, and responsible government agents to protect, preserve, and educate the public about our natural wild lands and to do all we can to keep them protected for future generations.	1
In addition to hardrock minerals I urge you to also include phosphate and coal for withdrawal. In my opinion--from personal observation--the current and past phosphate mining has done tremendous damage in eastern Idaho. I believe the proposed mineral withdrawal would be a critical step in protecting a wide variety of important wildlife species--including sage grouse--and ensuring a high level of water quality.	1
BLM should carefully evaluate the benefits of these withdrawals for sage-grouse habitat and life-cycle, as well as for other species that depend on these same lands.	1
....there isn't even consideration for all the species of birds who rely on that area of 600,000 pristine acres of habitat for their continuance of species on this planet. Show us a true picture - NOW - of what the 640,000 acres are going to look like within the first 5 years of your mining.....	1



Comment	Number of Commenters Providing this Comment
These lands are important habitat for not only sage grouse, but also moose, elk, pronghorn, and an expanding population of grizzly bears. It is time to improve environmental protections and establish management priorities which will provide better management for resources other than mining. I strongly support a comprehensive mining withdrawal and prioritization of other resources and considerations such as wildlife, water quality, climate change, recreation and a viable reserve of undisturbed habitat for the future.	1
These lands are important habitat for much wildlife, including sage grouse, moose, elk, pronghorn, and grizzly bears.	1
I encourage you to consider the benefits of a comprehensive mining withdrawal to other resources and issues such as water quality, climate change, and the other wildlife species.	1
I believe the water quality, climate change and the protection of wildlife species are all more important than the expansion of the mineral withdrawal in areas with sage grouse habitat as well as other wildlife in including moose (whose numbers are declining around the country), grizzly bears, pronghorn, elk and many other bird species. Hard rock mining is very destructive to these habitats.	1
These lands are priority sage-grouse habitat; the proposed lands are also crucial for moose, elk, pronghorn, and an expanding population of grizzly bears...As one of the millions of Americans who treasure the Greater Yellowstone Ecosystem and who recognize the importance of protecting our public lands and wild places, I strongly urge you to prioritize wildlife and wild lands over destructive hard rock mining.	1
....I am writing in support of the recommendation to withdraw proposed lands along Yellowstone's western boundary from hard rock mining for the sake of wildlife habitat. Such an action would benefit not only sage grouse, but moose, elk pronghorn and grizzlies whose present vitality in the region of the Park represent a remarkable heritage well kept to our time and one worthy of a great future.	1
I think, too, that a comprehensive mining withdrawal in the Greater Yellowstone Ecosystem is a worthy commitment with many additional benefits, including water quality, other wildlife protection, and facing the challenge of protecting this region with a changing climate that will bring new pressures to bear....	1
These lands are important habitat for not just sage grouse, but also moose, elk, and pronghorn.	1
I hold the Greater Yellowstone Ecosystem to be an extremely valuable asset to our nation. I am not alone in this belief, as millions of other Americans feel the same way. I fully support the recommendation to withdraw the proposed lands from hard rock mining in order to protect habitat that is critical to sage- grouse and many other wildlife species. These lands are important for moose, elk and pronghorn to survive.	1
In your analysis, I request that you consider the effects of mining on water quality, climate change, and habitat for other wildlife species.	1
I am writing to impress upon you the importance of protecting of protecting habitat important to wildlife from destructive hard rock mining. I applaud the recommended withdrawal of these proposed lands from hard rock mining. These lands are important habitat for sage grouse, moose, elk, pronghorn, an expanding population of grizzly bears and people. Our wild lands are disappearing and protecting the pieces that we still have becomes more urgent all the time.	1
It is also important to consider the widespread repercussions of mining in your analysis. We could all benefit from a comprehensive mining withdrawal that would help restore and preserve other resources and positively impact issues like water quality, climate change, and other wildlife species.	1
The mineral withdrawal will benefit many other Species of Conservation Concern in Montana, including Greater Sage-Grouse, Mountain Plover, Ferruginous Hawk, and Golden Eagle. Sagebrush-dependent species are largely declining in Montana; this mineral withdrawal could help reverse this trend.	1

Comment	Number of Commenters Providing this Comment
As a wildlife journalist, I reported that WWF and London Zoological society studies show that half of the world's wildlife has been destroyed by human activity ( hunting and habitat destruction - lead shot left by hunters in the environment, etc.) between 1970-2010 and we are five years further into exponential collapse. We are at tipping points and can no longer continue the animal agriculture, grazing, water abuse, and destruction of wildlife for fun recreational killing that hunters, trappers and hounders have enjoyed. Nor can we continue to abuse the soil, water and oceans like we have. We have to dramatically change course. We can no longer sacrifice wild species and kill everything wild in order to graze and kill everything tame. It is insanity to continue what is depleting life on this planet in a mass extinction. You have a sacred responsibility. Exercise it with long term thinking, not political pandering.	1
I'm writing in support of withdrawing those areas of public land (my land and yours) from mining destruction, use and interference of wildlife. Give sage grouse, elk, nesting birds and all other wildlife the protection they need and have a right to. We've done such damage throughout history, it's time to do something right.	1
We need to protect wildlife, and most definitely do not need the destruction of habitat that would inevitably result from mining operations.	1
These counties/areas of Montana are "Ground Zero" in terms of prairie birds - a jackpot for getting a good bang for the buck in habitat protection! The mineral withdrawal will benefit many other Species of Conservation Concern in Montana, including Sprague's pipit, Mountain Plover, Ferruginous Hawk, Golden Eagle, and more. Sagebrush- dependent species are largely declining in Montana; this mineral withdrawal could help reverse this trend.	1
The benefits of a comprehensive policy that discourages mining in special places like the Greater Yellowstone Ecosystem would also benefit water quality and have a positive effect on climate change as well as preserving wildlife species.	1
Many Species of Conservation Concern in Montana would benefit, including Greater Sage-Grouse, Mountain Plover, Ferruginous Hawk, Golden Eagle, and more. .	1
Mineral exploration activities usually require no NEPA review, and thereby represent a risk to sage grouse and sage grouse habitat, which should be analyzed in the EIS....Hardrock mining is incompatible with the protection of sage grouse and sage grouse habitat because impacts associated with large-scale surface disturbance are long-term and unavoidable....Hardrock mining can result in significant adverse effects to water quality and quantity...The following examples of mining operations...demonstrate that the 1872 Mining Law and associated state and federal regulations cannot ensure the protection of wildlife habitat from the impacts of hardrock mining....Hardrock mining can have significant adverse effects on other wildlife species associated with greater sage-grouse habitat... Hardrock mining may have significant adverse effects on fish populations...Other sensitive species or endangered or threatened species associated with sagebrush habitat will benefit from the proposed mineral withdrawal	1
The BLM should assess how mining could impact mountain plover and other wildlife in the focal area...BLM should carefully evaluate the benefits of these withdrawals for sage-grouse habitat and lifecycle, as well as for other species that depend on these same lands.	1
Protecting sage-grouse habitat is critical not just for sage-grouse but for all sagebrush obligate species. Friends of Nevada Wilderness is very supportive of permanent mineral withdrawals around the Sheldon Refuge including the very important habitat in the Sheldon Contiguous & Massacre Rim WSAs in Washoe County. It appears the other focal habitat across Humboldt & Elko Counties coincide with key habitat.	1
<b>3.3.2 Biological Resources: Greater Sage-grouse and Habitat: Commenters make statements about greater sage-grouse and habitat. Some provide information about existing habitat. Some state that the EIS should analyze the costs of mining on this resource. Some make comments about considering the benefits of the withdrawal on this resource.</b>	
The value of healthy populations of sage-grouse outweighs any future benefit that might come from new hardrock mining and ensures that additional disturbance in these areas will never take place...	46

Comment	Number of Commenters Providing this Comment
Please discount the much-touted right to mine. It seems to me that in the 144 years that these lands have been open to being claimed, any exploitable resources could have been found. The decline in Sage Grouse populations and loss of the deep sage they inhabit is a current threat and far more important than hypothetical future mining claims..	1
Surface and subsurface mining for mineral resources negatively affects sage-grouse by eliminating and fragmenting sagebrush habitat, as well as introducing human activity to the landscape....storage of tailing material...Mining infrastructure, including buildings, roads, railroad tracks and transmission lines...Increased noise...spread of invasive species...Dust...Water contamination and water diversion...restoration of sagebrush steppe is difficult to achieve and sites disturbed from mining may never return to suitable conditions for sage-grouse.	1
The BLM has identified a number of important issues to evaluate in the EIS...As part of its analysis, the agency should be carefully evaluate the benefits of mineral withdrawal on these resources, in addition to avoiding harm and improving conditions for sage-grouse and other wildlife that depend on sagebrush habitats. Further, BLM should carefully evaluate the costs and environmental harms of permitting new mining to occur in sage-grouse habitat on the grouse and other wildlife—and the many other values identified for analysis.	1
Impacts from mining surface-disturbing activities, noise, light and necessary infrastructure (roads, powerlines, fences, reservoirs) are long-term, often permanent. The result is habitat fragmentation and/or outright loss, perching advantages given to predators, loss of SG travel corridors and wildlife migratory routes, loss of leks and brood-rearing areas. Coupled with numerous mining sites, particularly highly mineralized areas such as the Carlin Trend, the cumulative impacts are significant.	1
The Fish and Wildlife Service, BLM and the Forest Service have all identified the harm to sage-grouse habitat that can occur from mining, including the significant destruction of habitat and interference with use of habitat for all aspects of grouse life-cycle that come from the significant infrastructure and human activity involved in construction, operation and maintenance. In southeast Idaho, phosphate mining has destroyed over 6000 acres of habitat through direct surface disturbance. This does not include the impact of additional construction, traffic, access and exploration.	1
The scope of the EIS should include an evaluation of the benefits of the withdrawals, an evaluation of the costs and harms of permitting new mining and include additional areas for mineral withdrawal. BLM should carefully evaluate the benefits of these withdrawals for sage-grouse habitat and life-cycle and for other species that depend on these same lands including threatened species like grizzly bears...Withdrawing mineral leases would benefit the GYE and the species that depend on it, including the Greater Sage Grouse.	1
BLM should also carefully evaluate the costs and harms of permitting new mining to occur on public lands. Any new mining permits should fully adhere to the conservation measures and proposed planning decisions described by the BLM National Technical Team (2011). The costs and harms to sage-grouse habitat and life-cycle, as well as for other species that depend on these same lands must be considered. Environmental conditions, such as air and water quality, and other resources, such as wilderness qualities and backcountry recreation, deserve careful evaluation.	1
These areas have also been sadly affected by wildfires in the last number of years. Healthy habitat is critical to successful leks. Sage grouse are lek specific and any mining in lek habitat would decrease the lek production rates.	1
Habitat fragmentation, whether due to mining, over grazing, or alien-weed induced wildfires, may ultimately cause the extinction of the greater sage-grouse from the Western United States. Maricopa Audubon Society strongly encourages BLM to take immediate action to protect shrub-steppe communities by limiting activities that would further degrade or fragment this ecosystem.	1
.....I would appreciate the BLM, Fish and Game, Forest Service etc., do everything possible to protect and safe guard the greater sage grouse, habitat, disturbance and fragmentation by hard rock mining operations. In addition, the priority of these three agencies is to safe guard our public lands from oil and gas development as well. As a Utah resident, living in a desert and with climate change, water is becoming a real issue. Mining and fracking has a high demand for water. It is time to seriously protect our lands for future generations and move to renewable energies that are not so destructive to our life and environment.	1

Comment	Number of Commenters Providing this Comment
The BLM needs to implement comprehensive scientific studies to ensure that needed adjustments to mineral withdrawals do not adversely affect sage-grouse habitat.	1
We must do all we can to protect wild animals, birds, and especially sage grouse from destruction and fragmentation of habitat. It is our responsibility as residents, voters, and responsible government agents to protect, preserve, and educate the public about our natural wild lands and to do all we can to keep them protected for future generations.	1
Suggestions and Steps for Revegetation and Restoration of the Sage Grouse and other Wildlife Habitats...Use of current mining claim, oil, gas, geothermal, renewable resource permit fees, recreation, ranching, farming and other public multi-use fees to fund additional firefighting equipment to attack all wildfires when they initially start and before they can spread out-of-control...immediately begin revegetation and restoration of burned lands...keep the various unfavorable invasive vegetation...from germinating, but allow...other favorable vegetation...to germinate...apply a Pre-emergent, followed by favorable vegetation seeding...a few watering applications over a 2-3 month period...	1
BLM should carefully evaluate the benefits of these withdrawals for sage-grouse habitat and life-cycle, as well as for other species that depend on these same lands.	1
The Greater sage-grouse, a bird native to Oregon's high desert and other parts of the West, faces serious threats to its survival due to habitat loss caused by livestock grazing, invasive species, wildfire, energy development and other human land uses. Sage grouse require large, intact areas of habitat where new land uses, wildfire, weeds and other impacts won't further degrade what the birds need to thrive.	1
Winter habit areas and connectivity areas that are key to the bird's ability to survive and reproduce must be included in the plan. The BLM should recognize winter habitat and connectivity areas with additional habitat designations and require meaningful protections for these areas.	1
...I believe that many areas where Sage Grouse do not currently live will not have populations in the future. The major reasons for lack of habitat...Over grazing by sheep in the first half of the twentieth century...Wild fires...Cheatgrass...	1
Hard-rock mining can have significant negative impacts on sage grouse. This is perhaps best illustrated by the construction of the Lost Creek In Situ Uranium Mine, which was built in 2012. Several leks were within two miles of this facility, and the main haul roads running east and west of the mine site passed within one mile of two leks or lek complexes. All of the leks within two miles of the mine site have experienced major population declines since the onsite of mine construction, and these declines have continued over the past two years even as sage grouse leks throughout Wyoming have experienced a significant population rebound.	1
Oil and gas development is arguably having the greatest impact on sage grouse populations of any human-caused stressor in the Rocky Mountain region. This type of industrial development fragments and degrades sage grouse habitat and displaces sage grouse from key habitat areas, resulting in heavy impacts to sage-grouse populations have been documented where these stipulations have been applied .... The BLM's National Technical Team (2011:22) recommended that the agency "[c]lose priority sage-grouse habitat areas to fluid mineral leasing" under both of its recommended scenarios. Withdrawing the lands in question from future oil and gas leasing satisfies this biological imperative.	1
Sand and gravel pits are regulated under the auspices of mineral materials sales. Their extraction involves strip mining on a small scale and involves the surface disturbance, heavy machinery, noise, vehicle traffic, and human activity that impact greater sage grouse known to impact sage grouse distribution and habitat use and degrade sage grouse habitat quality. These problems are illustrated by the McMurry gravel pit permitted near Boulder, Wyoming...But even the much smaller, previously permitted gravel pit in this location appears to have caused a significant decline of birds on neighboring leks, based on State of Wyoming lek counts...	1
The proposed mineral withdrawal encompasses public lands essential to protecting greater sage-grouse and greater sage-grouse habitat in Montana, Idaho, Wyoming, Oregon, Utah and Nevada.	1



Comment	Number of Commenters Providing this Comment
Additionally because streams and wet meadows are high-quality, seasonal habitat for Greater Sage-Grouse, interfering with the continued use of private land parcels with streams and meadows will cause loss of brood-rearing and summer habitat. (See COT Report, ...and the 2014 Nevada Greater Sage-Grouse Conservation Plan ...), which all emphasize the importance of riparian and wet meadow habitats).	1
The BLM should assess how mining could impact mountain plover and other wildlife in the focal area...BLM should carefully evaluate the benefits of these withdrawals for sage-grouse habitat and lifecycle, as well as for other species that depend on these same lands.	1
Arbor Habitat Development has worked on the sage grouse habitat in the BrigePort area with cattlemen to help the land development for sage grouse, pigmi rabbit, cattle grazing land. I would like to return to the active roll in the field as an arbor technician providing a better habitat for the repopulation of the sage grouse by my service of the contouring & sculpting of areas for best possible chance of the sagegrouse to habitat and repopulate as these areas we provide for them are reformed into productive and best possible plain for such probable lands to induce the desired result. Please understand I will and want to return to the physical act of being one of said ground floor organizations to be in the field physically assisting this effort.	1
I am attending to get information about proposal for withdrawing mines in OREGON...and get information about starting a breeding program for sage grouse outside of the mining area...	1
Protecting sage-grouse habitat is critical not just for sage-grouse but for all sagebrush obligate species. Friends of Nevada Wilderness is very supportive of permanent mineral withdrawals around the Sheldon Refuge including the very important habitat in the Sheldon Contiguous & Massacre Rim WSAs in Washoe County. It appears the other focal habitat across Humboldt & Elko Counties coincide with key habitat.	1
<b>3.3.3 Biological Resources: Hunting of Sage-grouse: Commenters make statements about hunting. Some question why protection is needed when hunting is still allowed.</b>	
Also, I am a bit confused as to why the government would allow a hunting season on a species that they feel is of special concern. It seems to me that hunting is having more of an impact on the species than mining.	2
And all this for a bird that currently has a Nevada hunting limit of 2 per day and 4 in possession, with bag limits of 1-2 per day in all other affected states.	1
This proposed withdrawal will not ultimately help the Sage Grouse which is either is or is not a threatened species. Is there any scientific studies supporting whether there really is an issue here? In Elko County and other parts of Nevada there is still a legal hunting season. I question the issue when the Nevada Department of Wildlife still allows for hunting.	1
The sage grouse (hen) population was outstanding in all area's that I hunted this year and if you are so concerned, why did you let us hunt them? Henceforth it is a land grab and Nevada does not need to be converted into the federal governments own little bird sanctuary for the eastern states enjoyment.. Learn the bird, PLEASE, learn that it's main enemy is the Raven and the Hawks (both protected) of the mountains and do the most damage by robbing the nests and killing a vast amount of young birds.	1
The very fact that this bird still has a hunting season on it leads me to believe that this more of a land grab then an effort to protect sage grouse habitat.	1
And secondly, since they can be hunted, it is logical to conclude that they are in sufficient numbers and there is sufficient foraging areas for the sage grouse. So why did the BLM decide otherwise and implement this draconian measure?	1
Checking with the Idaho Fish and Game office there is still a Sage Grouse hunting season in Idaho? Why close public lands to new mining claims to protect the sage grouse when hunting is still aloud? Is the real purpose to close the public land to any and all activity and sage grouse protection just happens to be the convenient thing to use to accomplish that purpose this year? Most of the problems with the sage grouse low numbers is the loss of habitat caused by the closing of the public lands to all activities, these activities should be addressed before closing off public lands to mineral exploration:	1

Comment	Number of Commenters Providing this Comment
What's more egregious is that people are still allowed to hunt sage grouse despite their supposed scarcity. I support hunting as well as using our other natural resources, but to allow hunting then withdraw down 10 million acres is nonsensical. The whole scheme in itself is preposterous and stinks of an underlying agenda...	1
Specific issues for the scoping process to consider...Effect of legal hunting of sage grouse.	1
Stop issuing hunting tags for Sage Grouse. Oregon had available 845 tags for two birds each. If you believe the low estimated number of 200,000 Sage Grouse left, the potential killing of 1690 birds is 0.845% or nearly 8 ½ birds per thousand. Add in the birds that could be hunted in Idaho and you have over 1% of the population. The excuse that each hunter turns in a leg and a wing for study by biologists is complete overkill	1
Withdrawing this amount of land from the location and entry under the United States mining laws is unacceptable as proposed for the protection of habitat for Sage Grouse. The bird has not been listed and for many good reasons including the fact that there is an abundance of birds and the species is not remotely in jeopardy of going extinct. Many of our members, either through their real estate business or in the recreational use, spend a lot of time in the areas being classified as Sagebrush Focal Area's. The sage grouse is still plentiful and the State of Nevada even has a hunting season for the bird.	1
.....If this closure happens this will greatly impact families and businesses in those suggested areas financially. Not only will families not be able to hunt or put food on their tables, but this would severely impact the mining industries with exploration. Not only is my own family hunters but we are also employed in the mining industry and this withdrawal would significantly impact our home and financial stability. Our family is not the only one this will impact. The percentage of hunters vs mining industry employees is quite large for Nevada, Oregon, Idaho, Wyoming, and Montana just to name a few. How is it morally and ethically correct to close down areas that bring revenue into those states, and damage the working families financial stability? Don't punish the hard working families and active hunter for an endangered species. If there is an endangered species of animal close down that season of hunting for that specific species. Don't close down 100's of 1,000's of acres when a season can be shut down with a click of a button. I am completely against this closure.	1
Why issue permits to hunt sage grouse!!	1
The species of Sage Brush need to be determined for the applicability to the Sage Grouse...Not all Sage Brush is suited for Sage Grouse habitat...This one size fits all solution may produce a wide range of results...If the goal is to protect the Sage Grouse why do we still hunt them?	1
I am a geologist with over 40 years of experience with a focus on Nevada. Permitting of projects as well as mining operations have, of course increased over time but always with the multiple use concept as the guiding principle. Now I find that prior existing land users have been regulated to a less than important use than is the undisturbed habitat use for the sage grouse. I find this unfortunate since at the same time we are able to hunt the birds. I would like to see regulators go back to the multiple use concept and let mining, hunting, ranching, etc stand on its one merits.	1
You appear to be misinformed in regard to a perceived need to withdraw public lands from mineral entry to "protect" the sage grouse. Your own agencies have concluded that the bird is not threatened or endangered and the population is sufficient to continue to allow hunting of this species in the very areas that are proposed for withdrawal. They have also testified that exploration and mining have little or no impact on sage grouse and that the greatest impact is from wildfire. Lightning causes most wildfires in Nevada. Exploration roads and mine roads provide access for fire fighting equipment. Mines provide fire breaks and water to put the fires out.	1
I am writing to express my opposition to the withdrawal of this huge amount of land from mineral entry. First off, I don't see that protection of the Sage Grouse is such a high priority that taking such drastic measures to protect it from the solitary threat of mining disturbance is worth stifling a mineral industry that is struggling right now. Risk far outweighs reward here. The industry is already hurting badly. I am one of a majority of geologists in this industry that is having a hard time finding work. This is also an industry that raise, I believe, the second-most tax revenue per industry in Nevada (I am mostly invested in the state of Nevada). USFW has already decided against protecting the Sage Grouse after thoroughly studying the data. It seems oxymoronic to go through so much effort and tax dollars to protect a bird that is so heavily hunted in this area. The Sage	1

Comment	Number of Commenters Providing this Comment
Grouse is nothing more than a proxy war, I've heard members of anti-mining groups say as much.	
<b>3.3.4 Biological Resources: Conservation Funding/Reclamation: Commenters state that conservation funds/mitigation dollars from mining would be eliminated in withdrawal areas. Without these funds important habitat restoration projects would not occur. Currently these funds result in improved habitat leaving it "better than they found it." Reclamation improves habitat.</b>	
Being good stewards of the lands is a common practice of all people who have access to and use the lands. We know that we are the Stewards of Lands. We work with all Agencies to stay in compliance while we are here and to restore the environment to better then it was before we leave. WE are the ones who help most restoring the habitat at our cost and not putting that burden on the taxpayer.	1
The mining industry has an excellent record on restoration of mined or otherwise affected lands, e.g., of riparian habitat including far outside their immediate areas of exploration and mining. My impression is that mining companies would also be willing to help with sagebrush and sage grouse habitat. But their willingness to do this is predicated on having a financial interest in a region, i.e., their ability to explore and potentially mine. If they cannot explore in a region, they won't have an interest and they won't be able to help with restoration. One cannot expect any commercial entity to help with issues in regions from which they have been excluded.	1
My recommendation is that these proposed areas not be withdrawn for exploration and development. Instead, efforts to maximize sage grouse habitat should focus on wildfire prevention and restoration of already burned areas.	1
Well-designed reclamation of public lands impacted by mining can ultimately lead to higher value habitat than if the same lands were left unmanaged.... For example,...invasive species like cheatgrass have significantly degraded vast areas of former sage grouse habitat...Conversely, pinyon-juniper succession can lead to conversion of prime sage grouse habitat into...low-value woodlands. During mine reclamation, operators routinely restores such low-value habitats into prime potential sage grouse habitat. Thus, when coupled with appropriate reclamation requirements, mining activity...can play an important role in restoring sage grouse and other species to long-term viability. When lands are withdrawn, mining companies that provide these valuable contributions are removed from the conservation effort and reclamation benefits are lost.	1
Not only have mining companies entered into sage grouse conservation agreements and conducted award winning habitat restoration, their active management of mine sites has routinely resulted in improved habitat for the sage grouse and other species.	1
The best way to provide for protection of the sage grouse, while simultaneously allowing continued economic development, is for BLM to develop conservation measures in cooperation with the regulated community that include a strong but pragmatic mitigation program. Well-designed reclamation of public lands impacted by mining can ultimately lead to higher value habitat than if the same lands were left unmanaged. Conversely, pinyon-juniper succession can lead to conversion of prime sage grouse habitat into comparatively low-value woodlands. During mine reclamation, operators routinely restore such low-value habitats into prime potential sage grouse habitat. Thus, when coupled with established reclamation requirements, mining activity on public lands can play an important role in restoring sage grouse and other species to long-term viability. When lands are withdrawn, mining companies that provide these valuable contributions are removed from the conservation effort and reclamation benefits are lost...	1
Industry is currently committed to offsetting their impacts on Sage Grouse habit through conservation credits. These programs have also helped restoration of habit after fire. No industry – no bucks. No bucks – no help in fire restoration programs. Industry should be embraced as a partner in Sage Grouse restoration activities, not, hamstrung and driven out of the proposed Focal Areas.	1
...exploration activities actually improve the sagebrush ecosystem by reclaiming disturbed areas with appropriate native plant species. Additionally, these relatively benign activities support rural economies...Rather than banning an activity that does no harm, let's use the annual rental fees paid by explorers for every located mining claim to reclaim lands devastated by wildfire and support programs to suppress wildfire and stop the spread of invasive species.	1

Comment	Number of Commenters Providing this Comment
Additionally, the withdrawal ignores the role mining companies take in actively managing the federal lands they are authorized to use. Federal and state law requires reclamation of lands disturbed by mining. In fact, according to the Nevada Division of Environmental Protection, more than 12,000 acres have been reclaimed since 1996 (personal communication, Paul Comba, NDEP, BMRR, 2015). Often, mining companies restore low-value habitats into enhanced sage grouse habitat by improving vegetative condition, eliminating invasive species, and reducing the risks of wildfire.	1
Preservation of mineral rights in Sagebrush Focal Areas has the potential to provide funding for additional habitat improvement	1
Lands impacted by mineral exploration and mining are reclaimed under stringent control of federal land managers. Reclamation of GSG habitat can include reseeded with an optimal mix which can result in better GSG habitat than existed before minerals activities.	1
Furthermore a Federal government agency, USGS, has identified potential gold mineralization in or near the withdrawal area that may contain more than 25 million ounces. Is Wyoming going to be compensated for the billions of lost mineral severance and ad valorem tax dollars that help fund state sage grouse protection efforts?	1
The costs of the lost revenue and jobs from the withdrawal of Metal and Industrial Mineral Exploration and Mining Lands, and Development and Production of Oil, Gas, Geothermal, Renewable Energy, and Fees for Recreation, Farming, Ranching and other outdoor activities will not help to reestablish, revegetate and restore the diminishing current and future wildlife habitats. The withdrawal of lands in the SFA's will harm and prolong the revegetation and restoration of the lands due to the lack of funds that resources development companies and environmental groups need and want to accomplish the Primary Goal help preserve and propagate the Sage Grouse and all various wildlife in our States.	1
If mining and industry were to continue with mitigation measures, the money could be used to fund habitat restoration resulting in a net conservation gain. This is not possible if potential funders like mineral exploration and mining companies are no longer in business.	1
...most of the reports prepared for the listing determination do not identify mining activities as a significant threat and instead point to wildfires and invasive species as the greatest threats...The withdrawal ignores the role that mining companies take in actively managing the federal lands on which they operate. During mine reclamation, mining companies frequently restore low-value habitats into prime potential sage-grouse habitat by eliminating invasive species and reducing risks of wildfires.	1
Well-designed reclamation of public lands impacted by mining can ultimately lead to higher value habitat than if the same lands were left unmanaged...During mine reclamation, operators routinely restore such low-value habitats into prime potential sage grouse habitat...when coupled with appropriate reclamation requirements, mining activity on public lands can play an important role in restoring sage grouse and other species to long-term viability...When lands are withdrawn, mining companies that provide these valuable contributions are removed from the conservation effort and reclamation benefits are lost...Prohibiting the conservation efforts of mine operators though mineral withdrawals reduces the ability to conduct these active management approaches, further jeopardizing sage grouse habitat.	1
Benefits to sagebrush habitat from mineral development and exploration...Hard rock mining and related habitat disturbance and fragmentation is a very minor threat to sage grouse...mining can actually help minimize the spread of the major threat – wildfire...regulations typically require reclamation of land and roads with weed-free plants, thus helping reduce the spread of noxious weeds, the second largest primary threat to sagebrush.	1
The mining industry is already heavily regulated and the reclamation requirements are extensive. Through required reclamation activities, thousands of acres of once mined land provide better habitat for native species, including the sage grouse, than existed prior to the mining activity. The curtailment of mining would reduce the number of acres of reclaimed land provided by the reclamation activities of mining companies.	1
The BLM, through the NEPA permitting process already has a 1000-lb gorilla mechanism in place to address future mining activities and their potential impact to sage grouse habitat. The NEPA process requires mitigation of impacts on wildlife. I would suggest mining activity on public lands has improved sage grouse habitat! As mitigation actions usually require a 10 fold replication of any lands impacted. It could be argued that the BLM should encourage more mining on public lands, so that mining companies pay for restoring sage grouse habitat instead of the taxpayers!	1



Comment	Number of Commenters Providing this Comment
These long term conservation measures required under the land management decision provide much greater benefit than the speculative conservation of placing all lands within the SFA off limits to mineral development.	1
<p>"Perhaps the Alturas, CA Bureau of Land Management office should be contacted to get a case history of the Hayden Hill Gold Mine. The office should have documentation of impacts and benefits of the Hayden Hill mine during exploration, mining, mine reclamation and the creation of improved habitat due to mine-related mitigation. The mitigated lands were donated by Lassen Gold to the BLM and are now part of the Hayden Hill-Silva Flats wildlife refuge:  <a href="http://www.blm.gov/ca/st/en/info/newsroom/2009/july/NC0971_haydenhills_donatedlands.html">http://www.blm.gov/ca/st/en/info/newsroom/2009/july/NC0971_haydenhills_donatedlands.html</a>"</p>	1
Putting 2.8 million acres in Nevada off limits to mining coupled with the other NVLMP land use restrictions and prohibitions may indeed create serious environmental problems given the wildfire dangers on Nevada's public and forest lands and the urgent need to reduce fuel loads (i.e, non-native annual grasses) on these lands. Withdrawing lands from mineral entry will result in lost conservation opportunities compared to the habitat conservation and enhancement that would be achieved by implementing the Nevada Conservation Credit System (CCS) in the Nevada Sage-Grouse Conservation Plan. The State Plan allows development of projects in PHMA in exchange for the substantial funds that private-sector project proponents must pay to the CCS which uses the contributed funds to conserve and enhance other high-priority habitat areas.	1
Furthermore, we believe that withdrawal of public lands is not an effective means of habitat management. Substantial evidence shows that wild fire and invasive species present the greatest threat of habitat fragmentation. The withdrawal of lands in the SFA's will limit options for controlling fire impacts and management of invasive species. The stakeholders in the area including mining, exploration, stockmen, and sportsmen all can play a part in a collaborative effort to improve habitat, including financial contributions to the NV Conservation Credit System under the NV State Sage Grouse Conservation Plan.	1
Existing Surface Management Regulations Governing Mineral Exploration and Mining Are Effective in Supporting Productive Habitat...effective reclamation methods that enhance sagebrush habitat...A number of examples show that new exploration and mining in old districts can improve habitat conditions. There is a considerable risk that the withdrawals, as proposed, will severely reduce exploration and mining activity resulting in a pronounced decline in the availability of talent and private sector financial resources to conduct effective reclamation.	1
The No Action Alternative must be analyzed for the positive impacts that the mineral industry provides such as participation in landscape scale efforts that require a broad range of partnerships and opportunities for reclamation and to further reclamation technology through restoration research.	1
The exclusion of mining projects and mining claims will not negatively affect the greater sage-grouse, because the surface disturbances necessary for mining hardrock minerals will be reclaimed and the projects will further comply with other lawful mitigation and surface management requirements.	1
Pursuing withdrawal...Creates uncertainty & funding options decrease.	1
Mineral exploration actively improves habitat this way: when we finish work we clean up after ourselves. You collect bonds from us to be sure that happens. In the process of working, we remove invasive plants, In cleaning up we plant weed free seeds of a mixture you specify. The net result is improved habitat. In addition, you collect claim fees from us that can be used for habitat improvement, fire suppression, and post-fire rehabilitation. If we do not locate claims, you will not have that money available to you. SFAs should not be withdrawn from mineral entry.	1
<b>3.3.5 Biological Resources: Greater Sage-grouse is a Keystone Species: Commenters make statements about greater sage-grouse being a keystone species or that the health of the greater sage-grouse population is reflective of the broader health of the plant and animal community</b>	

Comment	Number of Commenters Providing this Comment
The greater sage-grouse is an umbrella species that indicates the health of the entire sagebrush habitat it shares with more than 350 other kinds of wildlife, including world-class populations of mule deer, elk, pronghorn, and golden eagles...I strongly support conservation efforts to protect the greater sage-grouse - an iconic American symbol of the west!	4,273
The greater sage-grouse is an umbrella species that indicates the health of the entire sagebrush habitat it shares with more than 350 other kinds of wildlife, including world-class populations of mule deer, elk, pronghorn, and golden eagles....This really needs to be done because their population has taken a most severe hit. We really should try to bring their numbers back up.	1
According to my info, the greater sage-grouse is an umbrella species that indicates the health of the entire sagebrush habitat it shares with more than 350 other kinds of wildlife, including world-class populations of mule deer, elk, pronghorn, and golden eagles.	1
We need the sage grouse as our barometer for the health of a WHOLE ECOSYSTEM, that is how CRUCIAL these birds are! They MUST be protected otherwise so many other EQUALLY IMPORTANT species could be endangered. Mining has already CAUSED SO MUCH DESTRUCTION, SOME FROM WHICH OUR ENVIRONMENT CAN NEVER COME BACK! WE DON'T WANT OR NEED ANY MORE NEW MINING TO CAUSE EVEN MORE DEATH AND DESTRUCTION!!....The greater sage-grouse is an umbrella species that indicates the health of the entire sagebrush habitat it shares with more than 350 other kinds of wildlife, including world-class populations of mule deer, elk, pronghorn, and golden eagles.	1
The greater sage-grouse is an umbrella species indicating the health of the entire sagebrush habitat it shares with more than 350 other kinds of wildlife, including world-class populations of mule deer, elk, pronghorn, golden eagles.	1
The greater sage-grouse is an umbrella species that indicates the health of the entire sagebrush habitat it shares with more than 350 other kinds of wildlife, including world-class populations of mule deer, elk, pronghorn, and golden eagles.	1
I wanted to note that it's not just Sage Grouse that we are protecting: although they do need to be protected. There are more than just the grouse it protects. Many plants an animal live in an ecosystem and if you impact one part it's like dominos, many other parts of the ecosystem are impacted.	1
<b>3.3.6 Biological Resources: Greater Sage-grouse Numbers Stable or Increasing: Commenters state that greater sage-grouse numbers are stable or increasing and that the action is not necessary. Some point to the recent decision by the USFWS not to list greater sage-grouse as evidence that the bird doesn't need protecting.</b>	
So I ask how can the population be accurate when data is manipulated.	1
Sage-grouse total range-wide breeding populations have increased by 63% over the last two years with a total breeding population of 424,645 birds. The new rules favor habitation of a bird that federal officials have already admitted is under no danger of extinction. Over 87% of the state of Nevada is federal land. The majority of the state - grouse habitat.	1
I don't have the exact numbers. Yet, we know that in the last two years (at least) Sage Grouse numbers have climbed.	1
Phillips County has a large population of Sage Grouse mostly due to the care local citizens have for their resources. The Montana Fish Wildlife and Parks stated that the loss of some Sage Grouse from Phillips County would benefit the population of the Birds. In following up on their own statements, they plan to remove Sage Grouse from Phillips County and move some to Alberta Canada, to help the populations in both countries...The Sage Grouse in Phillips County are doing quite well. Government efforts have not been very effective getting species off the Endangered Species list. Even though the Sage Grouse are not endangered, the government's efforts have a poor track record.	1
In Oregon, the Beatys and Louse Sagebrush Focal Areas contain stable populations of thousands of sage-grouse in both areas that don't require additional protections.	1

Comment	Number of Commenters Providing this Comment
10 million acres is ridiculous. I have worked directly with mining exploration and sage grouse habitat conservation and enhancement of areas of disturbance. The primary habitat for these birds is large expanses of sage brush, especially areas void of trees, ledges and power poles where predating raptors can perch. 200 years ago, before the west was settled, there were more trees. The sage grouse population was fewer. People cleared the trees from much of the areas you have proposed to withdraw to protect grouse. Sage brush became more prevalent. Sage grouse habitat increased and the bird population increased simultaneously. Now the BLM wants to use the grouse as an excuse to restrict almost all other uses for 10 million acres of land, much of which was not historic grouse habitat and exceeds historical habitat acreage. If you had a scientific agenda, rather than a political one, you would find better things to do than hurt American industry by restricting access to public resources in the name of maintaining a huge population of an overpopulated species.	1
...lek-trend graphs...suggest episodic-to-cyclical variation in GSG numbers similar to predator-prey population cycling.	1
leave them alone!! they will feed on on the bugs from cow patties and live a long and natural life!!! I acually hunted them in the 50s to reduce their numbers!! In other words leave GOD alone!!	1
The US Fish and Wildlife Service has determined that the Sage Grouse is no longer a candidate for protection under the Endangered Species Act.	1
The sage grouse populations at issue are at low risk of extinction. The USFWS has previously recognized that the sage grouse populations to be protected by the mineral withdrawal are at low risk of extinction. ...key Montana sage grouse populations at issue within the Northern Montana PAC are described as being "at low risk," specifically because the threats in this area, including mineral development, were not deemed to be of any consequence.	1
Research has alleged the Sage Grouse do not want to be within two kilometers of mining or grazing. If you go two kilometers from the grazing land and two kilometers from the area still open to mining, the lines overlap. I disagree that the birds want to stay two kilometers from grazing or mining. Some of the most populated Sage Grouse habitat has been continuously grazed for over 100 years. One active mine that lies completely with an SFA has had Sage Grouse come into their camp and drink water from the dog's water bowl. I have hiked and taken photos in this area in the spring and fall for the last 3 years, and have observed Sage Grouse here, and heard the males dancing on their leks in the fall. The area where this mine lies is at a higher elevation where bunch grass and forbs still grow. Sage Grouse are a common sight in that area and don't seem to have a problem with mining, cattle or being around people as long as you stay a reasonable distance away. The birds are often seen at cattle water holes in the higher area. Since we have had drought conditions here, the ranchers have started hauling water to the waterholes in April. This water is used by the Grouse.....	1
Withdrawing this amount of land from the location and entry under the United States mining laws is unacceptable as proposed for the protection of habitat for Sage Grouse. The bird has not been listed and for many good reasons including the fact that there is an abundance of birds and the species is not remotely in jeopardy of going extinct. Many of our members, either through their real estate business or in the recreational use, spend a lot of time in the areas being classified as Sagebrush Focal Area's. The sage grouse is still plentiful and the State of Nevada even has a hunting season for the bird.	1
Why are mining options being withdrawn because of sage grouse when they have been determined to be abundant? 1. I would like to see the type of impact on sage grouse that are a concern. 2. What kind of mining causes the impact? (gold vs. opal vs. sunstone....)	1
You appear to be misinformed in regard to a perceived need to withdraw public lands from mineral entry to "protect" the sage grouse. Your own agencies have concluded that the bird is not threatened or endangered and the population is sufficient to continue to allow hunting of this species in the very areas that are proposed for withdrawal. They have also testified that exploration and mining have little or no impact on sage grouse and that the greatest impact is from wildfire. Lightning causes most wildfires in Nevada. Exploration roads and mine roads provide access for fire fighting equipment. Mines provide fire breaks and water to put the fires out.	1

Comment	Number of Commenters Providing this Comment
<b>3.3.7 Biological Resources: Other Factors Causing Greater Sage-grouse Decline: Commenters state that depredation, livestock grazing, and West Nile virus are important factors to address when examining sage-grouse population declines.</b>	
And the government could also remove the hunting restrictions on the sage grouse' main predator – the raven.	1
I am concerned that the BLM's own studies of West Nile Virus that has caused havoc to the greater sage grouse has not been included in the study to withdraw vast acreage from the public lands, and the withdrawal of the lands won't change the West Nile issue.	1
In addition to a mining withdrawal, a concerted effort must be made to restore native plants species to the Great Basin..... Restoration may not recreate native habitat perfectly, but restored shrub-steppe habitats may thwart the decline in sage- grouse populations. MAS encourages the BLM to begin restoration of public lands which have been disturbed by overgrazing and other detrimental land uses.	1
I am not optimistic there will be significant sage-grouse recovery until they are listed under the ESA...until BLM takes the more courageous step of confronting the harm to sage habitat by livestock grazing, I don't expect much. I fear this mineral withdrawal is the first of many actions which will pick at the edges of the real problem of livestock damage while avoiding doing anything about the elephant in the room...State wildlife agencies can stop all hunting and Wildlife Services can kill all the ravens and other predators they can, and sage-grouse still will decline unless BLM reverses its traditional practice of prioritizing livestock needs over all others in their land management practices.	1
Start a GSG breeding and restocking program...Proactive GSG habitat monitor and restoration...Proactive interim on-lek predation defense system...Proactive interim nesting-area predation defense system	1
When I have sage Hens Nesting at my home and also Chucker and quail all at my home they are not endangered. But you -put crows on the endangered list and now I have them coming to my home and trying to kill the birds I like Here..... I never had a crow problem UNTIL they became Protected... now they are EVERYPLACE! I go out see what is happening with our Wildlife... The Ranchers... Hunters and even the Mines Help local wildlife... ....	1
The sage grouse (hen) population was outstanding in all area's that I hunted this year and if you are so concerned, why did you let us hunt them? Henceforth it is a land grab and Nevada does not need to be converted into the federal governments own little bird sanctuary for the eastern states enjoyment.. Learn the bird, PLEASE, learn that it's main enemy is the Raven and the Hawks (both protected) of the mountains and do the most damage by robbing the nests and killing a vast amount of young birds.	1
There is an increased fire danger on non-grazed land. Livestock no longer graze the grasses that fuel the fast moving range fires on traditional grazing lands. Land wisely managed by livestock producers is in far better shape than that is left to Mother Nature's direction in most cases. Economic benefits are lost to cattle producers and the sage grouse habitat is also lost for a long period of time and/or permanently when burnt over by an uncontrolled fires fueled by ungrazed grass. Lack of predator control is also one of the major problems with low sage grouse numbers. Too many of the protected predators don't realize they are causing harm to another protected species when looking for their next meal.	1
The BLM, USFS and USFWS agencies should all cooperate to remove excessive Raven populations from Sage Grouse Focal Areas as well as other predators like coyotes whose populations have grown due to many reasons including poor fur prices. Once the population increases then the specific predator control to protect Sage Grouse can be modified.	1
I have seen a crow flying with an egg in its mouth.... Been coming out to this area for almost 20 years and have barely ever seen one sage grouse.	1
<b>3.4 Cultural Resources: Commenters make statements about cultural resources. One states that they have no historic preservation/cultural resources concerns at this time and another suggests a definition for cultural resources.</b>	
Cultural resources should be defined pursuant to 43 CFR 2300.0-5(e).	1
.....The State Historic Preservation Office (SHPO) looks forward to reading the draft EIS when it is prepared, and has no historic preservation/cultural resources concerns at this time.	1



Comment	Number of Commenters Providing this Comment
<b>3.5 Geological and Mineral Resources/Mining: Commenters make statements about geology and mineral resources or mining.</b>	
Fortunately these areas are not areas of high mineral potential or development interest and there are very few existing mining claims in either area. This supports the idea that the most important social and economic value in both areas is maintaining intact sage-grouse habitat.	45
The withdrawals do not take into account the vast mineral potential of these lands. The yet-to-be-discovered minerals are the future of economic growth and activity in these rural areas. Just because some of the areas proposed do not currently have active mining operations is not a valid reason for withdrawal. Consider the Carlin District in Nevada. It was not discovered or located prior to 1960. Now, it is one of the most prolific gold producing areas in the world.	2
Companies and individual claim owners have obligations to their investors and shareholders that must be continued regardless of how fast the review or EIS scoping processes take at BLM and USFS. Given the low availability of experienced mineral examiners in the two agencies, such personnel are likely to be overwhelmed with review of the numerous claims that exist within the withdrawal plan SFAs. Assigning inexperienced or uncertified personnel to this task should not be an option and will ensure unfair treatment of the claims owners because inexperience will lead to omissions of important factors and lack of advanced understanding of the exploration and mining processes in such reviews.	2
Fortunately these areas are not areas of high mineral potential or development interest and there are very few existing mining claims in either area. This supports the idea that the most important social and economic value in both areas is maintaining intact sage-grouse habitat....People need healthy natural habitat more than they need more minerals.	1
Please discount the much-touted right to mine. It seems to me that in the 144 years that these lands have been open to being claimed, any exploitable resources could have been found. The decline in Sage Grouse populations and loss of the deep sage they inhabit is a current threat and far more important than hypothetical future mining claims..	1
The maps for the Record of Decision for the Greater Sage Grouse management plan show roughly half of Elko County (4th largest county by land area in the US) being "Priority Areas for Conservation". The maps showing sage grouse areas that are being withdrawn for two years – with the potential of an additional twenty years – pretty well cover the northern 1/3 of Elko County and are widely spread over southern Idaho. The BLM seems to think that they have left mining alone by avoiding the inclusion of the Carlin Trend in the withdrawal area. However, the rest of Elko County and most of the northern half of Nevada is covered by an irregular scattering of "Priority Areas for Conservation" to which the proposed "Land Use Plan Amendments" (LUPAs) will be applied. These LUPAs are burdensome restrictions on areas that are small to large regions spread over the state in areas not subject to the land withdrawal. To say that the areas not in the land withdrawal are not affected is to declare a complete lack of understanding about mineral exploration and the mining industry on the part of the BLM.	1
The Interior Department is expecting natural resource exploration to occur on these open areas between the "Priority Areas" ONLY, with the expectation that any discovery can be accessed from outside the restricted areas. This concept ignores the fact that minerals deposits have a high probability of extending under these areas of withdrawn ground. And that this restricted access ground has a perimeter around it for noise and other disturbance for several months in the spring and summer. This means that there is a very high probability that any exploration or discovery will be affected by costly delays and restrictions. The mitigation efforts required for any mining development are expected to be even more costly. The point that the Interior Department apparently missed is that if any discovery has a high probability of being truncated by the withdrawal, or the exploration time and cost affected by restrictions near these "Priority Areas for Conservation", then why should any investor spend money to explore in an area where there is a probability he will not be able get legal rights to a portion of the discovery? Or have costly mitigation efforts on top of all the existing environmental regulations? The BLM says that valid existing rights will not be affected in the withdrawal areas. So what happens when the deposit extends off the current claimed area, and NO new claims are allowed? These are exploration projects, not defined orebodies. Not to mention that a discovery may require more claims than the initial staking, which is frequently the case. If the BLM is going to put a tourniquet around a discovery, the investor may not be able to mine any discovery for 20 years? Do you think that a mining investor will put	1

Comment	Number of Commenters Providing this Comment
money into what is considered high-risk exploration if assuming they DO find something that they will get NO return on the investment for up to 20 years due to these land restrictions? This will drive away mineral exploration in these regions.	
Withdrawing WEX's claims within the SFA impedes WEX's ability to mine other nearby lands outside the proposed withdrawal boundary.	1
ACC holds thousands of unpatented mining claims in the West, and a significant number of those in Phillips County, Montana and Humboldt County, Nevada are within Sagebrush Focal Areas. Portions of these unpatented claims have had or currently have active mining while others will be developed in the future, and so we want the BLM to be aware of the presence of these claims and the potential for additional mining to occur on them. Further, we remind the BLM that these existing claims must be honored, especially when plans for future expansion or new development are made.	1
The BLM must look at the environmental consequences of the proposed withdrawal's and prohibition on future mineral exploration and development.	1
The BLM/USFS must do a full evaluation of the impacts of the proposed withdrawal to mineral resources. The evaluation must include all available data sources including: USGS, Nevada Division of Minerals, and claimants.	1
In determining the appropriateness of the proposed withdrawal, BLM must take into consideration the importance of and accessibility to federal minerals. The federal government manages 632 million acres of public land in the United States. Access to federal lands for mineral exploration and development is critical to maintain a strong domestic mining industry as these lands historically have, and will continue to, provide a large share of the metals and hardrock minerals produced and used in this country. Federal lands account for as much as 86 percent of the land area in certain Western states. These same states account for 75 percent of our nation's metals production.	1
The concept of a Carlin Type gold deposit took years to prove. It is uncertain the potential contained within the 10 million acres. Taking that mineral potential from our rural economies is unwarranted. The relatively recent discovery of a somewhat atypical gold deposit at Long Canyon in the Pequop Mountain Range, speaks volumes to the unknown potential here in Northern Nevada and elsewhere for that matter.	1
The lands in question are highly prospective for known types of mineral deposits and, in fact, the existence of developing mine projects and extensive historic prospecting bears witness to this fact. This is documented by numerous studies by the USGS and the Nevada Bureau of Mines and Geology as well as other agencies. I have personally covered much of this area and even in the absence of historic work it is clear that the diverse geologic settings are permissive for the occurrence of deposits of precious metals, exotic materials such as lithium, gemstones and industrial minerals.	1
A withdrawal of such a significant acreage of lands in Wyoming to protect the Greater sage-grouse and its habitat from locatable mineral entry will have a serious impact on the State's mining activities and on producers and other users of the lands.	1
Finally, like NMA and AEMA, we are extremely concerned about the lack by the BLM of a suitable mineral potential report, as required by FLPMA. Without a firm understanding of the extent of the impact to mining and the production of minerals critical to the local, state, and federal economies, it is irresponsible (and a violation of FLPMA) for the Secretary to enact such a large scale withdrawal from future mining operations. Both the United States Geological Survey (USGS) and the Oregon Department of Geology and Mineral Industries (DOGAMI) have studied the mineral potential of the proposed withdrawal areas in Oregon. The Secretary should take those analyses into account and present Congress with a realistic picture of the economic impact that the proposed withdrawal would have on the counties, the state, and the federal economies.	1
Many of my clients are actively involved in exploration and mining operations on private, state, and federal lands, in the areas proposed for withdrawal in Idaho, Nevada and Utah or that have projects that been included in recent highly restrictive land use management plan revisions, including the SFAs proposed for withdrawal and they and I will be negatively impacted by the proposed withdrawals in a numerous ways. The	1

Comment	Number of Commenters Providing this Comment
<p>recommendation to withdraw ten million acres from operation of the Mining Law in the greater sage-grouse land use plan amendments is highly injurious since mineral exploration relies on access to public lands to locate valuable mineral deposits. The approval of the BLM's Petition/Application for Withdrawal of Federal Lands For Greater Sage-Grouse Habitat Sagebrush Focal Areas in Idaho, Montana, Nevada, Oregon, Utah, and Wyoming, which segregated the over ten million acres from location and entry under the Mining Law for two years will injure many of my clients and I due to the impacts to available funding, inability to locate and develop valuable mineral deposits and perception that projects within or even near these areas will not be allowed to be developed should discoveries of valuable minerals already be made or if made in the future. Withdrawals and proposed withdrawals of such large swaths of federal land have a highly negative effect on the mining industry.</p>	
<p>Moreover, we still have much to learn about the mineral and geothermal potential of this region. The areas of Lithium mineralization were unknown until the late 1970's, and even now we have a very limited understanding of their distribution, geologic controls, amount, a origin. By placing even the known areas of mineralization off limits, these restrictions will prevent the exploration and research that are necessary to understand these factors. A prime example of the importance of learning more about mineral deposits is the Carlin trend in northeastern Nevada, a region with major gold production and resources. The Carlin trend and its deposits were unknown until approximately 1960 despite more than 100 years of mineral exploration in Nevada. Now the US is one of world's leading producers because of the Carlin trend. Mineral and energy production in Nevada in 2013 was a \$9 billion industry an directly employed 17,554 people averaging \$80,725 pay, some of the best paying jobs in the state.</p>	1
<p>I am aware that the US Geological Survey will do a very short-term assessment of potential geologic resources in the areas of withdrawal. As a professional geologist in a university organization that has done many such evaluations, commonly for the federal government an its agencies, and has worked extensively with the USGS, I know both the strengths and limitations of these assessments. Even the most comprehensive assessments can only pull together existing information, do inspections and acquire additional critical data of the huge areas of potential withdrawal, and, from these data, do an initial assessment of some potentially prospective areas. Because of the extremely short time frame, the USGS assessment will only assemble public data and will not do any new investigation or acquire any new data. However, the full potential of any region can only be known from comprehensive exploration, which would be eliminated by the proposed withdrawals. The history of geologic exploration is people looking in many places and not finding significant deposits until some individual or group sufficiently understands the geologic controls of those deposits to identify a resource that occupies a very small part of the overall area of exploration.</p>	1
<p>Mining &amp; Minerals Policy Act of 1970.....requires that public lands be managed in a manner which recognizes the nation's need for domestic sources of minerals. The proposed withdrawal clearly violates that mandate. Most of the lands proposed for withdrawal have never been assessed for their mineral potential. I understand that a number of geologists with the US Geological Survey (USGS) have been tasked with looking at the mineral potential for these 10 million acres; however, what they think they can accomplish in a few months is ludicrous. The discovery of mineral deposits, takes many years and millions of dollars to even come close to determining their extent and value. The exercise to be carried out by the USGS, as I understand it, is merely a desktop/paper exercise. In order to truly understand and delineate an ore deposit surface mapping, core drilling, geologic assessments, and feasibility studies, are just a few of the steps in a larger process to ascertain mineral potential. The planned exercise will not provide sufficient or proper information to make any worthwhile assessment of the mineral potential. Further, if any or all of the 10 million acres is ultimately withdrawn from mineral exploration and development, we may be leaving countless tons of needed minerals in the ground.</p>	1
<p>Unfortunately these areas have not yet been explored for mineral potential or development interest which requires further investigation prior to making any rash decisions.</p>	1

Comment	Number of Commenters Providing this Comment
Federal lands account for over 60 percent of Idaho land and as much as 86 percent of the land area in other Western states. Idaho and these other states account for 75 percent of our nation's metals production. Half of the nation's hardrock mineral estate is already either off-limits or under restrictions for mineral development. The withdrawal of an additional 10 million acres for a single species will have a significant impact on the ability to develop domestic minerals on federal lands ....widespread exploration for minerals, including resource-rich federal lands, is necessary to find these elusive deposits. Even an area currently considered to have low mineral potential could become a resource in the future with changes in technology and commodity prices.	1
And the mining industry Needs close monitoring also. Furthermore, it's well known that the industry in Nevada is not paying their share of taxes. It's time to stop the coddling that no other industry in the state is given.	1
We have conducted drilling and are making plans to continue exploration work on the project. The area is the focus of extensive recent exploration activity, and our claims are bordered by 3rd party claims. The mineral exploration potential in this area, particularly for "Carlin-Type" sedimentary rock-hosted gold deposits, is considered excellent. The fact that there are so many active claims in the area, being held at considerable expense through claim maintenance fees to the BLM, is a strong testimony to the mineral potential of the area. The withdrawal areas do not take into account the excellent mineral potential in this area, or the mineral potential for many of the other areas in your proposal.	1
As far as I can tell, there is presently no consideration of mineral potential on all or portions of the withdrawn areas, nor are there maps showing the locations of existing mining claims, nor any evaluation of the economic potential. Areas that I am generally familiar with that are affected include: a. The National and Buckskin district in the Santa Rosa Range north of Winnemucca. Small portions of the district consist of patented claims but the surrounding areas, some of which are covered by unpatented claims, have significant potential. b. The Wood Gulch and Gravel Creek district north of Elko. Gravel Creek is a recent gold-silver discovery that demonstrates the potential for new discoveries in the region. c. The Contact district and Delano Mountain, Gollaher Mountain, White Rock Mountain and other areas in NE Nevada that include base and precious metal deposits and prospects as well as a significant tungsten deposit.	1
.....withdrawal of 2.7 million acres of Federal lands in the Sagebrush Focal Areas (SFAs) of Nevada (Figure 1). NBMG has conducted significant research in these areas relating to mineral and geothermal resources. We have concluded that parts of these areas (Figures 2 and 3) contain significant mineral and geothermal resource potential. For example, the area west of McDermitt, Nevada (Figure 2) hosts significant lithium resources critical to the burgeoning electrical automobile industry. In addition, much of north-central and northeast Nevada contain major gold resources (Figure 3). Nevada is the leading gold producer in the nation and is one of the top producers of gold in the world.... It is important to note that even in this region of known mineral and geothermal potential, additional exploration is needed to identify the specific locations of major deposits. Both mineral and geothermal resources are commonly hidden in the subsurface, with no significant surface manifestations. Thus, extensive exploration is commonly needed to identify major deposits at depth. Due to the uncertainty of whether the resources can ultimately be developed, the proposed withdrawals of these lands from mineral entry will effectively stymie mineral exploration..... Not only will this impact our nation's efforts to reduce its dependence on imported minerals and fossil fuels, but it will also hurt the region's economy, which is highly dependent on both the exploration for and development of natural resources.	1
In determining the appropriateness of the proposed withdrawal, BLM must take into consideration the importance of federal minerals.... Access to federal lands for mineral exploration and development is critical to maintain a strong domestic mining industry...federal lands account for as much as 86 percent of the land area in certain Western states. These same states account for 75 percent of our nation's metals production. Domestic mining is an important economic driver. The value added by major industries that consume the \$78 billion of minerals produced in the U.S. is an estimated \$2.5 trillion (2014), or 14 percent of our GDP. Mining's direct and indirect economic contribution includes nearly 2 million jobs with wage and benefits well above the state average for the industrial sector. In addition, domestic mining generates \$46 billion in tax payments to federal, state and local governments....And the demand is expected to grow exponentially as global population growth, rapid industrialization and	1



Comment	Number of Commenters Providing this Comment
urbanization ...are all driving demand for metals minerals and raw materials..... domestic mineral supplies will strengthen U.S. national security and decrease our growing dependence on foreign minerals and metals. Our nation's import dependence for key mineral commodities has doubled over the past two decades....The U.S. position as the world's premier manufacturing nation could suffer if the U.S. mining industry is not allowed to perform to its full potential.... Currently, less than half of the mineral needs of U.S. manufacturing are met from domestically mined resources....	
IV. Consideration of Mineral Potential. FLPMA section 204 governs the secretary's withdrawal authority....As a matter of good public policy, the federal government should make informed decisions about the impact of mineral withdrawals....To defend its position on the withdrawal, various Interior officials indicated that "the withdrawn areas do not appear to be highly prospective for miners."15 .... According to the USGS, when it comes to copper, silver and zinc and other key minerals "what is left to be discovered in the U.S. is almost as much as what has been discovered." In 1986, the USGS completed an "Assessment of Undiscovered Deposits of Gold, Silver, Copper, Lead, and Zinc in the United States." ...The maps included in the 1986 assessment reveal that the USGS looked at the mineral potential of much of the federal lands that are included within the 10 million acre withdrawal and concluded at least some of these areas are likely to have commercially developable deposits of the five studied minerals.... Further, data compiled by various impacted states also belies claims that much of the proposed withdrawal area is not highly prospective....maps prepared by the Nevada Bureau of Mines and Geology for the Nevada Division of Minerals show that there is significant overlap of the proposed withdrawal area and active mines and lands with high mineral potential....	1
The EIS must identify and quantify all associated impacts of the withdrawal to existing mining claims. The EIS must fully analyze the known and prospective mineral potential within the withdrawal area. This analysis must include any and all valid data and information available on the mineral resources for the areas of withdrawal.	1
The BLM must include in its environmental analysis a detailed report of the information provided to Congress pursuant to FLPMA, codified at 43 U.S.C. 1714(c)(2), including but not limited to the information presented to Congress, and feedback that Interior or the BLM receives from Congress on its Application and Proposed Withdrawal. As part of the planning process, I have asked the Idaho Geological Survey to create and compile maps that indicate the mineral and energy resources of the state with respect to sage-grouse management areas. The link to access these maps is: <a href="http://www.idahogeology.org/DrawOnePage.asp?PageID=304">http://www.idahogeology.org/DrawOnePage.asp?PageID=304</a> -	1
Finally, as a Certified Professional Geologist with over 35 years of experience in the mining and exploration industry in the US and across the globe and with experience working in much of the proposed withdrawal area I can unequivocally state there is excellent potential for the discovery of additional mines and minerals. However I have also researched government information and located the 2004 United States Geological Survey Bulletin 2218 which is an Assessment of Metallic Mineral Resources in the Humboldt River Basin, North Nevada. This document identifies extensive areas in the proposed withdrawal area that are identified as having a high probability of hosting undiscovered deposits.	1
Geology is not the sole determiner of mineral potential. While geologic information is critical to finding previously undiscovered resources of minable quality, mineral deposit,.... Changes in price, demand, and technology can also factor into whether a deposit can be mined economically. For example, a mining company may have located a deposit that is too low grade to be mined at today's prices but even a small increase in price could change that dynamic.....minerals and metals prices are determined by a variety of factors....Demand for minerals is increasing as new frontier technologies require a wider range of minerals and materials.... technology can change views regarding which deposits can be economically mined....At the time the document was written, only a few deposits of disseminated gold had been discovered so little was known about the amount of gold this type of deposit may contain. However, even in 1973 there was great excitement about being able to mine disseminated gold deposits: Both the Carlin and the Cortez deposits contain more than 1 million ounces of gold.... However, they have become an increasingly important contributor to United States output, and in 1969 the Carlin and Cortez mines alone accounted for about 22 percent of U.S. production....18 Today, both Carlin and Cortez have gone from single mines to multiple, wide-spread, deposits as a product of exploration away from the original occurrences. These areas now produce the majority of the gold in the U.S.	1

Comment	Number of Commenters Providing this Comment
Clearly BLM has the obligation to complete this mineral potential report. According to the USGS, when it comes to copper, silver and zinc and other key minerals “what is left to be discovered in the U.S. is almost as much as what has been discovered.” Given the elusive nature of mineral deposits, discoveries cannot occur without widespread exploration. The procedures of basic exploration such as geological mapping, geochemical and geophysical testing and drilling, must take place at many times at the cost of hundreds of millions of exploration dollars before an economically mineable discovery is made. Such extensive exploration activities are required because concentrations of useful minerals rich enough to form ore deposits are rare phenomena. Commercially extractable concentrations form only in unique situations where both ideal physical and chemical conditions have favored their accumulation. The difficulty in finding commercial mineral deposits underlies the mining industry concerns about large scale mineral withdrawals, as crucial future resources may be put off limits. Finding new resources and delineating their economic potential is critical to keeping the commodity pipeline flowing.	1
These comments concern the project of the Humboldt Mining Company Inc, now Rancho Santa Fe Mining Inc (both are Nevada Corporations) located in the Charleston Mining District. The project area is now included in the proposed Sagebrush Focal Area (SFA) Withdrawal. The project includes the Robbie unpatented mining claims as well as the Prunty Mine Patents (Vanity Fair and Virginia Patents, both MS 3871)..... Originally, the Robbie claim group consisted of 65 unpatented mining claims and included the patented lands(See CLAIM MAP attached). Later the unpatented claim group was enlarged to some 210 claims, mostly following likely extensions of the mineralization to the northwest and southeast. The main area of historical interest lies within the original 65 unpatented mining claims..... Geophysical work was completed over this area in late 2011. The expansion of the claim group occurred after this time.....The mapping at that time did not recognize that these were regional structures, likely the regional thrusts identified on the compilation of the County geologic maps by the USGS (see PROJECT GEOLOGY attached). This compilation of County Geologic Maps was an effort completed by USGS personnel in order to unify the geology of the State of Nevada as published in the County Geologic Map series.....The Bureau of Land Management recently completed a Petition for the Application for Sagebrush Focal Areas Withdrawal (See BLM PETITION attached). This figure, taken from the large map on a BLM website, shows the Patented Claims included in the withdrawal. Also on the CLAIM MAP figure, the boundary of the proposed BLM withdrawal is shown by the solid blue line to the west and south of the patented lands.	1
We believe the Kings Valley Lithium resource could be the Nation’s largest known deposit of lithium. To date, Western Lithium (and past companies) have drilled over 450 drill holes in the Montana Mountains region and have documented a significant lithium resource (as shown on the attached figure). Lithium has been identified by both the National Academy of Sciences (National Research Council) and the U.S. Geological Survey (USGS) as a Critical Mineral (National Academy of Sciences, 2008; USGS, 2014). The Society for Mining, Metallurgy & Exploration (SME, 2015) defines lithium as both a Strategic and Critical mineral. A mineral can be regarded as critical only if it performs an essential function for which a few or no satisfactory substitute exist. A strategic mineral is one which is used almost exclusively with national security and military needs or requirements during national emergencies (National Academy of Sciences, 2008).	1
Mining in Oregon is distinctly different than what occurs in other states in the West. Mining on Federal land is a very restricted activity when compared to other states. Similarly, the Oregon population of Sage Grouse is distinctly different from populations outside Oregon. Generalizations about Sage Grouse made from North Dakota to California cannot be used to characterize individual distinct populations within a particular state.	1
Mining is an industry that can’t be replaced..... Mining is also unique in the sense that, without mining, there would be no cars, no sheetrock, not as many great fossil and mineral specimens found, and less scientific studies that can happen. Mining is one thing that should not be shut down.. it should be made so that it has very little impact on the environment. Also, not all mining is done with heavy machinery. A lot of mining is done with hand tools by a few individuals.	1
As-yet unknown mineral potential. Future changes in technology or market conditions or society may make areas prospective that are not now prospective. If we withdraw an area from exploration on the grounds that we think it has no mineral potential, it becomes a self-fulfilling prophecy.	1

Comment	Number of Commenters Providing this Comment
The land will never appear to have potential because we'll never be able to look.	
Withdrawal is ill-advised: The region is mineralized...Withdrawal is ill-advised: Large regions must be open to exploration	1
The BLM, through USGS, is required to provide a mineral potential report on lands proposed for withdrawal. Has this been done? If not, will it be completed within the two year segregation period before the decision is rendered? Also, that report is supposed to effect the final decision(s) on withdrawal, particularly if the USGS finds high potential areas with a high level of certainty. Will that report have any consideration or is BLM just going through the motions.	1
Numerous historic mineral occurrences and active exploration operations are active throughout the Sagebrush Focal Areas. The proposed withdrawal will have a significant effect on continued exploration programs and severely hamper the ability of our country to replenish domestic mineral resources. The Sagebrush Focal Areas are located within world class mineral terrains. A significant proportion of gold production globally comes from Nevada, and Utah is host to significant copper resources. Perhaps more importantly, the yet undiscovered deposits that may be present within the proposed mineral withdrawal are impossible to quantify without sufficient exploration. Potential for precious and base metal resources exist in all states affected by the mineral withdrawal. Current exploration activities in Oregon, Nevada, and Wyoming are heavily focused on gold, whereas Montana is highly prospective for base metals (copper, molybdenum, lead and zinc) and Idaho is highly prospective for precious and base metals, as well as cobalt. As the geologic understanding of regions, and technological advances exploration methods are realized, discoveries are being made in new regions. Advances in technology are allowing exploration geologists to better evaluate terrain, find deposits under cover, and more effectively explore historic mining districts. As such, there is a high potential for yet-to-be-discovered mineral deposits in the land being withdrawn from mineral entry.	1
Without an accurate assessment of mineral resources found within the boundary of the SFA, the government will be unable to evaluate the economic impacts to each region affected by the mineral withdrawal. Ninety-seven percent of the non-PHMA land contains hard rock mining locations. Within the government documents those areas are not fully defined or differentiated. Mining activity is not defined as to type or extent. Interestingly, "hard rock mining locations" are not broken down into types of mining. Further, the BLM does not say what percentage of valid, existing mining rights fall within PHMA's, effectively rendering those lands unavailable for development. This specific and crucial data is omitted from the proposal and will effectively skew analysis and minimize, on paper, the effects of the withdrawal to industry and the county. Accurate economic impact analysis is of critical importance to state and local governments in assessing the impacts of this type of proposal. Information obtained from Dr. Harris from the University of Nevada, Department of Economics directs agencies and governments in the structure and development of detailed economic analysis. The site specific details in developing models for the assessment of the long and short term impacts of proposed alternatives will require considerable economic commitment by state and local governments. Once the proposed alternatives are developed and a preferred alternative is identified, economic analysis of those actions will begin. Dr. Harris estimates that the analysis of "input-output" models will require upwards of 12 months to complete. Only after those studies are completed will the government be able to evaluate the proposed actions required by law. This analysis should evaluate the socio-economic impacts of both the reduced mineral exploration activities that will result from the withdrawal, which will immediately and adversely affect local economies, as well as the longer-term adverse socio-economic impacts due to the development of fewer mining projects. State and local economic and operational interests will require extensive evaluation of the existing Geology and Mineral potential of the proposed withdrawal area.....In addition, a complete evaluation of future mineral potential combined with a comprehensive market review of potential market demand is necessary.	1
Nevada mineral potential is unrealized In providing a rationale for the land withdrawal, the federal agencies have implied mineral potential within the withdrawal areas is well known and documented. Nothing could be further from the truth. Mining exploration, mineral discovery, and mine operation is an ever-evolving process that are dependent on many variables including knowledge of the geological formations, exploration and beneficiation technologies, and commodity values.....The nation's future is short-changed when natural resources are arbitrarily removed from	1

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<p>consideration. As a prerequisite to the withdrawal action, FLPMA section 204 requires the BLM submit to Congress a report containing information on the "...general geology, known mineral deposits, past and present mineral production, mining claims, mineral leases, evaluation of future mineral potential, present and potential market demands". Following is a series of maps depicting mineral prospectivity for the withdrawal area..... The first is a general map of northern Nevada and the area subject to the analysis. The second map depicts the proposed sage grouse withdrawal area totaling approximately 2.7 million acres. The third map superimposes the withdrawal area with areas of identified prospective and favorable mineral assessment. As demonstrated from the final map, the USGS, a federal agency, has determined that a majority of the lands subject to the withdrawal contain prospective or favorable mineral potential. A similar set of maps indicating mineral, mining, and geothermal potential in the withdrawal areas have been prepared by the Nevada Bureau of Mines and Geology at the request of the Nevada Division of Minerals. The four maps depict the withdrawal areas from west to east. Finally, an analysis has been completed by the Nevada Division of Minerals on a township-by-township basis of the potential for all mineral development in the withdrawal area. The analysis is included as Attachment A. The evaluation highlights the significant mineral potential of the area, not only for precious metals such as gold and silver, but also for lithium, uranium, copper, gallium, barite, and geothermal. The federal agencies must make an informed, objective, and honest evaluation of the mineral potential within the withdrawal area that removes from consideration areas of mineral presence that provide economic value and meet market demand.</p>	
<p>Nevada hosts many world-class barite deposits. There are known barite deposits, and the potential for unknown barite deposits, within the proposed withdrawal area. The ability to discover, develop and mine these barite deposits will be limited or eliminated by the withdrawal of lands from mineral entry.</p>	1
<p>The attached map shows Carlin Gold US's claims in the southern Cortez Mountains, Eureka County, Nevada. This is our Cortez Summit Project, and we have held these claims for 8 years by paying the BLM annual claim maintenance fees and filing annual intent-to-hold fees with Eureka County. The claims fall within your designated Priority Habitat Management Area (PHMA) in the above-referenced report. We have two active permits with posted reclamation bonds under the 3809 notice-level regulations. These regulations contain provisions to address greater Sage-grouse habitat. We have conducted drilling and are making plans to continue exploration work on the project. The area is within the Cortez Mining district, one of the most active gold-mining and gold exploration areas in the world, let alone Nevada. The mineral exploration potential in this area, particularly for "Carlin-Type" sedimentary rock-hosted gold deposits, has proven to be excellent. The fact that there are so many active claims in the area, being held at considerable expense through claim maintenance fees to the BLM, is a strong testimony to the mineral potential of the area. Notwithstanding the recent PHMA designation applied to this area, it is our hope that the BLM will continue to take these outstanding mineral resource characteristics into consideration as they administer these lands under the "multiple use" guidelines provided by the Federal Land Policy and Management Act of 1976.</p>	1
<p>In determining the appropriateness of the proposed withdrawal, BLM must take into consideration the importance of federal minerals.... Access to federal lands for mineral exploration and development is critical to maintain a strong domestic mining industry as these lands historically have, and will continue to, provide a large share of the metals and hardrock minerals produced in this country. Domestic mining is an important economic driver. The value added by major industries that consume the \$78 billion of minerals produced in the U.S. is an estimated \$2.5 trillion (2014), or 14 percent of our GDP. Mining's direct and indirect economic contribution includes nearly 2 million jobs with wage and benefits well above the state average for the industrial sector. In addition, domestic mining generates \$46 billion in tax payments to federal, state and local governments..... Demand for minerals is expected to grow exponentially as global population growth, rapid industrialization and urbanization in the developing world and a rising global middle class are all driving demand for raw materials.....and a recent National Mining Association- commissioned survey of high level manufacturing executives found that more than 90 percent of manufacturers are concerned about access to minerals. These same executives believe that domestic mineral supplies will strengthen U.S. national security and decrease our growing dependence on foreign minerals and metals. Our nation's import dependence for key mineral commodities has doubled over the past two decades. Today, we are import dependent</p>	1



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for 19 key mineral resources and more than 50 percent import dependent for an additional 24 mineral commodities. The U.S. position as the world's premier manufacturing nation could suffer if the U.S. mining industry is not allowed to perform to its full potential and supply more of the minerals needed to sustain growing manufacturing demand. Currently, less than half of the mineral needs of U.S. manufacturing are met from domestically mined resources.	
Volcanic Gold & Silver LLC (Volcanic Gold) leases 90 "BKSKN" unpatented lode mining claims located on Buckskin Mountain in the northern Santa Rosa Range from Paragon Precious Metals, LLC (Paragon)..... The 90 claims constitute the "Buckskin-National Project," a long-standing gold and silver exploration project that has considerable potential for the discovery of underground-minable, high-grade gold/silver mineralization.....The west boundary of a Sagebrush Focal Area (SFA) cuts through the project area in a roughly north-south to northeasterly direction, leaving 53 of the BKSKN claims wholly or partially within the SFA and therefore subject to becoming terminated due to withdrawal of the SFA (Figures 2 and 3). Most of the discovery potential for economic mineralization at Buckskin-National is located on these 53 claims (hereafter referred to as the "affected claims"). Accordingly, loss of the affected claims will make the remaining 47 claims worthless, as no one would risk the money needed to drill for deposits on these claims without also being able to discover and mine mineralization found on the affected claims.	1
The project area is centered on, and comprises much of Buckskin Mountain, which is in the northern part of the Santa Rosa Range in Humboldt County, Nevada. It is situated approximately 13 miles south of the Oregon border, 56 miles north-northeast of Winnemucca, and 10 miles east of U.S. Hwy 95 in the Quinn River Valley. Figure 1 shows the location of Buckskin-National with an overlay of the SFA areas. Figure 1A shows the location with an overlay of sage grouse Habitat Management Areas.....The 53 "affected claims" are listed in Appendix A, and are shown on Figure 3.....a. Buckskin-National is a significant part of the historic National Mining District and has been the site of considerable gold/silver and mercury mining and exploration since the early 1900s. Mining in the National District commenced in 1906 and the district has recorded total production of approximately 200,000 ounces of gold and 750,000 ounces of silver.... The north-trending Bell Vein, located on the lower eastern slope of Buckskin Mountain and now in the SFA, was discovered in 1906 and had recorded production of 24,000 oz of gold and 300,000 oz of silver from ore averaging approximately of 0.7 oz of gold and 8.8 oz of silver per ton (location on Figures 2, 3, and 4A)..... mercury mining disturbed area is shown on Figures 3, 3B, 3C and 4A.....Exploration work for gold and silver since the late 1970's includes geological mapping, soil geochemistry, rock-chip sampling, and the drilling of a total of 26 exploration drill holes.....We understand that the mineral potential of the areas proposed to be withdrawn needs to be considered and we believe that Buckskin-National merits being considered one of the highest potential/ priority areas for exploration, development, and possible mining.....United States Geological Survey (USGS) Bulletin 2218 "Assessment of Metallic Resources in the Humboldt River Basin, Northern Nevada" (Wallace, et al, 2004) <a href="http://pubs.usgs.gov/bul/b2218/">http://pubs.usgs.gov/bul/b2218/</a> ) is just one of the technical papers that offer insight into the favorable geology and discovery potential of Buckskin-National..... A few comments from this report are listed.....	1
.....First, the most promising area for rare earth elements (REE) which are extremely critical to our national defense is SE Oregon and NE Nevada. REE is required in the most sophisticated weapons systems as you well know from your time in the U.S. Senate. You should also know the United States has serious access problems to rare earth elements as China controls much of the known supplies, and exploration in Africa is hamstrung by civil wars. China is a stated security threat to the United States. If saving the sage grouse is in the best interest of national security, then so is an exception allowing grouse habitat friendly exploration for rare earth elements.	1
High grade gold/silver deposits that may be discovered at Buckskin-National would be developed and mined by underground mining methods. The considerable geological and geochemical data developed to date indicate no discovery potential within the project area for near-surface deposits minable by open-pit methods. If minable deposits are found, underground access and facilities would be on the west side of mountain, within "Other Habitat Management Areas" (OHMA) and well away from Priority Habitat Management Areas (PHMA) and the SFA (Figures 2 and 3).....One of the disturbed areas is the mercury mining disturbed area shown on Figures 3, 3B, 3C and 4A. In any case, these facilities can certainly	1

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be placed outside of “Preliminary Priority Habitat” as shown on Figures 4 and 4A....Considering that disturbance during these phases would be minimal, disturbance and activity during mine closure and reclamation would also be minimal.	
The process used to identify the proposed mineral withdrawal areas was fatally flawed. The Final EIS that BLM and USFS prepared in conjunction with the NVLMP in which the proposed mineral withdrawal was introduced ignored the mineral potential of the proposed withdrawal areas and the impacts resulting from the proposed mineral withdrawal and thus violated NEPA and FLPMA. The Final EIS did not include a section on Geology in the Affected Environment chapter and failed to disclose that the proposed withdrawal included numerous known and important Nevada mining districts. Consequently, the mineral withdrawal EIS cannot rely on the NVLMP Final EIS which unlawfully omitted these issues. Thus, as a starting point, the EIS Affected Environment chapter must include a thorough discussion of the geology and mineral potential of the proposed withdrawal areas and the known and potential mineral deposits and occurrences in the 2.8 million acres in the proposed Nevada withdrawal and the 10-million acre withdrawal throughout the west. Exhibit 1 presents an extensive bibliography prepared by the Nevada Bureau of Mines and Geology (“NBMG”) of the key published references documenting the mineral potential of Nevada. BLM should have used these references in the NVLMP process and must use this literature to develop the current EIS on the proposed withdrawal. BLM must carefully consider information on the mining districts and mineral deposits in the proposed withdrawal area in describing and quantitatively analyzing the mineral potential of the proposed Nevada withdrawal areas. The publication dates for most of the listed references pre-date the NVLMP and should have been considered in Chapter 3 of the Final EIS, Affected Environment, Chapter 4 - Environmental Consequences, and Chapter 5 - Cumulative Effects. BLM must consider a similar bibliography of technical references for the mining districts in the withdrawal areas in the other western states. The discussion of the mineral potential of the proposed withdrawal areas must include quantitative information about the Nevada mining districts and mineral deposits documented in the references in Exhibit 1 that will be put off limits if the current mineral withdrawal proposal is implemented. In order to satisfy NEPA’s hard look requirements, the EIS must include a thorough discussion of the mineral potential of these districts and the impacts that would result from withdrawing these lands ..... Known mineral districts in other states that are included in the proposed withdrawal must be subject to the same detailed analysis.	1
Such a broad inclusion of non-essential areas beyond the specific study area will be crippling for mineral exploration and development in these states and is contrary to the policy of multiple land use on Federal lands.	1
The primary mineral of concern is bentonite....As a result of exploration and expansion of current operations, it is estimated that two bentonite mining projects will be developed in the focal area (Brazil area.) These mines would be open-cut and have 100 acres of disturbance per operation,... According to the BLM Final HiLine RMP, there are a total of 6,442 acres with high development potential, 11,453 acres with moderate development potential, and 71,514 acres with low development potential within the Focal Area. There are 11 BLM parcels within the focal area identified as “lands with wilderness characteristics.” It is unclear from the maps provided whether any of the LWCs are within the area identified as having low, moderate or high potential of bentonite. A portion of Caravan Marsh Hawk Hills may have some potential. The Mountain Plover Area of Critical Environmental Concern is located within the focal area and may have bentonite development potential. The ACEC was created to protect habitat for Mountain Plover, a sensitive species, but the designation does prohibit mining.... Assess how mining could impact mountain plover and other wildlife in the focal area. The Mountain Plover ACEC (24,762 acres) is located within the focal area and may be threatened by development..... BLM should assess how mining would affect identified “lands with wilderness characteristics.”	1
Sweetwater County does not rely heavily on the extraction of locatable minerals, but it does have a growing uranium industry and an increasing interest in the potential for rare earth minerals. To insure that these new mining opportunities are not stifled, Sweetwater County encourages the BLM to carefully assess the mineral potential of all lands in question. This assessment should provide assurance that lands being withdrawn will not have an adverse economic impact on private investors and state and local governments.	1

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Before BLM considers any type of recommendation for withdrawal, a detailed mineral assessment of each region must be prepared, so that the decision is based upon information sufficient to avoid an arbitrary and capricious decision. A recommendation to simply withdraw the land without documenting any biological benefit to sage-grouse would be reckless and wasteful management by BLM.	1
Economic mineral deposits are largely already known, and withdrawing 10 million acres from potential location only serves to impact small scale deposits on public lands.	1
FLPMA requires for a Withdrawal that the BLM conduct "A mineral resource analysis prepared by a qualified mining engineer, engineering geologist or geologist which shall include, but shall not be limited to, information on: General geology, known mineral deposits, past and present mineral production, mining claims, mineral leases, evaluation of future mineral potential and present and potential market demands. <sup>81</sup>	1
We are residents of Nevada and run a cattle ranch in the extreme northwestern corner of Washoe County, Nevada.....In addition, we have unpatented mining claims in Elko County, Nevada. All of our private property and these enterprises are within the footprint of the proposed mining rights withdrawal.	1
We have discovered valuable minerals on our claims, and suspect that other claimants throughout the Edgemont district have as well. Past recorded production from the Burns mine, as reported by the U.S. Bureau of Mines, is 125 tons containing 40 oz/ton silver, 18% lead and 8 % zinc. We have confirmed that similar grades are currently present in the Black Jack underground workings.	1
Furthermore, unlike grazing, mineral deposits cannot be simply relocated to different areas; they only occur when a suite of geological phenomenon coincide in time and space. For this reason, any efforts to predict where valuable mineral deposits may occur and exclude these areas from the 10 million acre SFA withdraw are fruitless. Simply looking at locations of existing valid mining claims does not suffice because the worlds supply of minerals and commodities will most likely be sourced from covered/concealed and currently undiscovered mineral deposits. Private industry and the USGS use probabilistic approaches to determine the likelihood of occurrence of mineral deposits within broad geologic provinces because they can't accurately locate them. If anyone could accurately locate actual mineral deposits without costly mineral exploration drilling, they would surely be very rich.	1
.....the proposed withdrawal of SFAs includes known mineralization at the Ashbrook district in .....northwestern Box Elder County, Utah. The initial prospecting in the district was reportedly in 1864..... Erratic production continued from 1924 until the federal precious metal mine closure act of 1941 halted production for the duration of WW II..... The Vipont property still hosts an open-pit mineable mineral resource of approximately 430,000 tons at an average grade of 5.06 oz/ton Ag and 0.01 oz/ton Au (over 2 million ounces of silver contained) and several suggested exploration targets remain untested. Closure of the area surrounding and including the Ashbrook district could severely impact the future development and recovery of the identified and potential precious metal resources in northwest Box Elder County.	1
Failure to Preliminarily Identify the Mineral Resources in the Area . The notice does not provide the requisite "preliminary identification of the mineral resources in the area. <sup>13</sup> This information is extremely important because it is the reason this action is occurring....The FWS listing determination states that the Agencies do not know how much mining impacts Greater Sage Grouse. On October 2, 2015, the FWS issued another finding stating that "Consistent with our 2010 finding, we do not have a comprehensive dataset about existing and proposed mining activity to do a quantitative analysis of potential impacts to sage-grouse." <sup>14</sup> " ... Overall, the extent of [mining] projects directly affects less than 0.1 percent of the sage-grouse occupied range. Although direct and indirect effects may disturb local populations, ongoing mining operations do not affect the sage-grouse range wide." <sup>15</sup> Also, FWS quantifies the huge area of the western U.S. that contains GSG habitat: "The sagebrush ecosystem upon which the sage-grouse depends remains one of the largest, most widespread ecosystems in the United States, spanning approximately 70 million ha (173 million ac)". <sup>16</sup> These findings are problematic, as the State of Nevada, Commission on Mineral Resources Nevada Division of Minerals ("Division of Minerals") does have a comprehensive dataset about existing and proposed mining activity. <sup>17</sup> It is possible to perform a quantitative analysis of potential impacts to sage-grouse.	1

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NACO recommends that the BLM ensure that the NDOM become a Cooperating Agency, and that both NDOM and the Nevada Bureau of Mines and Geology assist with this analysis. For Valid Existing Rights, NDOM counts a total of 3,762 claims in the mineral withdrawal area. <sup>82</sup> The BLM should list what it believes are the existing, valid, pre-existing claims. This includes locatable minerals, leasable minerals, and salable minerals. should be respected and listed to assist with public notice and understanding of the impacts. NDOM also developed a "Distribution and Density of Unpatented Claims in Nevada 2016 Assessment Year as of 10/16/2015". This assessment and the supporting data should be used to analyze existing and potential mineral deposits found within the SFA boundaries. To begin, please also refer to the "Mineral, Geothermal and Oil & Gas Potential Maps of Sagebrush Focal Areas, 6/24/2015. These studies should only be used as a starting point for working with the Nevada Bureau of Minerals. Any conclusions must be supported by studies and data.	1
The area under consideration for withdrawal is characterized by extremely low mineral potential. BLM's own analysis clearly establishes the proposed withdrawal of nearly one million acres is not justified because the lands within the withdrawal area simply do not contain much mineral potential. For example, within the Sagebrush Focal Area there are "[a] total of 6,422 acres of high [ mineral] development potential. 11,453 acres of moderate development potential, and 71,514 acres of low development potential." More strikingly, the BLM projects that the likely impacts of any proposed mineral development would be no more than 200 acres of disturbance. (HiLine Proposed Resource Management Plan and Final EIS, Appendix P, p. 1694). This finding is also reflected in the COT Report, where the threat of mineral development is described as "not known to be present. .. (p. 16). Given the regulatory mechanisms in place for oversight of any proposed exploration and mining activity (by both BLM and the State of Montana), it can be anticipated that even this miniscule level of disturbance would be conducted in a way so as to minimize the impacts to sage grouse even further.	1
Sand and gravel pits are regulated under the auspices of mineral materials sales. Their extraction involves strip mining on a small scale and involves the surface disturbance, heavy machinery, noise, vehicle traffic, and human activity that impact greater sage grouse known to impact sage grouse distribution and habitat use and degrade sage grouse habitat quality. These problems are illustrated by the McMurry gravel pit permitted near Boulder, Wyoming...But even the much smaller, previously permitted gravel pit in this location appears to have caused a significant decline of birds on neighboring leks, based on State of Wyoming lek counts...	1
A portion of these lands that are proposed for withdrawal are located in the Montana Mountains of extreme north-central Nevada near Orovida in the King River Valley. Rick and Keel E. Living Trust has paid the annual maintenance fees for lode mining claims (see below) in this area since 2000. This withdrawal would make further exploration and mining impossible. BLM Serial #s NMC 174191 thru 174193 NMC 77043 NMC 77058 and 77059 NMC 77065 and 77066 NMC 77081 and 77082 NMC 829427 thru 829429 NMC 723612 thru 723615 NMC 723616 and 723617 NMC 823734 and 823735	1
The EIS must include a thorough evaluation of mineral resources that are either known or reasonably likely to occur in the proposed withdrawal areas, and the effect of the withdrawal on the development of those resources...substantial portions of the proposed withdrawal area have been identified as having high mineral potential, and the proposed withdrawal would have substantial adverse consequences for the development of those resources.	1
No time for adequate mineral assessment on such huge acreage.	1
<ul style="list-style-type: none"> <li>• Importance of federal lands for mineral development. o Federal lands account for as much as 86 percent of the land area in certain Western states and these same states account for 75 percent of our nation's metals production. • Already half of the nation's hardrock mineral estate is either off-limits or under restrictions for mineral development. o An additional 10 million acre withdrawal of federal lands for a single species will have a significant impact on the ability to develop domestic minerals on federal lands. • Developable mineral deposits are difficult to find as concentrations of useful minerals rich enough to form ore deposits are rare phenomena. • As such, widespread exploration for minerals, including resource-rich federal lands, is necessary to find these elusive deposits. o BLM statements that these areas are of low mineral potential are</li> </ul>	1



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unconvincing. • Existing USGS data indicates that there are likely recoverable mineral resources in many of these areas. • The mineral potential report required prior to a withdrawal decision is expected to confirm significant mineralization in much of the proposed withdrawal area. • Even areas currently considered low mineral potential could become a resource in the future with changes in technology or commodity prices.	
Careful analysis of the mineral potential by competent geologists and mining engineers. o The SFA withdrawal areas do contain significant areas with high to moderate mineral potential, known deposits and historic mines and prospects. Such data is readily available and already being compiled by state geological surveys in Idaho and Nevada and likely the other states. It needs to be incorporated in the analysis – the BLM did a poor job of this in the Greater Sage Grouse EIS. I’ve been told the SFAs even cover active open pit mines in Nevada. In Idaho, the SFAs also cover public highways which presumably fragment habitat. That seems like very sloppy work by the BLM and Department of Interior. The areas for withdrawal need to be revised significantly during the EIS analysis. A 50% reduction in withdrawal acreage would likely allow the most prospective mineral potential to remain open and still have plenty of high quality sagebrush habitat off-limits to development. Actual boundaries should be determined AFTER and not before an intensive assessment of mineral potential, as required by law. This appears not to have been done prior to the Greater Sage Grouse EIS, which places extreme restrictions on energy and non-locatable mineral development. o New geologic models and technology and future market conditions can make any area more prospective and valuable for mineral deposits than we currently realize. For example, a new discovery in Nevada, the Long Canyon deposit, makes the stratigraphy in eastern Idaho within or adjoining some of the SFAs, more favorable for disseminated gold deposits than realized in the past. o Rare earth deposits, rich in critical neodymium, of Idaho’s Lemhi Pass District may have been faulted off or have related deposits further south the valleys designated as withdrawn SFAs, or in mountain ranges adjacent to the SFAs proposed for withdrawal from mineral entry. No exploration or geologic work in those regions has been done since recent geologic and geochronologic work that describes the deposit. That work, some of which was supported by the US Geological Survey, is available on the USGS minerals research website and in published abstracts from professional meetings. A simpler description of the location of areas with known rare earth deposits in Idaho is the GeoNote 44 of the Idaho Geological Survey. o Recent mine discoveries (i.e. the famous Sleeper gold mine in central Nevada north of Winnemucca) have been made under gravels near range-front faults in large Basin and Range valleys. Mineral withdrawal areas within these valleys should be reduced to cover only the center portion of the valleys where the gravel thickness is likely to be so great as to truly make economic deposits unlikely. The area near Leadore in eastern Idaho is a good example of an area with historic mineral deposits near the range front and potential under the valley. o The Dickshooter diatomite deposit in Idaho’s Owyhee County was examined by BLM mineral examiners in the early 1990s and is considered large and high grade but remote. It is also within the SFAs proposed for withdrawal. Even if the claims are kept, the withdrawal restricts access and economic viability even more. Will the DOI reimburse the company for the claims?	1
Geology and Mineralization: The proposed mineral withdrawal in northern Nevada is essentially coincident with the highly prospective mid-Miocene age rhyolitic volcanic province.....There are a number of high-quality prospective deposits in this area such as the Gravel Creek deposit of Western Exploration and since 1998 I have found manifestations of significant previously undiscovered areas of mineralization. The area has the potential to be a much bigger mineral producer than at present and it is already very significant..... Most of the mineralization is hosted in gold-silver bearing quartz-adularia veins which will be mined by underground methods: There is essentially no surface disturbance with this mining method..... The BLM/FS requirement that economic mineralization must be exposed at surface or claims will be confiscated is unreasonable, even bizarre: Should such mineralization have been exposed at surface it would have been discovered and extracted many years ago. These outrageous criteria would preclude the discovery of any deeper mineralization or blind ore- bodies.	1
The Inconvenient Truth About Mining. Mining is at the beginning of the supply chain for almost everything we need, use and do. Economic ore deposits are rare and hard to find. Economic ore deposits occur where they are found and the exploration geologist can do nothing about that fact. Without exploration there will be no discovery. Without discovery there will be no new mines. Without mining there would be no green energy production. No solar, no wind, no hydroelectric power.	1

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Mining provides private industry jobs, pays taxes, reduces the balance of trade deficits, and provides a secure supply chain of raw material for our industries. Even a large mine has a miniscule footprint relative to the millions of acres of suitable Sage Grouse habitat and the impact of natural risk factors across the western USA. Geologists and miners love our country and are privileged to live and work in America. We love the outdoors, respect its history, and value its wildlife and treasured landscapes. We should be thankful that America is strong because it is blessed with an abundance of natural resources that have been used to build our nation.	1
The science used to support the withdrawal is inadequate & ignored data in BLM's possession and prepared by sister agencies....This report will require inclusion of up to date information on Pilot Gold's Project and their mineral potential which will, combined with other factors, demonstrate the withdrawal cannot withstand scrutiny under FLPMA. This information was required to be considered in identifying the SFA lands proposed for withdrawal through the land management process that led to the RODs. The Agencies' failure to do so violated FLPMA and NEPA and, in doing so, triggered a withdrawal on an unlawful basis that interferes with Pilot Gold's reasonable investment-backed expectations in its property rights.	11
The Proposed Action would withdraw numerous townships from mineral entry throughout northern Nevada....Closure of such townships to minerals development as a wide-spread practice will limit metals production further in the United States, requiring importation of additional metals for U.S. manufacturing. Clearly, such an action, the deliberate exclusion of identified mining districts from development, leads to increased imports of metals from overseas, a violation of the recent Paris Accords on Global Climate Change by deliberately causing the increased carbon footprint of the U.S. For this reason alone, any townships hosting existing mining districts should be excluded from the Proposed Action. If they are included in future withdrawals, then the agency and/or Proponent should analyze the resultant increased causal carbon footprint in the National Environmental Policy document.	1
Black Jack Exploration Inc. owns lode mining claims in sections 28 and 29, Township 44 North Range 52 East Mount Diablo Meridian, in northern Elko County, located and maintained all or in part since 2000. These claims are situated atop the former Burns Mine,... Photos of the site are appended with this letter. Studies of the property and adjacent properties have been completed by major mining and junior exploration companies, the U.S. Bureau of Mines and the Nevada Bureau of Mines and Geology. Black Jack has sampled the workings, and obtained samples that assay as much as 78 oz/ton silver and more than 22% lead from quartz-calcite-galena-sphalerite veins.... All were assayed at ALS Minerals Lab in Reno, Nevada and Vancouver, British Columbia. A public stock company, a junior explorer, had an option to purchase the claims in 2010 – 2012. That company conducted field surveys including electrical geophysical soundings of the property. A large induced polarization anomaly underlies the mine workings at approximately 150 meters below surface, or approximately 75 meters below the mine workings. The anomaly has a plan view expression approximately 500 meters north – south by 300 meters east – west, and was interpreted to be a potential limestone-hosted silver-lead replacement deposit. That company also had a technical report prepared of the property in 2011 – 2012 by an independent professional geologist for filing with Canadian securities exchanges. That report is included with this letter for your reference.	1
Newmont has substantial concerns with and opposes the unprecedented proposal to withdraw approximately 10 million acres of federal lands from location and entry under United States mining laws. That broad-brush approach would have substantial adverse effects on Newmont, the mineral industry, communities, and State and local economies; is unnecessary for conservation of the sage-grouse; and is contrary to long-standing principles governing federal land management. It is essential, pursuant to both the Federal Land Policy and Management Act ("FLPMA") and the National Environmental Policy Act ("NEPA"), that BLM fully consider those deleterious effects and that it analyze alternatives for protecting sage-grouse habitat. A thorough consideration of those factors will demonstrate that the proposed withdrawal is unjustified, and that more narrowly tailored conservation measures will appropriately balance the needs for sagebrush protection and mineral production.	1
Grassroots discoveries are made in geologically favorable environments like SE Oregon where, on a worldwide basis, economic deposits have been found. New grassroots discoveries are made by geologists utilizing creative thinking, hard work and careful observations in the field to develop target concepts of merit that may result in finding an economic ore deposit. The initial evaluation of an area for mineral potential requires an	1

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exploration geologist with a rock hammer, hand lens, compass, GPS, maps, and bags for rock, soil, and sediment samples. The early-stage impact on the sagebrush habitat is from hiking over the hills, leaving temporary footprints, and removal of a small amount of rock, soil, and stream sediment for geochemical analysis. The impact on sagebrush habitat by an exploration geologist would be no more than that of an eco-tourist or an outdoor sportsman.	
The decline of the USA minerals exploration and discovery industry dates back to the mid 1970s when hundreds of millions of acres were set aside as Wilderness Study Areas (WSA) and effectively withdrawn from mineral exploration...New mineral discoveries, except in the gold space, all but ceased in the USA. Major mining companies continued to survive but small-to-intermediate-size companies, that were once a mainstay of the domestic mining industry, all but disappeared. The severe decline in the number of small miners is very significant because these companies produced commodities that were not of interest to the major companies. Many of these products formerly produced by the small miner are now imported rather than produced domestically. Furthermore, the USA strategic-minerals-and-metals stockpiles were largely sold, the US Bureau of Mines was eliminated, the USGS changed focus from geology and ore deposits to environmental and wilderness studies. The snowball effect is that, since there are fewer jobs, all USA universities now graduate less than 40 students with graduate degrees in Economic Geology annually..=	1
II. The Withdrawal of Public Lands From the Operation of the Mining Law of 1872 is Not in the Best Interests of the Nation and Affected Regions. The U.S. is, now, significantly dependent on foreign sources of common minerals and completely dependent on foreign sources for certain strategic minerals. Commercially viable mineral deposits are rare phenomena and are difficult to find. The removal of any lands from access for exploration and mining greatly reduces the chances of finding mineral resources. The proposed withdrawals contradict renewed efforts in Congress to identify and develop domestic sources of strategic minerals and will increase the Nation's reliance on foreign sources of these minerals.	1
The proposed withdrawal imposes a cloud on land tenure of 10 million acres of U.S. public lands and national forests, which will significantly reduce and in some cases completely eliminate investment in exploring for and developing U.S. mineral resources... the EIS Affected Environment chapter must include a thorough discussion of the geology and mineral potential of the proposed withdrawal areas and the known and potential mineral deposits and occurrences	1
The withdrawals do not take into account the vast mineral potential of these lands. The yet-to- be-discovered minerals are the future of economic growth and activity in these rural areas.	1
...the BLM should take a more extensive and comprehensive review of mineral potential on these particular lands and remove those from the list to be withdrawn....Otis Gold's claims, regardless of whether they are included or not in the proposed withdrawal, will be negatively impacted by this withdrawal. Mineral extensions and additional mineral development on adjacent lands will be limited or unavailable under this plan. Local communities will lose the economic benefit of exploration and mineral development in these rural areas	1
It is time that we as a nation look at the big picture and make the tough decisions needed to move forward in ways that will promote and enhance our exploration and mining industry, not destroy it. If we don't see productive changes in the current regulatory environment, it is likely that our nation's exploration and rate of mineral discovery will continue to decline. As a consequence of a dying exploration and mining industry, many of our important and critical metals and raw materials are 50% or more sourced from foreign suppliers (see Tables 1 and 2 attached). Foreign producers are sometimes unreliable, often have very low environmental standards and corruption and human-rights abuses are all too common. The dependence upon foreign suppliers also presents very important security concerns.	1
The FEIS Must Evaluate the Mineral Potential of Proposed Land Withdrawals. The evaluation of mineral potential presented in the FEIS is entirely inadequate to assess the potential for commercially viable mineral deposits in the public lands proposed for withdrawal including those lands administered by the BLM and the USFS. The authors of the FEIS failed to consult an extensive list of publications and databases available at the Nevada Bureau of Mines and Geology (NBMG), the U.S. Geological Survey (USGS), the archives of the U.S. Bureau of Mines (USBM), the Department of Energy (DOE), and academic institutions. These publications and professional reports are readily available at various websites,	1

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libraries, and agency offices. Please review the attached bibliography prepared by staff at the Nevada Bureau of Mines and Geology (NBMG) for voluminous sources of information regarding the geology, mineral resources, and mining districts of the Nevada SFA's proposed for withdrawal (Exhibit 1). RenEx professionals and other members of the mineral exploration community have routinely used these references when developing mineral exploration programs. Any interested party can get substantive reviews of the mineral potential of the SFA's rather quickly by studying the NBMG Bulletins 59, 70, 101, and 106 and NBMG Open-file Report 96-2. Also, USGS Bulletin 2218 presents a substantial assessment of metallic resources in the northern half of the State of Nevada in a region centered on the Humboldt River Basin. Not included in this list are the numerous Mineral Land Assessments prepared by the U.S. Bureau of Mines for wilderness study areas, eight of-which are located within or near the proposed SFA withdrawals.	
The map attached as Exhibit 2 displays the SFA boundaries in northern Nevada together with wilderness study areas and mining districts of the region as published by the NBMG in Report #47, Mining Districts of Nevada (J.V. Tingley, 1992). This map shows that 19 historic mining districts lie entirely or partly within the areas proposed for withdrawal. The authors of the FEIS make the false assumption in Section 4.15.2 "Locatable Minerals" that data from old mining districts is unreliable and failed to use substantial data from these areas in the impact analysis, favoring existing mines as places most likely for discovery of new mineral resources. It is true that abundant gold resources have been found at operating mines in northern Nevada. However, many of the operating mines in the region were developed on deposits found by exploration in and near inactive historic districts beginning with the Carlin Mine in 1964 and followed by discoveries at Cortez, Getchell, Twin Creeks, the Phoenix Project at Battle Mountain, Marigold Mine, Ruby Hill at Eureka, Ken Snyder Mine at Midas, and Bald Mountain to name some of the notable projects. The new gold-silver discovery at Gravel Creek south of Mountain City in Elko County is an outlier to the Wood Gulch Mine in the Aura Mining District. The history of discovery briefly cited above is ample evidence that inactive historic mining districts are very positive indicators of the potential for discovery of new mineral deposits. They must be considered in the FEIS evaluation and excluded from the withdrawal areas. In addition to the potential of the historic districts, significant potential exists in geologically-favorable areas outside active and historic mining districts. Modern-day discoveries at Long Canyon, West Pequoop, Mule Canyon, Sleeper, and Fire Creek are examples of "green fields" discoveries found in lightly- prospected areas or areas without evidence of historic mineral exploitation. Therefore, the areas in the SFA's, outside the historic mineral districts must be carefully considered in the FEIS for their potential for discovery. The distribution of active and inactive unpatented mining claims provides a record of areas viewed by the exploration community to have potential for mineral discovery. The map attached to this letter as Exhibit 3 displays the distribution and density of active unpatented mining claims per section of the federal land grid in Nevada for the 2016 Assessment Year. This map compilation by the Nevada Division of Minerals (NDOM) is a useful reference for an evaluation of mineral potential in the SFA's.	1
The following brief Lost Cabin report summarizes our geologic observations. Additional sampling, not included in the report, was completed and returned assays as high as 38 g/t gold (+1 oz/t gold) and 480 g/t silver (+15 oz/t silver) in select vein samples. This additional sampling work refined targets and gave additional support for the conclusions of the Lost Cabin report. All of our technical data to date has been supplied to the Lakeview BLM geologist and will be made available to others upon request.	1
The withdrawal of an additional 10 million acres for a single bird species will have a significant impact on the ability to develop domestic minerals on federal lands. More importantly, we will never know the true impact on our future if not allowed to explore, discover and produce minerals....growing dependence on imports leaves many key domestic industries unnecessarily vulnerable to disruptions from extended, complex and fragile supply chains.	1
To fully determine the mineral potential of the area, the BLM must also consider the mineral information developed by the U.S. Geological Service ("USGS"), as well as the affected states and private mining companies. By including, and considering, this other important information, the EIS and the mineral report, as required by FLPMA, will be more accurate. Aside from the geology of the areas proposed for withdrawal, the BLM must	1

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also consider the market and available technology, because these factors determine whether mining in the areas would be economical—thereby affecting the mineral potential....the BLM cannot consider perceived domestic environmental benefits without also considering the global environmental consequences of its actions	
The importance of the mineral resources inventory is a critical issue in this case given the large uranium deposits and lithium deposits that are known to occur within the Oregon SFAs. Lithium is a strategic mineral that considered essential for the security of a nation but not available in sufficient quantity from domestic sources in time of war. (USGS Circular 930-1 International Strategic Minerals Inventory Summary Report). In addition, the area has been proposed as potential sites for carbon storage, therefore the EIS should address the impact of the withdrawal on the potential for underground carbon storage as an option for addressing climate change.	1
The NDOM has determined that the count of unpatented claims maintained for Assessment Year 2016 within the SFA's proposed for withdrawal is 3,762. A probable consequence of the withdrawal of public lands from the operation of the Mining Law is that a large number of the existing claims and any new claims will be disallowed. As a result, revenues from the filing fees and annual maintenance fees will be greatly reduced imposing a further financial burden on the BLM, USFS, NDOM, and Nevada counties, which all share in the proceeds of the fees. The U.S. taxpayer will pay ultimately to make up the difference in revenues for the federal agencies, which must impact programs such as range fire, invasive species, abandoned mine lands management. Several districts in the SFA's contain known mineral resources at various stages of economic confirmation. The public literature in the attached bibliography describes some of these. However, the most recent detailed technical reports describing the resources are available in the public domain from the websites of EDGAR at the Securities Exchange Commission (SEC) or of SEDAR at the Toronto Stock Exchange. The NBMG is maintaining a list of technical reports for projects in Nevada, updated as new reports become available. Some of the resources within the SFA's include the tungsten deposit at Delano in eastern Elko County, copper and zinc resources in the Contact District of Elko County, the King's River lithium, uranium, and clay deposits of Humboldt County, and the Buckskin National silver and gold deposits in Humboldt County. Those resources, located in the SFA's, should be noted in the FEIS impact analysis. An evaluation of the potential for strategic minerals in the area of the SFA's is a work in-progress. The withdrawal of these lands would side-track any efforts to assess this potential.	1
La Cuesta International, Inc. (LCI), 1805 Wedgemere Road, El Cajon, CA 92020, (619) 668-9272, owns 48 mining claims in the Lost Cabin (aka, Windy Hollow, Coyote Hills, Miners Draw) Mining District, Lake County, Oregon. The claims are located within Oregon Management Zone 5....LCI's immediate concern is getting the necessary permits to drill test the exploration targets identified by LCI on our pre-segregation claims. The total initial disturbance proposed in the Notice is less than two acres. However, it is important to point out, and we want to make the BLM and DOI aware, that the gold, silver, copper, lead and zinc mineral potential at Lost Cabin covers a much larger area than covered by our existing claims. The entire altered and mineralized area should be removed from the mineral entry segregation (withdrawal). It is strongly recommended that all of Sections 9, 10, 11, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, and 28, T35S, R23E, Willamette Meridian, be removed from the mineral entry segregation and returned to multiple use status so that productive mineral exploration and potential discovery can be done in the future.	1
Our clients hire LCI to identify safe geographic areas that exhibit under-explored, favorable geologic environments which, on a worldwide basis, have characteristics known to host major ore deposits. Southeast Oregon is host to such a favorable geologic setting. The Lost Cabin Project area is a 42 km2 area of hydrothermal alteration showing surface evidence that an economic ore deposit may be buried at depth. It is the job of the exploration geologist to put the surface alteration features into a geologic context that, when drilled, may lead to the discovery of an economic ore deposit. LCI's clients hire us to identify and evaluate grassroots environments with significant discovery potential. New grassroots discovery is what we are attempting to accomplish in Southeastern Oregon. However, at Lost Cabin, as with most mineral exploration and mine-development projects in the Western USA, it is virtually impossible to make "discovery" on every claim in the land position by the 1872 mining law, prudent man standards. Fortunately, the regulatory agencies in the past have exercised common sense and good judgment by allowing drill exploration to be done before a validity exam is required.	1



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..... With respect to the withdrawal, this issue is compounded by the lack of mineral inventory or evaluation of the current natural resources; their values at the site specific level; or how adjacent land uses will be affected by the proposed use. Further, it is conceivable that neighboring private and public lands will be adversely affected by a withdrawal of the federal mineral estate. It is impossible to assess the full impact of the proposed withdrawal without this quantification. Congress expressed a similar concern and mandated in FLPMA that the Secretary provide to the respective committees: "an inventory and evaluation of the current natural resource uses and values of the site and adjacent public and nonpublic land and how it appears they will be affected by the proposed use, including particularly aspects of use that might cause degradation of the environment, and also the economic impact of the change in use on individuals, local communities, and the Nation;" (43 U.S.C. 1714(c)(2)(2)). Further, the impact on the human environment of not withdrawing the adjoining and nearby non-focal areas must also be addressed in the EIS since this decision affectively is a decision that releases them for mineral development (cf California v. Bergland).	1
In conclusion, in the development of the Environmental Impact Statement for the SFA withdrawal, the Harney County Court requests that the Secretary early on make direct contact with Harney County Judge Steve Grasty to ensure that the Federal Land Policy and Management Act's consistency, coordination and consultation processes are implemented early and seamlessly. Given the large extent of the region being proposed for withdrawal the potential for significant impacts to the local and regional economy is very high. It is fundamental that an in-depth mineral review and economic analysis be included within the draft for public review and comment.	1
Withdrawal of lands from mineral entry unfairly singles out mineral exploration to bear the largest portion of the impact.....The BLM/USGS is incapable of adequately assessing the mineral potential of the withdrawn area.	1
The proposed area is too much too broad and for too long. It would cripple development of resources.	1
(1) How will the evaluation of mineral potential be addressed in the EIS? The evaluation of mineral potential cannot be addressed without proper mineral exploration, which is prohibited in the withdrawn areas. This is a catch-22!	1
The northern Nevada zone has no locatable mines in the SFA but there are four very active projects on the perimeter of the SFA. We have numerous other plans of operation in the SFA but they are not actively exploring.	1
It is widely known, that as soon as the non-listing decision regarding the sage grouse was made, Interior began to take steps to initiate the withdrawal. BLM must conduct a mineral potential survey and report before deciding that this area should be withdrawn from mineral entry. BLM needs to address the economic impacts of this withdrawal in its mineral potential report. Changes in price, demand, and technology can also factor into whether a deposit can be mined economically. For example, a mining company may have located a deposit that is too low grade to be mined at today's prices but even a small increase in price could change that dynamic. The government must make informed decisions about the impact of mineral withdrawals. If rare earths and critical minerals such as molybdenum, nickel, platinum, palladium, and uranium are located within these areas proposed for withdrawal, great economic impact and loss of national security will be the result.	1
<b>3.6 Geothermal Resources: Commenters provide information about geothermal resources and/or express concern about impacts to geothermal resources from the withdrawal.</b>	
.....withdrawal of 2.7 million acres of Federal lands in the Sagebrush Focal Areas (SFAs) of Nevada (Figure 1). NBMG has conducted significant research in these areas relating to mineral and geothermal resources. We have concluded that parts of these areas (Figures 2 and 3) contain significant mineral and geothermal resource potential. For example, the area west of McDermitt, Nevada (Figure 2) hosts significant lithium resources critical to the burgeoning electrical automobile industry. In addition, much of north-central and northeast Nevada contain major gold resources (Figure 3). Nevada is the leading gold producer in the nation and is one of the top producers of gold in the world.... It is important to note that even in this region of known mineral and geothermal potential, additional exploration is needed to identify the specific locations of major deposits. Both mineral and geothermal resources are commonly hidden in the subsurface, with no significant surface manifestations. Thus, extensive exploration is commonly needed to identify major deposits at depth. Due to the uncertainty of whether the resources can ultimately be	1

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developed, the proposed withdrawals of these lands from mineral entry will effectively stymie mineral exploration..... Not only will this impact our nation's efforts to reduce its dependence on imported minerals and fossil fuels, but it will also hurt the region's economy, which is highly dependent on both the exploration for and development of natural resources.	
Geothermal resources are also common in the region (Figures 2 and 3) and are critical to the nation's transition to renewable energy. Nevada has more geothermal potential than any other state, and several areas within the SFAs have been identified as having high potential for economically viable geothermal resources..... Although these comments are addressed specifically to the proposed mineral withdrawal, we believe that the "no surface occupancy with no exceptions" in the SFAs will also stifle geothermal energy drilling and development.	1
<b>3.7 Livestock Grazing: Commenters make statements about livestock grazing. Some state that livestock grazing should be reduced or controls should be tightened to improve sage-grouse habitat. Others state grazing can help to control invasive species and fire danger.</b>	
Ranchers: We need them on our public lands. Sheep and cows eat the cheatgrass and other fuel that otherwise will be left behind. Do you want wildland fires that burn fast, hot and out of control? Multiply no grazing by 5 years - 10 years.....	1
Also, I firmly believe that that the ranching way of life needs more management. From the way, or system of rotation, i.e. Outdated and needs a thorough review. From grazing practises to stock watering.	1
I am not optimistic there will be significant sage-grouse recovery until they are listed under the ESA...until BLM takes the more courageous step of confronting the harm to sage habitat by livestock grazing, I don't expect much. I fear this mineral withdrawal is the first of many actions which will pick at the edges of the real problem of livestock damage while avoiding doing anything about the elephant in the room...State wildlife agencies can stop all hunting and Wildlife Services can kill all the ravens and other predators they can, and sage-grouse still will decline unless BLM reverses its traditional practice of prioritizing livestock needs over all others in their land management practices.	1
My suggestion is that instead of making the relationship the BLM has with locals even more contentious than it already is, instead work on land practices that will have a positive impact on the two major contributors to shrub steppe habitat degradation. Tighten the controls on cattle grazing and continue research on how to fight cheat grass. The recent research that has been don on the introduction of cheat grass specific fungus is a step in the right direction. Also active fire suppression is needed to preserve what sagebrush habitat remains.	1
There is an increased fire danger on non-grazed land. Livestock no longer graze the grasses that fuel the fast moving range fires on traditional grazing lands. Land wisely managed by livestock producers is in far better shape than that is left to Mother Nature's direction in most cases. Economic benefits are lost to cattle producers and the sage grouse habitat is also lost for a long period of time and/or permanently when burnt over by an uncontrolled fires fueled by ungrazed grass. Lack of predator control is also one of the major problems with low sage grouse numbers. Too many of the protected predators don't realize they are causing harm to another protected species when looking for their next meal.	1
Grazing leases on public lands are not being considered in this study. Herds of sheep and cattle roaming across the country side provide for constant habitat disturbance and provide an easy carrier for the introduction of noxious weeds. The BLM is certainly aware of this issue and numerous publications have been written about the subject.	1
The application should state that water is required, as stated above, because the best indicator of Sage Grouse presence is water. There is a huge benefit to the Sage Grouse from ranching and agricultural uses that promote riparian areas used for watering. If there is a co-benefit of stock watering in a particular area, then the impact of reducing the associated use may be detrimental to Sage Grouse. Another consideration is the indirect impact on fire occurrences if stock watering and other water uses are reduced as a result of the Withdrawal. The BLM should also be aware that FLPMA requires "a report specifying that the applicant or using agency has acquired, or proposes to acquire, rights to the use of the water..." Finally, a withdrawal requires a statement with specific supporting data as to: (i) Whether the lands involved are floodplains or are considered wetlands; and (ii) Whether the existing and proposed uses would affect or be affected by such floodplains or wetlands and, if so, to what degree and in what manner.... this analysis must be performed using the definition of floodplains under the newer and older CWA rules and regulations....As	1

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part of the impacts analysis to wetlands, it is important that the BLM acknowledge the importance of grazing to vernal pools. In fact, one of the active management techniques used for maintaining vernal pools is grazing. The BLM should strongly consider studies that analyze this key symbiotic relationship.	
Because the SFA triggers evaluations for "Priority Grazing Permits," the BLM should also include impacts to agricultural resources. This should include the economic cost of uncertainty, and consider the extent to which these actions discourage agriculture. The BLM should provide the process for determining the economic impacts for priority grazing permits. Within the SFAs, grazing permits are required to be reevaluated whether or not they are up for renewal. They will be evaluated using Table 2-2 and for consistency with the RMPs (and with the withdrawals).	1
Yes, expand livestock grazing. We understand this is not politically correct, but is rather scientifically correct. Please see the attached historical study of the Sheldon Refuge showing with empirical data that the increase, then the demise of the sage grouse population is directly related to livestock grazing density.	1
Please use grazing as a management tool to control invasive species (cheatgrass). Please consider that Ravens & Magpies are nest robbers. They are protected but are growing in numbers.	1
In all Sage Grouse Focal Areas (SFA's) livestock grazing will certainly be negatively affected even though historical use has shown that when more livestock were on the public lands, there were more Sage Grouse on the public lands. Historical grazing on springs and creeks has provided preferred feeding for the Sage Grouse yet public land managers want to fence, or manage livestock off of these habitats. At a 2012 hearing in Elko Sage Grouse biologist Peter Coates was asked if riparian areas that had been fenced to protect Lahontan Cutthroat Trout provided better habitat for Sage Grouse and he answered "no". Our members who have hunted Sage Grouse, or just observed them while using the public lands recreationally, support the claim that Sage Grouse prefer the spring and riparian areas where cattle have grazed these areas. The BLM and USFS management in the past 40 years, which has caused the reduction in livestock numbers on public lands, has been the primary contribution to large fires which have removed Sage Grouse habitat that is now deemed necessary to protect and restore. It appears that these primary influences on ecosystems have been manipulated by federal agencies for further degradation of habitat. Further regulation is not the answer, collaborative conservation plans already in place involving all multiple use users for improved habitat is the key.	1
The management directives for the SFA threaten to eliminate or reduce the authorized use of the adjacent public lands for livestock grazing by imposing unworkable and authoritarian habitat management objectives. ...roughly 236,000 acres of Elko County private lands are adjacent to or engulfed by the SFA. The current use of these private land parcels for agriculture, ranching and other approved uses will be adversely affected by restrictions on grazing or access on adjacent public lands. ... the SFA will diminish or even eliminate future economic agriculture, ranching and other uses on private property ...and potentially subject the federal government to regulatory takings claims. Additionally the SFAs will create stranded inholdings of private land parcels surrounded by public land managed for the sole purpose of Greater Sage-Grouse conservation .... Consequently, landowners within and adjacent to the SFAs, will experience restrictions to adjacent public lands that will have a significant adverse impacts ....	1
<b>3.8 Human Health and Safety: Commenters make statements about public health and safety. They state public health and safety concerns should be included in the analysis.</b>	
Public Health and Safety This analysis should include the following preliminary issues: (1) Fires and fuels (cost, increased fire incidents), (2) Food supply and domestic food security (3) Mineral supply and national security (4) National security impacts from reduced agriculture and mining.	1

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<b>3.9.1 Recreation Resources: General: Commenters make statements about recreation resources. Some state that mining adversely affects recreation and/or the EIS should analyze the costs of mining on this resource. Some state the withdrawal will have beneficial impacts to recreation and/or make comments about considering the benefits of the withdrawal on this resource. Some express concern about the loss of public access for recreation.</b>	
The withdrawal will also result in long-term benefits from the conservation of habitat for a variety of wildlife species as well as the preservation of open spaces and recreation opportunities important to all Oregonians.	46
I am immediate past president of American Lands Access Assn, and a current director, and have watched the special and deep pocket interests take vast amounts of public lands designated for multiple use and divert them since the early 1970s beginning in the Desert areas of Southern California and close them off in the name of various birds, plants and even wind and solar farms. Can you tell me currently, how much of our Public Lands are left for recreation throughout the Western States?	1
Please don't start taking away free access to our public lands. Everyone I run with respects the land and enjoys the freedom to roam. I for one wouldn't dream of doing something like hard rock mineral mining. This polluting, destructive activity should be prohibited or closely monitored. I like to explore, look for fossils and "pretty rocks," and fish. I want all wildlife/animal lives to be respected and left alone. Please don't take away our freedom of public access to our country's open land. I am a tax paying, voting Democrat and U.S. citizen who feels that I pay for the privilege of enjoying my country.	1
I am also concerned with rampant uncontrolled ATV use on BLM Lands which degrades greater stage grouse habitat. A cost benefit analysis to look at possibly restricting that use to existing roads as well as assessing benefits to other resources (water, fish, and wildlife) should be performed.	1
BLM should also carefully evaluate the costs and harms of permitting new mining to occur on public lands. Any new mining permits should fully adhere to the conservation measures and proposed planning decisions described by the BLM National Technical Team (2011). The costs and harms to sage-grouse habitat and life-cycle, as well as for other species that depend on these same lands must be considered. Environmental conditions, such as air and water quality, and other resources, such as wilderness qualities and backcountry recreation, deserve careful evaluation.	1
Consider that if mining is allowed in these areas, that very act of mining will lead to the destruction of a far more widely used aspect of YNP, recreation in all forms (photography, birding, hiking, fishing, exploring, just to name a few).	1
Some places are just too precious to allow mining and the Greater Yellowstone Ecosystem is one of them. One needs to look no further than the recent events in Colorado to understand the inherent risks..... Finally my wife and I have visited the area about 15 times in the past 30 years and most of the draw was the beauty, wildlife and a relatively intact ecosystem.	1
As a frequent visitor to the Oregon deserts, I know that the mining withdrawal will also preserve open spaces and recreation opportunities that are important to all Americans.	1
I for one am handicapped and depend on my atv to get me and my equipment both to and from sites to enjoy my part of the outdoors. I ride my atv with respect to both the plants and animals, looking to leave as little evidence as possible that I was there. Few rockhounds or prospectors want everyone to know where they gathered their treasures. The amount of harm that was done by saving the SPOTTED OWL in the Pacific Northwest was a tremendous offset to communities that saw their small towns and businesses devastated. Then to find out to save some other owls, a hunter was dispatched to offset a miss match of owl population, shooting owls to manage over population of another variety. Mother nature manages her animals, some have to migrate and some pushed into other areas because a new kid on the block moved in. If as much money were spent building one or two acre feeding stations as is spent trying to close access to public lands, you could surely see a better gain for the money spent. A trip to go out to any of the areas is going to cost me a minimum of \$300 for fuel, another \$300 in accommodation, for a week out figure \$200 or more for groceries, if I eat out, then figure \$25 to \$60 a day. That's money for the local economy. Do some multiplication and tell the small towns that you will compensate them for their loss.	1

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It is extremely upsetting that the BLM is considering taking away the public access to 10M acres for mining interests. I grew up spending time camping, hiking and exploring the public lands managed by the BLM. I have extended this tradition to my small children. The reason why access to BLM land is so important to me is that it is less "pretentious" than other managed lands. What do I mean by that? The BLM keeps their lands low key, facilities are minimal, but in return you often share the land with less tourists and can have a more pure outdoor experience. I cherish my time on BLM lands, and so does my family! Please do not give away public access to sole use/extraction mineral interests!	1
Our position is that the existing system of OHV routes does not adequately meet the needs list above. The benefits to the public would greatly benefit from an enhanced system of OHV routes. A Pro-Recreation alternative is viable and needed by the public. Motorized recreationists are the majority of the visitors to the project area. There is a great need for motorized access and OHV recreational opportunities. We support a Pro-Recreation alternative.	1
I represent over 200 people who live and recreate in many of the areas you are intending to close to public access. The sage grouse has not been listed on the Endangered Species Act, but your proposed closure of public lands can be much more catastrophic to local economies and public access for recreation, hunting, fishing, mountain biking, snow sports, wildlife watching, and other forms of use of our public lands.....Our organization works to keep public access to public lands, We do not approve of such a move by yours and other federal organizations which close access to public lands.....and we urge you to NOT close public lands to public access.	1
These lands are important habitat for not only sage grouse, but also moose, elk, pronghorn, and an expanding population of grizzly bears. It is time to improve environmental protections and establish management priorities which will provide better management for resources other than mining. I strongly support a comprehensive mining withdrawal and prioritization of other resources and considerations such as wildlife, water quality, climate change, recreation and a viable reserve of undisturbed habitat for the future.	1
Effects of recreation and urbanization versus mineral-related access. o Over the past 25 years of living in my subdivision in the Boise Foothills I have seen firsthand the creeping invasion of noxious weeds from increased development and careless public recreation and vehicle use. As the weeds spread along the dirt roads, the sagebrush shrink and disappear. Now the roads are paved – but not from mining. New mountain bike trails go from 12 inch- wide single tracks to 3 foot-wide trails within a couple of years. Mineral exploration projects are required to reclaim roads and typically restrict public access. Many other permitted activities do not.	1
In reviewing the available literature and studies listed in the BRC letter dated January 28, 2013 letter, CTVA noted there is scant to little information anywhere related to the effects of motorized recreation on the Grouse and there are no definitive studies to that effect cited anywhere in the database. Particularly considering the intense scrutiny and collective scientific energy expended on this species, CTVA concludes that motorized recreation in any of its forms does not have a significant impact on the Grouse. The USFWS listing petition decision supports this as well. Motorized recreation and/or OHV/ORV are barely mentioned and mostly anecdotal in nature. However, CTVA does understand that OHV-related site-specific research may be needed to fine tune vehicle-based recreation on roads, trails, and areas so that future Grouse-friendly motorized access is assured.	1
I am also concerned with regard to Special Recreation Permits. The proposed withdrawal appears to limit OHV use to existing routes, and only allows SRP's if the effects are neutral or result in conservation gain.	1
<b>3.9.2 Recreation Resources: Rockhounding: Commenters express concern about rockhounding within the withdrawal areas. Some commenters are concerned that the ROD did not address recreational use of the land for rockhounding. They state the ROD is unclear about whether the public can continue to use sage grouse management areas for rockhounding. They request that rockhounding be identified as a recreational activity in the ROD implementation plans to allow continued collecting of rocks and minerals in sage grouse management areas. Commenters are concerned that the proposal will adversely impact rockhounding. Commenters state that rockhounding does not present a negative impact on the management of sage grouse.</b>	



Comment	Number of Commenters Providing this Comment
There are many rockhounds that collect a variety of rocks and minerals in many areas the BLM has designated as excluded from the 1872 Mining Law. It is unclear in the ROD whether the public could continue to use these historical rockhounding areas to collect rocks and minerals in the sage grouse management areas. Many of these areas are identified in rock and gem hunting books and people from all over the United States and overseas visit these areas each year. Rockhounding as a recreational activity does not present a negative impact on the management of sage grouse. We request that rockhounding should be identified as a recreational activity in the ROD implementation plans allowing rockhounds and the public to continue collecting rocks and minerals in sage grouse management areas. We request that collecting of rocks and minerals using hand tools should be allowed in the sage grouse management areas, when sage grouse are not nesting..... I request the administrator to include language in the implementation plans for sage grouse management areas to allow for the collection of rocks and minerals using hand tools as a recognized recreational activity.	7
Many of the withdrawn areas include historical rockhound collecting areas and will impact the small local communities in the areas if rockhounding is stopped, has this impact been included in your economical studies? Rockhounding as a recreational activity does not present a negative impact to the management of sage grouse and is allowed under federal law...	1
Rockhounding as a recreational activity does not present a negative impact to the management of sage grouse and is allowed under federal law. We request that rockhounding be identified as a recreational activity in the ROD implementation plans, allowing rockhounds and the public to continue collecting rocks and minerals in sage grouse management areas. We request that collecting of rocks and minerals using hand tools under conditions specified under 36 CFR Subpart A, Sec 228.4 (a) (i) and 36 CFR 3809.11 3809.21 etc continue to be allowed in all sage grouse management area, and should be specifically referenced as allowed activities in documentation related to the Management Plan, amendments, and implementation plan – especially during periods when the grouse are not nesting.	1
AFMS members collect a variety of rocks and minerals in many areas the BLM has designated as excluded from the 1872 Mining Law. It is unclear in the ROD whether NFMS members and the public could continue to use these historical rockhounding areas to collect rocks and minerals in the sage grouse management areas. Many of these areas are identified in rock and gem hunting books, and people from all over the United States and overseas visit these areas each year. It is our position that rockhounding as a recreational activity does not present a negative impact on the management of sage grouse. We request that rockhounding should be identified as a recreational activity in the ROD implementation plans allowing rockhounds and the public to continue collecting rocks and minerals in sage grouse management areas. We further request that collecting of rocks and minerals using hand tools should be allowed in the sage grouse management areas during seasons when sage grouse are not nesting.	1
The NFMS has over six thousand members in Alaska, Idaho, Montana, Oregon, Utah (North half) and Washington and our Federation is one of the seven Regional Federations under the American Federation of Mineralogical Societies (AFMS), which has approximately fifty thousand members. There are many rockhounds that collect a variety of rocks and minerals in many areas the BLM has designated as excluded from the 1872 Mining Law. It is unclear in the ROD whether the public could continue to use these historical rockhounding areas to collect rocks and minerals in the sage grouse management areas. Many of these areas are identified in rock and gem hunting books and people from all over the United States and overseas visit these areas each year. Rockhounding as a recreational activity does not present a negative impact on the management of sage grouse. We request that rockhounding should be identified as a recreational activity in the ROD implementation plans allowing rockhounds and the public to continue collecting rocks and minerals in sage grouse management areas. We request that collecting of rocks and minerals using hand tools should be allowed in the sage grouse management areas, when sage grouse are not nesting.	1
Rockhounding has a long history and it gives a great opportunity to learn about earth science, geology and all the surrounding nature. We also learn how the rocks are formed in the ground or how it gets weathered and exposed to the surface by digging with hand tools or walking around the ground. These are the experiences we cannot obtain through computers or either smartphones. Especially for the juniors, it is a fun and precious learning experience. If the juniors do not touch and feel the nature and the nature's gift, it will be very difficult for them to appreciate the nature and	1

Comment	Number of Commenters Providing this Comment
to learn to preserve or protect the nature. Our rockhounding activities are based on the AFMS Code of Ethics (please see attached) and should not have negative impacts to the environment.	
It is my position that rockhounding as a recreational activity does not present a negative impact on the management of sage grouse. I request that rockhounding should be identified as a recreational activity in the ROD implementation plans allowing rockhounds and the public to continue collecting rocks and minerals in sage grouse management areas. We further request that collecting of rocks and minerals using hand tools should be allowed in the sage grouse management areas during seasons when sage grouse are not nesting.	1
I'm writing in regards to the proposal to close PUBLIC lands to the PUBLIC! We ARE THE PEOPLE OUR ACCESS TO OUR LANDS BELOGS TO US! I believe this proposal is WRONG & BIASED TOWARDS ALREADY VALID(?) MINES! WE WANT TO FEEL THE DIRT BETWEEN OUR TOES! WILL THAT BE DENIED NEXT? MINING IS ONE THING BUT ROCKHOOUNDING IS SACRED! IT IS NOT ABOUT RAPING MOTHER EARTH! IT IS A BONDING WITH & LOVE FOR HER! This is a radical approach by the BLM & the FS to keep THE PEOPLE OFF OF "their" land so they can come in & rape her some more because they forgot to take it all leaving for US what they once considered not worth taking! Small scale worship verses incorporated capitalism! YUK!	1
There are many rock clubs in this country and they all have responsible people in them who enjoy rock hounding on federal lands. I am a member of in a club and I do not want to see lands put off limits to me because of some bad eggs who do not respect property. I for one leave the area I am collecting at in same or better condition than it was when I got there. Please reconsider your closing recommendation.	1
I am a rockhound. Collecting rocks is my favorite thing to do in the whole wide world. Each rock is unique. Some rocks are ancient and have never been touched by human hands, pure, un-corrupted, perfect with imperfections. I will be very sad if this proposal passes. Rockhounding was a valuable enterprise during the great depression. Why shouldn't the public still have that right? We can use minimal tools. We can pack out all our garbage. We can pack out the garbage of others! We can find a balance. We do not need to close public lands from public activities.	1
AFMS members collect a variety of rocks and minerals in many areas the BLM has designated as excluded from the 1872 Mining Law. It is unclear in the ROD whether AFMS members and the public could continue to use these historical rockhounding areas to collect rocks and minerals in the sage grouse management areas. Many of these areas are identified in rock and gem hunting books, and people from all over the United States and overseas visit these areas each year. It is the position of AFMS and the NFMS that rockhounding as a recreational activity does not present a negative impact on the management of sage grouse. We request that rockhounding should be identified as a recreational activity in the ROD implementation plans allowing rockhounds and the public to continue collecting rocks and minerals in sage grouse management areas. We further request that collecting of rocks and minerals using hand tools should be allowed in the sage grouse management areas during seasons when sage grouse are not nesting.	1
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The NFMS has over six thousand members that collect a variety of rocks and minerals in many areas the BLM has designated as excluded from the 1872 Mining Law. It is unclear in the ROD whether NFMS members and the public could continue to use these historical rockhounding areas to collect rocks and minerals in the sage grouse management areas. Many of these areas are identified in rock and gem hunting books and people from all over the United States and overseas visit these areas each year. It is our position that rockhounding as a recreational activity does not present a	1

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I for one am handicapped and depend on my atv to get me and my equipment both to and from sites to enjoy my part of the outdoors. I ride my atv with respect to both the plants and animals, looking to leave as little evidence as possible that I was there. Few rockhounds or prospectors want everyone to know where they gathered their treasures. The amount of harm that was done by saving the SPOTTED OWL in the Pacific Northwest was a tremendous offset to communities that saw there small towns and businesses devastated. Then to find out to save some other owls, a hunter was dispatched to offset a miss match of owl population, shooting owls to manage over population of another variety. Mother nature manages her animals, some have to migrate and some pushed into other areas because a new kid on the block moved in. If as much money were spent building one or two acre feeding stations as is spent trying to close access to public lands, you could surely see a better gain for the money spent. A trip to go out to any of the areas is going to cost me a minimum of \$300 for fuel, another \$300 in accommodation, for a week out figure \$200 or more for groceries, if I eat out, then figure \$25 to \$60 a day. That's money for the local economy. Do some multiplication and tell the small towns that you will compensate them for their loss.	1
I was notified about the withdrawal of land for mining in several western states. I read as much as I could about the action propose and agree with most of the proposal. However, I could not find any information on the gathering of rock, minerals, and the such for hobbyist rock hounds. Can you tell me what provisions are made for collecting rocks in the sagebrush withdrawal areas. As a life long hiker, hunter and now rock hound interests, I would want even more areas open to the hobby of rock collecting. Please be sure to allow the hobbyist collector to have access and be allowed to carry out a portion of rocks.	1
I think is ridiculous to take away the right for small time recreational miners to placer mine. This country was built on gold mining. To take it away for American Citizens would be ashame. If you want to save the grouse manage them correctly. If hard rock mining is a problem just deal with that and not take away small time dredging and highbanking rights.	1
I am a nature lover, hunter, and hobby rock collector. As such, I urge you to use great thought and restraint in withdrawing BLM land from mining use. Certainly the small mining activities most common can be restricted to activity outside the lekk/nesting season (most claims are only worked for a short time every year or two). Please do not blanket manage - do not simply close BLM land to mining. I am very worried such activity would prevent me from my summer hikes where I look for and collect rocks. This is a very important thing for me, and it lets me enjoy our public land with very, very little impact to sage grouse. It would be terrible to restrict us rockhound hobiists from using our land.	1
I feel it is over kill to restrict the use of lands for rock hounding in order to protect sage grouse. These animals are more desturbed by issues like more house building, more roads and more pollution than some one digging in the dirt.	1

Comment	Number of Commenters Providing this Comment
Second, nowhere in the BLM plan did I find anything on recreational prospecting or recreational suction dredging? In discussions with Nevada Department of Wildlife officials familiar with the BLM plan, it is their belief small scale recreational mining would be allowed inside the planning area. If NDOW is going to issue a permit then is BLM going to concur on the permit? Is the USFS going to except a recreational notification? Not talking about legally staked claims but instead recreational prospecting allowed under Oregon, Nevada and federal law now.	1
This email is to let you know we oppose the no trespass order for 10+million acres of public land in favor of the sage grouse. As prospectors and rock hounds we find it more and more difficult, if not impossible, to persue our beloved hobbies..... We also love being in nature and treasure the environment. We don't disturb plants or animals and always fill in our holes. PLEASE, PLEASE, PLEASE Don't close our Public lands.	1
I have reviewed the map showing "Proposed Mineral Withdrawal Area in Sagebrush Focal Areas" and the Sage-Grouse and Sagebrush Conservation Plan summarized by the BLM and the U.S. Forest Service. I am concerned that this plan will have a severe impact on recreational rockhounding in the McDermitt-Southeast Oregon area. This area is one of the best places to find petrified wood, agate, jasper and thundereggs and has been visited by many rockhounds from all over the Northwest for many years. I have travelled to this area with other members of the Sweet Home Rock and Mineral Society from western Oregon often two times per year. We have surface hunted for rocks and used hand tools to do limited digging in a few locations..... I would hope that BLM and U.S.Forest Service agencies can develop a plan that will help the greater sage-grouse in their recover but also allow continued rock hunting in this area. The collecting of rocks and minerals using hand tools could be allowed when the sage grouse nesting season is over....I agree with the NFMS that rockhounding should be identified as a recreational activity in the Record of Decision and Approved Resource Management Plans allowing rockhounds and the public to continue collecting rocks and minerals in sage grouse management areas using hand tools as a recognized recreational activity during seasons when sage grouse are not nesting.	1
As I understand this, thousands of acres have been declared off limits to filing any kind of a mining claim because of a possible disturbance to sage grouse habitat. I understand that this BLM, ruling does not prohibit our going out and collecting. Yet. I belong to a rock club with over 160 members who, like myself, enjoy recreational or casual rockhounding. And should we find a particular good area, we would like to have that area set aside for our use and to have other clubs join us there. In return we maintain that 20 acre parcel and keep it in good condition. Now we are no longer able to set aside those meager 20 acres. This one sided decision does not consider all parties involved and thus does not act in the best interest of all concerned. Unfortunately it fosters distrust with the BLM and makes many of us question BLM's motives in the handling of this matter. Some in our club feel that this is just a ploy to circumvent the existing mining laws established by congress. I want to know how a 20 acre parcel of land used for surface 'mining' or rock gathering with just hand tools (casual use) and maintained in good condition can have any adverse impact on the sage grouse, who can still forage on those 20 acres.	1
I am a rockhound in northeastern Oregon and having reviewed the Record of Decision and Approved Resource Management Plan Amendments for the Great Basin Region, Including the Greater Sage- Grouse Sub-Regions of Idaho and Southwestern Montana, Nevada and Northeastern California, Oregon and Utah (ROD), September 2015, I have determined that it does NOT address the recreational use of the land for rockhounding. I and rockhounds in general, were NOT ASKED – Do you use and/or collect in these areas? How often do you use and/or collect in these areas? Do you plan to use and/or collect in these areas in the future? You DID NOT ask for our input or the input from the general public before formulating your proposal, instead, you pandered to special interest and environmental groups and only asked for our comments after the fact. “The BLM’s mission is to "manage" the public lands for the use and enjoyment of present and future generations under the mandate of multiple-use and sustained yield.” That is NOT what is stated in your Approved Resource Management Plan for the Greater Sage-Grouse Habitat Management Areas. As the Vice-President of the Hatrockhounds Gem and Mineral Society located in Hermiston, Oregon, a chapter of the Northwest Federation of Mineralogical Societies (NFMS), our members (40 strong, ages 7 - 70+ yrs.) collect a wide variety of rocks and minerals in many areas the BLM has designated as excluded from the 1872 Mining Law. It is unclear in the ROD whether this exclusion prohibits complete access (locking it up and throwing away the keys) to our members, as well as Future Rockhounds and the general public, as well as future	1

Comment	Number of Commenters Providing this Comment
generations, from continued use of these historical rockhounding areas to collect rocks and minerals in Greater Sage-Grouse Habitat Management Areas.....Rockhounds collect over a wide area of the Pacific NW including but not limited to locations in Central Oregon, the Northern Great Basin (Eastern & SE Oregon, Western Idaho & Northern Nevada), the Western Great Basin (S Central Oregon, SW Idaho & NW Nevada) and Central Idaho, now within your Greater Sage-Grouse Habitat Management Areas. Rockhounding as a recreational activity does NOT present a negative impact on the management of the sage-grouse. Rockhounding should be identified as a recreational activity in the ROD implantation plans thus allowing rockhounds and the general public to continue collecting rocks and minerals using hand tools, access and collecting SHOULD BE allowed in sage-grouse management areas, when the sage-grouse are not nesting. There is currently no requirement to notify the BLM of casual use activities. Casual use activities are those that cause only negligible disturbance to public lands and resources.	
.....I am a member of Mount Hood Rock Club and the Northwest Federation of Mineralogical Society. Our numbers are not great in comparison to the Sierra Club or the other very large environmental groups but we are still here and we do use the public lands for our rockhounding purpose. I have seen sage grouse while out in the desert and I feel that both we and the sage grouse can use these areas.	1
The Northwest Federation of Mineralogical Societies (NFMS) has reviewed the Record of Decision and Approved Resource Management Plan Amendments for the Great Basin Region, Including the Greater Sage-Grouse Sub-Regions of Idaho and Southwestern Montana, Nevada and Northeastern California, Oregon, Utah (ROD), September 2015, and notes that they did not address the recreational use of the land for non-impacting or negligibly impacting casual uses such as rockhounding. Why were these casual-use activities, that are well-known to the BLM, not actually analyzed or discussed?	1
The IFG&MS wishes to express its concern that the proposed land withdrawal limit the public's ability to collect minerals and specimens from BLM lands. We concur with the NFMS's assessment of the Record of Decision and Approved Resource Management Plan Amendments for the Great Basin Region, Including the Greater Sage-Grouse Sub-Regions of Idaho and Southwestern Montana, Nevada and Northeastern California, Oregon, Utah(ROD), September 2015; specifically, that the ROD does not address the recreational use of the land for rockhounding.....Society members collect rocks and minerals in many of the areas that the BLM proposes withdrawing from the 1872 Mining Law. Reading the ROD, it is by no means clear to us that we will be allowed access to collecting sites in withdrawn sage grouse management areas. Idaho's geological treasures draw people from all over the world. Losing access to prime collecting sites would be a terrible loss to a state whose license plate advertises the "GEM State." We strongly believe that rockhounding is a recreational activity does not present a negative impact on the management of sage grouse. Therefore, we request that rockhounding be identified as a recreational activity in the ROD implementation plans allowing rockhounds and the public to continue collecting rocks and minerals in sage grouse management areas.	1
.....It is unclear in the RODs and Plan Amendments whether I, and all other AFMS members, as well as the general Public, could continue to use these historical rockhounding areas to collect rocks and minerals in the various categories of sage grouse management areas. Many of these areas are identified in large numbers of rock- and gem-hunting books and the scientific literature as being open to such recreation and mining location, and people from all over the United States -- and overseas -- visit these areas each year for scientific, educational, and recreational collecting. Most of these NFMS/AFMS members belong to associated non-profit clubs that conduct classes for earth-science curricula in public schools throughout the west using the materials collected via casual-use or non-impacting prospecting-type "mining" activities now threatened by the proposed withdrawals, associated access/entry restrictions, and activity restrictions expected to be applied by Regions under their "adaptive management" prerogatives, even in areas not designated as Sagebrush Focal Areas (SFAs).	1
Rockhounding and specimen collecting as a casual-use recreational activity does not present a negative impact to the lands to be managed as sage grouse habitat and is allowed under current federal regulations. I request that casual-use rockhounding be identified as a recreational activity in the ROD implementation plans, allowing rockhounds and the Public to continue collecting rocks and minerals in sage grouse management areas. I request that collecting of rocks and minerals using hand tools under conditions specified in both 36 CFR Subpart A, Sec. 228.4(a)(i) and 43 CFR	1



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3809.11, 3809.21, etc., continue to be allowed in all sage-grouse management areas, and be specifically referenced as allowed activities in documentation related to the Management Plans, amendments, and implementation plans -- especially during non-lekking (May-February) periods. I find no analysis in the EIS', Amendments, or RODS that support a conclusion/determination that the application of the surface management processes of these regulations can't adequately constrain mining activity impacts beyond casual-use levels that would be detrimental to sage grouse.	
The NFMS position, which I support, is that blanket exclusion from being able to file a mineral claim under the 1872 Mining Law in Sagebrush Focal Areas is an unnecessarily restrictive level of Public land management – even for a 2-year “temporary restriction” period.....The proposed PEIS and all related implementation plans related to current EIS' should articulate that the provisions of established National policies in 36 CFR 228 and 43 CFR 3809 still allow and govern casual-use prospecting/collecting or other rockhounding activities in all sage grouse management areas. If specific concerns exist as to potential impacts of exploration activities on BLM lands, they should be discussed and articulated in supplemental NEPA reviews of existing plans and amendments and their Implementation Plans/Amendments -- not through blanket mineral location-filing and access/entry withdrawals that seem to be the proposal of BLM in the Notice of Intent of 24 September 2015 and the extension notice of 13 November, 2015.	1
I am also concerned that if the complete-withdrawal proposal is adopted, many additional restrictions related to casual-use rockhounding will also soon-afterward be implemented by enforcement and management officials within Regions of the BLM/DOI and USFS/USDA even in less-sensitive management areas than SFAs (such as in remaining portions of PHMAs, all IHMAs, and all GHMAs). The combined area of these 3 categories of management-area focus is more than 65 million acres, and contains a tremendous number of casual-use rockhounding sites used by NWFS members, foreign visitors and scientists, and the general rockhounding public..... Current casual-use rockhounding access will, no doubt, continue to be closed down, as has become common ever since the OHV Rule and Travel Planning initiatives have been undertaken, even in view of the provisions of the 1960 Multiple-Use Sustained-Yield Act.	1
I feel that this BLM/USFS-sponsored, extraordinary withdrawal proposal will unnecessarily disenfranchise me and many tens-of-thousands of other rockhounds, youth, scientists, and world-wide users of the Public Lands from engaging in a historically treasured and culturally important -- as well as essentially benignly impacting -- recreational activity on lands entrusted to the DOI and USDA for administration of multiple use, sustained yield, and accessible recreation.	1
I also traditionally use the following additional broad areas for rockhounding. They are now within the various sage grouse management areas that I feel will result in the BLM and USFS establishing completely unnecessary restrictions on my recreational options and mining-claim filing options: • Areas located in all of Utah, SW Idaho, Oregon, Northern Nevada, and Wyoming. • Many areas located in South Central Idaho, NE Nevada, NE California. • Many areas located in Idaho along a corridor from Arco to Carey, then north to Bellevue, and then east to Muldoon.	1
I and many thousands of other members of the Montana, Idaho, and Utah gem and mineral clubs recreate and rockhound in both SFAs and other designated lands ... “Temporary ‘segregation’” (an undefined term as well) of these lands for the next 2 years is also totally unacceptable and unjustified...	1
Will there be an allowance for recreational rockhounding to the mining exemption designation on BLM lands? There are hundreds of thousands of active rockhounds, collecting for personal and private use only across the US, using hand tools and limited in quantity to what a personal vehicle can carry per trip. This is a permitted recreational use. We understand that in order to allow the grouse to prosper, seasonal restrictions during mating and egg-laying times might be needed. Please consider continuing to allow recreational rockhounding on these lands. Pebble pups and kid rockhounds is how the US grows geologists.	1
I am an avid rock hound and ATV rider. I attended a meeting at which I learned about the Sage brush withdrawal proposal. ....It appears this proposed map is an attempt to lock up any mineral or gem deposits for the government. Sage grouse are fast flyers “up to 50 miles an hour and can fly a mile or more at a time”, why would backhoe or caterpillar equipment interfere with them when they are mainly working in one spot. ....I	1

Comment	Number of Commenters Providing this Comment
believe the increased avian population, coyote and now wolves are a substantial threat that hunt them down and eat them or their eggs, not backhoes or caterpillar's equipment. I am against you taking more of our Idahoan rights to appease the government! Why not work on getting rid of the coyotes and wolves that are killing most of the sage grouse. I feel this is a way to get the government's foot in the door to close down more of our Idaho access to BLM property	
<b>3.10.1 Socioeconomics: Impacts from the Withdrawal: Commenters make statements about impacts to socioeconomics from the withdrawal. Some state the withdrawal will reduce economic activity and future growth and have significant long term adverse economic impacts. Some state effects will be magnified in local communities or rural economies will be devastated. Some state the EIS must disclose immediate and long-term economic impacts of the withdrawal to the exploration and mining industries, and to local, state, and federal economies. Some provide information for the socioeconomic analysis. Some state the EIS must assess the social impacts to rural communities surrounding the withdrawal areas. Some discuss indirect effects.</b>	
"Access to federal lands for mineral activities is important as these lands historically have, and will continue to, provide a large share of the metals and hardrock minerals produced in this country; - New mining operations are already either restricted or banned on more than half of all federally owned public lands; - Such a large-scale withdrawal will jeopardize the value added by major industries that rely on the \$78 billion of minerals produced in the U.S., which is an estimated \$2.5 trillion (2014), or 14 percent of our GDP. - Today, less than half of the minerals American manufacturers need are sourced domestically. - U.S. industries are currently import dependent on 19 key minerals and 24 mineral commodities that are potentially available in the U.S. - The withdrawal ultimately puts U.S. manufacturers' at a competitive disadvantage "	253
I feel that by withdrawing these lands from new mining claims you will dramatically impact the livelihood of many citizens of Nevada including myself and my family.	2
AEMA's members have patented and unpatented mining claims, and future plans to enter, explore, and locate mining claims in the SFAs proposed for withdrawal. AEMA's members are injured by the mere recommendation to withdraw over ten million acres from operation of the Mining Law in the greater sage-grouse land use plan amendments. AEMA's members are also injured by the approval of the BLM's Petition/Application for Withdrawal of Federal Lands For Greater Sage-Grouse Habitat in Sagebrush Focal Areas in Idaho, Montana, Nevada, Oregon, Utah, and Wyoming, which segregated over ten million acres from operation of the Mining Law for two years. If these SFAs are withdrawn, AEMA's members will be further injured....Accordingly, AEMA and its members respectfully submit these comments, requesting that the Secretary of the Interior ("Secretary") reject the application for the proposed withdrawal. MSLF has members in all 50 states. MSLF members live, work, and own property interests, including unpatented mining claims, in areas that will be impacted by the proposed withdrawal. In fact, the livelihood of many members depends on mineral exploration and development in the states affected by the proposed withdrawal. Accordingly, MSLF and its members respectfully submit these comments, requesting that the Secretary reject the application for the proposed withdrawal.	2
...the timing of the proposed withdrawal created another important issue. "Maintenance fees" on mining claims must be paid by the 1st of September each year. 30 U.S.C. § 28f; 43 C.F.R. § 3834.11. Maintenance fees were paid on the Buckskin-National Project by September 1, 2015, however, the Notice was published on September 24, 2015—23 days after maintenance fees were paid by all mining claimants wishing to hold their claims in good standing. These mining claimants will have to continue to pay annual claim maintenance fees through the length of the segregation, and any attempt to extend the segregation, not knowing whether or not these additional expenditures will be wasted. As a result, the federal government is allowed to benefit from receiving annual maintenance fees for mining claims within SFAs to the significant, financial detriment of the claimants	2

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As a resident of Elko County this withdrawal will have an extremely negative effect on me by reducing economic activity and future growth of industry in Elko County.	1
The proposed withdrawal from mineral entry unnecessarily interferes with WEX's reasonable investment backed expectations in its unpatented mining claims and exploration rights on lands highly prospective for mineral development in which WEX has invested more than \$37 million to discover gold and silver currently believed to be worth as much as \$3 billion in gross revenue. WEX holds an existing plan of operations approved by the United States Forest Service ("USFS") for its Wood Gulch project in Elko County, Nevada. Wood Gulch is included within the area proposed for withdrawal and important to WEX's economic development of its nearby Doby George advanced gold and silver project which is outside of the proposed withdrawal area. Therefore, the segregation and threatened withdrawal of claims comprising the Wood Gulch project interfere with not only the Wood Gulch project but also with WEX's property rights and plans on lands outside of the segregation.	1
The Interior Department is expecting natural resource exploration to occur on these open areas between the "Priority Areas" ONLY, with the expectation that any discovery can be accessed from outside the restricted areas. This concept ignores the fact that minerals deposits have a high probability of extending under these areas of withdrawn ground. And that this restricted access ground has a perimeter around it for noise and other disturbance for several months in the spring and summer. This means that there is a very high probability that any exploration or discovery will be affected by costly delays and restrictions. The mitigation efforts required for any mining development are expected to be even more costly. The point that the Interior Department apparently missed is that if any discovery has a high probability of being truncated by the withdrawal, or the exploration time and cost affected by restrictions near these "Priority Areas for Conservation", then why should any investor spend money to explore in an area where there is a probability he will not be able get legal rights to a portion of the discovery? Or have costly mitigation efforts on top of all the existing environmental regulations? The BLM says that valid existing rights will not be affected in the withdrawal areas. So what happens when the deposit extends off the current claimed area, and NO new claims are allowed? These are exploration projects, not defined orebodies. Not to mention that a discovery may require more claims than the initial staking, which is frequently the case. If the BLM is going to put a tourniquet around a discovery, the investor may not be able to mine any discovery for 20 years? Do you think that a mining investor will put money into what is considered high-risk exploration if assuming they DO find something that they will get NO return on the investment for up to 20 years due to these land restrictions? This will drive away mineral exploration in these regions.	1
The drop in mineral exploration will affect not only the mining and drilling companies but all the motels, RV parks, restaurants, contract geologists, surveyors, environmental consultants and other support businesses in that area which will feel the effect immediately..... These affected small companies will be joined by the lack of development of any natural resource production, which will then have a lack of new jobs for the affected region, and not only for the mining companies. In the northern Nevada region, this means few replacement mines for the ones that reach the end of their economic life for over a 20 year period. When mines in rural areas close, the effect is greatly magnified in the local community. Mines are where you find them, in the surface configuration of that particular deposit. If the land is not available for discovery here the exploration and development will shift elsewhere, with the most probable move being offshore. This shift will affect other regions of the country through companies located in the sage grouse areas – like CAT in Illinois, drill bit manufacturers in Texas, and cement and steel companies located within a few hundred miles of the non-development. This lack of industrial activity starts 1 to 5 years down the road and lasts well beyond the proposed 20 years.	1
A similar analysis can be done for ranching, and then recreational and hunting activities. These restrictions and withdrawals affect nearly every economic activity in the targeted regions. It just hits particularly hard in mining regions.	1
Within the greater Wood Gulch Plan of Operations, WEX completed three drilling campaigns from 2013-2015 and has made a new discovery of a deposit at Gravel Creek. WEX currently is in the process of completing its resource estimate for the Gravel Creek discovery but believes currently contained ounces are estimated at 2 million ounces of gold and 20 million contained ounces of silver. Of course, both of these numbers could	1

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increase substantially depending on the current drilling planned for 2016 (which has received investor interest for funding but which is currently frozen because of the new uncertainty caused by the announced September 2015 withdrawal).	
WEX is directly and significantly adversely affected by the segregation and proposed withdrawal. First, the proposed withdrawal severely impedes WEX's ability to develop nearby properties held by WEX outside of the proposed withdrawal area.	1
The withdrawal of these lands will stop or at least heavily burden economic growth within these regions. With the loose of the land use and resources the local communities will lose any chance of future growth from the possible resources yet unknown and access to those that are known. Many resources are yet unknown and I can only speak for Southeast Oregon. The reports have used scientific studies to determine if any locatable minerals are in the areas of consideration. The data used were from other studies and most if not all data was collected from other regions and used to form an opinion on what is most likely fact for all areas. As of date no true field study or collection process has been performed in all regions.	1
The restrictions the Agencies have imposed on these lands through segregation and the proposed withdrawal threaten the economic viability of the Projects, and create significant longterm adverse economic impacts on the local communities who rely on mineral exploration and development projects, including WEX's Projects, for revenue, employment, and economic development. Placing these lands off limits to mineral development interferes with WEX's reasonable investment-backed expectations, threatens WEX's continued operations, and deprives the local and State communities of the economic benefits of a mine similar in potential to the Midas Mine <sup>7</sup> in Elko County which, since 1998 has produced more than 2.3 million ounces of gold and over 30 million ounces of silver (and currently is undergoing an expansion).	1
WEX's Projects have a much broader impact than the immediate vicinity and county in which they are located. Indirect expenditures in Mountain City, Elko, Winnemucca and Reno continue to benefit the local economies as services and products are purchased from a wide variety of vendors, consultants, and contractors (e.g., at least nine businesses providing lodging, food, and/or other services in Mountain City and Elko eight businesses providing drilling and field supply services; nine businesses providing contractor and subcontractor labor; and 18 consultants providing employees and site-specific services). WEX's new Gravel Creek discovery is economically significant by itself and in connection with WEX's development of the nearby Doby George Project, the economics of which may depend upon the development of these nearby projects including Gravel Creek. If withdrawn from locatable mineral entry as proposed, all potential for economic development in the very promising Wood Gulch area will be eliminated depriving WEX of its reasonable investment-backed expectations and depriving the State and local communities of revenue from sales, services and taxes generated from the development of a mine of this size and longevity.	1
Exclusion of WEX's 7,000 acres of lands, under the circumstances, will be de minimus relative to the 2.8 million acre withdrawal in Nevada and avoid a significant and costly taking of property rights and deprivation of important economic development for the local and State communities. The proposed withdrawal immediately impacts WEX given the two-year segregation period has already commenced. 80 Fed. Reg. at 57,637. In addition, the proposed 20-year withdrawal calls into question WEX's current and future operations. A "hard look" at the consequences of the proposed actions under NEPA would have revealed that the withdrawal jeopardizes WEX's investment of over \$37 million (which it made with reasonable expectations that its rights under all Federal laws would be respected – including the procedures and policies required by FLPMA, NEPA and the NFMA) and the 758,800-oz gold resource at Doby George. Gold deposits like Gravel Creek (worth an estimated gross \$3 billion and growing) and Doby George are extremely rare, costly and difficult to find; the odds of finding another similarly promising deposit elsewhere are extremely remote. The segregation of WEX's claims has halted the company's ability to raise necessary funds to continue its exploration and development efforts and operations. Unlawfully subjecting WEX even to this temporary taking pending completion of the withdrawal process imposes significant and potentially irreparable harm on WEX all of which would have been avoided through consideration and disclosure of the mineral potential of WEX's lands within the SFA during the land use planning process as FLPMA requires. It is thus imperative that WEX's claims be immediately excluded from the withdrawal. Waiting for the conclusion of this withdrawal evaluation process will be too late to avoid substantial and potentially irreparable harms to WEX.	1

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What about the loss of revenue from the miners, Ranchers and exploration companys, etc. Loss of revenue to County and feds. This is not only going to affect the small and large miners. The Ranchers will be affected and everyone else. From the sandwich shops, rentals, food and Beverage. Buying meat will be very costly.	1
I am a consulting geophysicist living and working in northern Nevada. My consulting practice is based completely on mineral exploration, which is directly impacted by the Funding for mineral exploration is based upon two factors: mineral potential and the investing environment, which may be surprising to some is that investing environment dominates over mineral potential. The quantity and/or tenor of mineral material means little if the investing environment is such that the material cannot be discovered, extracted and processed at a profit. The Sage Grouse Land Withdrawal plan is a serious cloud hanging over the mineral investing environment in the western US and particularly northern Nevada. Nevada is endowed with some of the world's largest gold deposits and, to date, had a favorable investing environment..... Choking off exploration funding is devastating. Mines that otherwise would have been found and developed aren't and many high paying jobs never created. Furthermore, this adds to the perception the western US is completely explored as the discovery rate drops..... The area cannot compete with Reno or Las Vegas for tourist related jobs and/or manufacturing jobs. The one area in which northern Nevada excels is mining. Ore deposits cannot be moved so the work force comes to the deposits – northern Nevada..... the Sage Grouse Land Withdrawal plan as currently envisioned is extremely detrimental to the mining industry.	1
NAR has concerns about the significant withdrawal of public land to important economic activities, especially as it relates to the multi-use philosophy of the nation's public lands. NAR is concerned about the economic impact of the land withdrawal on adjacent communities and procedural and administrative flaws as the DOI moves forward with this process.	1
Many of the withdrawn areas include historical rockhound collecting areas and will impact the small local communities in the areas if rockhounding is stopped, has this impact been included in your economical studies?...Many of the areas that will be impacted are located in SW Idaho, SE Oregon and Northern Nevada; also, South Central Idaho and NE Nevada, They include: Gravepoint Point, Texas Springs, McDermitt and Davis Creek, long time rockhounds locations known to rockhounds throughout the US and internationally. But they are only the well known area, there are hundreds more... What is the economic impact be on those small towns close by, and USFS and BLM camping grounds that won't be used any longer, with these areas closed to casual collecting?	1
The BLM must fully examine the social and economic effects of the proposed withdrawal.	1
This sagebrush withdrawal is not a good idea for the working families in Nevada ,and many other states. This will deeply impact my family and the business that we make our living at.	1
The withdrawal of 10 million acres of land from mining and other economic activity will have a negative economic impact and ripple through communities throughout the West. Thousands of communities rely on the resources of public lands for their economic development. From the mining perspective alone, federal lands account for as much as 86 percent of the land area in the Western states. The withdrawal of an additional 10 million acres for a single species will have a significant impact on the ability to develop minerals and other resource extraction activities on federal lands. For example, in Idaho alone, mining and mineral processing, and the economic activity it creates added about \$1.5 billion to Idaho's Gross State Product last year. The industry paid \$750 million in wages to 12,600 workers and the economic activity it stimulated resulted in the payment of \$134 million in federal, state and local taxes (Source: Idaho Mining Association). It is difficult to fully value the lost economic opportunity this ill-conceived withdrawal proposal will cause in the West; certainly hundreds of millions of dollars in future years, likely billions of dollars over a generation. We can never know what economic value will be permanently locked up as a result of this land withdrawal. This withdrawal will not only disrupt mining, but also ranching, grazing and recreational activities. This will result in lost jobs, decreased economic development, homebuilding and buying –further hastening the downward economic spiral of rural America.	1



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<p>The proposed withdrawal adversely affects local communities....The proposed withdrawal of WEX's claims has significant adverse socioeconomic effects on the local communities which rely on WEX to provide economic stability to local vicinities. As indicated above, there are direct and indirect expenditures in Mountain City, Elko, Winnemucca and Reno, which benefit these local economies as WEX purchases services and products from a wide variety of vendors, consultants, and contractors (e.g., at least nine businesses providing lodging, food, and/or other services in Mountain City and Elko; eight businesses providing drilling and field supply services; nine businesses providing contractor and subcontractor labor; and 18 consultants providing employees and site-specific services). The withdrawal restriction will substantially reduce the use of the federally administered lands for economic purposes given that more than 2 million acres of the lands proposed to be withdrawn are in Elko County and adversely affect the ranching, farming and mining businesses that form the county's economic base, resulting in a loss of employment and economic outputs that will be devastating. The lost revenue and economic benefits from WEX's Projects will be significant and felt for decades given its potential to produce in a manner similar to the Midas Mine which has yielded more than 2.3 million ounces of gold and 30 million ounces of silver since 1998, millions of dollars in Net Proceeds of Mines taxes for the State and local communities, thousands of direct and indirect jobs, and millions of dollars in sales tax and other revenue generated by employment to provide goods and services necessitated for the construction and long-term (over 17 years) operation of such a mine.</p>	1
<p>WEX believes the inclusion of its claims within the withdrawal is in error, unlawful and requires immediate correction to avoid further substantial and potentially irreparable damage from the unreasonable interference with WEX's investment backed expectations, continued activities under its Plans of Operations, and development of Doby George and Wood Gulch, including Gravel Creek. Depriving WEX of its reasonable investment-backed expectations in its mining claims and its existing Plans of Operations means the loss of not only the \$37.7 million invested in exploration but also the taking of WEX's assets that could be sold based on an estimated potential to generate gross revenue of approximately \$3 billion. Excluding WEX's claims from the withdrawal to allow for their ongoing development and continued mitigation still will require significant mitigation and would balance the preservation of WEX's interests, the economic interests of the local and State communities, the Nation's need for minerals with the desired conservation of Greater Sagegrouse and their habitat.</p>	1
<p>Finally, like NMA and AEMA, we are extremely concerned about the lack by the BLM of a suitable mineral potential report, as required by FLPMA. Without a firm understanding of the extent of the impact to mining and the production of minerals critical to the local, state, and federal economies, it is irresponsible (and a violation of FLPMA) for the Secretary to enact such a large scale withdrawal from future mining operations. Both the United States Geological Survey (USGS) and the Oregon Department of Geology and Mineral Industries (DOGAMI) have studied the mineral potential of the proposed withdrawal areas in Oregon. The Secretary should take those analyses into account and present Congress with a realistic picture of the economic impact that the proposed withdrawal would have on the counties, the state, and the federal economies.</p>	1
<p>In the bigger picture, the proposal risks the nation's long-term ability to develop domestic minerals that are important to our economy. Ongoing exploration keeps us moving forward in locating recoverable mineral resources. In the always-changing world of commodity prices, the potential for this area to contain valuable minerals is significant and we need to be ready when the opportunity to develop key mineral resources presents itself. That ensures a sustainable resource industry as well as the jobs, tax revenues, and related economic benefits to our communities the mining industry provides.</p>	1
<p>The EIS must also fully analyze the potential socioeconomic impacts that this proposed withdrawal would have on the affected communities. As a resident of northeast Nevada, it is abundantly clear that withdrawing these lands from mineral entry will have a devastating impact on this area. Exploration and mining are two key components of the socioeconomic foundation of this part of the state, providing both high-paying jobs and enormous economic benefits to the local communities. Should any or all of this withdrawal area be no longer available for mineral exploration and development, this part of Nevada would suffer tremendously and jobs and economic prosperity would disappear.</p>	1

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NMA's members conduct mineral exploration and development in each region targeted for mineral withdrawal and would thereby be directly affected by the proposed withdrawal.	1
A blanket mineral withdrawal could be and would be devastating to the social, cultural, and economic well-being of Lake County.	1
Regarding economics, the proposal of Lake County is: • An economic analysis be completed prior to any implementation of mineral withdrawal. Mineral deposits on federally-administered lands are the rightful properties belonging to all Americans of the United States. Therefore, a full disclosure on economic effects of the proposed mineral withdrawal is proper. That 'full disclosure' has not been provided.	1
We write to express both legal and policy concerns with the proposed withdrawal, and the devastating impact the withdrawal will have on a critical industry for the most rural and economically distressed part of Oregon....Oregon has a long and storied mining history. Unfortunately, in the last few decades, hard rock mining in Oregon has waned considerably, and the family wage jobs and the public and private sector economic benefits which flow from a robust mining industry have nearly disappeared..... The declines in the timber and mining sectors have decimated the rural economy in Oregon, with the despair felt most keenly in southeastern Oregon, in precisely the counties that you intend to withdraw from new mineral exploration. The three counties impacted by your proposal – Malheur, Harney, and Lake Counties – suffer from consistently high unemployment rates, lower levels of median family income, and high poverty rates when compared to the Willamette Valley counties of Western Oregon (the state's urban counties). The decline in both the timber and mining industries has resulted in a lack of new jobs for southeastern Oregon counties.....Families are forced to leave the area, the population is stagnant or declining, school enrollments are down as the population ages, and entire generations are forced to leave the area to find work elsewhere. Mining, however, is one of the few industries that has a chance to succeed in southeastern Oregon. According to the Oregon Department of Geology and Mineral Industries (DOGAMI), southeastern Oregon is home to numerous and valuable deposits of precious metals.....The need for mining in southeastern Oregon is certainly not lost on the Oregon legislature. In fact, in 2015, the Oregon Legislature enacted House Bill 3089. A copy of the enrolled bill is attached. House Bill 3089.....contains the following policy statement for Oregon mining: "SECTION 1. The Legislative Assembly finds and declares that: (1) Mining contributes to the economy and well-being of the people of Oregon. Mining creates high-paying jobs in parts of this state that, due to a lack of infrastructure and development, are less likely to be capable of diversifying beyond a regional economy based on natural resources. Mining creates secondary industries in the surrounding region and attracts numerous providers of goods and services. Mining also generates significant tax revenues for local governments and provides support for civic and educational projects in local communities. (2) The mining of minerals is a natural resource use. (3) In eastern Oregon, including Lake, Harney, Malheur, Baker and Grant Counties, diversifying the types of natural resource uses that contribute to local economies enables those economies to better withstand temporary economic declines that affect specific natural resource uses. In the same way that a diversified economy is good for a large metropolitan area, a diversified natural resource economy is good for eastern Oregon.... (5) Mining operations should be encouraged and supported in eastern Oregon as a means for residents and communities to improve their economies and well-being." The proposed withdrawal could not be more contradictory to the intent of the Oregon Legislature, as established by the foregoing policy statement, which was enacted unanimously in June, 2015. The entire Oregon legislature.....understand the importance of mining in eastern Oregon. In fact, they specifically name the three counties impacted by the proposed withdrawal (Malheur, Harney, and Lake), while calling for policies which encourage and support mining operations in those counties. By contrast, the proposed withdrawal will act as an impenetrable impediment to mining operations in southeastern Oregon, the exact same locations where the Oregon Legislature encourages and supports mining.	1
Moreover, we still have much to learn about the mineral and geothermal potential of this region. The areas of Lithium mineralization were unknown until the late 1970's, and even now we have a very limited understanding of their distribution, geologic controls, amount, a origin. By placing even the known areas of mineralization off limits, these restrictions will prevent the exploration and research that are necessary to understand these factors. A prime example of the importance of learning more about mineral deposits is the Carlin trend in northeastern Nevada, a region with major gold production and resources. The Carlin trend and its deposits were unknown until approximately 1960 despite more than 100	1

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years of mineral exploration in Nevada. Now the US is one of world's leading producers because of the Carlin trend. Mineral and energy production in Nevada in 2013 was a \$9 billion industry an directly employed 17,554 people averaging \$80,725 pay, some of the best paying jobs in the state.	
Lake County also emphasizes other traditional uses on federally-administered lands are vital components of our citizens' social, cultural and economic foundation and should be protected and maintained. Those other traditional uses include, though not limited to, livestock grazing, recreation for both local and non-local citizens, and road access for all ages of citizens.	1
AMA's members are conducting mineral exploration and development in each region targeted for mineral withdrawal and would thereby be directly affected by the proposed withdrawal.	1
The rural economies across the West will be devastated by these measures.	1
The concept of a Carlin Type gold deposit took years to prove. It is uncertain the potential contained within the 10 million acres. Taking that mineral potential from our rural economies is unwarranted. The relatively recent discovery of a somewhat atypical gold deposit at Long Canyon in the Pequop Mountain Range, speaks volumes to the unknown potential here in Northern Nevada and elsewhere for that matter.	1
The Humboldt Mining Company has spent a minimum of USD 176,865.59 drilling the Black Warrior Mine in 2010. This figure does not include costs for obtaining permits from the US Forest Service and others, engineering costs, fees overhead, etc. Subsequently, the Humboldt Mining Company has spent money on additional staking and filing of unpatented mining claims, as well as the Annual Bureau of Land Management Fees associated with the claims. The total expenditure is in excess of some USD 500,000. When the costs incurred by Remington Gold and Tenneco for drilling and mapping in the original project area are added in today's dollars the total figure likely is in excess of USD 2,000,000.	1
Lastly, the grave negative economic impacts associated with reducing and eliminating the ability to mine, ranch and sensibly develop in these areas will decimate the local economies. This would be a gross public harm on the part of the BLM, USFS and USFWS to northern Nevada and surrounding communities.	1
The proposed withdrawal of nearly 4 million acres in Idaho is ...nearly 12 percent of the total federal land in Idaho and will impact more than one-third of our counties. There is simply no way we can fully value the lost economic opportunity this ...withdrawal proposal will cause in our state – certainly hundreds of millions of dollars in future years, likely billions of dollars over a generation....	1
While the proposed regulations permit existing claims to continue, it prevents staking of new claims. In some cases this can substantially affect the value of the existing claims on which our company has been paying for in some cases 15 years. One problem with the regulation is that mineral exploration typically requires staking additional ground around the perimeter of existing ground as the company spends money on exploration. Preventing this will have significant negative affect on mineral exploration and on companies willingness to spend precious capital if there is a perceived problem with the property caused by the regulation. i.e. that if a discovery is made near the property boundary, it will have no benefit to the company as they will not be able to pursue it as they current are able. This could be viewed as the government in effect taking the exploration success from the company if the mineralization heads onto the ground which they cannot stake due to the new regulation.	1
.....withdrawal of 2.7 million acres of Federal lands in the Sagebrush Focal Areas (SFAs) of Nevada (Figure 1). NBMG has conducted significant research in these areas relating to mineral and geothermal resources. We have concluded that parts of these areas (Figures 2 and 3) contain significant mineral and geothermal resource potential. For example, the area west of McDermitt, Nevada (Figure 2) hosts significant lithium resources critical to the burgeoning electrical automobile industry. In addition, much of north-central and northeast Nevada contain major gold resources (Figure 3). Nevada is the leading gold producer in the nation and is one of the top producers of gold in the world.... It is important to note that even in this region of known mineral and geothermal potential, additional exploration is needed to identify the specific locations of major deposits. Both mineral and geothermal resources are commonly hidden in the subsurface, with no significant surface manifestations. Thus, extensive exploration is commonly needed to identify major deposits at depth. Due to the uncertainty of whether the resources can ultimately be	1

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developed, the proposed withdrawals of these lands from mineral entry will effectively stymie mineral exploration..... Not only will this impact our nation's efforts to reduce its dependence on imported minerals and fossil fuels, but it will also hurt the region's economy, which is highly dependent on both the exploration for and development of natural resources.	
Information such as that in the USGS assessment and held by state agencies provide important clues about where to look for minerals.... The procedures of basic exploration...must take place at many times at the cost of hundreds of millions of exploration dollars before a discovery is made. Such extensive exploration activities are required because concentrations of useful minerals rich enough to form ore deposits are rare phenomena....Exploration geologists frequently cite the metric that at best approximately 1 out of 10,000 deposits has the chance to be transformed into an operating mine. The difficulty in finding commercial mineral deposits underlies the mining industry concerns about large scale mineral withdrawals, as crucial future resources may be put off limits. Finding new resources and delineating their economic potential is critical to keeping the commodity pipeline flowing.	1
Geology is not the sole determiner of mineral potential. While geologic information is critical to finding previously undiscovered resources of minable quality, mineral deposit,.... Changes in price, demand, and technology can also factor into whether a deposit can be mined economically. For example, a mining company may have located a deposit that is too low grade to be mined at today's prices but even a small increase in price could change that dynamic.....minerals and metals prices are determined by a variety of factors....Demand for minerals is increasing as new frontier technologies require a wider range of minerals and materials.... technology can change views regarding which deposits can be economically mined....At the time the document was written, only a few deposits of disseminated gold had been discovered so little was known about the amount of gold this type of deposit may contain. However, even in 1973 there was great excitement about being able to mine disseminated gold deposits: Both the Carlin and the Cortez deposits contain more than 1 million ounces of gold.... However, they have become an increasingly important contributor to United States output, and in 1969 the Carlin and Cortez mines alone accounted for about 22 percent of U.S. production....18 Today, both Carlin and Cortez have gone from single mines to multiple, wide-spread, deposits as a product of exploration away from the original occurrences. These areas now produce the majority of the gold in the U.S.	1
What is your ;problem? Do you really want to take the land away from about 300 ranchers and their livelihood? That is absolutely crazy thinking. Leave well enough alone and allow people to live their lives in freedom and peace or don't you understand what that means? People in my priorities are more important than money or land. Or aren't people, citizens of our dear country, worth having the means to live a life in peace and security? So knock off your grabbing other citizens livelihood. Think before you act!!	1
We implore you to halt this misguided withdrawal. Work with your sister federal agencies and the state of Idaho using the best available science to develop land use plans that will actually protect the sage grouse. Craft a plan that is tailored to meet the unique needs of our state while focusing on the primary threats to sage-grouse in Idaho – invasive annual grasses and wildfire. Don't use our common concern for sage grouse to unnecessarily and unfairly punish the mining industry in a way that will have horrific impacts on Idaho citizens while having virtually no beneficial impact on the recovery of this valued species.	1
Access to federal lands for mineral activities is important as these lands historically have, and will continue to, provide a large share of the metals and hardrock minerals produced in this country; New mining operations are already either restricted or banned on more than half of all federally owned public lands; Such a large-scale withdrawal will jeopardize the value added by major industries that rely on the \$78 billion of minerals produced in the U.S., which is an estimated \$2.5 trillion (2014), or 14 percent of our GDP.	1
Montana can benefit from metallic and non-metal withdrawals, that create jobs. We have far too many people pouring coffee for a living. Let's work to get them to work.	1

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There is no need to take away the possibility of multiple use of our land. Montana can benefit from metallic and non-metal withdrawals. These withdrawals can create jobs and jobs are hard enough to come by without the government shutting down all sorts of production.	1
.....direct expropriation of valuable mineral property..... I am also a concerned citizen who would like to see reasonable measures taken to ensure a healthy environment and to prevent the decimation of native species. Your new proposal to withdraw large swaths of lands from all mineral entry however, is not reasonable but very heavy handed, unjustified, and unnecessarily harmful both to my company and to mineral exploration in general.	1
NOV currently holds millsite claims and actively operates a processing facility within the proposed withdrawal area at the Dry Creek Millsite. NOV has invested monies in the purchase and maintenance of claims along with the purchase and construction of infrastructure at the Dry Creek Millsite with the intent of processing barite from nearby resources. The proposed withdrawal will limit NOV's ability to continue to operate and utilize these assets. Nearby barite resources located within the proposed withdrawal area will no longer be available for discovery, mining, and processing which will devalue the investments of NOV. Growth of this facility will also be inhibited by the inability to claim adjacent land as needed for future operation. The BLM/USFS must quantify the financial impacts (of both current investments and future economic benefits) to NOV and other claimants.	1
As geologists and society, we don't get to choose where mineral deposits occur. As a society, we continue to utilize significantly larger quantities of mineral resources, particularly as technology advances. For instance, renewable energies, and hybrid and smart cars require significant mineral resources, above and beyond more conventional methods. As such, there is a continued need for minerals such as copper and gold, both of which are highly prospective throughout the areas of proposed mineral withdrawal. It seems unwise of us a country and a society to continue to close lands for mineral exploration within our borders, as this simply increases our dependence on foreign energy and mineral resource industries. Closing a significant swath of land to locatable mineral exploration and development serves to have a huge economic impact on the both the state and federal levels. All six states within the proposed mineral withdrawal rely on the mineral extraction and exploration businesses to help support the state economies. These industries serve to employ many individuals in a multitude of small towns scattered through the sage grouse habitat. Further, if a discovery is made, the tax revenue and increased employment is a significant boost to the local and state economies. It is impossible to quantify the economic impact this mineral withdrawal may pose, as we cannot adequately value the economic potential of yet-to-be-discovered mineral resources. Without diligent and thorough evaluation of all the lands proposed to be close to locatable mineral entry, there stands to be the potential for a significant economic impact on all states and communities located within the proposed closures.	1
Such massive land withdrawal proposals greatly under-appreciate the investment from various industries over previous years and even decades. All prior investment and potential future value would be unfairly nullified with little or no compensation, not to mention the elimination of future revenues to the federal coffers from mining claims, O&G leases, and grazing fees. Such disrespect for private investment only exacerbates the existing tension and mistrust between industry and federal agencies.....New mining operations are already either restricted or banned on more than half of all federally owned public lands. Such a large-scale withdrawal will jeopardize the value added by major industries that rely on the \$78 billion of minerals produced in the U.S., which is an estimated \$2.5 trillion (2014), or 14 percent of our GDP.	1
My company, Genesis Gold Corp, owns claims in sections 1, 2, 3, 10, 11, 12, 13, 14, and 15, T. 40 N, R. 47 E. and in sections 34 and 35, T. 44 N, R. 55 E., our Island Mountain Project. This is supported by the fact that this project has undergone continued exploration for the last 25 years with expenditure of well over \$3 million, with positive results leading to the definition of a gold deposit resource. Under your proposal, this area will be withdrawn from mineral locations. This will result in our gold and silver exploration project becoming entirely untenable and our claims will become worthless. To the best of my knowledge, you have provided no direct evidence that our project would in any way represent a significant threat to Sage Grouse.	1



Comment	Number of Commenters Providing this Comment
<p>Without an accurate assessment of mineral resources found within the boundary of the SFA, the government will be unable to evaluate the economic impacts to each region affected by the mineral withdrawal. Ninety-seven percent of the non-PHMA land contains hard rock mining locations. Within the government documents those areas are not fully defined or differentiated. Mining activity is not defined as to type or extent. Interestingly, "hard rock mining locations" are not broken down into types of mining. Further, the BLM does not say what percentage of valid, existing mining rights fall within PHMA's, effectively rendering those lands unavailable for development. This specific and crucial data is omitted from the proposal and will effectively skew analysis and minimize, on paper, the effects of the withdrawal to industry and the county. Accurate economic impact analysis is of critical importance to state and local governments in assessing the impacts of this type of proposal. Information obtained from Dr. Harris from the University of Nevada, Department of Economics directs agencies and governments in the structure and development of detailed economic analysis. The site specific details in developing models for the assessment of the long and short term impacts of proposed alternatives will require considerable economic commitment by state and local governments. Once the proposed alternatives are developed and a preferred alternative is identified, economic analysis of those actions will begin. Dr. Harris estimates that the analysis of "input-output" models will require upwards of 12 months to complete. Only after those studies are completed will the government be able to evaluate the proposed actions required by law. This analysis should evaluate the socio-economic impacts of both the reduced mineral exploration activities that will result from the withdrawal, which will immediately and adversely affect local economies, as well as the longer-term adverse socio-economic impacts due to the development of fewer mining projects. State and local economic and operational interests will require extensive evaluation of the existing Geology and Mineral potential of the proposed withdrawal area.....In addition, a complete evaluation of future mineral potential combined with a comprehensive market review of potential market demand is necessary.</p>	1
<p>The EIS must conduct a robust and complete analysis of the immediate and long-term economic impacts of the proposed withdrawal to the exploration and mining industries, and to local, state, and federal economies. The EIS must thoroughly assess the social impacts to rural communities surrounding the withdrawal areas. The EIS must analyze the impacts to state and federal budgets from the loss of claims fees as a result of the withdrawal action.</p>	1
<p>Withdrawal from mineral entry will impact state and federal budgets. Fees on mining claims provide significant revenue to state and federal agencies. The proposed withdrawal has the potential to eliminate this funding source. In data obtained from the Nevada Division of Minerals, the BLM could realize a reduction in claims fees of \$583,100 and the State of Nevada, \$31,977 as a result of the withdrawal. The federal land management agencies must account for this potential loss of revenue and associated impacts in the decision making process.</p>	1
<p>The withdrawal action has the potential to negatively impact the economy of the State of Nevada. The total gross domestic product of the State of Nevada is approximately \$132 billion. Of this, mining's economic output is \$8.8 billion, or about 6% of Nevada's economy. The majority of this economic output occurs in rural Nevada, contributing to the economic and social vitality of the state's rural communities. Mining directly employs 11,100 Nevadans in high paying, skilled positions. In 2014, \$1.25 billion was paid to workers in direct wages. It is estimated that for each mining job, four indirect positions are created. The industry also generates significant tax dollars that support schools, road construction, and other state and local functions..... Without a doubt, species protection can successfully and peacefully coexist with mineral exploration and mining without the implementation of draconian measures such as land withdrawals. In order for mining to continue to thrive and be a significant contributor to our national and state economies, new sources of mineral resources must be identified and developed.....The proposed withdrawal removes vast tracks of land that have significant mineral potential, as already determined by the U.S. Geological Survey (USGS), from consideration for future development while providing minimal protections to sage grouse habitat.</p>	1
<p>Withdrawing these lands from mineral entry will harm Nevada's economy and will not directly improve the habitat.</p>	1
<p>We are not interested! This will have an impact on our way of life, how we feed our family's, how we make our livings.</p>	1

Comment	Number of Commenters Providing this Comment
The impact of the withdrawal 10 million acres of land in the west for sage grouse habitat will be devastating to the mining industry as a whole and to the individual owners of undeveloped mining claims.....So in order to protect less than one percent of sage grouse habitat, the BLM is proposing to devastate and industry and the economic foundation of vast areas of the Western US. Here is a solution. Why not allow existing mining claimowners to retain all of their historical rights and allow new mining claims within the identified habitat areas until such land claims exceed five percent of the habitat. Should that happen, then the BLM can begin to monitor the impact of mining and put reasonable restrictions in place. Based on 40 year of working in the mining industry, my guess is that a 5 percent limit would never be approached.	1
The BLM's plan to withdraw 10 million acres from public and National Forest System lands located in the states of Idaho, Montana, Nevada, Oregon, Utah, and Wyoming which the mining and exploration industry may explore and develop economic potential is a mistake. Countless towns and communities in the western states rely heavily upon mining for employment opportunities as many hard working people gain the opportunity to work and provide for their families at mine sites and exploration projects....I hope the BLM will reconsider the socio-economic ramifications that this proposal could reap if it is allowed to move forward and consider the cost it would bear for those who do live in the western states and are the ones who enjoy the BLM lands the most as we do live here and we wish to be able to make an honest living in an otherwise economically desolate part of these United States.	1
My family bought the old Silver Banner Mine in Elko County, Nevada in 1926. In the last 90 years we have spent many thousands of dollars developing this mine. There is no way that we can bring the mine into production under the terrible restrictions you have put on the mining industry already. I spent 9 years in the army as a battalion communications sergeant. I served in Operation Desert Strike, and your action makes me feel that all my service to my country was wasted.	1
The BLM must complete a thorough economic impact analysis that discloses the impacts at a granular level for every county affected by the withdrawal. This impact analysis should include assessments of mineral reserves, resources and resource potential, as well as an analysis of ancillary mining services, the impact to rural and low-income communities, and an accurate quantification of lost state revenues.	1
In closing, the excessive and overreaching Application, without meaningful modifications, will unduly harm the economic vitality of Idaho and ultimately fail to achieve the purported goal of protecting sage-grouse and its habitat. At a minimum, BLM must work with Idaho as it moves through the EIS process to justify its position, as well as modify the proposed withdrawal so that it can be compatible with the future direction of this great state.	1
Please reconsider this drastic proposed land withdrawal and do the right thing for the people of the west working to make a living and keep the USA strong and self-sufficient,	1
Inclusion of this small area in the SFA, with the proposed claim contest and segregation would negate the claim owner's investment to date, and deprive us of the opportunity to explore and develop a mineral deposit, thus imposing an undue financial hardship on a small business.	1
The act of withdrawal speaks loudly that all the work and money I have put into getting permits and maintaining them in good standing, and all the effort of BLM and DEQ personnel involved in shaping, reviewing, granting, and then monitoring the permits was a waste and insufficient to protect sage grouse habitat....For all these reasons the withdrawals are unfair, unnecessary, violate the principle of multiple use and have the real possibility of visiting total personal ruination by threatening absolute loss of tenure where large investment has been made in good faith.	1
Withdrawal of the ground covered by the affected claims would have considerable adverse impact on Volcanic Gold and Paragon, as all of the substantial previous expenditures and exploration efforts will have been wasted, and Volcanic Gold and Paragon would lose all potential reward for their costs expended and risked to date. Furthermore, the State of Nevada, Humboldt County, and the local communities would lose the economic benefits and growth associated with the exploration, development, and potential mining of an economic deposit that may be found at Buckskin-National.	1

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...the withdrawal will cause a great deal of harm to the humans in and near the ecosystem. Some of our members have already experienced harm in the form of prospective investors refusing to invest in their companies, citing concerns related to management of sage-grouse habitat. That harm promptly spilled over to service providers in the form of, for example, cancelled drilling projects.	1
...there must be a thorough and honest evaluation of potential long-term (looking out at least 250 years) socioeconomic impacts on the local, state and national economies, as well as local, state and federal governments...the analysis must examine the harm done in context of the existing millions-upon-millions of acres that already have been withdrawn from mineral entry for any and all purposes...	1
I live in Elko County, Nevada and this withdrawal would immediately impact my rights and abilities to earn my living and support my family as an exploration geologist in the areas impacted by the proposed withdrawal. The proposed withdrawal would also have grave economic impacts to the area in which I live and work and hinder mine development and exploration which provide measurable taxes, payroll, sales, use and property dollars and community investments in this area. Mining is a sustainable business as long as there are places to explore for and develop mineral resources. There has been a huge decrease in the availability of areas for this activity through wilderness withdrawals, regulatory withdrawals, and National Monuments established by Presidents under the guise of the Antiquities Act. Current revisions of the Land Policies under new and rewritten Resource Management Plans are also resulting in the withdrawal of large areas of land for mineral development.....	1
The State of Nevada, Humboldt County, and the local communities would enjoy significant economic benefit and growth associated with the exploration, development, and potential mining of an economic deposit that may be found at Buckskin-National. Volcanic Gold and Paragon have incurred significant costs to maintain and advance the project, all of which is at risk if exploration, development, and mining cannot proceed.	1
The September 24, 2015 segregation of the proposed mineral withdrawal areas and the associated two-year segregation <sup>1</sup> of 10 million acres of land from operation of the Mining Law have already harmed mining claimants and local communities in the withdrawal areas. The segregation and proposed withdrawal will dramatically reduce mineral exploration and development in the western U.S., which directly threatens WMC member companies' businesses and also harms the economies of the counties in which mineral exploration and development are significant economic drivers. The substantial reduction in mineral activities that will result from the segregation and proposed withdrawal will also negatively affect local and state governments through reductions in mineral employment and tax revenues from mineral exploration and development activities. The segregation and proposed withdrawal are having a chilling effect on mineral exploration in the U.S. Withdrawing the proposed areas will reduce the number of discoveries of mineral deposits that can be developed in the future into mines, which will reduce state and local tax revenues from mining, adversely affect local and state governments, and increase the Nation's reliance on foreign sources of minerals.	1
The proposed withdrawal imposes a cloud on land tenure of 10 million acres of U.S. public lands and national forests, which will significantly reduce and in some cases completely eliminate investment in exploring for and developing U.S. mineral resources. The 2.8 million acre proposed withdrawal in Nevada would prohibit development of numerous important known Nevada mining districts.	1
BLM must prepare an EIS that is based on a detailed socioeconomic baseline study for the Affected Environment chapter of the EIS that quantifies the important contributions that mining makes to Nevada's economy and the social fabric in the Nevada GSG counties – especially in Elko and Humboldt counties where most of the proposed Nevada withdrawal is located. A similarly detailed socioeconomic baseline study must be performed for the other western counties states with proposed mineral withdrawals. The EIS must use this baseline data to perform a detailed environmental consequences analysis in Chapter 4 and evaluate cumulative effects in Chapter 5. FLPMA Section 204(c)(2)(2) and (8) provide BLM with specific instructions regarding the scope of the required socioeconomic analysis. To satisfy these FLPMA directives, the EIS must include an inventory of the current natural resource uses and values of the proposed withdrawal sites and evaluate how the proposed withdrawal will affect adjacent public and nonpublic land..... Consequently, the NEPA socioeconomic evaluation and the FLPMA economic analysis must assess the potential takings claims that may arise from the proposed withdrawal. <sup>4</sup> FLPMA Sections 204(c)(2)(2) and (8) specify that BLM must evaluate the economic impact of the withdrawal on individuals (in this case individuals and companies with claims subject to the proposed	1

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withdrawal), local communities, local government interests, the regional economy, and the Nation. The socioeconomic analysis must evaluate the adverse impacts to both exploration and mine development.....Secondly, the EIS must evaluate how the continued segregation and future withdrawal will create long-term adverse socioeconomic impacts due to the elimination of exploration and development of fewer mining projects, which will dramatically reduce mining jobs and mining tax revenues to state and local governments as well as direct and indirect jobs.....	
The withdrawal directly conflicts with Coalition member land use plans and policy. Coalition members rely on the energy industry as a sustainable economic driver and the proposed withdrawals will directly reduce state severance tax revenues.	1
NOV currently holds millsite claims and actively operates a processing facility within the proposed withdrawal area at the Dry Creek Millsite. NOV has invested monies in the purchase and maintenance of claims along with the purchase and construction of infrastructure at the Dry Creek Millsite with the intent of processing barite from nearby resources. The proposed withdrawal will limit NOV's ability to continue to operate and utilize these assets. Nearby barite resources located within the proposed withdrawal area will no longer be available for discovery, mining, and processing which will devalue the investments of NOV. Growth of this facility will also be inhibited by the inability to claim adjacent land as needed for future operation.	1
....This area contains approximately 252,162 acres in Fremont, Lincoln, Sublette, Sweetwater, and Uinta Counties in Wyoming.....The Fremont County, Wyoming legislative delegation objects to the proposed mineral withdrawal. Fremont County has a long history of mining as it has provided good jobs and an important tax base. Mineral exploration is a vitally important component of this economic activity and it must be allowed to continue under the General Mining Law.	1
For Magma in particular, this claim block is our only existing property. Inadequate review and invalidation of part or all of it could lead to the inability of the company to raise capital for advancing exploration data and reserves and, thereby, move the project forward in the mine planning and permitting process. The existence of the company and the livelihoods of the people who work for and with the company are dependent on this property remaining intact and active.	1
For TUVERA in particular, this claim block is our flagship and most advanced property in Nevada and Utah. Inadequate review and invalidation of part or all of it could lead to the inability of the company to raise capital for advancing exploration data and reserves and, thereby, move the project forward in years to come in the mine planning and permitting process. The existence of the company and the livelihoods of the people who work for and with the company are dependent on this property remaining intact and active. Our other two properties in Nevada and Utah are in an early stage of exploration and will not be sufficient without Island Mountain to draw financing to keep TUVERA as a going concern.	1
..... Magma Gold Corp. ("Magma") holds 108 unpatented lode claims in southern Idaho that are completely within the proposed Sagebrush Focal Area ("SFA") withdrawal. Magma and predecessor companies have done much work on these claims over the past 20 years. Magma itself has been active on the block of claims since 2007 and is fully current on maintenance fees. This past and recent work has shown that there are significant deposits of precious metals (gold, silver, and platinum group elements) that have the potential to lead to mine development of the site. There is a possibility that significant rare earth elements could be present in the deposit as well, but work only recently began on evaluating those elements as possible byproducts of a future mine. Such future mine not only will provide metals that are important to U.S. industry, but will serve as a major employer of people in that area of Idaho and improve the economies of Lincoln County, the town of Shoshone, and that region of Idaho. The proposed land withdrawals already have had a chilling effect on how potential investors in mineral enterprises view projects that are in or near the SFAs due to the political and ownership uncertainties the withdrawal plan is causing. This is on top of an already depressed minerals market that is the worst the industry has seen in many years.	1
.....TUVERA Exploration Inc. ("TUVERA") ..... holds 78 unpatented lode claims and leases on 16 patented claims in northern Nevada (Island Mountain Project) that are completely within the proposed Sagebrush Focal Area ("SFA") withdrawal. TUVERA and predecessor companies have done much work on these claims over the past 20 years. TUVERA itself has been active on the block of claims since 2007 and is fully current on	1

Comment	Number of Commenters Providing this Comment
<p>maintenance fees. This past and recent work has shown that there are significant deposits of gold and silver that have the potential to lead to mine development of the site. Most mineralization found so far is of the Carlin-type of gold deposits that have developed into major mines in various parts of northern Nevada. Such future mine not only will provide metals that are important to U.S. commerce and industry, but will serve as a major employer of people in that area of Nevada and improve the economies of northern Elko County, the community of Wild Horse, the towns of Elko, Owyhee, and Mountain City, and that general region of Nevada which already derives a large part of its economic activity from mining. The proposed land withdrawals already have had a chilling effect on how potential investors in mineral enterprises view projects that are in or near the SFAs due to the political and ownership uncertainties the withdrawal plan is causing. This is on top of an already depressed minerals market that is the worst the industry has seen in many years.</p>	
<p>Another major point of concern in the withdrawal and economic review process is the use of commodity prices solely on the basis of what they were on September 24, 2015. At least that is the plan according to what I have seen and been told in discussions with BLM and USFS staff. The use of prices on this one date in time apparently will be done regardless of how those prices compare to short- or long-terms trends in prices that would normally be considered in any independent commercial economic review. Normal economic reviews in the mining industry consider both price trends and sensitivity to those trends rather than picking one price number on an arbitrary date in time and basing all future economic projections for a mineral property on that price. Most commodity prices were abnormally low on September 24, 2015 and continue to be at present in a price downturn that all in the mineral industry consider to be an anomaly compared to price trends over the past couple decades. Therefore, the use of a single-day set of prices for the economic review of claims is counter to mineral industry practice around the world and is not technically supportable as part of the withdrawal process.</p>	1
<p>Another major point of concern in the withdrawal and economic review process is the use of commodity prices solely on the basis of what they were on September 24, 2015. At least that is the plan according to what I have seen and been told in discussions with BLM and USFS staff. The use of prices on this one date in time apparently will be done regardless of how those prices compare to short- or long-terms trends in prices that would normally be considered in any independent commercial economic review. Normal economic reviews in the mining and financial industries consider both price trends and sensitivity to those trends rather than picking one price number on an arbitrary date in time and basing all future economic projections for a mineral property on that price. Most commodity prices were abnormally low on September 24, 2015 and continue to be at present in a price downturn that all in the mineral industry consider to be an anomaly compared to price trends over the past couple decades. Therefore, the use of a single-day set of prices for the economic review of claims is counter to mineral industry practice around the world and is not technically supportable as part of the withdrawal process.</p>	1
<p>As a resident of Elko County this withdrawal will have an extremely negative effect on me, my family and neighbors by reducing economic activity and future growth of industry in Elko County. At the same time doing little to help improve the number of Sage Grouse.</p>	1
<p>This will not just affect mining. Many other jobs in Nevada and the west will also be adversely affected by the reduction in mineral, oil and gas, ranching, recreation and development delays or cancellation. Many people/families make a living in support of these activities.</p>	1
<p>The EIS is a sham designed to reduce access to future economic projects and must be rejected because of the false science and failure to address the economic impact to residents in the area....I urge the BLM to do the right thing and allow reasonable activity for all stockholders in our natural resources.</p>	1
<p>This is America, a Representative Republic, Ms. Burke. You are not Congress, nor a member of Congress. Designating giant swaths of public lands off limits and in opposition to the express intent of Congress with the Mining Acts of 1866 and 1872 is not just illegal, but will result in serious negative economic impact to the middle class, the lower middle class and to our country as a whole. I am one of over 50,000 small miners impacted by this atrocious and blatant attempt to continue the elimination of “public lands” open to the very people who own the lands. Please stop the environmental terrorism,</p>	1



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.....based on the current maps supplied by the BLM of the proposed SFA's in northern Nevada, the following comments are made: Substantive Comment 1. Based on information from the above federal and state agencies, several Mining District and current mineral occurrences, resources and deposits have been identified and documented, as well as potential future mineral resource areas within the FSA's in north Nevada. These current and future potential mineral occurrences, deposits and resources areas Should Not Be Withdrawn from Mineral Entry. These lands hold potential for critical minerals that are needed for National interest to not be reliant on foreign sources, as well as creating jobs and revenues for the State of Nevada.	1
Mining is a base industry from which all other industries are possible. Mining creates new wealth and materials for society to use in their houses, cars, offices, highways and electronics. The Federal lands of the nation that are available should remain open to mineral entry at all costs so we have local sources for materials. Our national economy and security depends on the materials from our mines. To remove mineral entry is an immoral political attack on the good people of America which makes us dependent on international sources for our materials. International sources are often unreliable, and we have no control over their mining practices. Importing resources makes our nation's carbon foot print much larger. Because of these reasons I feel it is irresponsible to remove additional Federal lands from mineral entry.	1
Mineral exploration and certain hard-rock mining operations proposed by the U.S. Fish and Wildlife Service in the proposed SFA's did not, nor will it cause the decline of the sage grouse or the loss of their habitat in the future. The decline is due to Wildfires and the lack of the Revegetation and Restoration of the burned lands. Withdrawing these SFA lands from mineral exploration and mining will not only reduce current revenues from Washoe, Humboldt and Elko counties of Nevada, but the loss of current and future jobs and revenues that could be used for fixing, in my opinion, the Real Problem of finding ways to fight the true cause of the loss of the Sage Grouse Habitat which are wildfires...BLM should focus on to find solutions to fund revegetation and restoration programs to protect and re-establish the Sage Grouse and other wildlife habitats...	1
The withdrawal of 3.8 million acres from full public access by Executive Decree is an affront to the American people. It is a betrayal of public trust. Besides being un- Constitutional, since it bypasses Congressional approval, it will further decimate the economy and livelihoods of thousands in and surrounding this land. Just how much economic pain do you and your minions intend to inflict on the American people with ill conceived environmental gamesmanship?....The Constitution says ten square miles. That's it....I adamantly oppose this public land withdrawal for all the reasons stated, and more.	1
I am writing on behalf of over 50,000 small miners who will be severely and adversely affected by your recent decision to designate 3,854,622 acres of public land withdrawn from mineral entry under the guise of protecting the Greater Sage-Grouse..... Designating giant swaths of public lands off limits and in opposition to the express intent of Congress with the Mining Acts of 1866 and 1872 is not just illegal, but will result in economic impacts to the middle class, the lower middle class and to our country as a whole who is reeling from already failed economic policies. Many people, predominantly middle class, make their living off of mining valuable minerals on these lands. They rely on the laws set forth to protect these lands for exploration and development and this latest attempt by you is nothing short of giving the finger to tens of thousands of the public who pays your salary. Gold and other valuable minerals mined by these small miners each year helps the overall economy of this nation and provides many rural communities with much needed revenue in this ever increasing attack on the rural communities and middle class of America. People and businesses rely on miners, not just for the valuable minerals they mine, but they also rely on revenue the miners spend at the local hardware stores, gas stations and grocery stores and are closing all across the west because of this outright attack on mining. On behalf of the over 50,000 small miners impacted by this atrocious and blatant attempt to continue the elimination of “public lands” open to the very people who own the lands, we vehemently oppose this proposal.	1
Don't stop mining exploration. The counties are remote and among the poorest places in the Nation to live. Monitor, if you like, and fine the bi Jesus out of violators. And, above all do not perpetuate the phony sage grouse ruse, it really makes you look silly, as a cause to limit mining.	1

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It seems that every time you put some animal on the endangered species list it ends up KILLING the economy of areas effected! Remember the spotted owl... Killed the Timber companies... I don't need Government coming in and grabbing land and not allowing us the citizens to use OUR land in an attempt to Save Us from ourselves. Please reconsider doing a land grab and putting Nevada on destructive course for the residents... While our president seems to Think that the economy is the Rise... IT Isn't and I don't need my state and county and Myself and family to have any more financial set back do to governmental interference.	1
This is an arbitrary act that seriously impacts people's ability to earn a living in that area. Just this year I have lost the ability to operate on five separate mining properties due to federal withdrawals undertaken without representation. Two National Monuments and now this. I know the environmental lobby, both outside and within the government is powerful but you folks have no right to put our industry out of business.	1
When visiting the McDermitt area, we stay in McDermitt, Nevada at the McDermitt Motel and eat our meals at the Say-When Casino Restaurant. I think there will be a severe detrimental economic impact on the businesses in McDermitt if rock collectors are not allowed to continue to search for rock in the surrounding area.	1
I am employed by Envirotech Drilling LLC in Winnemucca, NV (Humboldt County) with 45 other employees in the exploration drilling industry, and all of our jobs with this company are at risk if these lands are indeed withdrawn from mineral entry through the implementation of this withdrawal. All of Envirotech Drilling LLC's customer base is in the proposed withdrawal area. Not only will this affect a large majority of the workers and their families all over the affected area, it will create a negative impact on the northern part of the state's economy. We are not doing that well here now and to go forward with this proposed withdrawal plan will be disastrous.	1
Sweetwater County does not rely heavily on the extraction of locatable minerals, but it does have a growing uranium industry and an increasing interest in the potential for rare earth minerals. To insure that these new mining opportunities are not stifled, Sweetwater County encourages the BLM to carefully assess the mineral potential of all lands in question. This assessment should provide assurance that lands being withdrawn will not have an adverse economic impact on private investors and state and local governments.	1
There are 450 Bentonite mining claims in Valley County. The lost tax revenue from these claims would cost Valley County hundreds of thousands of dollars, not to mention the jobs the mining industry would bring to our County. It's time to support industries that bring economic development and tax revenue to our communities.	1
.....The impact of this land grab will do irreparable damage to a suffering economy of the mining, ranching communities, and the down flow of money from these businesses into the local economies. Mining is the hearts blood of the northern areas along with the ranching and contributes large amounts of jobs to the State. Just the progress of this debacle has already taken away a lot of funding from junior mining companies that had plans to work in the state in 2016, but I really believe that is the final quest for this act, to shut down all exploration of any kind and have a little utopia where all is just perfect.....As a Nevada State Contractor, this act will make it impossible for me to continue working and I'll probably have to go under. I work mainly for the said junior companies that will no longer be able to work (or want to) in the zones listed on your maps, which is my area of drilling work... Thanks, we needed the kick in the back when we are already in a down economy.	1
“Under the federal Land Policy and Management Act, the Interior Secretary can withdraw the lands for a maximum of 20 years, and that can be extended,” according to the Natural Gas Intelligence news release. “We didn’t want an ESA listing, but in many ways these administrative rules are worse,” stated Idaho Governor C. L. “Butch” Otter in a Sept. 25 press release. “This complaint is an unfortunate but necessary step to protect the rights of Idaho citizens to participate in public land decisions that will impact their communities, their economy and their lives. Our people deserve to be involved in development of critical land-use plans that will responsibly address the most serious threats to Idaho’s sage-grouse population—wildfires and such invasive species as cheat grass that are fueling them.” According to the lawsuit filed by Elko and Eureka counties in Nevada, Elko County alone expects the withdrawal to cost approximately \$31 million annually in agriculture, mining and energy development revenue. According to the Elko Daily Free Press article, 74 percent of Elko County is federally managed land and of that, nearly 80 percent is considered	1

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some varying degree of sage grouse habitat by the Forest Service and BLM's resource management plan." It appears that your agencies have not considered many of the State's and local economies, nor asked for their comments on the closure of such a large land mass over the western states.	
<p>The County economies within the SFA are driven by mining, farming, and ranching, all of which will be impacted by the SFA Withdrawals. FLPMA Requires "An analysis of the economic impact of the proposed uses and changes in use associated with the requested action on individuals, local communities, State and local government interests, the regional economy and the Nation as a whole."<sup>77</sup> In anticipation of the requisite economic impacts analysis, NACO requested from the University of Nevada, Reno's Center for Economic Development a process for regional economic impact modeling for sage grouse habitat studies. This request was made specifically for the withdrawals, and contains "suggestions for what a regional impact modeling and mining study should have and address." The December 15, 2015 Memorandum from Thomas R. Harris, Director of the Center for Economic Development at the University of Nevada, Reno titled "Regional Economic Impact Modeling for Sage Grouse Studies" is attached as "Appendix A" for your reference and use throughout this process. NACO also recommends that this analysis consider, at a minimum: (1) Industry responses to a withdrawal (2) Lack of certain minerals and their national and international use (3) Increased fires due to less people in the area (4) The cost to initiate and conduct all at once Priority Grazing Permit reviews for the Segregation (5) The cost to counties' key industries (6) Tax base impacts to Counties and the State (7) The cost to the State for loss of valuable Conservation Credit Program habitat and potential debtor projects (8) The cost to the State for mineral companies moving to other states or countries, and (9) The loss of employment opportunities locally and Statewide. Request 11-B-3: That the Agencies refer to the December 15, 2015 Memorandum from Thomas R. Harris, Director of the Center for Economic Development at the University of Nevada, Reno titled "Regional Economic Impact Modeling for Sage Grouse Studies" attached as "Appendix A" during the Economic Impacts Analysis to analyze the short- and long-term impacts, as well as the direct and indirect impacts of each alternative. The final costs should be factored into the Secretary's ultimate decision whether or not to accept the Application as proposed.</p>	1
<p>When an EIS is prepared, and social or economic impacts are "interrelated" with physical impacts, the EIS must include a discussion of the social and/ or economic impacts of the proposed action. <sup>83</sup> The impacts of a withdrawal from mining are certainly interrelated with the physical sociological impacts on the local communities. Mining drives the economy for both Elko and Humboldt Counties. To the people who live in these counties, mining is not just a job. Rather, it is a way of life that has existed for multiple generations. The culture and daily lives of the people who live in this region revolves around the mining industry. The impacts to the mining industry could potentially devastate the community not only economically, but also psychologically. Humboldt County's economy "is derived in large part from its main industries: Mining, Agriculture and Agricultural Services, Tourism and Construction. The County is located in the rich gold mining center of the Western U.S. and is the leading agricultural county in the State of Nevada with over 100,000 acres under cultivation. Tourism is also a large part of the County's economic base due to the large numbers of visitors the gaming industry brings to the area and the draw of the beautiful wide open spaces, historical sites, and great hunting and fishing."<sup>84</sup> For Elko County, the economy is nearly identical:...<sup>85</sup> ...<sup>86</sup> ....Because of the way of life that will be impacted by a mineral withdrawal from this mineral-rich area, it is of the utmost importance that the BLM take a hard look at the sociological, psychological, and socioeconomic impacts that are likely to result from these mineral withdrawals. NACO urges the BLM to work very closely with Counties to gather this important information.</p>	1
<p>Because the SFA triggers evaluations for "Priority Grazing Permits," the BLM should also include impacts to agricultural resources. This should include the economic cost of uncertainty, and consider the extent to which these actions discourage agriculture. The BLM should provide the process for determining the economic impacts for priority grazing permits. Within the SFAs, grazing permits are required to be reevaluated whether or not they are up for renewal. They will be evaluated using Table 2-2 and for consistency with the RMPs (and with the withdrawals).</p>	1

Comment	Number of Commenters Providing this Comment
<ul style="list-style-type: none"> <li>• Importance of minerals to the US economy. The value added by major industries that consume \$78B of minerals produced in the US is an est. \$2.5 trillion (2014), or 14% of our GDP. Mining's direct and indirect economic contribution includes nearly 2 million jobs with wage and benefits well above the state average for the industrial sector. Domestic mining generates \$46B in tax payments to federal, state and local govt's.</li> </ul>	1
They are hugely important and will have a very negative impact on the future economic development and social communities of the western states.	1
Economic implications of creating de-facto "wilderness" of these 10 million acres from mineral withdrawal plus effects of already announced "Priority Habitat" designation on other activities (including salable and leasable minerals, grazing, recreational use, etc.). Short-term: In Idaho alone, dozens of jobs and millions of dollars in exploration expenditures, much in local communities. Long-term lack of mining-related economic development: A single large mine discovery is an impact of billions of dollars and hundreds of jobs over decades. Example: Nevada's Carlin Trend – formerly a desolate sagebrush high desert, but since the 1960s one of world's leading gold producing districts and an employer of thousands. According to today's Wikipedia article: "The Nevada mining industry supported an average of 15,323 direct employees in 2013, with about 65,000 additional jobs related to providing goods and services needed by the mining industry." Many of those jobs are on the Carlin Trend or similar areas of sagebrush habitat. Social effects on rural communities from future loss of employment and recreation potential.	1
.....I am very opposed to the proposed actions: It will devastate the local and regional economy while accomplishing nothing for sage grouse populations and I base my conclusions on many years of geologic field work and foot or horse-back travel within the affected areas.	1
Economic Impact: ....The future of the mineral industry in the U.S. relies on individuals or very small groups such as myself who have been willing to personally fund mineral exploration through the last 35 years: We are obviously the target of this outrageous mineral withdrawal attempt. The large, multi-national companies, who have been blatantly exempted from the effects of this action, will be gone the day it is advantageous to themselves to leave the U.S. In the interim they will have done essentially nothing to ensure the future of the domestic mining industry. Exploration in the U.S. is entirely privately funded, in fact, it is one of the very few private sector activities that does not receive any "assistance" from the federal government. Instead all explorationists, from individuals to publically traded companies, contribute significantly to the local, state and national economy from the inception of an exploration program through travel expense, legal fees, hiring contractors and consultants, payment of claim fees and other related expenses..... The proposed withdrawal will eliminate mineral exploration and development in one of the most prospective mineralized terranes in the world. This action or even the threat of the proposed withdrawal has had an extremely negative impact on the ability to raise funds for mineral exploration work even outside the proposed withdrawal area simply due to the fact that such an arbitrary and capricious action removes all investor confidence in continuity of rights in the U.S. which a long-term project such as mining requires.	1
Mining, and mineral exploration in the Western United States provides thousands of jobs and has a huge effect on the economies of local communities and the states where they are located. Mining of metals and production of crude oil and natural gas have a huge impact on the economy and security of our nation. As a nation we buy most of our rare earths from other counties and more specifically Russia and China. We can't afford to have our national security in the hands of countries that would like to destroy us. In the case of Oregon Sunstone, the economic effect on the local economy would be very harmful. The Sunstone miners spend hundreds of thousands of dollars on fuel and other oil products, parts for vehicles and equipment, groceries and a myriad of other things for mining and just living in this community. They also provide recreation for thousands of people who come to the area to mine Oregon Sunstone, and the raw materials needed by artisans like myself to make a living and engage in our art. The Oregon Sunstone area is the number one tourist attraction in Lake County. It brings thousands of people to the community every year that stay in local lodging, eat at local restaurants and shop in local stores...While most of the currently known Sunstone bearing area is not included in a SFA, the language in the BLM decision on creating the SFAs leaves it open to annex these areas in the future. The BLM map showing areas recommended for mining exclusion includes the entire known sunstone bearing area. Several claims in Harney County are either completely inside of an SFA or case crosses several claims owned by Rabbit Basin miners, intended for mining this year. The area that excludes existing claims is approximately 2 mile strip that semi-circles private land used for grazing.	1

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Although, under the proposed withdrawal and the proposed EIS process, existing mining claims may be allowed to stand, it is undisputed that the proposed actions would drastically curtail all mining activity within the Focal Areas, rendering existing mining claims worthless, thus destroying the claims value which has been protected for many years by the owners of the claims. Over \$125,000.00 has been spent by Rancho Grande over the years to maintain its unpatented mining claims. The proposed action by the BLM would render the affected claims of little or no value.	1
B&P has 450 Bentonite mining claims in Valley County MT. Making it difficult for S&B to mine cost jobs in Valley County and tax dollars. If B&P mined 100,000 tons of Bentonite annually Valley County would receive \$97,281, state General fund \$25,898. State University \$1,622. if 250,000 tons mined annually Valley County would receive \$272,668. State General Fund \$72,583. University \$3,575. It's time to think about economics development. The Sage Grouse will still survive.	1
We have been told by BLM management that they recognize mining claims in Valley County was valid. Yet BLM has this past summer put up roadblocks and restrictions to bentonite mining in Valley County. BLM claims the economic value is "minimal" which we strongly disagree. These lands come under Bankhead Jones agreements. Royalties to V.C would be substantial to our county. if we are sending sage grouse to Canada, load up birds effected by our mines or roads and send those to Canada! Your plans will definitely affect Valley County revenue.	1
Furthermore, the drastic economic the closure will have on local economies will be devastating regarding the restrictions placed on mining, logging, grazing, and other economic resources that are utilized from our public lands.	1
BLM must complete an inventory and evaluation of the current natural resource uses and values of the proposed withdrawal lands and adjacent lands and how those uses will be affected by the withdrawal, and analyze the economic impact of the changed use on individuals, communities and the Nation.	1
Mining is the major contributor to our local economies in Northern Nevada. The jobs and economy created due to mining is so significant that a pre-requisite of taking these lands out of multiple-use and removed from location and entry should require an in depth socio-economic analysis before they could be removed. This means prior to the 2-year segregation period. In fact, at its most basic level, the Federal Land Management and Policy Act of 1976 (FLPMA) requires such an analysis as part of the Environmental Study process. FLPMA preserves the rights of claim locators under the General Mining Law, including access rights. The SFA withdrawals from mineral entry and travel restrictions violate these provisions of FLPMA, the requirement to recognize the Nation's needs for domestic sources of minerals, and the General Mining Law. Several mining projects in the early development stages in Elko County have already been put in jeopardy due to the proposed removal from mining. Quantum Minerals' project in the area of Jarbidge is one of these projects. This project is in an area mapped as having low value habitat in the 2014 Draft EIS. However, in the Final EIS the majority of the project had been elevated to Priority Habitat even though NEPA Biological reports indicated that there were no Greater Sage-Grouse populations or habitat present. They recommended the maps be revised that showed that they were not present but the maps were not changed in the Final EIS. Western Exploration's Gravel Creek project that has 3 billion in estimated gold reserves, but due to uncertainty of future regulation of expanded exploration, necessary in developing mines such as this, this project is now in question. Mining junior and expansion projects, which are the heart and soul of future mines and economic stability to our region and nation, are all in jeopardy by this withdrawal. Temporary Segregation as proposed will keep the necessary exploration in the mining process from being able to function in a way that will allow the mining claims to be finally proved up upon. Future land development in the vicinity of the lands proposed to be removed from mining would also be in jeopardy due to provisions that would make power line extensions and alternative energy projects too costly due to requirements imposed to protect Sage Grouse whose populations are not so low as to need protection. This is single use and any change in priority of uses on public lands should be made through change in law and not by agency regulations.	1
.....If this closure happens this will greatly impact families and businesses in those suggested areas financially. Not only will families not be able to hunt or put food on their tables, but this would severely impact the mining industries with exploration. Not only is my own family hunters but we are also employed in the mining industry and this withdrawal would significantly impact our home and financial stability. Our family is not the only	1



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one this will impact. The percentage of hunters vs mining industry employees is quite large for Nevada, Oregon, Idaho, Wyoming, and Montana just to name a few. How is it morally and ethically correct to close down areas that bring revenue into those states, and damage the working families financial stability? Don't punish the hard working families and active hunter for an endangered species. If there is an endangered species of animal close down that season of hunting for that specific species. Don't close down 100's of 1,000's of acres when a season can be shut down with a click of a button. I am completely against this closure.	
Newmont has substantial concerns with and opposes the unprecedented proposal to withdraw approximately 10 million acres of federal lands from location and entry under United States mining laws. That broad-brush approach would have substantial adverse effects on Newmont, the mineral industry, communities, and State and local economies; is unnecessary for conservation of the sage-grouse; and is contrary to long-standing principles governing federal land management. It is essential, pursuant to both the Federal Land Policy and Management Act ("FLPMA") and the National Environmental Policy Act ("NEPA"), that BLM fully consider those deleterious effects and that it analyze alternatives for protecting sage-grouse habitat. A thorough consideration of those factors will demonstrate that the proposed withdrawal is unjustified, and that more narrowly tailored conservation measures will appropriately balance the needs for sagebrush protection and mineral production.	1
BLM must consider the extent to which the proposed limits on mineral exploration and mining in the proposed withdrawal areas would affect State and local tax revenues, employment in local communities and community development.	1
The EIS must evaluate the potential impacts of the proposed withdrawal and alternatives on mining claimants...to local communities...local and state governments...	1
The proposed withdrawal adversely affects local communities...The withdrawal interferes with Pilot Gold's reasonable investment-backed expectations in the Project	1
Furthermore, should a mine be put into production, high-paying jobs with benefits are created, taxes are paid and our dependence on foreign imports and trade deficits are reduced to the benefit of local communities, the State of Oregon and our nation. The time required to go from exploration to production is frequently one to three decades, so there is ample time to plan and develop a mine with sensitivity to social and environmental considerations.	1
NVMRA members have already been directly and substantially harmed by the September 24, 2015 segregation of the proposed mineral withdrawal areas and the associated two-year segregation....interfere with NVMRA members' reasonable investment-backed expectations in their mining claims and dramatically reduce mineral exploration and development.... directly threatens NVMRA member companies' businesses and also harms the economies....	1
BLM must prepare an EIS that is based on a detailed socioeconomic baseline study for the Affected Environment chapter of the EIS that quantifies the important contributions that mining makes to Nevada's economy and the social fabric in the Nevada GSG counties...	1
Withdrawals are not in the best interest of the local communities, State of Nevada, or the Nation.	1
The withdrawals do not take into account the vast mineral potential of these lands. The yet-to- be-discovered minerals are the future of economic growth and activity in these rural areas.	1
...concerned about the viability of sustaining mineral exploration with such a large proposed mineral withdrawal area... The BLM has already implemented comprehensive measures that are to be implemented to improve sage grouse populations and protect habitat. These measure are very restrictive effectively eliminating much of the incentive to develop minerals within these areas. Further actions which remove millions of acres of lands will have an immediate impact on mineral businesses like Otis Gold from investing money on other projects	1
The proposed withdrawal of the Viper claims jeopardizes the development of not only an exciting new discovery on public lands but also development of the privately held mineral rights in interference with Pilot Gold's rights and reasonable investment-backed expectations....Pilot Gold's existing projects and ability to conduct future explorations in Nevada has been and will continue to be adversely affected.... Moreover, a	1

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<p>withdrawal of this magnitude injures Pilot Gold itself because it has expended considerable resources and efforts to promote environmentally conscience mining....The restrictions the Agencies have imposed on these lands through segregation and the proposed withdrawal threaten the economic viability of the Project, and create significant adverse longterm economic impacts on the local communities who rely on mineral exploration and development projects...potentially threatens Pilot Gold's operations, and deprives the local and State communities of the economic benefit of a mine....interferes with Pilot Gold's reasonable investment-backed expectations to continue with its exploration efforts on both the lands at issue and privately owned property....The withdrawal will threaten the economic viability of Pilot Gold that owns approximately 40 claims in the SFA and that owns the Project which is squarely situated in the SFA.</p>	
<p>The NDOM has determined that the count of unpatented claims maintained for Assessment Year 2016 within the SFA's proposed for withdrawal is 3,762. A probable consequence of the withdrawal of public lands from the operation of the Mining Law is that a large number of the existing claims and any new claims will be disallowed. As a result, revenues from the filing fees and annual maintenance fees will be greatly reduced imposing a further financial burden on the BLM, USFS, NDOM, and Nevada counties, which all share in the proceeds of the fees. The U.S. taxpayer will pay ultimately to make up the difference in revenues for the federal agencies, which must impact programs such as range fire, invasive species, abandoned mine lands management. Several districts in the SFA's contain known mineral resources at various stages of economic confirmation. The public literature in the attached bibliography describes some of these. However, the most recent detailed technical reports describing the resources are available in the public domain from the websites of EDGAR at the Securities Exchange Commission (SEC) or of SEDAR at the Toronto Stock Exchange. The NBMG is maintaining a list of technical reports for projects in Nevada, updated as new reports become available. Some of the resources within the SFA's include the tungsten deposit at Delano in eastern Elko County, copper and zinc resources in the Contact District of Elko County, the King's River lithium, uranium, and clay deposits of Humboldt County, and the Buckskin National silver and gold deposits in Humboldt County. Those resources, located in the SFA's, should be noted in the FEIS impact analysis. An evaluation of the potential for strategic minerals in the area of the SFA's is a work in-progress. The withdrawal of these lands would side-track any efforts to assess this potential.</p>	1
<p>The FEIS does not effectively evaluate the socioeconomic contributions of mining and exploration to local and regional communities. The evaluation presented does not fully reflect the following impacts: • Mine production offers potential for long-term growth in rural areas. • Mine production supports a community of well-paid , skilled labor directly engaged in mining and processing. • Mine production supports a broad array of businesses that provide goods and services to the mining industry and the communities that grow in the rural areas near the mines. • Mine production, also, supports many businesses that provide goods and services to the mining industry from regional population centers such as Reno, Las Vegas, and Salt Lake City. • The NV Net Proceeds of Mines Tax is an important source of revenue for the State of Nevada. The evaluation in the FEIS, also, fails to recognize that investments in exploration bring substantial capital to the region that sustains a large community of professionals, skilled labor, and support businesses in collaboration with the exploration and mining industries..... The NDOM maintains a database of exploration activity and expenditures, updated annually by means of a voluntary questionnaire distributed to industry. The resulting tally of annual exploration expenditures is an indicator of the level of activity. The FEIS must evaluate the contribution of exploration investment to the economy.</p>	1
<p>New discovery and a future mine, if found, will benefit the local communities, the State of Oregon, and USA by creating new private-industry, high-paying jobs (with benefits), increasing tax revenues, improving local infrastructure, reducing mineral imports and lowering our country's balance-of-trade deficits.</p>	1
<p>...the BLM should take a more extensive and comprehensive review of mineral potential on these particular lands and remove those from the list to be withdrawn....Otis Gold's claims, regardless of whether they are included or not in the proposed withdrawal, will be negatively impacted by this withdrawal. Mineral extensions and additional mineral development on adjacent lands will be limited or unavailable under this plan. Local communities will lose the economic benefit of exploration and mineral development in these rural areas.</p>	1

Comment	Number of Commenters Providing this Comment
We propose a thorough, comprehensive socio-economic analysis of the direct, indirect and cumulative impacts to geology, mining and exploration from mineral withdrawal in the SFA. We do not believe these complex impacts were adequately analyzed in the Land Use Planning Amendment, the Final Environmental Impact Statement or the Record of Decision and that they will have far reaching consequences to the local and state economies. In consultation with Dr. Thomas R. Harris, University of Nevada, Reno, College of Business, Center for Economic Development, several components were developed that must be included in such an analysis.	1
As Elko County currently maintains an energetic economic and cultural interest in mining/exploration, agriculture, oil/gas, renewable energy and recreation, the proposed application of withdrawal of public lands from mineral entry and associated land management restrictions will prove impactful, forever changing Elko County's cultural and economic sustainability. It is imperative that the Bureau of Land Management ("BLM") and United States Forest Service ("USFS") work closely with the State of Nevada and Elko County to ensure the proposed protection of the Greater Sage-Grouse is equalized with the priority to protect regional and Elko County culture, economics and citizens.	1
The publicly managed lands within the SFAs are to be immediately segregated from location and entry under the proposed action for a minimum of two years. Temporary segregation has essentially the same effect as a withdrawal. It closes the lands to location and entry under the proposed action subject to valid existing rights. Withdrawal of mineral entry in the SFAs with no legitimate basis to require location or action to delay two years for a site-specific decision will affect adjacent property values, development and investment potential.	1
Several thousand unpatented mining claims and mill sites have been located by numerous individuals and entities within the proposed Mineral Withdrawal Area. In Nevada alone, more than 3,700 claims exist in the proposed withdrawal area for which significantly more than a half million dollars are paid to the United States yearly in annual maintenance fees. See Attachment A. Many of these areas are highly prospective for economic mineralization and tens of millions of dollars have been expended by the claim owners in conducting exploration activities related to those claims in reliance on the rights granted by the U.S. mining laws. While only a small fraction of those claims might ultimately be mined resulting in limited and localized disturbance, preserving the current rights of those claimants, including reasonable access rights, will promote several sound national policies, including: • Promoting Congress' intent to establish a clear line by which mining claims can be maintained through payment of annual maintenance fees. • Recognizing the substantial investment of resources that have been made in reliance on the current claim maintenance requirements. • Avoiding the high costs, administrative burdens and permitting delays that would be associated with a requirement to conduct claim-by-claim validity determinations. • Supporting local communities and regional economies that rely substantially on a sound mineral exploration and mining economy. An unpatented mining claim, mill site or tunnel site that has been maintained in accordance with the annual filing and fee requirements of the General Mining Law and Federal Land Policy and Management Act meets the definition of VER as set forth in the BLM and USFS sage-grouse plan amendment documents. The following language is a suggestion for clarifying the definition of VER for mineral exploration projects to provide clear national guidance to agency field personnel that maintains consistency with existing laws and policies: Documented legal rights or interests in the land that allow a person or entity to use said land for a specific purpose and that are still in effect. Such rights include fee title ownership, mineral rights and associated access rights, rights-of-way, easements, permits, and licenses. For mineral exploration projects, valid existing rights include unpatented mining claims, mill sites and tunnel sites that were located prior to the effective date of the final withdrawal notice and that have been maintained by the timely payment of an annual maintenance fee or the satisfaction of applicable annual assessment work and annual filing requirements pursuant to the U.S. mining laws and the Federal Land Policy and Management Act.	1
Pilot project to Demonstrate Alternative Management Approach to Constrain Mineral Exploration and Avoid Loss of Critical Sage-Grouse Habitat. The SFA area in Humboldt County known as the Lone Willow Population Management Unit (PMU) and also known as the Opalite District-McDermitt and Kings Valley Lithium claim blocks has well documented, vital importance to both the mineral and wildlife resources in Nevada..... The economic importance of the lithium deposits in Humboldt County was analyzed by Applied Analysis (2016) who wrote the following: The [Western Lithium] project is expected to have a material economic impact on the state of Nevada and the communities in which it operates.	1

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Economic impacts sourced directly to the Company's investment are estimated to reach approximately \$2.5 billion over the life of the project. When secondary impacts (indirect and induced) are considered, total economic output is estimated to reach nearly \$3.4 billion. In addition to substantial economic output, the project is estimated to support nearly 9,000 person-years of employment and \$0.5 billion in salaries in wages over the life of the project. Fiscal impacts (public revenues) to state and local governments during the same timeframe are estimated to exceed \$100 million over the life of the project, or approximately \$4.3 million annually over the course of the 24-year life cycle.	
The simple threat of withdrawal and restrictions has and will cause a chilling effect concerning potential and future investment for prospects to seek financing and investment for mining/exploration, agriculture/ranching and recreation activities in the region. Elko County believes that the SFA as represented in the FEIS, ROD and ARMPA does not comply with the 1872 National Mining Act, Multiple Use – Sustained Yield Act of 1960, FLPMA and NEPA....Several of the goals, objectives, management actions, standards, and guidelines contained in the FEIS/ARMPA/SFA are not consistent with rights under the General Mining Law....Elko County believes that the BLM has a legal obligation to comply with the General Mining Law, Mining and Minerals Policy Act, and the FLPMA to recognize the Nation's need for domestic sources of minerals and the right to explore and maintain multiple uses....Withdrawals of the magnitude proposed under the SFAs conflict with § 22 of the General Mining Law, and the Mining and Minerals Policy Act and cannot be implemented through the land use planning process. Withdrawal of this magnitude should only be made by an Act of Congress or by the Secretary pursuant to the requirements and procedures of the FLPMA § 204(c) for a period not to exceed 20 years.....	1
Additionally many adjacent private property owners, investors and potential investors will and have lost cultural and monetary value, security, confidence and the ability to effectively and equitably manage their properties and interests ...	1
In conclusion, in the development of the Environmental Impact Statement for the SFA withdrawal, the Harney County Court requests that the Secretary early on make direct contact with Harney County Judge Steve Grasty to ensure that the Federal Land Policy and Management Act's consistency, coordination and consultation processes are implemented early and seamlessly. Given the large extent of the region being proposed for withdrawal the potential for significant impacts to the local and regional economy is very high. It is fundamental that an in-depth mineral review and economic analysis be included within the draft for public review and comment.	1
What about the economic impact this will have on small towns?	1
\$ - BLM from ranchers/miners. Lakeview loss of \$ from visitors/ranchers & miners. Loss of jobs for BLM reps	1
As you are concerned with socioeconomic impact, please be mindful that the recent standardization of sunstone valuation has had a hugely positive effect on our rural and remote county of Lake in Oregon. This comes as a bit of a gutt-punch to families who have struggled to make a living for years in a harsh environment. Please allow for a future of our economy, and our unique-ness in Lake Co, Oregon.	1
EIS needs to fully analyze and fully disclose the economic impact of such withdrawal to the state; # or geologists out of work, indirect impacts to local communities. Mining is NOT a significant impact and is a temporary impact -- it can be reclaimed to be sage grouse habitat -- therefore mining and exploration should be allowed in SFA.	1
The management directives for the SFA threaten to eliminate or reduce the authorized use of the adjacent public lands for livestock grazing by imposing unworkable and authoritarian habitat management objectives. ...roughly 236,000 acres of Elko County private lands are adjacent to or engulfed by the SFA. The current use of these private land parcels for agriculture, ranching and other approved uses will be adversely affected by restrictions on grazing or access on adjacent public lands. ... the SFA will diminish or even eliminate future economic agriculture, ranching and other uses on private property ...and potentially subject the federal government to regulatory takings claims. Additionally the SFAs will create stranded inholdings of private land parcels surrounded by public land managed for the sole purpose of Greater Sage-Grouse conservation .... Consequently, landowners within and adjacent to the SFAs, will experience restrictions to adjacent public lands that will have a significant adverse impacts ....	1

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The direct, indirect, and cumulative impacts to geology, mining, and exploration from mineral withdrawal in the SFA were not analyzed in the LUPA FEIS or ROD. These impacts are complex and far reaching to the local and state economies. • Socio-economic impact analyses are critical for compliance with NEPA and must be thoroughly analyzed and disclosed in the Mineral Withdrawal EIS following academically approved methods and scope recommended by Dr. Thomas R. Harris, UNR College of Business Center for Economic Development (2015) (detailed in Attachment B) that at a minimum includes the following: 1. A study area should be developed that is agreed upon by the BLM and the State. 2. The IMPLAN model data should be validated and verified. 3. The production function for different mining sectors should be developed to be sure they reflect the mining industry. 4. A Social Accounting Matrix should be developed and verified and validated. 5. A computable General Equilibrium model should be developed and scenarios as to land withdrawal for GRSG should be developed and applied.	1
Separate and independent of the land use consistency and coordination requirements, Congress also specifically mandated within FLPMA that with respect to a mineral withdrawal the Secretary was to consult with the local government bodies and to provide a statement of such consultation to both Houses of Congress and the respective committees (43 U.S.C. §1714(c)(1) & (2)). Congress provided that: "(c)(2)(7) a statement of the consultation which has been or will be had with other Federal departments and agencies, with regional, State, and local government bodies, and with other appropriate individuals and groups; ... " (emphasis added). The statement provided to the respective committees is to indicate: "the effect of the proposed uses, if any, on State and local government interests and the regional economy." (43 U.S.C. §1714(c)(2)(8)). (emphasis added).	1
As City Manager, I am opposed to the proposed 20 year withdrawal. Mining exploration is extremely important to the City of Elko's economy.	1
Concerned about the delays associated with this process for people & organizations that have existing valid claims. Also, apparently there is a risk that if the withdrawal does go into effect that this will carry over to people that had existing claims/rights. That seems unfair to state that their rights are not affected but all activity including expansion would cease after a withdrawal occurs. That greatly affects the economic well-being of individuals and companies.	1
Prohibiting multiple land use will impact a wide range of citizens who depend on the land for their livelihoods. Have these families been contacted directly? Or have these stakeholders been ignored?	1
Your proposed withdrawal will cost the public tens of millions in BLM staff time to implement and will have a net benefit of zero. Anyone can calculate that the cost/benefit ratio is infinite. In other words, no beneficial purpose will be served by the proposed withdrawal. The time used by BLM staff in several regional offices will be taken from projects that have positive financial benefits for the rural counties and Native American communities near the affected lands. Legal challenges to this withdrawal will also cost the public and its opponents millions.	1
One of the biggest problems with this plan is there is not a set system of checks and balances. The decisions are being made independently without a solid validation program. It says this does not effect existing mining claims. That is not true. If you understand the exploration process you would understand not being able to stake new claim could kill a program. It is also a violation of or rights. This will directly affect the mining industry in a negative way. As a claim holder in the proposed areas this will sorely limit if not kill any potential projects we have in the area. If you effect mining this much you will effect the state economy.	1
Unfortunately, since the SFA was an add-on adopted outside the public arena, the social and economic impact to the local community from the proposed mineral withdrawal have not been clearly defined or disclosed. This omission is a significant issue in that the entire 1,929,580 acres within the Oregon SFAs fall within Hamey County or the surrounding economically-linked Lake and Malheur Counties, Oregon. 3 Given the size of the proposed withdrawal, approximately 1,929,580 acres, by size alone the proposal is a major federal action. 4 3 It is of more than passing interest that if the sage-grouse had been listed under the ESA, the checks and balances within the ESA (e.g. designation of critical habitat) would have had less impact to the communities than the proposed withdrawal. An example of the checks and balances is the ESA critical habitat exclusion process which affords the Oregon counties the opportunity to petition to have these same areas excluded from critical habitat designation. (See 16 U.S.C. §1533(b)). 4 This acreage exceeds the total acreage of at least two States.	1



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<p>..... With respect to the withdrawal, this issue is compounded by the lack of mineral inventory or evaluation of the current natural resources; their values at the site specific level; or how adjacent land uses will be affected by the proposed use. Further, it is conceivable that neighboring private and public lands will be adversely affected by a withdrawal of the federal mineral estate. It is impossible to assess the full impact of the proposed withdrawal without this quantification. Congress expressed a similar concern and mandated in FLPMA that the Secretary provide to the respective committees: "an inventory and evaluation of the current natural resource uses and values of the site and adjacent public and nonpublic land and how it appears they will be affected by the proposed use, including particularly aspects of use that might cause degradation of the environment, and also the economic impact of the change in use on individuals, local communities, and the Nation;" (43 U.S.C. 1714(c)(2)(2)). Further, the impact on the human environment of not withdrawing the adjoining and nearby non-focal areas must also be addressed in the EIS since this decision affectively is a decision that releases them for mineral development (cf California v. Bergland).</p>	1
<p>It is widely known, that as soon as the non-listing decision regarding the sage grouse was made, Interior began to take steps to initiate the withdrawal. BLM must conduct a mineral potential survey and report before deciding that this area should be withdrawn from mineral entry. BLM needs to address the economic impacts of this withdrawal in its mineral potential report. Changes in price, demand, and technology can also factor into whether a deposit can be mined economically. For example, a mining company may have located a deposit that is too low grade to be mined at today's prices but even a small increase in price could change that dynamic. The government must make informed decisions about the impact of mineral withdrawals. If rare earths and critical minerals such as molybdenum, nickel, platinum, palladium, and uranium are located within these areas proposed for withdrawal, great economic impact and loss of national security will be the result.</p>	1
<p>I do not believe that the proposed withdrawal has adequately analyzed potential impacts for socioeconomics. Many industries -- ranching, mining, energy -- have invested funds (range improvements, exploration baseline surveys) in the area which cannot be leveraged if the withdrawal occurs. Is this considered a "take"? I manage an environmental/engineering company that will be impacted if the withdrawal occurs. This impact will not only directly affect my and similar businesses, but will also affect those businesses we support. I believe responsible development is possible.</p>	1
<p>I am writing to express my opposition to the withdrawal of this huge amount of land from mineral entry. First off, I don't see that protection of the Sage Grouse is such a high priority that taking such drastic measures to protect it from the solitary threat of mining disturbance is worth stifling a mineral industry that is struggling right now. Risk far outweighs reward here. The industry is already hurting badly. I am one of a majority of geologists in this industry that is having a hard time finding work. This is also an industry that raise, I believe, the second-most tax revenue per industry in Nevada (I am mostly invested in the state of Nevada). USFW has already decided against protecting the Sage Grouse after thoroughly studying the data. It seems oxymoronic to go through so much effort and tax dollars to protect a bird that is so heavily hunted in this area. The Sage Grouse is nothing more than a proxy war, I've heard members of anti-mining groups say as much.</p>	1
<p>...Since the inception of the Endangered Species Act, the Bureau of Land Management and Forest Service have made their priorities special interest groups and not the citizens they are employed to represent. The Bureau of Land Management does not represent the will of the people but instead they represent the interests of groups who have no idea of the impact and/or devastation the listing of the sage grouse would have on our economy. The regulations are worse than the actual listing. Mining, ranching, hunting, and recreation are what make up Elko County. Without these groups Elko would not be the thriving community it is today or even worse may even cease to exist. The threat of listing the sage grouse will not only impact our mining, it will also have an impact on the ranching community of Elko County. Eighty Seven percent (87%) of Nevada's land is controlled by the Federal Government. The Bureau of Land Management and Fest Service regulations are not the solution but are the problem. We must all start to listen to the will of the people we represent. This is not only a Nevada fight but a fight facing the entire western part of our country. The people who reside in these states have voiced their opinions and concerns many times and each time they have been ignored. The Bureau of Land Management and Forest Service must represent the needs and the will of the people they represent not the interests of special interest groups. These agencies, who we finance and support, have the obligation to represent our citizens and have not only lost touch with the people of the</p>	1

Comment	Number of Commenters Providing this Comment
western states, but also, continue to ignore their needs. These agencies must begin to acknowledge that the regulations are much worse than the actual listing and they must begin to listen to the citizens. I would represent that the comments in this letter are based on my personal views and I reserve the right to provide further comments as provided by Federal Register (80 FR 57635).	
<b>3.10.2 Socioeconomics: National and Global Comments: Commenters state that the withdrawal would have national and/or global impacts. Some state that access to federal lands for mineral activities is of strategic importance to the US. Some state that minerals have strategic importance to the U.S. in terms of economic stability and national interest and the withdrawal would adversely affect efforts to reduce foreign dependence on strategic minerals and fossil fuels. Some state that access to federal minerals decreases our reliance on foreign sources. Withdrawing areas from mineral entry increases the country's dependence on unreliable foreign supply, thus the national economy and security is dependent access to minerals. Some state the dependence on foreign suppliers presents security concerns.</b>	
Mining in Nevada and in the U.S. is in global competition. Access to mineral resources and the costs of doing business weigh heavily on a decision to mine in the U.S. versus South America, Africa, or other mineralized areas of the world. Furthermore, the products mined in Nevada have significant strategic importance to the U.S. in terms of economic stability and national interest. Currently, Nevada generates approximately 14% of domestically- produced minerals. In the absence of domestic metallic and industrial mineral mining, the U.S. must import from foreign sources, making Nevada mining of real interest to national security.....Finally, 86% of the landmass of Nevada is managed by federal entities. As a result, our state, more than any other, feels the impacts of overly restrictive or ineffective land use policies. For all of these reasons, the NvMA and its members have significant interest in the proposed withdrawal of lands that contain significant mineral potential.	2
My conclusion is that the proposed withdrawals would severely and negatively affect the economy of Nevada as well as U.S. efforts to reduce dependence on strategic minerals and fossil fuels and do little to help sage grouse. The negative impacts would come through greatly reducing the possibility to explore for and develop known and potential geologic resources....the ROD proposes withdrawing large areas near McDermitt in northern Nevada....these proposed withdrawal areas have significant, identified Lithium deposits...Removing these Lithium deposits from potential use means severely hampering the nation's ability to generate a "green economy" and address major concerns such as climate change.	1
Locking up potential mineral resources can become a national defense issue should those resources have to be imported from offshore sources. Reliance on imports of certain strategic minerals is ill advised, especially if we have our own sources within our own borders. This issue must be thoroughly vetted in the EIS.	1
In addition to greater focus on the primary threats to sage grouse and sage grouse habitat—wildfire and invasive species, there are various other tools available that could better achieve the agencies' stated conservation goals, without withdrawing 10 million acres across the west in violation of FLMPA and at great economic and national security loss to the nation.....	1
In determining the appropriateness of the proposed withdrawal, BLM must take into consideration the importance of federal minerals....Access to federal lands for mineral exploration and development is critical to maintain a strong domestic mining industry...federal lands account for as much as 86% of the land area in certain Western states. These same states account for 75% of our nation's metals production. Domestic mining is an important economic driver. The value added by major industries that consume the \$78B of minerals produced in the U.S. is an estimated \$2.5 trillion (2014), or 14% of our GDP. Mining's direct and indirect economic contribution includes nearly 2 million jobs with wage and benefits above the state average for the industrial sector. In addition, domestic mining generates \$46B in tax payments to federal, state and local governments...The demand is expected to grow exponentially as global population growth, rapid industrialization and urbanization...are all driving demand for metals minerals and raw materials...domestic mineral supplies will strengthen U.S. national security and decrease our growing dependence on foreign minerals and metals. Our nation's import dependence for key mineral commodities has doubled over the past two decades...The U.S. position as the world's premier manufacturing nation could suffer if the U.S. mining industry is not allowed to perform to its full potential...Currently, less than half of the mineral needs of U.S. manufacturing are met from domestically mined resources....	1

Comment	Number of Commenters Providing this Comment
There are various other tools available that could better achieve the agencies' stated conservation goals without withdrawing 10 million acres across the west in clear violation of the multiple use tenants of FLMPA and at great economic and national security loss to the nation.	1
Domestic mining is an important economic driver. The value added by major industries that consume the \$78 billion of minerals produced in the U.S. is an estimated \$2.5 trillion (2014), or 14 percent of our GDP. Mining's direct and indirect economic contribution includes nearly 2 million jobs with wage and benefits well above the state average for the industrial sector. In addition, domestic mining generates \$46 billion in tax payments to federal, state and local governments. Demand for these valuable commodities is expected to grow exponentially as global population growth, rapid industrialization and urbanization in the developing world and a rising global middle class are all driving demand for metals minerals and raw materials. The U.S. position as the world's premier manufacturing nation could suffer if the U.S. mining industry is not allowed to perform to its full potential and supply more of the minerals needed to sustain growing manufacturing demand. Currently, less than half of the mineral needs of U.S. manufacturing are met from domestically mined resources.	1
As you know, mineral exploration is the leading edge, research and development segment of the mining industry. Mining is one of the few ways the net wealth of the nation can be increased. Without new wealth (new materials) we simply rework or modify the same basket of wealth which guarantees a smaller piece of the pie for each succeeding generation as our population expands. In truth, our nation, and our civilization cannot survive without mining.	1
This directly contradicts the idea that the most important social and economic value in both areas is maintaining intact sage-grouse habitat which will generate ZERO social and economic value. The withdrawal only serves to further the interests of a small group of activists intent on excluding the local voice in land use planning and management.....protecting the national interest is ensuring these areas are available for future exploration and development.	1
Access to federal lands for mineral activities is crucial to the local economy in Nevada and other Western States and of strategic importance to the US. Nevada should not be punished because of it's outsized share of federal land. Such a large-scale withdrawal will jeopardize the domestic mining industry. Many key metals are currently cornered markets by hostile foreign governments, e.g Rare Earth Elements.	1
Sources for raw materials in our Nation cannot be further limited. The strength and well-being of our Nation requires the development of all natural resources wherever they occur in nature.	1
I strongly oppose any and all attempts to withdraw federal property from mining. Without a strong mining community here in the US, people will be forced to turn to other countries for their rare earth minerals, countries which do not practice the same reclamation and environmental concerns as we do. By withdrawing ever more land from public access, you force miners to go out of business and the public to seek less-acceptable sources for their minerals. Not one more inch must be taken from the public!!!!	1
This is not a time to lock away areas from mineral entry because doing so increases the country's dependence on unreliable foreign supply	1
.....First, the most promising area for rare earth elements (REE) which are extremely critical to our national defense is SE Oregon and NE Nevada. REE is required in the most sophisticated weapons systems as you well know from your time in the U.S. Senate. You should also know the United States has serious access problems to rare earth elements as China controls much of the known supplies, and exploration in Africa is hamstrung by civil wars. China is a stated security threat to the United States. If saving the sage grouse is in the best interest of national security, then so is an exception allowing grouse habitat friendly exploration for rare earth elements.	1
The preservation of the Kings Valley Lithium deposit will ensure a long-term domestic source of lithium for the United States, and will reduce the Nation's dependency on foreign sources. A domestic and secure source of lithium is essential to advancing the lithium-ion technology for National Defense applications, for the growing battery storage and clean energy industry in the State of Nevada, and for the accelerating electric car industry. Implementation of the Kings Valley Lithium Project will provide long-term lasting benefits to the local, state, and national economy, will provide hundreds of local jobs and bring revenue to the local economy. These positive local, State, and National benefits, in my opinion, outweigh the use	1

Comment	Number of Commenters Providing this Comment
of this land for solely sage-grouse habitat. It is in the best National interest to maintain this lithium deposit and associated access to be available for future mining and for future generations.	
Access to federal lands for mineral activities is important as these lands historically have, and will continue to, provide a large share of the metals and hardrock minerals produced in this country; New mining operations are already either restricted or banned on more than half of all federally owned public lands; Why is this? Is America just wanting to be dependent on other countries that do not like us? Such a large-scale withdrawal will jeopardize the value added by major industries that rely on the \$78 billion of minerals produced in the U.S., which is an estimated \$2.5 trillion (2014), or 14 percent of our GDP. On this note I must ask you, have you had your hand in the Clinton's selling 51% of a uranium mine to the Russians? I am serious! - Today, less than half of the minerals American manufacturers need are sourced domestically. And there is no need for it. - U.S. industries are currently import dependent on 19 key minerals and 24 mineral commodities that are potentially available in the U.S. And there are only a few exceptions to this. We are almost mineral and element rich, with a few exceptions. We do not need to depend on other countries for our elements! Except for a few and those few I think that we can trade for. The withdrawal ultimately puts U.S. manufacturers' at a competitive disadvantage I, personally feel that this is an attack on the American Way. Where The People loose our jobs because our President and his liberal followers believe that they have a better way!	1
Our nation's import dependence for key mineral commodities has doubled over the past two decades....Less than half of the mineral needs of U.S. manufacturing are met from domestically mined resources. That growing dependence on imports leaves many key domestic industries unnecessarily vulnerable to disruptions.... IMA has engaged a research economist from the University of Idaho to evaluate the economic impact of mining in Idaho. He reports that mining and mineral processing, and the economic activity it creates added about \$1.5 billion to Idaho's Gross State Product last year. The industry paid \$750 million in wages to 12,600 workers and the economic activity it stimulated resulted in the payment of \$134 million in federal, state and local taxes. We estimate that about a quarter of that impact is the result of hardrock mineral development in Idaho. But perhaps more important than the economic impact the mining industry has today is what this proposed withdrawal will do to the economic impact the industry could have in the future if allowed to explore, discover and produce minerals. We can't produce what we can't find, and we can't find those minerals if we are not allowed to look.	1
In determining the appropriateness of the proposed withdrawal, BLM must take into consideration the importance of federal minerals.... Access to federal lands for mineral exploration and development is critical to maintain a strong domestic mining industry as these lands historically have, and will continue to, provide a large share of the metals and hardrock minerals produced in this country. Domestic mining is an important economic driver. The value added by major industries that consume the \$78 billion of minerals produced in the U.S. is an estimated \$2.5 trillion (2014), or 14 percent of our GDP. Mining's direct and indirect economic contribution includes nearly 2 million jobs with wage and benefits well above the state average for the industrial sector. In addition, domestic mining generates \$46 billion in tax payments to federal, state and local governments..... Demand for minerals is expected to grow exponentially as global population growth, rapid industrialization and urbanization in the developing world and a rising global middle class are all driving demand for raw materials.....and a recent National Mining Association- commissioned survey of high level manufacturing executives found that more than 90 percent of manufacturers are concerned about access to minerals. These same executives believe that domestic mineral supplies will strengthen U.S. national security and decrease our growing dependence on foreign minerals and metals. Our nation's import dependence for key mineral commodities has doubled over the past two decades. Today, we are import dependent for 19 key mineral resources and more than 50 percent import dependent for an additional 24 mineral commodities. The U.S. position as the world's premier manufacturing nation could suffer if the U.S. mining industry is not allowed to perform to its full potential and supply more of the minerals needed to sustain growing manufacturing demand. Currently, less than half of the mineral needs of U.S. manufacturing are met from domestically mined resources.	1

Comment	Number of Commenters Providing this Comment
This analysis should include the following preliminary issues: (1) Fires and fuels (cost, increased fire incidents), (2) Food supply and domestic food security (3) Mineral supply and national security (4) National security impacts from reduced agriculture and mining.	1
<ul style="list-style-type: none"> <li>• Access to federal minerals is increasingly important to decrease our reliance on foreign sources o Our nation's import dependence for key mineral commodities has doubled over the past two decades. o The U.S. is import dependent for 19 key mineral resources and more than 50 percent import dependent for an additional 24 mineral commodities. o Less than half of the mineral needs of U.S. manufacturing are met from domestically mined resources. o Our growing dependence on imports leaves many key domestic industries unnecessarily vulnerable to disruptions from extended, complex and fragile supply chains.</li> </ul>	1
The Proposed Action would withdraw numerous townships from mineral entry throughout northern Nevada....Closure of such townships to minerals development as a wide-spread practice will limit metals production further in the United States, requiring importation of additional metals for U.S. manufacturing. Clearly, such an action,... leads to increased imports of metals from overseas, a violation of the recent Paris Accords on Global Climate Change by deliberately causing the increased carbon footprint of the U.S. For this reason alone, any townships hosting existing mining districts should be excluded from the Proposed Action. If they are included in future withdrawals, then the agency and/or Proponent should analyze the resultant increased causal carbon footprint in the National Environmental Policy document....	1
Mining is a base industry from which all other industries are possible. Mining creates new wealth and materials for society to use in their houses, cars, offices, highways and electronics. The Federal lands of the nation that are available should remain open to mineral entry at all costs so we have local sources for materials. Our national economy and security depends on the materials from our mines. To remove mineral entry is an immoral political attack on the good people of America which makes us dependent on international sources for our materials. International sources are often unreliable, and we have no control over their mining practices. Importing resources makes our nation's carbon foot print much larger. Because of these reasons I feel it is irresponsible to remove additional Federal lands from mineral entry.	1
The County economies within the SFA are driven by mining, farming, and ranching, all of which will be impacted by the SFA Withdrawals. FLPMA Requires "An analysis of the economic impact of the proposed uses and changes in use associated with the requested action on individuals, local communities, State and local government interests, the regional economy and the Nation as a whole." <sup>77</sup> In anticipation of the requisite economic impacts analysis, NACO requested from the University of Nevada, Reno's Center for Economic Development a process for regional economic impact modeling for sage grouse habitat studies. This request was made specifically for the withdrawals, and contains "suggestions for what a regional impact modeling and mining study should have and address." The December 15, 2015 Memorandum from Thomas R. Harris, Director of the Center for Economic Development at the University of Nevada, Reno titled "Regional Economic Impact Modeling for Sage Grouse Studies" is attached as "Appendix A" for your reference and use throughout this process. NACO also recommends that this analysis consider, at a minimum: (1) Industry responses to a withdrawal (2) Lack of certain minerals and their national and international use (3) Increased fires due to less people in the area (4) The cost to initiate and conduct all at once Priority Grazing Permit reviews for the Segregation (5) The cost to counties' key industries (6) Tax base impacts to Counties and the State (7) The cost to the State for loss of valuable Conservation Credit Program habitat and potential debtor projects (8) The cost to the State for mineral companies moving to other states or countries, and (9) The loss of employment opportunities locally and Statewide. Request 11-B-3: That the Agencies refer to the December 15, 2015 Memorandum from Thomas R. Harris, Director of the Center for Economic Development at the University of Nevada, Reno titled "Regional Economic Impact Modeling for Sage Grouse Studies" attached as "Appendix A" during the Economic Impacts Analysis to analyze the short- and long-term impacts, as well as the direct and indirect impacts of each alternative. The final costs should be factored into the Secretary's ultimate decision whether or not to accept the Application as proposed.	1



Comment	Number of Commenters Providing this Comment
National Security: Various pundits, bureaucrats and radical environmentalists have decried the mining of precious metals as being unnecessary or even evil. Nothing could be more false: There is a reason why the Chinese communist government is currently amassing large gold reserves and there is an on-going “currency war” in which the importance of gold reserves is under-appreciated. As the world economic situation becomes increasingly precarious gold reserves will be very important for ensuring stability of the currency of the nations that possess such reserves. As has been amply demonstrated through history, countries without a stable, sound currency fail, especially in times of conflict.	1
Mining, and mineral exploration in the Western United States provides thousands of jobs and has a huge effect on the economies of local communities and the states where they are located. Mining of metals and production of crude oil and natural gas have a huge impact on the economy and security of our nation. As a nation we buy most of our rare earths from other countries and more specifically Russia and China. We cannot afford to have our national security in the hands of countries that would like to destroy us. In the case of Oregon Sunstone, the economic effect on the local economy would be very harmful. The Sunstone miners spend hundreds of thousands of dollars on fuel and other oil products, parts for vehicles and equipment, groceries and a myriad of other things for mining and just living in this community. They also provide recreation for thousands of people who come to the area to mine Oregon Sunstone, and the raw materials needed by artisans like myself to make a living and engage in our art. The Oregon Sunstone area is the number one tourist attraction in Lake County. It brings thousands of people to the community every year that stay in local lodging, eat at local restaurants and shop in local stores..... While most of the currently known Sunstone bearing area is not included in a SFA, the language in the BLM decision on creating the SFAs leaves it open to annex these areas in the future. The BLM map showing areas recommended for mining exclusion includes the entire known sunstone bearing area. Several claims in Harney County are either completely inside of an SFA or cross several claims owned by Rabbit Basin miners, intended for mining this year. The area that excludes existing claims is approximately two mile strip that semi-circles private land used for grazing.	1
Mining activities protect our countries’ way of life and national security by producing those necessary minerals to fuel our economy!	1
In particular, I am concerned about the millions of acres of private and public land that intend to be withdrawn from mineral resource development. As it stands, our federal lands are already severely restricted to any energy development opportunities. Montana stands to benefit from metallic and non- metal withdrawals, which will create jobs, improve existing infrastructure, and boost our economic potential. Mining these resources in the United States is also a matter of national security, protecting our country's interests and enhancing our available reserves for defense purposes.	1
Our country depends in large measure on its natural resources to sustain our economy and way of life. To the extent that the people are prohibited from developing our natural resources through mining activities, the commodities which can no longer be produced but which are needed, will have to be imported at great cost to our economy. If the mined products can be exported, loss of such products for export will further increase our trade imbalance. Either way, our economy suffers from loss of jobs, loss of investment opportunities and a greater trade imbalance. Overregulation, when it is not needed, is bad for our working men and women, is bad for the mining companies who create jobs and reward investors and is bad for our country's economy. At the present time, less than one half of the mineral needs for the manufacturing industry in the United States comes from domestically-mine resources. This mismatch hurts the ability of U.S. manufacturing to compete internationally and creates an incentive for such firms to move to other countries where they can more easily obtain the minerals they need.	1
The Proposed Action would withdraw numerous townships from mineral entry throughout northern Nevada....Closure of such townships to minerals development as a wide-spread practice will limit metals production further in the United States, requiring importation of additional metals for U.S. manufacturing. Clearly, such an action, the deliberate exclusion of identified mining districts from development, leads to increased imports of metals from overseas, a violation of the recent Paris Accords on Global Climate Change by deliberately causing the increased carbon footprint of the U.S. For this reason alone, any townships hosting existing mining districts should be excluded from the Proposed Action. If they are included in future withdrawals, then the agency and/or Proponent should analyze the resultant increased causal carbon footprint in the National Environmental Policy document.	1

Comment	Number of Commenters Providing this Comment
Furthermore, should a mine be put into production, high-paying jobs with benefits are created, taxes are paid and our dependence on foreign imports and trade deficits are reduced to the benefit of local communities, the State of Oregon and our nation. The time required to go from exploration to production is frequently one to three decades, so there is ample time to plan and develop a mine with sensitivity to social and environmental considerations.	1
To remain strong our nation needs dependable supplies of minerals and metals. Many industries over the last couple of decades moved their plants overseas due to increasing issues of resource nationalism. Resource nationalism is the producing nation's choice not to export its raw materials but rather to create value-added jobs from the production of resources in their own country. We have seen this most recently with China and its production rare earth elements (REE). Most of our high-tech gadgets, green energy, defense products, etc. require REEs. China is the world's primary REE producer and, in 2011, told USA manufacturers that they would no longer export REEs to the USA. China instead said build your manufacturing plants in China and you will have all the REEs you will need. Most manufacturers had no choice but to fire many of their USA employees, close their USA plants, and move to China. The USA then rushed to put the Mountain Pass REE Mine back into production. In response, China flooded the market with REEs and collapsed the REE price. As a result, the USA's and the free-world's lone major producer of REEs was forced to once again mothball its Mountain Pass, CA, REE mine in October 2015. It is amazing what price manipulation will do.	1
It is time that we as a nation look at the big picture and make the tough decisions needed to move forward in ways that will promote and enhance our exploration and mining industry, not destroy it. If we don't see productive changes in the current regulatory environment, it is likely that our nation's exploration and rate of mineral discovery will continue to decline. As a consequence of a dying exploration and mining industry, many of our important and critical metals and raw materials are 50% or more sourced from foreign suppliers (see Tables 1 and 2 attached). Foreign producers are sometimes unreliable, often have very low environmental standards and corruption and human-rights abuses are all too common. The dependence upon foreign suppliers also presents very important security concerns.	1
We have to question, is it in our nation's best interest and the interest of future generations to continue to withdraw more prospective land where new mineral discoveries might be made? Is a reliable domestic source of raw materials for our nation's security and our industrial complex important? I believe the answer to question one is a definite no and the answer to question two resounding yes. We need to recognize that mining is important and bring common sense back into the regulatory environment. The Department of the Interior, Bureau of Land Management and the State of Oregon can set a positive example by voiding the 1.9 million-acre sagebrush-focal-area mineral withdrawal as it is harmful to the U.S. mining industry and serves no productive purpose.	1
Evaluate the Impacts to the Nation of the Reduced Development of Domestic Mineral Supplies and the Increased Reliance on Foreign Sources of Minerals	1
New discovery and a future mine, if found, will benefit the local communities, the State of Oregon, and USA by creating new private-industry, high-paying jobs (with benefits), increasing tax revenues, improving local infrastructure, reducing mineral imports and lowering our country's balance-of-trade deficits.	1
Furthermore, in the event of new discovery, mining would be done to the highest social and environmental standards. A new mine will reduce the risk of having to buy from companies located in countries that have lax environmental standards and widespread corruption as well as human rights abuses.	1
The withdrawal of an additional 10 million acres for a single bird species will have a significant impact on the ability to develop domestic minerals on federal lands. More importantly, we will never know the true impact on our future if not allowed to explore, discover and produce minerals....growing dependence on imports leaves many key domestic industries unnecessarily vulnerable to disruptions from extended, complex and fragile supply chains.	1

Comment	Number of Commenters Providing this Comment
If the agencies move forward with the proposed withdrawal, they must consider the consequences of prohibiting mineral exploration and development in the areas proposed for withdrawal, including the impacts on the national economy and the environmental consequences of the proposed withdrawal.	1
Federal lands need to be accessible for our national security....Keep America strong by keeping our minerals available for both national security as well as financially with valuable minerals available for export, helping with our trade imbalances.	1
It's better to pursue a collaborative statewide process bring federal (BLM, USFS, USFWS), State (NDEP, NFG, other), mining & exploration industries, farmers, ranchers, O&G together (use the ID model) to focus on habitat rehab. A 20-year withdrawal doesn't address the issue of habitat loss; creates uncertainty & responding decreased funding of exploration (R&D) (this is an immediate impact, measurable); & creates a national security issue by locking out mineral development on huge swath of lands, forcing us to seek the minerals we need as a nation from foreign sources.	1
The issue will be the definition of withdraw. As currently worded, there is no opportunity for industry funding or participation. The proposed areas also significantly impact minerals important to reducing the nations dependence on oil, i.e. Lithium.	1
It is widely known, that as soon as the non-listing decision regarding the sage grouse was made, Interior began to take steps to initiate the withdrawal. BLM must conduct a mineral potential survey and report before deciding that this area should be withdrawn from mineral entry. BLM needs to address the economic impacts of this withdrawal in its mineral potential report. Changes in price, demand, and technology can also factor into whether a deposit can be mined economically. For example, a mining company may have located a deposit that is too low grade to be mined at today's prices but even a small increase in price could change that dynamic. The government must make informed decisions about the impact of mineral withdrawals. If rare earths and critical minerals such as molybdenum, nickel, platinum, palladium, and uranium are located within these areas proposed for withdrawal, great economic impact and loss of national security will be the result.	1
Closing these lands to mineral exploration and development places the burden on the US to purchase minerals from 3 <sup>rd</sup> world countries, which are becoming more unfriendly to us. Why do we think restricting our lands, which are explored and mined by environmentally sound practices, will benefit the environment, when 3rd world countries produce a much larger environment footprint due to their lax environmental policies.	1
<b>3.10.3 Socioeconomics: Balance Between Mining and Conservation: Commenters state that there should be a balance between mining use and conservation. Some state environmental protections need to be balanced with their economic impacts. They state they support reasonable adjustments to meet preservation needs, but there must be a balance between protection of the natural environment and the social, economic and societal benefits derived from resource extraction. Some state we shouldn't let focus on economic return prevent us from making important decisions to protect the environment. Some state the BLM should not cater to mining companies but should work to protect the environment.</b>	
Withdrawal of any lands will effect all local economy's and will cost many jobs in the future. Please consider any and all of the management plan carefully. This will effect economies for generations to come. We can find a balance and work together to create a solution to benefit both the environment and future generations without undue cost to ether.	1
The mining industry has always been and continues to be environmentally responsible. None of the people that work in the industry want to harm the Sage Grouse and are willing to make reasonable adjustments to meet their preservation needs.	1
I recognize that environmental protection is an essential element of land management and also in modern exploration and mining and believe there must be a balance between protection of the natural environment and the social, economic and societal benefits of derived from resource extraction - specifically mining. The current segregation and formal proposed withdrawals and recently enacted restrictive land use management plan decisions pertaining to Sage Grouse protection are clearly not balanced at all and in fact show exceptionally strong bias with little science to support the decision making process. I urge you to reconsider and rescind the current temporary segregation and proposed withdrawal and recind implementation of the land use management plan decisions discussed below.	1

Comment	Number of Commenters Providing this Comment
We support the responsible use of our natural resources for purposes of economic development and maintaining our state's way of life.	1
Finally, it is important to recognize that all segments of the modern mining industry are socially and environmentally responsible and extremely concerned with the preservation of the lands and cultures within which we work and live.	1
We believe that land management agencies have the responsibility and the need to develop management methods that allow for support of biological communities while fostering mineral development. This is a task that can only be accomplished by specific analysis on a case-by-case basis.	1
Too often, we let our shortsighted focus on economic return and pleasing corporations prevent us from making important decisions to protect the few intact ecosystems we have left. It is time that the BLM fulfill its conservation mission and not only cater to mining companies who have little regard for ecological integrity.	1
The sage grouse and other wildlife are important to our environmental and natural heritage, but minerals are essential to our economy and national security. Protecting and using both are possible and need not be mutually exclusive. Act to preserve the balance of these resources and reject the withdrawal.	1
The withdrawal action has the potential to negatively impact the economy of the State of Nevada The total gross domestic product of the State of Nevada is approximately \$132 billion. Of this, mining's economic output is \$8.8 billion, or about 6% of Nevada's economy. The majority of this economic output occurs in rural Nevada, contributing to the economic and social vitality of the state's rural communities. Mining directly employs 11,100 Nevadans in high paying, skilled positions. In 2014, \$1.25 billion was paid to workers in direct wages. It is estimated that for each mining job, four indirect positions are created. The industry also generates significant tax dollars that support schools, road construction, and other state and local functions..... Without a doubt, species protection can successfully and peacefully coexist with mineral exploration and mining without the implementation of draconian measures such as land withdrawals. In order for mining to continue to thrive and be a significant contributor to our national and state economies, new sources of mineral resources must be identified and developed.....The proposed withdrawal removes vast tracks of land that have significant mineral potential, as already determined by the U.S. Geological Survey (USGS), from consideration for future development while providing minimal protections to sage grouse habitat.	1
While Sweetwater County understands the need to withdraw these acres to protect prime sage grouse habitat, it is understood that these enviromntental protections need to be balanced with their economic impacts. To ensure this is addressed, Sweetwater County encourages the BLM to answer the following question: What is the economic impact to local communities and states caused by withdrawing approximately ten million acres from mineral entry?	1
For a State like Nevada with a vibrant economic and cultural interest in mining and agriculture, the withdrawal of public lands from mineral entry and associated land management restrictions will prove impactful, perhaps changing forever Nevadans ways of life. It is important now, more than ever, that the BLM and United States Forest Service ("USFS") (together, "Agencies") work closely with local government to ensure the protection of the Greater Sage Grouse is balanced with the need to protect Nevada's citizens; and perhaps discover that the two are not mutually exclusive.	1
I believe in conservation, but I do not condone the extreme environmental agenda to close everything to everyone. Not only is the extreme environmentalist agenda a complete racket, but it hurts small businesses and rural communities. This nation must utilize its resources in a responsible way, but that does not mean cutting off its lifeblood. According to a lawsuit filed by Elko and Eureka counties in Nevada, Elko County alone expects the withdrawal to cost approximately \$31 million annually in agriculture, mining and energy development revenue.	1
Full disclosure necessitates that I say that, as a gemstone faceter specializing in Oregon sunstones, my livelihood is dependent on my friends and colleagues, the Warner Valley miners affected by a SFA. I support efforts to protect the Sage Grouse and its high desert habitat. After studying the range and habits of Sage Grouse I am of the firm opinion that this can be accomplished without imposing undue economic hardship on our country and especially the small communities that also occupy this beautiful area.	1

Comment	Number of Commenters Providing this Comment
Having nearly 80 yrs experience with nature, I'm concerned for our sage grouse & the people who make their living working with the land - most who work with the land take care of the land and its inhabitants. Sage Grouse and cattle exist well together without gov't control. Most miners will leave the environment better than they found it - if given reasonable information and guidance.	1
As you begin receiving public comments on the proposed mineral withdrawal in sagebrush focal areas, I urge you to closely listen to the opinions of Montanans who will be adversely impacted by these burdensome mitigation efforts. I support protecting our rich and diverse wildlife, but I also believe we must uphold the multiple use doctrine established by the Federal Land Policy and Management Act of 1976. Closing off various forms of access and development only further disserves Montana and threatens our economic well-being.	1
Elko County contends that the potential and real constraints created by the SFAs are detrimental to all multiple uses, .... Elko County asserts that the proposed SFAs conservation measures can and must be resolved by logical unbiased methods that will not destroy local and regional economies and the general public ....Elko County stresses that the BLM, USFS and the Federal Government in general must moreover endeavor to protect and enhance regional and local economic sustainability in conjunction with (but not subordinate to) Greater Sage-Grouse habitat conservation.	1
The BLM's proposal to withdraw 10 million acres of federal lands from mineral entry is unprecedented and constitutes the largest withdrawal in the history of the Federal Land Policy and Management Act. Lincoln County encourages and supports environmentally responsible natural resource exploration and development. It is a primary land use in the County and supports the local economy of these rural areas. It also significantly contributes to the State revenues. However, we may never know the full lost economic opportunity if this ill-conceived withdrawal proposal continues to fruition. We implore you to halt this misguided proposal.	1
AEMA and its members will also be injured if the BLM's environmental analysis fails to comply with the National Environmental Policy Act's ("NEPA"), 42 U.S.C. §4321 et seq., procedural requirements. For example, AEMA is committed to principles that embody the protection of human health, the natural environment, and a prosperous economy. AEMA views economic, social, and environmental effects on the human environment, as well as mining, as interrelated—not mutually exclusive...the BLM must take a hard look at all effects of the proposed withdrawal's prohibition on mineral exploration and development within the SFAs. The effects from the proposed withdrawal include impacts on the economy and social environment, which are components of the human environment. The proposed withdrawal will result in numerous consequences, not solely environmental benefits, and those consequences must be considered....the EIS must thoroughly discuss the economic and social effects of the proposed withdrawal on the human environment	1
<b>3.10.4 Socioeconomics: Benefits of the Withdrawal: Commenters make statements about the socioeconomic benefits of the withdrawal. They state the analysis should include the economic benefits of protecting lands from mining and evaluate the impacts on nonmarket values from the withdrawal. They state that direct, measurable economic benefits can occur to local communities as a result of recreation opportunities provided by wilderness quality lands. Some state mining would have short term economic benefits, but it would reduce economic viability in the long run by making the area less able to support fish and game. Some state that the most important social and economic value come from maintaining intact sage-grouse habitat.</b>	
Fortunately these areas are not areas of high mineral potential or development interest and there are very few existing mining claims in either area. This supports the idea that the most important social and economic value in both areas is maintaining intact sage-grouse habitat.	45
Fortunately these areas are not areas of high mineral potential or development interest and there are very few existing mining claims in either area. This supports the idea that the most important social and economic value in both areas is maintaining intact sage-grouse habitat....People need healthy natural habitat more than they need more minerals.	1
NEPA requires that BLM look at both the costs and benefits of proposed decisions (see, e.g., 40 C.F.R. § 1508.8). For the current notice, this analysis should include the economic benefits of protecting lands from mining. The recreation opportunities provided by wilderness quality lands yield direct, measurable economic benefits to local communities. A report by the Sonoran Institute found that protected lands have the greatest	1



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influence on economic growth in rural isolated counties that lack easy access to larger markets (Rasker et al. 2004). From 1970 to 2000, real per capita income in isolated rural counties with protected land grew more than 60 percent faster than isolated counties without any protected lands. This report also found that rural western counties with a higher dependence on extractive industries showed lower income and employment growth (see also Rudzitis and Johansen (1989, 1991), Whitelaw and Niemi (1989), Johnson and Rasker (1993, 1995), and Lorah (2001) for additional research on the role of wildlands in the local economy). Withdrawing areas from mining can extend these benefits to communities in the interior West.	
BLM should also evaluate impacts on nonmarket values from withdrawal, pursuant to current agency guidance (IM 2013-131). The BLM has committed to “utilize estimates of nonmarket environmental values in NEPA analysis supporting planning and other decision-making.” Nonmarket values are described as values that “reflect the benefits individuals attribute to experiences of the environment, uses of natural resources, or the existence of particular ecological conditions that do not involve market transactions and therefore lack prices,” such as “the perceived benefit of hiking in wilderness.” BLM’s guidance directs the agency to analyze nonmarket values for each alternative and adopt management decisions that are informed by that analysis: In framing information for management decisions, focus on the difference in changes to nonmarket values between action alternatives. Such information can highlight tradeoffs..... (IM 2013-131, Attachment 1-5) The guidance also directs that quantitative analysis of nonmarket values is strongly encouraged when: ... the alternatives to be considered present a strong contrast between extractive and nonextractive uses of land and resources.... (IM 2013-131, Attachment 1-7) As the EIS for this recommended mineral withdrawal will evaluate development-focused (no action) and more conservation-focused alternatives, BLM should conduct quantitative analysis of nonmarket values associated with these alternatives.	1
When looking at public benefits such as those derived from a small group for mining and related uses, there are far more of the public who use the entire Yellowstone NP for their public benefit and for income to the surrounding communities, including YNP.	1
This will enhance tourism like ours to not just Yellowstone, but also areas in Idaho like Hebgen Lake, Henry’s Lake and the Island Park area, which I have used as a base in the past when visiting these areas.	1
--we owe it to future generations to conserve this pristine, natural acreage.	1
I am a big fan of eastern Idaho and take two trips annually to that region to fish and see friends. I am strongly in favor of excluding surface mining in that area, and I gather you are considering a twenty-year-exclusion. I urge you to take this action. I believe the land you are considering is economically viable long term without mining. By contrast, mining would bring a short term economic stimulus, but it would greatly reduce economic viability in the long run by making the area less able to support fish and game. After all, has anyone ever heard of a mining operation that did not damage the surrounding land and eventually have to be cleaned up? I am strongly in favor of a mining exclusion.	1
The Greater Yellowstone Ecosystem is appreciated my many Americans and also brings in money to these areas when people visit the areas to recreate and observe wildlife in their natural habitats.	1
<b>3.11 Soundscapes: Commenters make statements about soundscapes or noise. They express concern about mining-related noise effects to sage-grouse.</b>	
It is my understanding that noise related to mining has a negative effect on Sage Grouse. (See Blickley, Jessica L., Diane Blackwood and Gail L. Patricelli. 2012. Experimental evidence for the effects of chronic anthropogenic noise on abundance of Greater Sage-Grouse at leks. Conservation Biology. 26: 461–471). Please protect Oregon Sage Grouse by closing the lands proposed for Withdrawal. That will help keep it quiet enough to hear all of the birds that belong in the deep sage.	1
Braun (1986) and Remington and Braun (1991) documented significant impacts from coal mine-related activities on sage grouse populations. In addition, underground coal mining comes with the necessity of ventilator fans, which typically emit levels of constant noise that exceed thresholds causing significant impacts to sage grouse. See Attachment 5. For coal development in priority habitats, the BLM’s National Technical Team	1

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(2011:24) recommended, “Find unsuitable all surface mining of coal under the criteria set forth in 43 CFR 3461.5,” and for underground mining, “Grant no new mining leases unless all surface disturbances (appurtenant facilities) are placed outside of the priority sage-grouse habitat area.” Withdrawing the lands in question from future coal leasing protects these important sage grouse habitats from the same impacts as would be expected under locatable minerals development.	
Soundscapes is a man-made distinction. How can you actually measure this in a bird population...	1
<b>3.12 Transportation: Commenters make statements about transportation and/or travel management. Some express concern about travel restrictions and/or state that strict travel restrictions impact the ability to mine. Some state the EIS must address the status of roads in the withdrawal areas.</b>	
Travel restrictions impose no new disturbance anywhere which is not only unrealistic but stymies any economic activity—mining, oil and gas, geothermal, ranching, etc. This is excessively heavy handed. Any exploration or development projects on existing mining claims are throttled since building a new (temporary) road to drill a few holes and similar activities involving any disturbance will be prohibited. This renders the claims worthless and, with the travel restrictions mentioned above, wipes out the rights of ingress and egress which are guaranteed under existing law.	1
The ROD/ARMPA states that roads in greater sage-grouse habitat that aren't included in Travel Management Plans will be obliterated and seeded. The BLM/USFS must ensure that existing roads in the proposed withdrawal area are given the same consideration, as any other road, for inclusion in Travel Management Plans.	1
In fact, the road to the patented lands lies about 1.0 mile from the proposed boundary of the withdrawal area, This access road begins from a County Road. This County Road is clearly marked on all of the figures. In fact, this County Road is the summer access to the town of Jarbidge, Nevada and is clearly identified as Route 748 on the Bureau of Land Management figure.....Not only is the area in question small in size, it also is located along a designated County Highway (County Route 748) which transects the unpatented claims and from which the road to the patented claims takes off. The total distance along the road from the County Route to the patented claims is less than 0.25 miles. The distance to the Prunty Mine road is approximately 1.0 mile from the boundary of the SFA along County Route 748 based on the BLM's own measurement tool. This designated County Route is the summer access to the Community of Jarbidge, Nevada. Without this summer access, one would need to travel north into Idaho to reach Jarbidge, Nevada.	1
The EIS must address the status of roads in the withdrawal areas not included in the Travel Management Plans.	1
The strict travel restrictions directly impacts Pilot Gold’s ability to mine...travel would be limited to existing routes...prevent Pilot Gold from using off-highway vehicles to stake claims or conduct soil sample surveys...precluded from building roads and drill pads to access targets, and will be prevented from upgrading existing roads for access to drill targets or private lands	1
<b>3.13 Visual Resources: Commenters make statements about visual resources. They express concern about adverse effects on dark sky resources from mining.</b>	
Hardrock mining may have significant adverse effects on dark sky resources	1
Visual Resources are also a man-made distinction. I find beauty in natural wonders, but I do not believe sage grouse have this capacity. I did try to find a study on their preference for vistas, but could not find any reference.	1
<b>3.14 Water Resources: Commenters make statements about water resources and/or water quality. Some state they are concerned about negative effects of mining on water. Some state that the EIS should consider the effects of mining on water quality or wetlands. Some make comments about considering the benefits of the withdrawal on this resource and/or the withdrawal will protect water quality. Some state the withdrawal will ensure water resources are available for sage-grouse. Some state the application should state that water is required because the best indicator of Sage Grouse presence is water.</b>	

Comment	Number of Commenters Providing this Comment
Finally, in your analysis I encourage you to consider the benefits of a comprehensive mining withdrawal to other resources and issues such as water quality, climate change, and the other wildlife species.	95
Another resource conflict is water. Both Abert Lake and Crump Lake went dry last year. If additional mining were to be approved on the Abert Rim or in the Beatys Butte area that would create addition competition for a scarce resource that is already over allocated. Preventing future prospecting and subsequent mining will help leave water in the riparian areas that are crucial to Sage Grouse brood survival in the spring. (Add citation?)	1
We have inadequate data on the effects of hardrock mining on water quality and quantity. A temporary withdraw will allow time for studies that may yield this essential information. Water from seeps, springs, creeks and their associated riparian areas are critical to SG during nesting and brood-rearing. Again, negative impacts from mining could be long term and cumulative.	1
BLM should also carefully evaluate the costs and harms of permitting new mining to occur on public lands. Any new mining permits should fully adhere to the conservation measures and proposed planning decisions described by the BLM National Technical Team (2011). The costs and harms to sage-grouse habitat and life-cycle, as well as for other species that depend on these same lands must be considered. Environmental conditions, such as air and water quality, and other resources, such as wilderness qualities and backcountry recreation, deserve careful evaluation.	1
I encourage you to consider the beneficial effects of a comprehensive mining withdrawal on other issues such as water quality and climate change.	1
In addition to hardrock minerals I urge you to also include phosphate and coal for withdrawal. In my opinion--from personal observation--the current and past phosphate mining has done tremendous damage in eastern Idaho. I believe the proposed mineral withdrawal would be a critical step in protecting a wide variety of important wildlife species--including sage grouse--and ensuring a high level of water quality.	1
These lands are important habitat for not only sage grouse, but also moose, elk, pronghorn, and an expanding population of grizzly bears. It is time to improve environmental protections and establish management priorities which will provide better management for resources other than mining. I strongly support a comprehensive mining withdrawal and prioritization of other resources and considerations such as wildlife, water quality, climate change, recreation and a viable reserve of undisturbed habitat for the future.	1
Water quality will also be impacted.	1
Finally, I support the withdrawal of lands from all of the above forms of mining in order to protect surface-water and groundwater quality.	1
I encourage you to consider the benefits of a comprehensive mining withdrawal to other resources and issues such as water quality, climate change, and the other wildlife species.	1
I believe the water quality, climate change and the protection of wildlife species are all more important than the expansion of the mineral withdrawal in areas with sage grouse habitat as well as other wildlife in including moose (whose numbers are declining around the country), grizzly bears, pronghorn, elk and many other bird species. Hard rock mining is very destructive to these habitats.	1
I think, too, that a comprehensive mining withdrawal in the Greater Yellowstone Ecosystem is a worthy commitment with many additional benefits, including water quality, other wildlife protection, and facing the challenge of protecting this region with a changing climate that will bring new pressures to bear....	1
In your analysis, I request that you consider the effects of mining on water quality, climate change, and habitat for other wildlife species.	1
It is also important to consider the widespread repercussions of mining in your analysis. We could all benefit from a comprehensive mining withdrawal that would help restore and preserve other resources and positively impact issues like water quality, climate change, and other wildlife species.	1
The application should state that water is required, as stated above, because the best indicator of Sage Grouse presence is water. There is a huge benefit to the Sage Grouse from ranching and agricultural uses that promote riparian areas used for watering. If there is a co-benefit of stock watering in a particular area, then the impact of reducing the associated use may be detrimental to Sage Grouse. Another consideration is the indirect impact on fire occurrences if stock watering and other water uses are reduced as a result of the Withdrawal. The BLM should also be aware	1

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that FLPMA requires "a report specifying that the applicant or using agency has acquired, or proposes to acquire, rights to the use of the water..." Finally, a withdrawal requires a statement with specific supporting data as to: (i) Whether the lands involved are floodplains or are considered wetlands; and (ii) Whether the existing and proposed uses would affect or be affected by such floodplains or wetlands and, if so, to what degree and in what manner.... this analysis must be performed using the definition of floodplains under the newer and older CWA rules and regulations....As part of the impacts analysis to wetlands, it is important that the BLM acknowledge the importance of grazing to vernal pools. In fact, one of the active management techniques used for maintaining vernal pools is grazing. The BLM should strongly consider studies that analyze this key symbiotic relationship.	
The benefits of a comprehensive policy that discourages mining in special places like the Greater Yellowstone Ecosystem would also benefit water quality and have a positive effect on climate change as well as preserving wildlife species.	1
Mineral exploration activities usually require no NEPA review, and thereby represent a risk to sage grouse and sage grouse habitat, which should be analyzed in the EIS....Hardrock mining is incompatible with the protection of sage grouse and sage grouse habitat because impacts associated with large-scale surface disturbance are long-term and unavoidable....Hardrock mining can result in significant adverse effects to water quality and quantity...The following examples of mining operations...demonstrate that the 1872 Mining Law and associated state and federal regulations cannot ensure the protection of wildlife habitat from the impacts of hardrock mining....Hardrock mining can have significant adverse effects on other wildlife species associated with greater sage-grouse habitat... Hardrock mining may have significant adverse effects on fish populations...Other sensitive species or endangered or threatened species associated with sagebrush habitat will benefit from the proposed mineral withdrawal	1
<b>3.15 Wilderness: Commenters make statements about wilderness areas or lands with wilderness characteristics. Some commenters state that mining disturbs areas designated as wilderness and/or lands with wilderness characteristics and the EIS should analyze the effects of mining on these resources. Some state that the withdrawal would benefit wilderness areas and/or lands with wilderness characteristics and the EIS should consider those benefits.</b>	
BLM should assess how mining would affect identified "lands with wilderness characteristics."	2
Please prohibit mining development in the Sagebrush Focal as recommended in the Hi Line RMP of June 2015. Mineral development would destroy more Sage Grouse habitat and disturb areas designated as Lands With Wilderness Characteristics. There's already too little wild, natural land left, compared to the vast amount of our public lands which have been developed for resource extraction and commercial and agricultural uses. Historically, and to the present, mine reclamation in Montana has a poor track record. Protecting the wild areas that we have left should be a priority of the BLM.	1
My feeling is that focusing on sage grouse helps protect our wilderness for all our native species. Hooray!	1
Proposed Lands with Wilderness Characteristics and important wildlife habitat that overlaps SFAs, PHMAs and IHMAs should be included in the withdrawal... In 2013, GYC conducted and submitted a citizen inventory of lands with wilderness characteristics (LWC) for the Upper Snake Field Office6. GYC identified over 130,000 acres that qualified as LWC, many of which are in or adjacent to SFAs, PHMAs and IHMAs. These areas are described below for their wilderness characteristics..... Areas not inventoried because they were not considered in the Greater Yellowstone Ecosystem (GYE), but should be included due to their importance to sage grouse and other species: The Dutch Flat area north of Mud Lake and northwest of the Camas National Wildlife Refuge (CNWR), provides important habitat to sage grouse and other species. The CNWR provides critical habitat for over 300 species of birds including trumpeter swans, long billed curlew, sage grouse, bald eagles and short eared owls. Mammals include moose, elk, deer and pronghorn.... The wilderness characteristics outlined above define many of the unique features at risk from mineral development in southeast Idaho. The proposed withdrawal would benefit these exceptional natural areas to promote wildlife habitat and provide places for solitude and primitive recreation.	1

Comment	Number of Commenters Providing this Comment
BLM should also carefully evaluate the costs and harms of permitting new mining to occur on public lands. Any new mining permits should fully adhere to the conservation measures and proposed planning decisions described by the BLM National Technical Team (2011). The costs and harms to sage-grouse habitat and life-cycle, as well as for other species that depend on these same lands must be considered. Environmental conditions, such as air and water quality, and other resources, such as wilderness qualities and backcountry recreation, deserve careful evaluation.	1
The primary mineral of concern is bentonite....As a result of exploration and expansion of current operations, it is estimated that two bentonite mining projects will be developed in the focal area (Brazil area.) These mines would be open-cut and have 100 acres of disturbance per operation,... According to the BLM Final HiLine RMP, there are a total of 6,442 acres with high development potential, 11,453 acres with moderate development potential, and 71,514 acres with low development potential within the Focal Area. There are 11 BLM parcels within the focal area identified as "lands with wilderness characteristics." It is unclear from the maps provided whether any of the LWCs are within the area identified as having low, moderate or high potential of bentonite. A portion of Caravan Marsh Hawk Hills may have some potential. The Mountain Plover Area of Critical Environmental Concern is located within the focal area and may have bentonite development potential. The ACEC was created to protect habitat for Mountain Plover, a sensitive species, but the designation does prohibit mining.... Assess how mining could impact mountain plover and other wildlife in the focal area. The Mountain Plover ACEC (24,762 acres) is located within the focal area and may be threatened by development..... BLM should assess how mining would affect identified "lands with wilderness characteristics."	1
...the withdrawal is for the purpose of protecting and preserving the Split Rock Interpretive Site...already fully protected as it is part of an ACEC as well as part of a Wilderness Study Area...these designations provide more than adequate protections for the Site.	1
<b>4.1 Purpose and Need: Commenters make statements about the project's purpose and need. Some state the purpose and need should explain why the project is necessary or how it protects sage-grouse. Some state the purpose and need is important in establishing scope and developing alternatives. Some suggest specific wording.</b>	
BLM has failed to demonstrate that the withdrawal of 10 million acres from location and entry under the general mining laws is necessary or even recognizably beneficial to achieve the stated objective of conserving the sage grouse and its habitat.	1
Under the BLM's "purpose and need statement", "The purpose of the proposed withdrawal of the Sagebrush Focal Areas in priority Habitat Management Areas is to protect the greater Sage Grouse and its habitat from adverse effects of locatable mineral exploration and mining subject to valid existing rights." 80CFR 57637. The purpose and need statement is a key element in the development of alternatives in the EIS. The purpose and need statement is at best a broad brush approach to a very large landscape using a statistical model as a basis for alternatives and the assessment that additional protections are warranted. The model also sets the boundaries of the SFA; USGS researchers admitted to the Sage Brush Eco-System Council that the boundaries are estimated based on computer generated probabilities with rough data collected from "coarse" resolution land-sat satellite imagery. Without accurate, statistically defensible data, the boundaries of the SFA are a best guess and cannot represent "best science" without extensive ground truthing efforts. Until the model is validated in this way, SFA boundaries, management assessments and proposals will remain arbitrary and capricious. Focused managed alternatives outlined within the EIS will dramatically limit exploration of mineral resources during the life of the withdrawal. The proposal to limit economic activity within Humboldt County must be based on data and boundaries which are in agreement as critical to sage grouse habitat. At this date, there is not agreement among management professionals that additional restrictions are warranted.	1
The BLM must justify its proposed mineral withdrawal outside of sage-grouse habitat, and explain how this withdrawal meets the purpose and need of protecting sage-grouse.	1
The BLM must analyze the acreage of the proposed withdrawal to determine whether the approximately 10 million acres range-wide and approximately 3.8 million acres in Idaho are absolutely necessary to effectuate its purpose.	1



Comment	Number of Commenters Providing this Comment
The Purpose and Need statement for an EIS establishes the scope of the analysis for the document. Beyond evaluating BLM's decision to withdraw 10 million acres of land from operation of the Mining Law to conserve Greater Sage-grouse ("GSG") habitat, the EIS Purpose and Need should clearly explain why the proposed mineral withdrawal is necessary and consistent with applicable federal laws and regulations. Specifically, the Purpose and Need statement must examine whether withdrawing 10 million acres of land is necessary to address the impacts from mining on GSG habitat in light of the gross disparity between the dimensions of the vast GSG habitat compared to the documented localized and minor impacts from mining upon this habitat. In discussing its not warranted listing decision, FWS clearly states that mining does not have a significant effect on GSG habitat.....Also, FWS quantifies the huge area of the western U.S. that contains GSG habitat.....	1
The BLM should adopt a different purpose and need from what is written in the withdrawal notice at 80 CFR 57637. The withdrawal notice states: "The purpose of the proposed withdrawal of the Sagebrush Focal Areas in Priority Habitat Management Areas is to protect the Greater Sage-Grouse and its habitat from adverse effects of locatable mineral exploration and mining subject to valid existing rights." 80 CFR 57637. Instead, the purpose and need should read, "The purpose of the proposed withdrawal of the Sagebrush Focal Areas in Priority Habitat Management Areas is to protect the Greater Sage-Grouse and its habitat from adverse effects of locatable mineral exploration and mining subject to valid existing rights above and beyond the protections outlined in the 2015 Amended Resource Management Plan to achieve the greatest level of conservation in a manner that leaves as many lands with mineral potential open for mineral entry pursuant to FLPMA multiple use and sustained yield mandates."....The underlying need as identified in the ARMPA is to provide additional protection to areas the BLM has identified as "Sagebrush Focal Areas," or deserving of the highest level of protection. What sets SFAs apart from other priority habitat areas within the ARMPA is the withdrawals. This implies that the withdrawals provide additional protection above and beyond what the ARMPA provides for all priority habitat. Therefore, the alternatives must be crafted based on this statement of purpose and need. If there is no additional protection, then the withdrawal provides no benefit at a great cost. Therefore, the statement of purpose and need should be framed to highlight the additional protection that will be provided within the SFA. Request 11-B-1: That the Agencies adopt the Purpose and Need as expressed in this section.	1
...the EIS Purpose and Need should clearly explain why the proposed mineral withdrawal is necessary and consistent with applicable federal laws and regulations. Specifically, the Purpose and Need statement must examine whether withdrawing 10 million acres of land is necessary to address the impacts from mining on GSG habitat in light of the gross disparity between the dimensions of the vast GSG habitat compared to the documented localized and minor impacts from mining upon this habitat...	1
<b>4.2.1 Legal Authority/Basis: General Statements: Commenters make general statements about the legality of the proposal. Some state government doesn't own the land and they are supposed to manage land for the people. They make statements about "our land" and refer to the withdrawal as a "land grab." Some say that taking away use of lands for the withdrawal is illegal and/or unconstitutional. Some state the government has no right to implement the land closure. Some state congressional approval is needed for the withdrawal. Some state that the public lands belong to all Americans and the BLM has the duty to protect public land for all to enjoy. Some state they don't want public lands destroyed by mining.</b>	
We the public paid to buy the Federal Lands. We pay to use the lands. We pay to maintain the lands.....Prime Sage Grouse property was left to burn outside of Ely. Now you are taking away the usage of public lands from us and the Native Americans.	1
I urge the BLM to take a hard look at what is being proposed here. There are numerous legal questions that must be addressed before any action can occur regarding this proposal.	1
It is unclear to me how the Department of the Interior or the Department of Agriculture can remove more than 5,000 aggregate acres from a specific use without the approval of the United States Congress. The officials at the scoping meeting in Wyoming were unable to answer how these two agencies are able to circumvent that requirement.	1

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I have been very disappointed at the special interest favors constantly given away. These are the American citizen's lands .. not ranchers. The bullying going on now is despicable and a good example of how the wealthy get away with what the citizens could NEVER do. (ie: Bundy, ranchers occupation of OUR Park). Americans WANT our lands protected for our grandchildren to come. We DON'T want our lands being given to wealthy ranchers so they can raise a "product" to sell to us for a huge profit ..after using OUR lands. You can do better. We need you to do better.	1
Do your job-Protect Our Public lands, waters, health, wildlife & future! You work for Citizens, Not industry! Your attention to this most urgent matter would be much appreciated by all present & future generations of all species.	1
Keep you DAMN HANDS off of out land!!!!!!!!!!!!!!!!!!!!!!	1
The EIS must elucidate, define, and identify the laws and authorities of the federal agencies to establish Sagebrush Focal Areas (SFAs).	1
The Agency has no legal authority to make the proposed withdrawal. Given the September 30, 2014 ruling of the United States District Court for the District of Arizona in consolidated civil cases CVI 1-8171 PCT-DGC, CV12-8038 PCT DOC, CV12-8042 PCT DGC and CV I 2-8075 PCT DGC, currently on appeal to the Ninth Circuit Court of Appeals (National Mining Association v. Jewell. No. 14-17350 and consolidated cases 14-17351, 14-17352 and 14-17374, finding the congressional veto provision for land withdrawals unconstitutional, the authority upon which the Secretary relies for making the proposed withdrawal is invalid.	1
... by the law of rights of access and in the interests of the state's , cities, and small businesses that benefit from the travels of people going out into the wilds, this land should not be locked up.	1
It is legally actionable because you cannot take away rights from all US Citizens without legislative action.	1
Volcanic Gold and Paragon both qualify as small businesses under the RFA and seek full protection afforded by it and The Small Business Regulatory Enforcement and Fairness Act.	1
Therefore, please acknowledge our objection to this mineral withdrawal proposal, now and in the future. Only Congress has land designation authority and this appears to create de facto wilderness by the executive branch.	1
The American people are becoming increasingly aware of the "land grab" under the environmentalist agenda and we are watching and keeping track of the votes made by biased representatives....The Sagebrush Withdrawal is just another attempt to eliminate 3,854,622 acres, or roughly 85% of Massachusetts, from the American people, particularly from miners and ranchers. Do you honestly think this bird requires this much space? It's not even considered by the environmentalists as endangered-which translates to, there is no issue for the sagebrush! This isn't about the Sagebrush, that is just the best line of tactic for the "land grab" strategy.....It is very apparent that the environmentalists are trying to shut down and strangle all mineral mining, even to stop panning, with regulations. Judge Ochoa has decided that the over regulation on dredging for gold is a scheme that is illegal and unenforceable. The sagebrush withdrawal is just a continuation of this scheme. DO NOT BE A PAWN IN THE ENVIRONMENTALISTS GAME AND SHOW COMPASSION TO THE PEOPLE YOU REPRESENT. You represent me and millions of others including, 50,000 fellow small scale miners, and we say NO on the Sagebrush Withdrawal because it is not about the bird, it's about the environmentalists agenda!	1
I am writing on behalf of over 50,000 small miners who will be severely and adversely affected by your recent decision to designate 3,854,622 acres of public land withdrawn from mineral entry under the guise of protecting the Greater Sage-Grouse..... Designating giant swaths of public lands off limits and in opposition to the express intent of Congress with the Mining Acts of 1866 and 1872 is not just illegal, but will result in economic impacts to the middle class, the lower middle class and to our country as a whole who is reeling from already failed economic policies. Many people, predominantly middle class, make their living off of mining valuable minerals on these lands. They rely on the laws set forth to protect these lands for exploration and development and this latest attempt by you is nothing short of giving the finger to tens of thousands of the public who pays your salary. Gold and other valuable minerals mined by these small miners each year helps the overall economy of this nation and	1

Comment	Number of Commenters Providing this Comment
provides many rural communities with much needed revenue in this ever increasing attack on the rural communities and middle class of America. People and businesses rely on miners, not just for the valuable minerals they mine, but they also rely on revenue the miners spend at the local hardware stores, gas stations and grocery stores and are closing all across the west because of this outright attack on mining. On behalf of the over 50,000 small miners impacted by this atrocious and blatant attempt to continue the elimination of "public lands" open to the very people who own the lands, we vehemently oppose this proposal.	
As a Nevada resident for the Majority of my Life I ask that you DO NOT destroy my state, my Home, My Hunting grounds! The BLM Does NOT OWN THE LAND IN NEVADA or any other state for that Matter... YOU Are supposed to Be Managing it FOR THE RESIDENTS of the STATE! .....The BLM stands for the Bureau of Land MANAGEMENT... it means that you are supposed to manage MY STATES LANDs the way That WE THE PEOPLE of NEVADA want it managed... YOU THE BLM and EVEN THE FEDERAL GOVERNMENT DO NOT OWN THESE LANDS THEY ARE MY STATES LAND AND EVERY OTHER STATES LAND. YOU are supposed to BE the managers..... STOP THE LAND GRAB! DO NOT put sage hens on the endangered species list and do not CLOSE OUR LANDS!	1
It seems that every time you put some animal on the endangered species list it ends up KILLING the economy of areas effected! Remember the spotted owl... Killed the Timber companies... I don't need Government coming in and grabbing land and not allowing us the citizens to use OUR land in an attempt to Save Us from ourselves. Please reconsider doing a land grab and putting Nevada on destructive course for the residents... While our president seems to Think that the economy is the Rise... IT Isn't and I don't need my state and county and Myself and family to have any more financial set back do to governmental interference.	1
I strongly oppose this land grab. This all our lands not just blm's. Public land. Every day we lose more ground to enjoy in whichever way we chose Stop taking land from the public plz	1
It appears to be some sort of a land grab and not based on real science or on good allocation of public resources or time. Please do note that I totally oppose this attempt at more land withdrawing from public use.	1
The sage grouse (hen) population was outstanding in all area's that I hunted this year and if you are so concerned, why did you let us hunt them? Henceforth it is a land grab and Nevada does not need to be converted into the federal governments own little bird sanctuary for the eastern states enjoyment.. Learn the bird, PLEASE, learn that it's main enemy is the Raven and the Hawks (both protected) of the mountains and do the most damage by robbing the nests and killing a vast amount of young birds.	1
Stop the land grab. It's the people's land not the governments	1
Public lands and wildlife belong to all the American people, and our wildlife heritage must be conserved and protected. It is the duty of the BLM to protect the sagebrush habitat from new mining.	1
And we have had enough mining. It is very destructive and the mining companies simply don't care. Money is their god and it is all that is important to them. Anything else is to brushed aside and ignored. Public lands are mine too and I (AND MILLIONS OF AMERICANS) DO NOT WANT THEM DESTROYED OR SOLD.	1
Specific issues for the scoping process to consider are outlined below: Legal validity of this unprecedented 10 million acre mineral withdrawal without Congressional approval.	1
I find it highly questionable that we would be entering into a large withdrawal of land from mineral extraction right after we have finished a RMP that didn't result in the listing of Sage Grouse as endangered but we still keep beating that old idea to death as best we can. The old "let's find a new reason to withdraw this land from agriculture "is way beyond what you are authorized to do as a federal agency. I expect more from an agency that is supported by taxpayers and are a part of our (and I emphasis our) government. Some of this land was acquired under the Bank Head Jones Act of 1937 and later turned over by the Dept. of Ag. to the BLM in 1958 to be administered in conjunction with the Taylor Grazing Act....I have attached a copy of the quick claim deed of some Bank-Head Jones property to this document so that it will be entered into the record....See exhibit A	1

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Furthermore, I also demand disclosure of how many acres of "Public lands" under the BLM's jurisdiction have been removed from public land use versus how many acres of our public lands have been reintroduced back into the public use domain? ..... As this particular bird, or Sage grouse, was not listed as endangered by the Dept of Interior, you have no right to implement this illegal, corrupt, and unethical land closure. This land is our land, not your own personal playground!	1
The Proposed Withdrawal is Contrary to BLM and Forest Service's Stated Land and Resource Management Objectives	1
There are a lot of Americans that want to see our native species survive and thrive. Please consider the opinions of all Americans--not just a select few. We are talking about public land and I own it as much as you or any other American. We are all stakeholders and this stakeholder wants what is best for the land and the magnificent wildlife. Conservation is the key to saving wildlife, natural resources and public land for future Americans.	1
I have been reviewing protections for the sage grouse habitat and can't help but wonder-Why not protect Human habitat? People, including many US citizens, also call this area home--many were actually born there, and are just as much of the habitat as any sage grouse--more so, maybe as it is their money being used to protect it. They also have a right to live, work and develop the area. This entire sage grouse habitat plan appears to be nothing more than another of the Federal Governments land grabs. Furthermore, the additional restriction on mining claims that is being proposed is disgraceful. CONGRESS established the 1872 mining laws in order to provide a safe and organized way for individuals and corporations to develop the mineral deposits that would build a strong industrial base for our country. To short circuit congress is unethical, and to short circuit our individuals and companies is immoral-particularly when there is little evidence that the filing of mining claims will affect the sage grouse at all. In fact, it is only the development of a MINE that will have any minimal impact, which could be mitigated through the permitting process. The ban on mining claims is unnecessary.	1
The withdrawal of 2.8 million acres in Nevada is an illegal regulatory overreach designed to destroy the economy of Northern Nevada. It has nothing to do with sage grouse. Amy Leuders testified in Federal Court that the miners can still ride their burros to work their claims. This is a perfect example of the arrogance & ignorance of the BLM towards the people of Nevada. I guess we can ride our burros to the welfare office as well!	1
I am totally against this illegal land grab.	1
This is a completely unconstitutional land grab.	1
Get real. Never once saw a sage grouse at any of my claims. Be honest about why "our" lands are becoming restricted.	1
...Since the inception of the Endangered Species Act, the Bureau of Land Management and Forest Service have made their priorities special interest groups and not the citizens they are employed to represent. The Bureau of Land Management does not represent the will of the people but instead they represent the interests of groups who have no idea of the impact and/or devastation the listing of the sage grouse would have on our economy. The regulations are worse than the actual listing. Mining, ranching, hunting, and recreation are what make up Elko County. Without these groups Elko would not be the thriving community it is today or even worse may even cease to exist. The threat of listing the sage grouse will not only impact our mining, it will also have an impact on the ranching community of Elko County. Eighty Seven percent (87%) of Nevada's land is controlled by the Federal Government. The Bureau of Land Management and Fest Service regulations are not the solution but are the problem. We must all start to listen to the will of the people we represent. This is not only a Nevada fight but a fight facing the entire western part of our country. The people who reside in these states have voiced their opinions and concerns many times and each time they have been ignored. The Bureau of Land Management and Forest Service must represent the needs and the will of the people they represent not the interests of special interest groups. These agencies, who we finance and support, have the obligation to represent our citizens and have not only lost touch with the people of the western states, but also, continue to ignore their needs. These agencies must begin to acknowledge that the regulations are much worse than the actual listing and they must begin to listen to the citizens. I would represent that the comments in this letter are based on my personal views and I reserve the right to provide further comments as provided by Federal Register (80 FR 57635).	1

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<b>4.2.2 Legal Authority/Basis: FLPMA: Commenters make statements about FLPMA and/or multiple use. Some make statements about specific requirements and/or identify specific analyses that must be undertaken for the withdrawal. Some state lands should be managed under multiple use concepts. Some state the withdrawal would be detrimental to multiple use.</b>	
This action is against the “Multiple Use Doctrine” established by the Federal Land Policy and Management Act of 1976.	2
Second, the withdrawal requirements for these lands with documented mineral potential are not met under FLPMA Section 204(c)(2). Third, WEX’s Projects were unlawfully included within the proposed withdrawal area and should be immediately excluded from withdrawal under FLPMA Section 202(e).	1
The Federal Land Policy and Management Act (“FLPMA”) requires the Secretary to “manage the public lands under principles of multiple use and sustained yield, in accordance with land use plans developed.” 43 U.S.C. § 1732(a). Under FLPMA Section 204, withdrawals of 5,000 acres or more, i.e. large tract withdrawals such as the one at issue here, may only be made for 20 years and upon making such a withdrawal, the “Secretary shall notify both Houses of Congress of such a withdrawal.” 43 U.S.C. § 1714(c)(1). Concurrently, the Secretary must provide Congress with a comprehensive report on the withdrawal that explains, inter alia, why the withdrawal is necessary, the mineral potential of the area, and the economic impact of the withdrawal. Id. § 1714(c)(2). These factors demonstrate withdrawal of WEX’s claims from mineral entry cannot be justified. The claims were erroneously included in the proposal to withdraw triggered by the NVLMP.	1
The ROD includes a massive overhaul of “approximately 10 million acres of public and National Forest System lands.” 80 Fed. Reg. at 57,636. ...The inclusion of WEX’s claims within the SFA violates FLPMA and National Forest Management Act (“NFMA”) multiple use principles and mandates to manage public and National Forest System lands to provide a source of domestic minerals and the Mining Law.	1
While the statutory regimes differ -- the National Forests are administered under the National Forest Management Act, and the BLM lands under the Federal Land Policy and Management Act -- both statutes borrow from the Multiple Use Sustained Yield Act in their emphasis on striking a balance in land use planning among the competing values of recreation, grazing, timber, watershed protection, wildlife and fish, and wilderness. The statutory regimes that govern the BLM and the Forest Service are different but spring from the same basic principles articulated in the Multiple Use Sustained Yield Act, which emphasizes striking a balance in land use planning among the competing values of different uses including recreation, grazing, timber, watershed protection, wildlife habitats, and wilderness.... Thus, the withdrawal of 10 million acres of public lands directly contradicts the well-established multi-use doctrine of management of these public lands. By restricting mining and mineral exploration, the agencies are assuming that these activities are in conflict with habitat management activities. NAR believes that the lands and resources managed by the agencies, can best be—and must be—sustainably managed under the multi-use mandate set forth in FLPMA. It is critical that a balance among competing uses such as recreation, resource extraction and wildlife management be determined. Banning a use such as mining is a failure of the agencies to understand how that use may impact the species and develop an approach that allow all of the uses to co-exist successfully.	1
B. The withdrawal requirements under FLPMA 204(c)(2) cannot be satisfied for the WEX lands.	1
We further agree with the NMA and AEMA legal analysis on the authority of the Secretary to enact the proposed withdrawal. Pursuant to Section 204 of the Federal Land Policy and Management Act (FLPMA), 43 USC §1701 et seq, It is clear that Congress intended to retain a veto authority over a large tract withdrawal enacted by the Secretary. Although the veto authority was subsequently struck down by the United States Supreme Court, the Court’s decision resulted in the invalidation of the entirety of Section 204, including the portion of Section 204 authorizing the Secretary to enact a large tract withdrawal like the one proposed here. The result is that Congress, not the Secretary, has the exclusive authority to enact the proposed withdrawal.	1
Mineral withdrawal is an important tool for conserving essential wildlife habitat, cultural and historical sites and other sensitive areas from the threat of mining. The Federal Land Policy and Management Act (FLPMA) (43 U.S.C. 1714) authorizes the Secretary of the Interior to make, modify, revoke and extend withdrawals that remove lands from the operation of the public land laws, including the Mining Law of 1872, subject to	1



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valid existing rights. The Records of Decision (ROD) for the National Greater Sage-Grouse Planning Strategy identified mining as a threat to sage-grouse (RM ROD: 1-8; GB ROD: 1-7) and noted that withdrawing areas from location and entry will help reduce potential surface disturbance in SFAs (RM ROD: 1-22).	
Multiple Use under the Federal Land and Policy Management Act: The BLM and the Forest Service (FS), are mandated by law to provide for multiple uses on federal lands. Exploration and mining are two such multiple uses. However, based on the recently approved land use management plan amendments, it would appear that both the BLM and the FS have tossed this mandate aside in favor of management for one thing—GSG habitat. This clearly is not what is meant by “multiple use”. The exploration and mining industry for many years have worked closely with the federal agencies to accommodate numerous species of concern. This has worked well for both the industry and for the species being protected. Now, all of a sudden one species trumps everything — why?	1
The Application for Withdrawal of Vital Habitat is Well-Founded. The Federal Land Policy and Management Act (FLPMA), 43 U.S.C. 1714, authorizes the Secretary of the Interior to make, modify, revoke and extend withdrawals that remove lands from the operation of the public land laws, including the Mining Law of 1872, subject to valid existing rights.	1
In addition to greater focus on the primary threats to sage grouse and sage grouse habitat—wildfire and invasive species, there are various other tools available that could better achieve the agencies’ stated conservation goals, without withdrawing 10 million acres across the west in violation of FLMPA and at great economic and national security loss to the nation.....	1
There are various other tools available that could better achieve the agencies’ stated conservation goals without withdrawing 10 million acres across the west in clear violation of the multiple use tenants of FLMPA and at great economic and national security loss to the nation.	1
FLPMA section 204 governs the secretary’s withdrawal authority. Of the many prerequisites to a withdrawal, BLM is required to submit a report to Congress “prepared by a qualified mining engineer, engineering geologist, or geologist which shall include but not be limited to information on: general geology, known mineral deposits, past and present mineral production, mining claims, mineral leases, evaluation of future mineral potential, present and potential market demands.”	1
V. Legal Infirmities. a. Proposed Withdrawal of Greater than 5,000 Acres Without Congressional Approval Exceeds Legal Authority under FLPMA. The proposed withdrawal of approximately 10 million acres from location and entry under the general mining laws without Congressional approval far exceeds the Secretary’s authority to withdraw lands under FLPMA....In enacting FLPMA, Congress tied the legislative veto to the grant of authority for withdrawals greater than five thousand acres... Proposing to withdraw 10 million acres from location and entry under the general mining laws without any congressional oversight flies in the face of FLPMA, the Constitution, and decades of cases interpreting the public lands laws of this country. If accepted, this proposed withdrawal will be the largest in American history, and if executed without Congressional approval, will be of the exact type FLPMA, other public lands laws, and the Constitution intended to curtail— The wholesale withdrawal of mineral resources by administrative fiat, not because such lands are of particular historic or scientific value and designated in the smallest possible area as is the case under the Antiquities Act, or because the lands warrant emergency protection under Section 204(e) of FLPMA, but because the land management agencies speculate that it could have some positive effect on conserving sage grouse habitat, despite lack of adequate evidence to substantiate this. This proposed action is as irrational as it is illegal, and the lands in question must not be withdrawn.	1
b. Proposed Withdrawal Ignores the FLPMA Multiple Use Mandate for Federal Lands. As mentioned above, FLPMA governs the withdrawal of public lands but Congress' intent in addressing withdrawals was to reign in withdrawals by the executive branch rather than to increase such use.... the underpinning of the statute is that management of the public land should be on the basis of multiple use and sustained yield unless otherwise specified by law. A component of such multiple use includes the requirement that public land be managed in a manner that “recognizes the Nation’s need for domestic sources of minerals.” The definition of multiple use in FLPMA was essentially borrowed from the Multiple-Use Sustained-Yield Act of 1960 (MYUSA) and is intended to have the same meaning.... the legislative history of MUSYA regarding multiple use	1

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principles applies with equal weight to FLPMA.... NMA agrees strongly with BLM's assessment of FLPMA on its 30 year anniversary: "FLPMA provides us with the tools we need to cooperatively and creatively manage the public lands, and in the process, dispel the notion that a variety of uses and resources cannot co-exist." Similarly, BLM's 2006 Energy and Minerals Policy appropriately embraces FLPMA's multiple use mission.... "BLM land use planning and multiple-use management decisions will recognize that, with few exceptions, mineral exploration and development can occur concurrently or sequentially with other resource uses. The least restrictive stipulations that effectively accomplish the resource objectives or uses will be used." In pursuing the proposed withdrawal, BLM ignores the multiple use mission as the withdrawal is unnecessary to conserve sage grouse and its habitat.	
We believe that the proposed withdrawal of approximately 10 million acres from location and entry under the general mining laws without Congressional approval far exceeds the Secretary's authority to withdraw lands under FLPMA.....AMA believes the proposed withdrawal of 10 million acres of likely mineral rich federal lands is unnecessary and counterproductive to protect the sage grouse and its habitat. We request BLM honor the multiple use mission under FLPMA.	1
The proposal to withdraw mining and mineral exploration from our counties is simply another step to remove the Multiple Use criteria from BLM lands in Phillips County. This is just one more plan of the BLM to reduce human activity on federal lands in Phillips County. It appears the BLM is working on many levels and with several partners to accomplish this goal..... The 2010 "Treasured Landscape" document spells out the BLM's vision and values. These visions and values hold no regard for the local citizens, local government or jurisdictional boundaries. On page 3 of the "Treasured Landscape" paper, the BLM states it must undertake 3 initiatives. The 3rd BLM initiative is to leave out coordination with "local" land owners and governments.	1
We agree with Governor Otter that the process behind proposed amendments to federal land-use plans imposed unprecedented and unnecessary restrictions ... The Department of the Interior proposal to withdraw over 10 million acres of federal lands from mineral entry and new mining operations – 3.8 million acres in Idaho – is unprecedented and constitutes the largest withdrawal in the history of Federal Land Policy and Management Act.	1
There is no need to take away the possibility of multiple use of our land. Montana can benefit from metallic and non-metal withdrawals. These withdrawals can create jobs and jobs are hard enough to come by without the government shutting down all sorts of production.	1
The EIS must analyze the proposed withdrawal for consistency with the Federal Land Policy Management Act of 1976 (FLPMA) and the State of Nevada Greater Sage Grouse Conservation Plan.	1
FLPMA at Section 103(c) (43 USC 1702) requires lands under management of the BLM adhere to the definition of multiple use. Under these provisions, the BLM must manage the land to allow a variety of uses. The wholesale exclusion of a particular land use (in this case, exploration and mining) in the absence of coherent and comprehensive environmental and economic rationale is a clear violation of the Act.	1
FLPMA requires that proposed withdrawals must consider and disclose how the withdrawal will impact existing land uses and land users, the economic impacts to local communities and the country, and that BLM evaluated other suitable alternatives. Thus the EIS must satisfy NEPA and FLPMA requirements by including a thorough analysis of alternatives to reduce the impacts from the proposed withdrawal. As discussed in more detail below, these alternatives must evaluate reductions in the size of the current 10-million acre proposed withdrawal and alternative locations for the withdrawal to satisfy NEPA and withstand scrutiny under FLPMA 204(c)(2).	1
Putting known and future mineral resources in such a large area off limits for up to 20 years compromises the Nation's ability to provide for domestic sources of minerals in violation of FLPMA and deprives the affected claimants of their rights of due process.	1
This withdrawal process is governed by Sections 202 and 204 of the Federal Land Policy and Management Act of 1976 ("FLPMA"),...and with NEPA,...The proposed withdrawals of these SFAs are a direct result of the Nevada and Northeastern California Greater Sage-Grouse Approved Resources Management Plan Amendment signed September 21, 2015 ("ARMPA") and the recommendations provided by the FWS to the BLM in	1

<p style="text-align: center;"><b>Comment</b></p>	<p style="text-align: center;"><b>Number of Commenters Providing this Comment</b></p>
<p>the Fish and Wildlife Service ("FWS") Memo from Director Dan Ashe ("FWS Memo") to provide regulatory assurances to help avoid a listing under the Endangered Species Act ("ESA"). 4</p>	
<p>Mineral development is a legitimate use of public lands. Nevada is perhaps the most mineral rich state in the U.S. and much of its potential is unknown and unrealized. Currently, 86% of the state is under the management of the federal government. The policies and actions of the federal land managers have an immediate and direct impact on the discovery and beneficiation of precious, strategic and industrial minerals in the state. Four decades ago Congress recognized the vast array of uses of public land (including mineral exploration and mining) and decreed that those lands be managed for the benefit of the public. FLPMA was enacted to ensure the BLM manages the public lands on the basis of multiple use and sustained yield..... NvMA recognizes the difficult task the BLM faces in managing public lands for multiple use and conserving the environment. Yet mineral exploration and development are a crucial parts of the BLM's multiple use mandate, and the agency must ensure that they are not unreasonably limited. To that end, FLPMA requires the BLM to foster and develop mineral activities; not stifle and prohibit such development. Public lands are to be managed to recognize the nation's need for domestic sources of minerals. The withdrawal is inconsistent with these mandates.</p>	<p style="text-align: center;">1</p>
<p>The attached map shows Carlin Gold US's claims in the southern Cortez Mountains, Eureka County, Nevada. This is our Cortez Summit Project, and we have held these claims for 8 years by paying the BLM annual claim maintenance fees and filing annual intent-to-hold fees with Eureka County. The claims fall within your designated Priority Habitat Management Area (PHMA) in the above-referenced report. We have two active permits with posted reclamation bonds under the 3809 notice-level regulations. These regulations contain provisions to address greater Sage-grouse habitat. We have conducted drilling and are making plans to continue exploration work on the project. The area is within the Cortez Mining district, one of the most active gold-mining and gold exploration areas in the world, let alone Nevada. The mineral exploration potential in this area, particularly for "Carlin-Type" sedimentary rock-hosted gold deposits, has proven to be excellent. The fact that there are so many active claims in the area, being held at considerable expense through claim maintenance fees to the BLM, is a strong testimony to the mineral potential of the area. Notwithstanding the recent PHMA designation applied to this area, it is our hope that the BLM will continue to take these outstanding mineral resource characteristics into consideration as they administer these lands under the "multiple use" guidelines provided by the Federal Land Policy and Management Act of 1976.</p>	<p style="text-align: center;">1</p>
<p>According to the Federal Land Policy and Management Act ("FLPMA"), BLM is mandated to manage the lands it administers to retain uses including "but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish, and natural, scenic, scientific, and historical values." Similarly, the National Forest Management Act [("NFMA")] requires that the Secretary of Agriculture "provide for multiple use and sustained yield . . . in accordance with the Multiple- Use Sustained-Yield Act of 1960." FLPMA expressly provides that none of its land use planning provisions, among others, "shall in any way amend the Mining Law of 1872 or impair the rights of any locators or claims under that Act, including, but not limited to, rights of ingress and egress." Similarly, § 528 of MUSYA provide "Nothing herein shall be construed so as to affect the use or administration of the mineral resources of national forest lands. . ." In enacting FLPMA, Congress explicitly acknowledged the continued vitality of the Mining Law of 1872. Section 302(b) of FLPMA states: BLM is required to strike an appropriate balance between potentially competing interests and land management objectives: Therefore, the Application is contrary to explicit statutory language in FLPMA, and MUSYA, and § 22 of the General Mining Law.</p>	<p style="text-align: center;">1</p>
<p>While the goals of FLPMA are many, including protecting the environmental and other key values of the public land, the underpinning of the statute is that management of the public land should be on the basis of multiple use and sustained yield unless otherwise specified by law. A component of such multiple use includes the requirement that public land be managed in a manner that "recognizes the Nation's need for domestic sources of minerals." The definition of multiple use in FLPMA was essentially borrowed from the Multiple- Use Sustained-Yield Act of 1960 (MYUSA) and is intended to have the same meaning. See Senate Report No. 95-583 ..... and House Report No. 94-1163 .....Therefore, by analogy, the legislative history of MUSYA regarding multiple use principles applies with equal weight to FLPMA. UMA agrees strongly with BLM's</p>	<p style="text-align: center;">1</p>

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assessment of FLPMA on its 30-year anniversary: “FLPMA provides us with the tools we need to cooperatively and creatively manage the public lands, and in the process, dispel the notion that a variety of uses and resources cannot co-exist.” Similarly, BLM’s 2006 Energy and Minerals Policy appropriately embraces FLPMA’s multiple use mission. That policy states the “BLM land use planning and multiple-use management decisions will recognize that, with few exceptions, mineral exploration and development can occur concurrently or sequentially with other resource uses. The least restrictive stipulations that effectively accomplish the resource objectives or uses will be used.”	
.....Most importantly, FLPMA § 204 identifies specific analyses that the Agencies must undertake prior to the Withdrawal of public lands from operation of the Mining Law of 1872.6 A proper determination is one which fairly considers all 12 factors listed in 43 USCS § 1714 and the BLM's regulations at 43 CFR 2310.3-1 explaining in detail the proposed withdrawal's effects on current natural resource uses, current land users, incompatibility with current land uses, and effect on state and local government interests and regional economy.	1
o The withdrawal is contrary to DOI's "Multiple Use Mandate" under FLPMA. As articulated in BLM's 2006 Minerals and Energy Policy, under that mandate BLM's land use planning and multiple-use management decisions will recognize that, with few exceptions, mineral exploration and development can occur concurrently or sequentially with other resource uses and that the least restrictive stipulations that effectively accomplish the resource objectives or uses will be used.	1
Violation of FLPMA: The proposed mineral withdrawal covers one of the most prospective mineral belts in the world. The nature of the proposed withdrawal indicates that the primary purpose is to prevent mineral exploration and development, not to “protect” sage grouse. This clearly violates several mandates of Sec. 204 [43 U.S.C. 1714] of FLPMA (Public Law 94-579), specifically sub-section (c) (2) no. (2), (3), (4) and (12).	1
The Proposed Withdrawal is Contrary to Long-Standing Principles Governing Federal Land Management.	1
The proposed withdrawal of approximately 10 million acres from location and entry under the general mining laws without Congressional approval far exceeds the Secretary’s authority to withdraw lands under FLPMA.....Despite the clear intent of Congress to provide the Secretary authority to withdraw more than five thousand acres only if Congress has the discretion to reject such a withdrawal, provisions of this nature were deemed unconstitutional in the U.S. Supreme Court case INS v. Chadha, 462 U.S. 919, 1982. Specifically, the Court held that statutory provisions authorizing executive actions while retaining Congressional discretion over actions deemed executive in nature were deemed “legislative vetoes” and in violation of the Constitution’s Bicameralism Clause and the Presentment Clause INS v. Chadha, 462 U.S. 919, 949, 951, 1982.....This is clear not only in the text of Section 204(c)(1) of FLMPA but also in the well- established canons of statutory construction. The authority to withdraw more than five thousand acres and the authority of Congress to disapprove such withdrawals through concurrent resolution were so inextricably integrated that Congress chose to include both elements not only within the same subsection, but immediately adjacent to one another within the same provision making the first element only possible upon condition of the second. Separating Section 204(c)(1) from the rest of the statute is also consistent with FLPMA’s own severability clause, which expressly supports striking the entirety of the integrated Section 204(c)(1) provision. ....Furthermore, severing the legislative veto from Section 204(c)(1) and proceeding with the proposed mineral withdrawal under the notion that the withdrawal authority in the same subsection remains intact renders obsolete Sections 204 (d) and (e) of FLPMA which establish procedures for withdrawals of less than five thousand acres and for emergency withdrawals for up to three years, respectively. There would be no need for such provisions and the separate procedures and requirements they establish if the Secretary were authorized to withdraw any amount of land at her discretion, which she is not. To sever only the legislative veto portion of the statute and retain the authority to withdraw greater than five thousand acres would allow a type of statutory re-writing inconsistent with both the law, congressional intent, and common sense. The proposed withdrawal of 10 million acres presumes that severance of the legislative veto within Section 204(c)(1) leaves intact the unfettered authority of the Secretary to withdraw as much land as the Secretary chooses, without any check by Congress. This interpretation, in addition to running counter to both FLMPA and Supreme Court precedent, also ignores the fundamental roles of the different branches of the federal government in managing public lands....Proposing to withdraw 10 million acres from location and entry under the general mining laws without any congressional oversight	1

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flies in the face of FLPMA, the Constitution, and decades of cases interpreting the public lands laws of this country. If accepted, this proposed withdrawal will be the largest in American history, and if executed without Congressional approval, will be of the exact type FLPMA, other public lands laws, and the Constitution intended to curtail, i.e. the wholesale withdrawal of mineral resources by administrative fiat, not because such lands are of particular historic or scientific value and designated in the smallest possible area as is the case under the Antiquities Act, or because the lands warrant emergency protection under Section 204(e) of FLPMA, but because the land management agencies speculate that it could have some positive effect on conserving sage grouse habitat, despite lack of adequate evidence to substantiate this. This proposed action is as irrational as it is illegal, and the lands in question must not be withdrawn.	
The EIS must comply with the requirements in both NEPA and FLPMA to prepare a detailed and substantive analysis of how the proposed withdrawal will affect a wide array of environmental resources and the impact of the withdrawal on affected individuals, communities, local and state governments, and the Nation. The following statement in the Notice is an inaccurate and pre-decisional dismissal of the serious impacts that will result from the proposed withdrawal: "Because of the nature of a withdrawal of public lands from operation of the mining law, mitigation of its effects is not likely to be an issue requiring detailed analysis. However, consistent with Council on Environmental Quality regulations implementing NEPA (40 CFR 1502.14), the BLM will consider whether and what kind of mitigation measures may be appropriate to address the reasonably foreseeable impacts to resources from the approval of this proposed withdrawal." 80 Fed. Reg. 57637. An EIS developed under this premise will be fatally flawed because it will not satisfy NEPA or FLPMA analysis requirements. Both NEPA and FLPMA require an in-depth analysis of the impacts resulting from putting numerous known Nevada mining districts (and districts in other western states) off limits to future mineral exploration and development. The EIS must analyze alternatives to the Proposed Action to withdraw 10 million acres from operation of the Mining Law to mitigate these impacts such as different locations and a reduced size for the withdrawal and alternatives that could achieve habitat conservation without the withdrawal. The EIS must quantitatively evaluate the profoundly adverse effect the withdrawal will have on jobs and local and state tax revenues associated with mining. The EIS must also quantify how the withdrawal will increase the Nation's reliance on foreign sources of the minerals needed to sustain modern life.	1
There are serious questions and concerns which have been and will continue to be raised as to the legality of this massive overhaul of public lands which violate the National Environmental Policy Act ("NEPA"), FLMPA, the Mining Law, among other laws. The SFA violates FLPMA and National Forest Management Act "(NFMA)" multiple use principles, federal mandates to manage public and National Forest System lands to provide a source of domestic minerals, and the Mining Law.	1
NVMRA is providing these comments on the Proposed Mineral Withdrawal EIS because its members have numerous interests that are adversely affected by the proposed withdrawal....NVMRA's previously submitted comments objecting to this proposed withdrawal, which will put lands with some of the most prospective geology in the world for the discovery of precious metals deposits off limits to mineral exploration, development, and mining for at least 20 years....the proposed mineral withdrawal in the NVLMP is inconsistent with FLPMA and interferes with mining claimants' rights under the Mining Law. Additionally as discussed at length in our Protest Letter, the Final EIS violated numerous NEPA requirements.	1
The Department of the Interior proposal to withdraw over 10 million acres of federal lands from mineral entry and new mining operations is unprecedented and constitutes the largest withdrawal in the history of Federal Land Policy and Management Act.	1
BLM's mineral withdrawal application implements the proposed SFA mineral withdrawal land use management decision made pursuant to FLPMA Section 202 in the NVLMP. The withdrawal of these lands from operation of the U.S. Mining Law will be consummated pursuant to FLPMA which requires the Secretary of the Interior to provide Congress with a detailed analysis of the need for and impacts resulting from the proposed withdrawal and enumerates twelve technical and socioeconomic criteria that must be considered in the proposed withdrawal. The following FLPMA Section 204(c)(2) analysis criteria are consistent with and similar to the scope of the analysis required pursuant to NEPA but add more specific requirements for evaluating the minerals potential of the proposed withdrawal area....	1



Comment	Number of Commenters Providing this Comment
<p>The Final EIS for the NVLMP failed to evaluate the impact of the proposed mineral withdrawal on the nation’s need for minerals and the FLPMA directives that public lands be managed in a manner to provide domestic sources of minerals. FLPMA Section 204(c)(2)(2) requires BLM to prepare an inventory and evaluation of the current natural resource uses and values of the site and adjacent public and nonpublic land and how it appears they will be affected by the proposed use, including particularly aspects of use that might cause degradation of the environment, and also the economic impact of the change in use on individuals, local communities, and the Nation. This analysis must also be undertaken in response to the mandates in FLPMA Section 102(a)(12) and 103(c) that direct BLM to manage the public lands in a manner that recognizes the country’s need for domestic sources of minerals and to manage these lands with a balanced approach that considers the need for minerals. Withdrawing huge tracts of land in Nevada that includes numerous known mining districts with some of the best mineral potential in the country – and even in the world – violates these FLPMA mandates.</p>	1
<p>Eliminate all Documented Mineral Deposits and Mining Districts from the Withdrawal...FLPMA Section 204(C)(2)(12) requires BLM to prepare a substantive and quantitative analysis of the present and future mineral potential of the proposed withdrawal areas, including an analysis of the present and potential market demands for the minerals that would be placed off-limits to development. The mineral potential reports must evaluate the site-specific data for most or all of the mineral deposits within the proposed withdrawal area that would be needed to satisfy the NEPA hard look requirements and the FLPMA Section 204(C)(2)(12) analysis requirements. Withdrawing areas with known mineral potential would not be consistent with the declaration of policy in Section 102(a) of FLPMA, which establishes Congressional intent that: “(12) the public lands be managed in a manner which recognizes the Nation’s need for domestic sources of minerals, food, timber, and fiber from the public lands including the implementation of the Mining and Minerals Policy Act of 1970 (84 Stat. 1876, U.S.C. 30 21a) as it pertains to the public lands.” BLM’s proposed 10-million acre mineral withdrawal violates this mandate because it sweeps in numerous known mineral deposits and important mineral districts. It is unlawful and not in the Nation’s interest for BLM to withdraw lands with known mineralized areas that need further evaluation to quantify their mineral potential.... Consequently, BLM must not withdraw any areas of known mineral potential because they will not be fully evaluated – the segregation and withdrawal will prevent the necessary evaluation and prohibit future development. The final boundaries for the withdrawal must comply with the FLPMA Section 102(a)(12) mandate that the Nation’s public lands be managed in a manner that recognizes the country’s needs for domestic sources of minerals. Moreover, FLPMA Section 103(c) demands a balanced approach to managing the Nation’s public lands that: “... best meet[s] the present and future needs of the American people” [and achieves] “a combination of balanced and diverse resource uses that takes into account the long-term needs of future generations for renewable and nonrenewable resources, including, but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic, scientific and historical values.” These FLPMA directives require BLM to reconfigure the boundaries for the mineral final withdrawal to exclude areas with known mineral potential. This approach is especially warranted because BLM does not have sufficient time or budget to systematically and thoroughly examine the untapped mineral potential in these known mining districts. Including these mining districts in the withdrawal area would violate FLPMA.</p>	1
<p>FLPMA &amp; BLM’s minerals and energy policy recognize that with few exceptions, mineral exploration and development can occur concurrently or sequentially with other resource uses and that the least restrictive stipulations that effectively achieve the resource objectives/uses should be used.</p>	1
<p>Elko County contends that the potential and real constraints created by the SFAs are detrimental to all multiple uses, .... Elko County asserts that the proposed SFAs conservation measures can and must be resolved by logical unbiased methods that will not destroy local and regional economies and the general public ....Elko County stresses that the BLM, USFS and the Federal Government in general must moreover endeavor to protect and enhance regional and local economic sustainability in conjunction with (but not subordinate to) Greater Sage-Grouse habitat conservation.</p>	1
<p>The BLM and USFS significantly changed the conventions in the FEIS with the inclusion of the SFA without communication, forewarning or opportunity for public comment or appeal, .... Elko County maintains this directly violates the provisions of NEPA, FLPMA, and will permit the BLM/USFS to unlawfully restrict publicly managed and privately owned lands for the multiple uses as provided for in the Elko County Land Use</p>	1

Comment	Number of Commenters Providing this Comment
Master Plans and Chapter Four of the Elko County, Nevada County Code.	
In conclusion, in the development of the Environmental Impact Statement for the SFA withdrawal, the Harney County Court requests that the Secretary early on make direct contact with Harney County Judge Steve Grasty to ensure that the Federal Land Policy and Management Act's consistency, coordination and consultation processes are implemented early and seamlessly. Given the large extent of the region being proposed for withdrawal the potential for significant impacts to the local and regional economy is very high. It is fundamental that an in-depth mineral review and economic analysis be included within the draft for public review and comment.	1
All lands, including the SFA lands, should be managed for multiple use, not just managed for sage grouse.	1
I am a geologist with over 40 years of experience with a focus on Nevada. Permitting of projects as well as mining operations have, of course increased over time but always with the multiple use concept as the guiding principle. Now I find that prior existing land users have been regulated to a less than important use than is the undisturbed habitat use for the sage grouse. I find this unfortunate since at the same time we are able to hunt the birds. I would like to see regulators go back to the multiple use concept and let mining, hunting, ranching, etc. stand on its one merits.	1
.....FLPMA was violated by ignoring the mandate that land use plans be consistent with State and local land use plans. This proposal is inconsistent with Wyoming's and Fremont County's stated land and resource use policies in our view. FLPMA preserves the rights of claim locators under the General Mining law, including access rights. The SFA withdrawals from mineral entry and travel restrictions violate these provisions of FLPMA, the requirement to recognize the Nation's needs for domestic sources of minerals, and the General Mining Law. The proposal violates several mandates of Sec. 204 [43 U.S.C. 1714] of FLPMA (Public Law 94-579), specifically sub-section (c) (2) no. (2), (3), (4) and (12), which direct, in part, the BLM to evaluate the mineral potential and economic impact of the proposed withdrawal.	1
.....The purpose of the public scoping process is to determine the relevant issues that will influence the scope of the environmental analysis, including alternatives, and guide the process for developing the EIS. Withdrawal Mandates under FLPMA § 204(c) Control the Withdrawal Process, which must also remain consistent with Multiple Use Principles under FLPMA as well as with NEPA. Acceptance of the withdrawals by the Secretary are predicated upon compliance with FLPMA § 202 and NEPA. To show that the BLM is not basing its decision on a predetermined "anti-mining agenda," the Department of Interior (DOI) in its required "notification of withdrawal" sent to Congress, must fairly consider all 12 factors listed in 43 USC § 1714(c)(2), explaining in detail proposed withdrawal's effects on current natural resource uses, current land users, incompatibility with current land uses, and effect on state and local government interests and regional economy. The BLM's guiding principle in this action is multiple use as defined by the Federal Land Policy and Management Act (1976) (FLPMA), .....	1
DEISs are prepared according to the scope determined in the scoping process. For FLPMA withdrawal purposes, it is important that the analysis provide a thorough estimate of the costs and benefits of the proposed withdrawal. An application may be cancelled or denied if the withdrawal is not needed or the costs are excessive. The costs are defined by 43 USC 1734(b) and are analyzed compared to available funds appropriated for processing applications. Before an authorized officer can take action on a withdrawal proposal, a supporting withdrawal application shall be submitted along with the documents needed to meet NEPA requirements. This process also requires the BLM to develop and process the FLPMA withdrawal case file for submission. The information, studies, analyses, and reports must include: (1) A report identifying the present users of the lands involved, explaining how the users will be affected by the proposed use and analyzing the manner in which existing and potential resource uses are incompatible with or conflict with the proposed use of the lands and resources that would be affected by the requested action, (2) If the application states that the use of water in any State will be necessary to fulfill the purposes of the requested withdrawal, extension or modification, a report specifying that the applicant or using agency has acquired, or proposes to acquire, rights to the use of the water in conformity with applicable State laws and procedures relating to the control, appropriation, use and distribution of water, or whether the withdrawal is intended to reserve, pursuant to Federal law, sufficient unappropriated water to fulfill the purposes of the withdrawal, (3) (see NEPA Analysis) An EA, an EIS or any other documents as are needed to meet the requirements of NEPA (42 USC 4332(2)(C)), and the regulations applicable thereto....	1

Comment	Number of Commenters Providing this Comment
<p>Consistent with 40 CFR 1502.14, the BLM must consider whether and what kind of mitigation measures may be appropriate to address the reasonably foreseeable impacts to resources from the approval of this proposed withdrawal. The BLM states "Because of the nature of a withdrawal of public lands from operation of the mining law, mitigation of its effects is not likely to be an issue requiring detailed analysis. However, consistent with Council on Environmental Quality regulations implementing NEPA (40 CFR 1502.14), the BLM must consider whether and what kind of mitigation measures may be appropriate to address the reasonably foreseeable impacts to resources from the approval of this proposed withdrawal.<sup>89</sup> This statement is inconsistent with NEPA and with FLPMA, which both require a detailed impacts analysis of the proposed activity. If anything, the nature of a withdrawal of public lands from operation of the mining law does require a detailed analysis regarding the mitigation of its effects, even more than other actions.....That the purpose of FLPMA expressly mentions mining and minerals elevates the importance of mitigation. A mineral withdrawal is a policy decision made at the explicit expense of the humans living in that environment. This is an extreme policy decision, and one which requires a complete and informed analysis of the potential impacts and possible mitigation strategies. It is such an impactful action that NEPA and FLPMA Sections 202 and 204 exist exclusively to ensure that agencies fully analyze and attempt to mitigate potential effects of mineral withdrawal. Therefore, NACO insists that the BLM provide a full analysis with a plan for the mitigation of the effects of a withdrawal from public lands.</p>	1
<p>...mining is not the only occupation which utilizes these lands, so how can mining be set up to take the fall for poor land management?...Prioritizing the sage grouse/sagebrush community is upsetting the balance which has been in effect for 100's of years.</p>	1
<p>o The withdrawal was announced without adequate opportunity for public comment and is beyond the DOI's authority. • The 10 million acre withdrawal is premised on "sage grouse focal areas"- a land management scheme devised by the BLM after the public comment period for the land use management plan amendments had closed and the public has been denied an opportunity to comment on this critical element of the decision. • In FLPMA, Congress specifically acknowledged the importance of mining on federal lands and minerals' contribution to society. In fact, FLPMA requires Congressional approval if mining activities are to be curtailed by large-scale withdrawals. Specifically, mineral withdrawals of more than 5,000 acres are subject to Congressional approval which the DOI has not received.</p>	1
<p>The proposed withdrawal of approximately ten million acres of land by the BLM runs contrary to the provisions of the Federal Land Policy and Management Act (FLPMA). FLPMA only authorizes the withdrawal of 5,000 acres. Congress did not intend for the Secretary of the Interior to be able to withdraw more than 5,000 acres without Congressional approval. The Supreme Court in the case of INS v. Chadha, 462 U.S. 919, in 1982 found that the Congressional oversight requirement of Section 204(c)(1) to be unconstitutional. This results in the entire Section 204(c) being invalid, which leaves a limit on the amount of land the Secretary of the Interior may withdraw. Since the proposed withdrawal of 10,000,000 acres of land from mineral locations and the companion EIS is so large and adversely affects so much land, the BLM should resolve any uncertainty regarding the scope of FLPMA before proceeding further with the proposed EIS and the proposed withdrawal.</p>	1
<p>Multiple-use of the public lands is what we support and expect. Unless we, the public, support a more restrictive use through the legislative and legal process provided by law, the public lands should be managed under the concept of "Multiple-use". Sage Grouse are not endangered and removal of 10,000,000 acres of public lands from other uses is not warranted. Per the Endangered Species Act SEC. 6. §16 U.S.C. 1535c (a) GENERAL -In carrying out the program authorized by this Act, the Secretary shall cooperate to the maximum extent practicable with the States. Such cooperation shall include consultation with the States concerned before acquiring any land or water, or interest therein, for the purpose of conserving any endangered species or threatened species. This is taken directly from the ESA and it is obvious that the Act and the procedure outlined for the protection of a species so it wouldn't be listed, is not being followed by the Agencies in this withdrawal. The State of Nevada and Elko County both have plans that have not had enough time to show results but are certain to if given time. Please withdraw this proposal and manage the lands identified under the multiple-use concept.</p>	1

Comment	Number of Commenters Providing this Comment
<p>Separately, under FLPMA's withdrawal process the Secretary has invoked here, the withdrawal petition was required to include a preliminary identification of mineral resources in the area. This was not done or at least not in an adequate manner that identified, for example, Pilot Gold's Project. Where the withdrawal petition is submitted simultaneously with the withdrawal application, the proposal also must provide a study of suitable alternatives including the cost of alternative sites for the proposed use (here, conservation of Greater Sage Grouse habitat) or the displaced use. This information was not provided and, therefore, the proposed withdrawal is facially defective and must be resubmitted and publicly noticed again to restart the process to include this critical information which would have revealed Pilot Gold's claims at issue, that they cannot be relocated to an alternative site because minerals have a geographically fixed location, the approximate value of the minerals that would be lost, and viable alternatives to the wholesale withdrawal of the lands at issue – similar in nature to the Barrick Enabling Agreement the agencies entered to balance conservation needs in areas deemed to include important Greater Sage-grouse habitat with continued mineral exploration and development. The BLM has demonstrated through this agreement that it can effectively use its authority under the 3809 regulations to achieve the desired conservation measures without putting lands totally off limits to mineral exploration and development. This should be a guidepost for the appropriate balancing and implementation of and compliance with the Agencies' multiple-use mandate.</p>	1
<p>The EIS must comply with the requirements in both NEPA and FLPMA to prepare a detailed and substantive analysis of how the proposed withdrawal will affect a wide array of environmental resources and the impact of the withdrawal on affected individuals, communities, local and state governments, and the Nation....Both NEPA and FLPMA require an in-depth analysis of the impacts resulting from putting numerous known Nevada mining districts (and districts in other western states) off limits to future mineral exploration and development....The EIS must quantitatively evaluate the profoundly adverse effect the withdrawal will have on jobs and local and state tax revenues associated with mining. The EIS must also quantify how the withdrawal will increase the Nation's reliance on foreign sources of the minerals needed to sustain modern life.</p>	1
<p>The Agencies' proposed overhaul of its LUPs is purportedly in response to the 2010 decision by the Service that the listing of the GRSG was "warranted but precluded" (WBP} under 16 U.S.C. §1533(b)(3)(B)(iii)..... The LUP Amendment initiative by the Agencies subject to analysis under NEPA, 42 U.S.C. §§ 4321-4370h, is, as far as can be ascertained, unprecedented in its scope. As described below, the proposed Land Use Plan Amendments appearing in the final Environmental Impact Statement (FEIS) do not comply with applicable laws, regulations, policies, and planning procedures and this protest should be upheld..... The interests of Imerys and S&amp;B in the Proposed Plan and FEIS relate to proper compliance by the BLM with the NEPA, the Federal Land Policy Management Act ("FLPMA"), 43 U.S.C. §§ 1701-1784, the National Forest Management Act ("NFMA") 16 u.s.c. §§ 1600-1687, the General Mining Act of 1872, (Mining Law) Ch. 152, 17 Stat. 91 (codified as amended at 30 U.S.C. §§ 22-24, 26-30, 33-35, 37, 39-43, 47), and the Mining and Minerals Policy Act of 1970, 30 U.S.C. § 21a. The Protesting Parties participated in the land use planning process through discussions with BLM and MDEQ during permitting activities that have been ongoing since 2012 and therefore have standing to bring this formal protest. At the time of those discussions, there was no impact to Imerys/S&amp;B claims shown on various maps. However, maps editing and or created in April 2015 shown significant impacts to Imerys/S&amp;B claims in the district.</p>	1
<p>The proposed withdrawals of the Sagebrush Focal Areas (SFAs) are a direct result of the Nevada and Northeastern California Greater Sage-Grouse Approved Resources Management Plan Amendment signed September 21, 2015 ("ARMPA"). Pursuant to Section 102(2) (C) of NEPA, the BLM will prepare an EIS for this proposed withdrawal upon finalization of the scoping period. Most importantly, FLPMA section 204 identifies specific analyses that the Agencies must undertake prior to the withdrawal of public lands from operation of the Mining Law of 1872. A proper determination is one which fairly considers all 12 factors listed in 43 USCS § 1714 and the BLM's Regulations at 43 CFR 2310.3-1 ...Our justifiable concerns are based on the fact that our county is subjected to 2,129,200 acres or approximately 75% of the 2,797,399 acres of SFA in the State of Nevada is located in the northern ¼ of Elko County, this does not include the existing USFS Jarbidge Wilderness area of 113,000 acres. The total six state SFA acreage proposed for withdrawal is 10,047,727 acres, more than 20% of the total withdrawal is located in Elko County, more than any other single county of the twenty or more counties in the six Western States Greater Sage-Grouse Conservation planning area.....</p>	1

Comment	Number of Commenters Providing this Comment
<p>The Mining/Exploration, Agriculture/Ranching, Oil/Gas, Renewable Energy and Recreation industries has committed significant resources to maintain Elko County's economic sustainability. As proposed the SFA restrictions will impose significant unjustified obstructions to mining, grazing, recreation and all other uses on federally managed public lands. The USFWS, BLM and USFS significantly changed the rules to employ the SFAs without notice, warning or any opportunity for stakeholder comment. Elko County maintains that this action violates the Federal Land Policy and Management Act (FLPMA) of 1976, the National Environment Policy Act (NEPA) of 1969, the General Mining Act of 1872 and the Multiple Use Sustained Yield Act of 1960 and will cause literal devastation to the Mining/Exploration, Agriculture/ Ranching, Energy and Recreation industries. The public was not provided a notice and comment period to provide input on the boundaries and potential effectiveness of the SFAs, as they were first presented in the FEIS for the ARMPA. Second, the science the Agencies rely on does not support the SFA boundaries. Third, there are known alternatives to the proposed withdrawals.</p>	1
<p>The simple threat of withdrawal and restrictions has and will cause a chilling effect concerning potential and future investment for prospects to seek financing and investment for mining/exploration, agriculture/ranching and recreation activities in the region. Elko County believes that the SFA as represented in the FEIS, ROD and ARMPA does not comply with the 1872 National Mining Act, Multiple Use-Sustained Yield Act of 1960, FLPMA and NEPA...Several of the goals, objectives, management actions, standards, and guidelines contained in the FEIS/ARMPA/SFA are not consistent with rights under the General Mining Law....Elko County believes that BLM has a legal obligation to comply with the General Mining Law, Mining and Minerals Policy Act, and the FLPMA to recognize the Nation's need for domestic sources of minerals and the right to explore and maintain multiple uses...Withdrawals of the magnitude proposed under the SFAs conflict with § 22 of the General Mining Law, and the Mining and Minerals Policy Act and cannot be implemented through the land use planning process. Withdrawal of this magnitude should only be made by an Act of Congress or by the Secretary pursuant to the requirements and procedures of the FLPMA § 204(c) for a period not to exceed 20 years.....</p>	1
<p>...the Secretary lacks authority to make this large-tract withdrawal, rendering the proposed withdrawal unlawful....The withdrawal of over ten million acres of public and National Forest System lands labeled as SFAs is outside the scope of the Secretary's power...the unconstitutional legislative veto in Section 204(c)(1) invalidates the entire subsection, which is consistent with FLPMA's text, structure, and legislative history. Thus, the entirety of Section 204(c)(1) must be severed from FLPMA. This means that the Secretary lacks the authority to make large-tract withdrawals. Therefore, the proposed withdrawal is unlawful, and the application for proposed withdrawal must be rejected ...the proposed withdrawal violates FLPMA, because it elevates a single use, the conservation of the greater sage-grouse, which is neither threatened nor endangered, and its habitat, over other uses, like mining....FLPMA does not authorize single-use management. Instead of managing federal lands to maximize domestic mineral development, the proposed withdrawal elevates the conservation of the greater sage-grouse, which is neither threatened nor endangered, over other uses and mining.</p>	1
<p>Hamey County actively participated in the U.S. Fish and Wildlife Service's status review of the sage-grouse; the Bureau of Land Management's revisions to the resource management plans; the State of Oregon's adoption of Goal 5 resource protection for sage-grouse habitat; and, has incorporated land use restrictions into its Comprehensive Plan to address sage-grouse risks. The County is the local land use planning authority for Hamey County and has adopted land use plans and policies that effectively manage development within the sagebrush habitat within the County. In the development of the withdrawal, Hamey County requests that the Secretary early on make direct contact with Hamey County Judge Steve Grasty to ensure that the Federal Land Policy and Management Act's (43 U.S.C. § 1712) ("FLPMA") consistency, coordination and consultation processes are implemented early and seamlessly....In addition to coordinating with Hamey County relative to land use planning and management, the Secretary is also to assure that her land use plans are consistent with the Hamey County plan to the maximum extent she finds consistent with Federal law and the purposes of FLPMA (43 U.S.C. § 1712(c)(9)). 1 To the extent the mineral withdrawal will impact lands wherein the surface estate is owned or managed by another federal entity (e.g. Forest Service), the BLM will need to fulfill the Forest Service's independent duties relative to local plans and policies.</p>	1

Comment	Number of Commenters Providing this Comment
Separate and independent of the land use consistency and coordination requirements, Congress also specifically mandated within FLPMA that with respect to a mineral withdrawal the Secretary was to consult with the local government bodies and to provide a statement of such consultation to both Houses of Congress and the respective committees (43 U.S.C. §1714(c)(1) & (2)). Congress provided that: "(c)(2)(7) a statement of the consultation which has been or will be had with other Federal departments and agencies, with regional, State, and local government bodies, and with other appropriate individuals and groups; ... " (emphasis added). The statement provided to the respective committees is to indicate: "the effect of the proposed uses, if any, on State and local government interests and the regional economy." (43 U.S.C. §1714(c)(2)(8)). (emphasis added).	1
<b>4.2.3 Legal Authority/Basis: NEPA Process and/or Issues: Commenters make statements about NEPA issues and/or the NEPA process including public participation. Some make statements about requirements for a range of alternatives. Some make statements about the RMPs and/or LUPAs. Some make statements about a SEIS.</b>	
WEX respectfully submits that its claims were erroneously included within the lands proposed for withdrawal. The BLM and USFS (collectively, the "Agencies") through the course of their recent land management planning efforts were to consider the following information in developing the NVLMP that recommended the withdrawal of lands including WEX's claims: the mineral potential of the lands in the planning area; the socioeconomic impacts on the local and State communities of the mineral withdrawal proposed in the NVLMP; the national impact of withdrawing lands with mineral potential and making these mineral resources unavailable as a source of domestic minerals; the potential for takings claims and relative compensable damages that may be sought; and viable reasonable alternatives to proposing withdrawal of these lands from mineral entry. Consideration of these factors for WEX's claims demonstrate they never should have been included in the proposed withdrawal and, unfortunately, WEX did not receive notice and opportunity to comment on the decision to propose withdrawing its claims from mineral entry which was disclosed for the first time in the Final Environmental Impact Statement after the opportunity for public comment under NEPA had passed.	1
Under the National Environmental Policy Act ("NEPA"), an agency must "take[] a 'hard look' at the environmental consequences of its proposed action." ..... The FEIS prepared in conjunction with the NVLMP that includes the SFAs and triggered the proposed withdrawal, omitted disclosure and analysis of the geology and mineral potential of WEX's claims included within the SFAs and, the consequences of placing those lands off limits to future exploration and development. The decision identifying the boundaries of the SFA to include WEX's claims and concluding no viable alternative existed to outright withdrawal of these highly prospective lands that are the site of a new significant gold discovery was not fully informed or well considered and therefore violated NEPA and FLPMA.	1
So the recommendation for land withdrawal in the state of Oregon is flawed and that NEPA process has not been followed and upheld. With altering of data and using data from a different local to determine the effect in all areas is flawed. Even Oregon Fish and Wildlife recommends future study and collection of data needs to been done before any true recommendations for management.	1
We didn't even receive the letter informing us until after your meeting. It has taken us this much time just to inform and educate ourselves. The meetings were done right before Christmas. Any reasonable person is busy preparing for Christmas. We believe this was done on purpose.....The lack of "putting this out there for public consumption." Is outrageous.	1
The withdrawal to date has been beset with serious procedural and administrative flaws that will have deleterious and unforeseen consequences on how the land and its resources are used and managed in the future. Some of these flaws include: • The BLM has failed to provide state and local government meaningful involvement in the withdrawal process. For example, when local governments identified inconsistencies in the plan for the withdrawal, the BLM declined to address these observations in any meaningful way. • The BLM has not provided the best available science for comment by the public. For example, invasive plants and wildfires are serious threats to the GSG species and habitat. However, the BLM did not adequately address these threats in the data provided to the public. • The Environmental Impact Statement (EIS) required under the National Environmental Protection Act (NEPA) did not evaluate a full range of alternatives to the withdrawal. For example, the Draft EIS did not present a complete discussion of the plans already in place to protect GSG habitat and the effectiveness of those plans.	1



Comment	Number of Commenters Providing this Comment
I request the public scoping comment period be extended if the BLM continues to move forward with the proposed withdrawal process as described below and for the reasons stated below.	1
The purpose of the public scoping process is to “determine relevant issues that will influence the scope of the environmental analysis, including alternatives, and guide the process for developing the EIS.” Given the mineral withdrawals and land use management plan amendments directly affected and will affect locatable minerals operators and mining claim owners, it would seem logical that they should have been invited directly to the table instead of being sandbagged with land management actions without proper public involvement with the parties most affected by the actions, e.g., the mining claim holders themselves in the affected areas.	1
The environmental impact statement (EIS) contemplated in the BLM’s notice will be key to identifying areas for withdrawal. DOI and BLM should commit to a timeframe for completing the EIS in order to finalize withdrawal decisions prior to expiration of the segregation period. Further, DOI should ensure that mineral withdrawals, once put into place, are extended pursuant to DOI’s FLPMA authority.	1
I attended the subject Scoping Meeting in Elko, Nevada on Wednesday, December 16, 2015. As anticipated, I did not receive adequate answers to my many questions.	1
The purported reason for this proposed withdrawal is the protection of greater sage-grouse (GSG) habitat, under the guise of “sagebrush focal areas”. Considering that a decision to not list the GSG was just rendered by the US Fish and Wildlife Service in September of 2015, if this was truly the reason behind this proposed withdrawal, why wait until after the listing decision was announced? This area should have been analyzed during the Environmental Impact Statement process that was just completed for land use management plan amendments. It is disingenuous of the federal agencies to propose a withdrawal of this magnitude almost as an afterthought. Further, there was no opportunity for the affected public to review these proposed withdrawal areas.	1
Under NEPA, an agency is required to look at the environmental consequences of a proposed action. In this case, as noted above, the agency must take a hard look at how this proposed withdrawal will impact the availability and access to mineral deposits.	1
NMA members were denied an opportunity to comments on the “Sagebrush Focal Areas” (SFAs) on which the proposed withdrawal is predicated, and therefore BLM may not withdraw the lands at issue in the absence of a supplemental environmental impact statement (SEIS) analyzing the SFAs and allowing NMA and the public sufficient time in which to comment on the SEIS.	1
Lastly, AMA members were denied an opportunity to comment on the “Sagebrush Focal Areas” (SFAs) on which the proposed withdrawal is predicated, and therefore BLM may not withdraw the lands at issue in the absence of a supplemental environmental impact statement (SEIS) analyzing the SFAs and allowing AMA and the public sufficient time in which to comment on the SEIS.	1
The science will not support withdrawal of WEX’s claims. FLPMA 204(c)(2)(12) requires preparation of a report by a qualified mining engineer, engineering geologist, or geologist which shall include but not be limited to information on: general geology, known mineral deposits, past and present mineral production, mining claims, mineral leases, evaluation of future mineral potential, present and potential market demands. This report will require inclusion of up to date information on WEX’s Projects and their mineral potential which will, combined with other factors, demonstrate the withdrawal cannot withstand scrutiny. WEX’s claims should be immediately excluded from the withdrawal – prior to the development of the mineral potential report required under FLPMA 204(c)(2)(12) – because the Agencies were required to consider mineral potential when they identified the SFA lands proposed for withdrawal through the land management process that led to the RODs. NEPA requires that an EIS contain “high-quality information and accurate scientific analysis.” 40 C.F.R. § 1500.1(b). If there is incomplete or unavailable relevant data, the EIS must disclose this fact. 40 C.F.R. § 1502.22. Internal agency email correspondence reveals that the agencies knew the information they relied upon to create requirements in the NVLMP had shortcomings and yet did not disclose them. This withholding of information violated NEPA, which requires up-front disclosures of relevant shortcomings in the data or models. Id.; Lands Council v. Powell, 395 F.3d 1019 (9th Cir. 2005). The Agencies’ perfunctory analysis of the potential presence of mineral resources on WEX’s lands which were included within the SFA and within	1

<p style="text-align: center;"><b>Comment</b></p>	<p style="text-align: center;"><b>Number of Commenters Providing this Comment</b></p>
<p>existing Plans of Operation, is inadequate and violates the NEPA “hard look” requirement for impacts from the mineral withdrawal. The FEIS at p. 311 erroneously suggests impacts from the SFA will be minimal: “There are no active mines in the 2,731,600 acres that would be recommended for withdrawal in the SFA... [because] new locatable mineral development is most likely to occur in proximity to existing mines, anticipated impacts on locatable minerals under the proposed plan would be concentrated in these areas.” This statement ignores the WEX Projects and exploration permits issued by the USFS and fails to consider publicly available scientific information on geology and mineral resources readily available during the preparation of the DEIS (or to meaningfully consider or respond to such information provided through WEX’s protest letter on the FEIS). Exhibit 3 presents an extensive bibliography of the publicly available scientific literature documenting Nevada lands with mineral potential – nearly all of which were published prior to the FEIS – that should have been considered in the FEIS. This bibliography includes a peer-reviewed scientific paper on the Gravel Creek discovery that was published in May 2015 that should have been considered in the FEIS to exclude WEX’s properties at that time from the SFA and proposed withdrawal boundary. In addition, the BLM’s sister agency, the United States Geological Survey (USGS), states that few countries have the abundance of strategic minerals and metals as the United States. USGS has recognized WEX’s efforts and classified WEX’s Projects as having significant mineral potential. See Exhibit 4, Maps. WEX has conducted extensive exploration in the Doby George – Wood Gulch areas over the course of nearly 20 years at an expense of more than \$37 million to uncover these gold deposits that are rare and extraordinarily difficult to find. Given the difficult and complex geology of mineral deposits, discoveries cannot occur unless widespread exploration is encouraged. In fact, despite the exploration conducted by WEX of the Wood Gulch deposit and surrounding area since 1998, the company did not discover the Gravel Creek deposit, which is located approximately one mile east of the reclaimed Wood Gulch mine until 2013. The Agencies had an obligation under FLPMA, NEPA, the NFMA and Executive Order 12630 to consider both the known mining district in the Doby George – Wood Gulch Project area and the new Gravel Creek discovery and take a “hard look” at the consequences, purported offsetting benefits, and viable alternatives to achieve the desired conservation before commencing withdrawal of WEX’s project area. Consideration of all of this information would have led to excluding WEX’s Projects from the SFA boundary used to propose the withdrawal.</p>	
<p>NEPA requires agencies to take a hard look at the environmental consequences of a proposed action and must consider the mineral potential of the area by looking at more than its own information, but also the updated mineral information developed by the U.S. Geological Service (“USGS”), as well as the states impacted. But also by actually notifying mining claim operators in the affected areas so they can provide useful information to the process - which has not been completed according to numerous operators I personally interviewed in areas affected by these decisions and proposed decisions. In fact, the very fact that these mining claim owners have never been formally contacted by the BLM during the original scoping process, the extended scoping period or to date indicates the BLM has violated the very core of the concept of public scoping and stakeholder engagement by not engaging the very parties affected by the actions. This is just plain bias and is actually a violation of the BLM and Forest Service’s own policies and regulations regarding scoping. I personally confirmed this in interviews with the Forest Service and BLM NEPA coordinators present at the Public Scoping Meeting recently held in Boise, Idaho and asked specifically if there had been any effort to contact mining claimants within the areas of the recent restrictive land management plan amendments or the proposed withdrawals areas and was told there had been not. Yet, individual proponents of the withdrawals and land management plan amendments apparently were according to the same federal staff. This kind of bias during scoping and stakeholder engagement violates the public trust and both the land management plan revisions and proposed withdrawal actions should be rescinded until the stakeholders affected by these actions are actually involved in the process. Ludicrous, not really , since both the BLM and Forest Service routinely rescind processing of mining plan operator’s proposals during the scoping process for “...further analysis..” at the request of opponents, but that right surely has not been granted the mining industry in this case. In fact, it is really these actions are the very definition of “...arbitrary and capricious...” and suggest that the agency should be dragged into court for these actions, which of course they are. I formally request that mining claimants within the areas segregated or proposed for segregation be notified in writing of the proposed actions and then provided adequate time (a minimum of 60-days following mailing of the notices) to comment and participate in the process.</p>	<p style="text-align: center;">1</p>

Comment	Number of Commenters Providing this Comment
BLM provides greatly inadequate scoping information. The public is provided with the following information, and a map. Nowhere does FWS depict areas of native vegetation vs. cheatgrass, the degree of fragmentation of existing habitats and populations, loss of connectivity, areas where population viability is declining, areas where grouse may face extirpation, etc.....BLM has drastically shrunk the acres of Priority Habitat – vs. its 2011/2012 PPH. BLM must fully evaluate if only mining withdrawals in lands with little mineral threat will really protect habitats and populations.....This entire process has not been transparent. There have been backroom deals made with western states governors, politicians and others. All of that has been done out of view of the public.	1
The proposed withdrawals propose tiering to EIS's completed for the Greater Sage Grouse Land Use Plan Amendments and is improper for the same reasons – the very parties affected by these actions were not properly notified. The EISs completed for the greater sage-grouse land use plan amendments are deficient since the SFAs, which are integral to the alleged purpose for this proposed withdrawal, were first introduced in the final EISs for the greater sage-grouse land use plan amendments. As a result, the public and specifically the parties most affected by the proposed actions were never even notified, much less provided an opportunity to comment on the SFAs. In addition, the analysis of the impact of locatable minerals activities on greater sage-grouse and its habitat, as well as the effects on mining, are severely lacking in the EISs for the greater sage-grouse land use plan amendments. The EISs contain little discussion regarding the mineral potential within the SFAs, other than the authorized and pending plans and notices for locatable mineral operations. In fact, the BLM admitted that mining is not a primary threat. <sup>2</sup> E.g., BLM Great Basin ROD at 1-7, 1- 10–1-11, 1-20, 1-30; Idaho ARMPA at 1-10. If the EIS is tiered to these EISs, then it will also be flawed. Therefore, tiering would be improper.	1
For the first time in the proposed land use plan amendments and final environmental impact statements (FEIS) for the PLUPAs a new sage grouse habitat management construct to the LUPs makes an appearance.... the SFAs,... grounded in a pronouncement in the Oct. 2014 Ashe Memo,... Another element of the PLUPA/FEIS is the application of lek buffer distances identified in another document previously not available or included in the DEIS. A USGS report entitled Conservation Buffer Distance Estimates for Greater Sage-grouse — a Review, USGS Open File Report 2014 1239 (Manier, et al. 2014) (“Lek Buffer Study”), forms the basis for newly applied sage grouse lek buffer distances.... A SEIS is required under NEPA: 1) if the agency makes substantial changes in the proposed action that are relevant to environmental concerns,... or 2) if there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts,... The new SFA habitat category dramatically reshaped the ...“Proposed Action”...The debut of SFAs in the PLUPA/FEIS on which the proposed withdrawal is predicated constitutes a “substantial change” in the proposed action,...and an SEIS is required prior to adoption of the PLUPAs or the proposed mineral withdrawal. Additionally, the Lek Buffer Study, coupled with the Ashe Memo, collectively constitute “significant” post-DEIS information bearing on the proposed action or its impacts, and thus an SEIS is required....Here, none of the DEIS alternatives analyzed the key elements that ultimately made their way into the Proposed Action, particularly the SFAs, lek-buffer distances, and the disturbance cap... Thus, the Proposed Action in the PLUPA/FEIS could not have been fairly anticipated from reviewing the DEIS alternatives. Because the Agencies have “seriously dilut[ed] the relevance of public comment” on the DEIS, an SEIS is warranted. <sup>34</sup> ... This fatal error is compounded through the heavy reliance on the Ashe Memo and the Lek Buffer Study... Accordingly, the Agencies’ justification that the PLUPA is a lawful “suite of management decisions that present a minor variation of the Preferred Alternative identified in the Draft LUPA/EIS,” <sup>36</sup> fails both practically and as a matter of law.	1
I attended the only public scoping meeting held in Wyoming for the proposed mineral withdrawal in sagebrush focal areas at the Rock Springs, Wyoming BLM district office on December 15, 2015. After listening to the presentation and the public comments at this meeting I was compelled to study this issue further. I am left with a number of questions I feel should have been addressed at the scoping meeting, which will be in my comments below, and as well I have some serious concerns about the intent, implementation, and ramifications of this agency decision that will have long term effects on federal public land policy. At the public scoping meeting the BLM did not make any statement or provide in writing anything that would indicate the effects of this proposal if any on state and local government interests and the regional economy. The lack of	1

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involvement from the local county officials on this proposal is very concerning, and I feel the public should have had the opportunity to hear or read the support, or concerns state and local governments have on this proposal, as part of the scoping process. The Department of the Interior didn't have any information at the scoping meeting to show what risk if any the development of minerals would have or does have on the Greater Sage Grouse. This type of information is critical and I think it is premature to move forward with any recommendation until it is provided to the public in the same manner as the other information in the scoping process.	
The mineral withdrawal proposed in the BLM's and USFS' Nevada Land Management Plan for Greater Sage-grouse ("NVLMP") and the Final EIS was not part of the Preferred Alternative in the Draft EIS and was added without explaining what changed between the Draft EIS and the Final EIS to justify the need for the new proposed withdrawal. The last-minute addition of the Sagebrush Focal Areas (SFA) which are now the proposed mineral withdrawal areas deprived the public of its lawful and reasonable opportunity to provide comments, as NEPA and FLPMA require.	1
The DOI failed the public miserably by not making correct geospatial data (i. e., shapefiles) of the SFA boundary/outline map readily available, publicly downloadable and easily found IN ONE PLACE online by September 24, 2015, the date the SFA, segregation, withdrawal was announced. BLM and FS personnel could not find such data, nor could I. RECOMMENDATION: The land management agencies must do a much better job of making all the relevant geospatial data EASILY available to the public immediately upon posting notice of actions affecting access to and activities allowed on the lands	1
FLPMA requires that proposed withdrawals must consider and disclose how the withdrawal will impact existing land uses and land users, the economic impacts to local communities and the country, and that BLM evaluated other suitable alternatives. Thus the EIS must satisfy NEPA and FLPMA requirements by including a thorough analysis of alternatives to reduce the impacts from the proposed withdrawal. As discussed in more detail below, these alternatives must evaluate reductions in the size of the current 10-million acre proposed withdrawal and alternative locations for the withdrawal to satisfy NEPA and withstand scrutiny under FLPMA 204(c)(2).	1
Both NEPA and FLPMA Section 204(c)(2)(6) require a substantive analysis of alternatives to the proposed withdrawal. In order to satisfy these requirements, the EIS must analyze in detail feasible alternatives to withdrawing these lands. The alternatives to be analyzed should include substituting mitigation for some or all of the withdrawal, reducing the size of the withdrawal, and changing the location for the withdrawal to minimize impacts to mineral resources.	1
.....The Committee also backs the additional considerations requested by Governor Mead during this process and reiterates those here: • An explanation of the proposed use of the land in Wyoming that led to the withdrawal; • An inventory and evaluation of the current natural resource uses and values of the site and adjacent lands (public and non-public) in Wyoming and how it appears they will be affected by the proposed action, including aspects of the use or land use decision that may cause degradation of the environment, and the economic impact of the change in use on individuals, local communities, and the Nation; • An identification of the present users of the land involved, and how they will be affected by the proposed action; • An analysis of the of the manner in which existing and potential resource uses are incompatible or in conflict with Greater sage-grouse conservation objectives in Wyoming, including an economic analysis of withdrawal; • An analysis as to whether any suitable alternative sites are available in Wyoming (including a cost analysis) for the proposed use or for uses such a withdrawal would displace; • An analysis of the effect of the proposed action on State and local government interests in Wyoming and the regional economy; • An analysis of the effect of the proposed action on National interests, including economic and security; • An analysis of the expected length of time needed for the withdrawal, if any; and • A report prepared by a qualified mining engineer, engineering geologist, or geologist which includes information (specific to Wyoming) on: general geology, known and potential mineral deposits, past and present mineral production, mining claims, mineral leases, evaluation of future mineral production, and present and potential market demands..... And during the NEPA land use planning process, the Committee encourages BLM to evaluate the additional considerations as requested by Governor Mead and noted here above.	1

Comment	Number of Commenters Providing this Comment
<p>BLM claims: The plans focus on conserving Priority Habitat areas that have been identified as having the highest value to maintaining the species and its habitat...The Sagebrush Focal Areas are important landscape blocks with high breeding population densities of sage-grouse and existing high quality sagebrush....Every biologist understand that when populations are in significant decline, efforts to reduce highest priority habitat are a death sentence. Then, BLM shows what the plans really do – preserve commodity and extractive uses to an inordinate degree – at the expense of sage-grouse and other native wildlife species. This includes species that inhabit the ‘sacrifice area’ lands – pj, low elevation –burrowing owl, pinyon jay, black0throated gray warbler, all of which will suffer greatly intensified and damaging impacts. “We are confident that our plans will not only benefit the greater sage- grouse, but will also preserve the West’s heritage of ranching and outdoor recreation; protect hundreds of wildlife species that also rely on sagebrush habitat, such as elk, mule deer and golden eagles; and promote balance between conservation and development. This says it in a nutshell. The Plans are designed to conserve damaging uses, and the interests of the birds is secondary.</p>	1
<p>During the segregation period, studies and environmental analyses will be conducted to determine if the lands should be withdrawn to protect sage-grouse habitat from location and entry of new mining claims. This process will invite participation by the public, tribes, environmental groups, industry, state and local government, as well as other stakeholders. These efforts will be undertaken under the leadership of the BLM in cooperation with the USFS and in compliance with the National Environmental Policy Act. This all sounds fine, but in the ARMPA process, backroom deals are what resulted in the drastic cuts in Priority Habitats to the point extirpation of populations will occur, and the species will be hurtling on a trajectory towards extinction. At the end of the process, a decision on the proposed withdrawal may be made. This does not even guarantee that ANY change will result.</p>	1
<p>RMP Deficiencies Must Be Corrected in This Process Through an Amendment, or at a Minimum a Candid Assessment of Inadequacies and Threats that Continue Must Be provided. This is necessary to assess whether Interior must conduct much more sweeping withdrawals, and designate ACECs to prevent lands from irreparable harm HERE is what BLM claims the weak and deficient RMP amendments do. This must be re-examined: The plans contain three common approaches: • Minimizing new or additional surface disturbance – The plans seek to reduce habitat fragmentation and protect intact habitat by implementing surface disturbance caps on development, minimizing surface occupancy from energy development, and identifying buffer distances around leks - areas critical to the sage- grouse life-cycle. The claims of minimization and effectiveness are scientifically defensible – given the severe threats – grazing, weeds, fire, existing fragmentation and human disturbance etc. • Improving habitat condition – While restoring lost sagebrush habitat can be difficult in the short term, it is often possible to enhance habitat quality through purposeful management. Where there are unavoidable impacts to habitat from development, the plans will require mitigation efforts to enhance and improve sage- grouse habitat. Through continuing large-scale livestock grazing disturbance, a heavy livestock facility infrastructure, etc., there is no assurance conditions will improve – instead they are highly likely to deteriorate. • Reduce threat of rangeland fire – Rangeland fire can lead to the conversion of previously healthy sagebrush habitat into non-native, cheatgrass- dominated landscapes. Experts have identified fire as one of the greatest threats to sagebrush habitat, particularly in the Great Basin region of Idaho, Utah, Nevada, Oregon and California. The plans seek to fight the spread of cheatgrass and other invasive species, position wildland fire management resources for more effective rangeland fire response, and accelerate the restoration of fire-impacted landscapes to native grasses and sagebrush. • The plan greatly fails to effectively control these threats as myriad disturbances continue near-stats quo, plus NEW development is allowed. Please see the 2015 Pew Garton et al. population study to understand the dire straits sage- grouse are in.</p>	1
<p>It also appears that BLM requested U.S. Fish and Wildlife Service to “identify a subset of priority habitat most vital to the species persistence” which indicates that the withdrawals are based on the BLM’s predetermined decision to increase management in certain areas – a basic violation of NEPA. Wyoming v. U.S. Dep’t of Agric., 661 F.3d 1209, 1264 (10th Cir. 2011) (“If an agency predetermines the NEPA analysis by committing itself to an outcome, the agency likely has failed to take a hard look at the environmental consequences of its actions due to its bias in favor of that outcome and, therefore, has acted arbitrarily and capriciously.</p>	1

Comment	Number of Commenters Providing this Comment
<p>The proposal to withdraw the land is a result of the NEPA process to amend Resource Management Plans (RMP's) adopted by Federal managing agencies purportedly to protect Sage Grouse. The NEPA process conducted to adopt the RMP modifications was fatally flawed. As a result, the recommendation to withdraw 10 million acres of public land is similarly flawed and not supported by evidence or science. Logically, the withdrawal process should be stayed until the legal question of the validity of the NEPA process regarding Sage Grouse is decided by the courts. Unfortunately, the courts have already decided that the two processes are separable, and will proceed independently. In any case, the withdrawal process is based on a false premise that the Sage Grouse needs protection from mining throughout the West.</p>	1
<p>In addition to the procedural and factual failures in the Sage Grouse NEPA process, the proposed withdrawal NEPA process was initiated with flawed public involvement at the scoping level. The only, single, public scoping meeting in Oregon was held in Lakeview, on December 14, 2015. One meeting in remote rural Oregon, in the winter, 10 days before Christmas, to conduct NEPA scoping on the proposal to withdraw 10 million acres in the West, including 2 million acres in Oregon does not meet any rational definition of adequate scoping. In addition, at the meeting there was no formal briefing or presentation, no informational handout material, or no public discussion of concerns or impacts. The scoping meeting has been described by participants as: "A group of people in a room, who mostly didn't know why they were there." It is inexcusable for the BLM to not know how to conduct NEPA scoping. Please review: MEMORANDUM FOR GENERAL COUNSELS, NEPA LIAISONS, AND PARTICIPANTS IN SCOPING; EXECUTIVE OFFICE OF THE PRESIDENT; COUNCIL ON ENVIRONMENTAL QUALITY; APRIL, 30 1981.</p>	1
<p>UMA members were denied an opportunity to comment on the SFAs on which the proposed withdrawal is predicated, and therefore BLM may not withdraw the lands at issue in the absence of a supplemental environmental impact statement (SEIS) analyzing the SFAs and allowing UMA and the public sufficient time in which to comment on the SEIS. For the first time in the proposed land use plan amendments and final environmental impact statements (FEIS), a new sage grouse habitat management construct to the LUPs makes an appearance. This novel regime called Sagebrush Focal Areas is grounded in a pronouncement in the Oct. 2014 Ashe Memo, entitled "Greater Sage-grouse: Additional Recommendations to Refine Land Use Allocations in Highly Important Landscapes" ("Ashe Memo"). Another element of the LUPA/FEIS is the application of lek buffer distances identified in another document previously not available or included in the DEIS. A USGS report entitled Conservation Buffer Distance Estimates for Greater Sage-grouse — a Review, USGS Open File Report 2014 1239 (Manier, et al. 2014) ("Lek Buffer Study"), forms the basis for newly applied sage grouse lek buffer distances for activity on the public lands at issue. An SEIS is required under NEPA: 1) if the agency makes substantial changes in the proposed action that are relevant to environmental concerns, 40 C.F.R. § 1502.9(c)(1) (i); or 2) if there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts, 40 C.F.R. § 1502.9(c)(1)(ii). The new SFA habitat category dramatically reshaped the Proposed Federal Action due to its management as: 1) recommended for withdrawal from the Mining Law of 1872, "subject to valid existing rights"; 2) no surface occupancy, without waiver, exception, or modification, for fluid mineral leasing; and 3) prioritized for management and conservation actions in these areas, including, but not limited to, review of livestock grazing permits/leases. The debut of SFAs in the LUPA/FEIS on which the proposed withdrawal is predicated constitutes a "substantial change" in the proposed action, 40 C.F.R. § 1502.9(c)(1)(i), and an SEIS is required prior to adoption of the LUPAs or the proposed mineral withdrawal. Additionally, the Lek Buffer Study, coupled with the Ashe Memo, collectively constitute "significant" post-DEIS information bearing on the proposed action or its impacts, and thus an SEIS is required on that basis under 40 C.F.R. § 1502.9(c)(1)(ii). When two new, key and significant pieces of information come late and are not subject to fair comment, this is fatal to the mandatory "meaningfulness" of this NEPA process..... Courts have required an SEIS when the proposed action differs "dramatically" from the alternatives described in the DEIS because, de facto, meaningful public comment on the proposed action was precluded. See California v. Block.33 Here, none of the DEIS alternatives analyzed the key elements that ultimately made their way into the Proposed Action, particularly the SFAs, lek-buffer distances, and the disturbance cap. Thus, the Proposed Action in the LUPA/FEIS could not have been fairly anticipated from reviewing the DEIS alternatives.</p>	1



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Let me first express my dismay at the process. I suspect, and really accuse the BLM, of playing terrible politics and acting without integrity in an effort to appease many different special interests in this matter. Are the greater sage grouse really endangered, or are your actions just a ruse to get money and to extend the power of the government, by scaring ranchers into compliance protocols or face financial ruin? That is what I suspect.	1
Clearly, the 90 day public review segregation period is way too short to identify all of the areas within the 10 million acre focal area which may host economically viable mineral deposits at current and future commodity prices.	1
Please notify Oregon Wild when the draft EIS is available for review and comment. Note: The newspaper notice extending the comment period did not explain where to get more information on the internet. We were frustrated not to find any additional information on BLM's new ePlanning site (such as maps of the area affected by this proposal), and we wasted a bunch of time looking. That site is not user-friendly at all.	1
Alternatives Are Available, and Agencies Lack Scientific and Procedural Support for the Segregation Boundaries and Resulting Withdrawal.....the public was not provided a notice and comment period to provide input on the boundaries and potential effectiveness of the SFAs, as they were first presented in the FEIS for the ARMPA. Second, New Science and Mapping Require that the BLM Re-Initiate the Segregation and Notices, and Submit an SEIS. Third, the science the Agencies purport to rely on does not support the SFA boundaries. Fourth, there are available alternatives to the withdrawal.	1
The notice summarily states "there are no suitable alternative sites for the withdrawal."58 NACO urges the Agencies to reconsider this conclusion and to ensure that an active analysis of potential alternatives to a withdrawal occurs during the preparation of this application....59 ...60...The SFAs and associated "withdrawal" did not appear until the FEIS, and the Withdrawals as proposed were not truly analyzed. The withdrawal notice lacks projected costs for both an alternative for either the conservation or the displaced use. This analysis requires the mineral information that has not been analyzed. The conclusion in the notice suggests the Secretary is relying on the ARMPA and LUPA FEIS for mineral information that was not analyzed in either document.	1
The EIS must comply with the requirements in both NEPA and FLPMA to prepare a detailed and substantive analysis of how the proposed withdrawal will affect a wide array of environmental resources and the impact of the withdrawal on affected individuals, communities, local and state governments, and the Nation. The following statement in the Notice is an inaccurate and pre-decisional dismissal of the serious impacts that will result from the proposed withdrawal: "Because of the nature of a withdrawal of public lands from operation of the mining law, mitigation of its effects is not likely to be an issue requiring detailed analysis. However, consistent with Council on Environmental Quality regulations implementing NEPA (40 CFR 1502.14), the BLM will consider whether and what kind of mitigation measures may be appropriate to address the reasonably foreseeable impacts to resources from the approval of this proposed withdrawal." 80 Fed. Reg. 57637. An EIS developed under this premise will be fatally flawed because it will not satisfy NEPA or FLPMA analysis requirements. Both NEPA and FLPMA require an in-depth analysis of the impacts resulting from putting numerous known Nevada mining districts (and districts in other western states) off limits to future mineral exploration and development. The EIS must analyze alternatives to the Proposed Action to withdraw 10 million acres from operation of the Mining Law to mitigate these impacts such as different locations and a reduced size for the withdrawal and alternatives that could achieve habitat conservation without the withdrawal. The EIS must quantitatively evaluate the profoundly adverse effect the withdrawal will have on jobs and local and state tax revenues associated with mining. The EIS must also quantify how the withdrawal will increase the Nation's reliance on foreign sources of the minerals needed to sustain modern life.	1
The EIS must comply with NEPA's hard look requirements of the direct, indirect, and cumulative socioeconomic impacts associated with the proposed mineral withdrawal. NEPA requires agencies to take a hard look at how the choices before them affect the environment, and then to place their data and conclusions before the public.....The general qualitative statements about possible effects and some risk, like those in the legally flawed Final EIS for the NVLMP, cannot be replicated in the mineral withdrawal EIS. Imposing an unrealistic timeframe to complete this EIS will not withstand scrutiny under Northwest Environmental Advocates v. National Marine Fisheries Service, 460 F.3d 1125, 1141 (9th Cir. 2006) as	1

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<p>justification for not providing definitive information that could readily be obtained. The hard look must be “taken objectively and in good faith, not as an exercise in form over substance, and not as a subterfuge designed to rationalize a decision already made...” Western Watersheds Project v. Kraayenbrink, 632 F.3d 472 (9th Cir. 2010). Thus, this EIS cannot be used to rubberstamp the mineral withdrawal proposed from a legally defective land use planning process that provided no balancing of resources or meaningful consideration or analysis of geology or mineral potential. It must quantitatively assess the impacts that will result from the proposed mineral withdrawal including the lost mineral potential and the impact that will have on the Nation’s need for mineral resources. Estimates, assumptions, approximations, hypotheses, and projections will not satisfy NEPA requirements to use sound data and to take a hard look based on this data. Completing the mineral potential reports and the EIS are enormous tasks that will require substantial time and resources. Any attempt to fast-track the preparation of these documents is likely to produce an EIS that will not meet NEPA “hard look” requirements and a mineral potential report that will not comply with the FLPMA mineral potential analysis requirements described below.</p>	
<p>The process used to identify the proposed mineral withdrawal areas was fatally flawed. The Final EIS that BLM and USFS prepared in conjunction with the NVLMP in which the proposed mineral withdrawal was introduced ignored the mineral potential of the proposed withdrawal areas and the impacts resulting from the proposed mineral withdrawal and thus violated NEPA and FLPMA. The Final EIS did not include a section on Geology in the Affected Environment chapter and failed to disclose that the proposed withdrawal included numerous known and important Nevada mining districts. Consequently, the mineral withdrawal EIS cannot rely on the NVLMP Final EIS which unlawfully omitted these issues. Thus, as a starting point, the EIS Affected Environment chapter must include a thorough discussion of the geology and mineral potential of the proposed withdrawal areas and the known and potential mineral deposits and occurrences in the 2.8 million acres in the proposed Nevada withdrawal and the 10-million acre withdrawal throughout the west. Exhibit 1 presents an extensive bibliography prepared by the Nevada Bureau of Mines and Geology (“NBMG”) of the key published references documenting the mineral potential of Nevada. BLM should have used these references in the NVLMP process and must use this literature to develop the current EIS on the proposed withdrawal. BLM must carefully consider information on the mining districts and mineral deposits in the proposed withdrawal area in describing and quantitatively analyzing the mineral potential of the proposed Nevada withdrawal areas. The publication dates for most of the listed references pre-date the NVLMP and should have been considered in Chapter 3 of the Final EIS, Affected Environment, Chapter 4 - Environmental Consequences, and Chapter 5 - Cumulative Effects. BLM must consider a similar bibliography of technical references for the mining districts in the withdrawal areas in the other western states. The discussion of the mineral potential of the proposed withdrawal areas must include quantitative information about the Nevada mining districts and mineral deposits documented in the references in Exhibit 1 that will be put off limits if the current mineral withdrawal proposal is implemented. In order to satisfy NEPA’s hard look requirements, the EIS must include a thorough discussion of the mineral potential of these districts and the impacts that would result from withdrawing these lands ..... Known mineral districts in other states that are included in the proposed withdrawal must be subject to the same detailed analysis.</p>	1
<p>Proposed Action. The BLM’s Proposed Action is to withdraw the SFAs as outlined in the 2015 ARMPA. The BLM should reconsider this, as discussed in Section I.</p>	1
<p>The Environmental Consequences analyzed under each alternative, coupled with the economic impacts analysis, drives the result of the decision-making process. It is important to fully consider and analyze those consequences which naturally result from any given action.....Agencies must follow the National Environmental Policy Act (NEPA), 42 U.S.C.S. § 4321 et seq., which "requires that an environmental impact statement itself shall identify any methodologies used and shall make explicit reference by footnote to the scientific and other sources relied upon for conclusions in the statement. An agency may place discussion of methodology in an appendix." This is the standard even when those conclusions come from another Agency's analysis or Protest Letters.</p>	1

Comment	Number of Commenters Providing this Comment
<p>The Public Has Not Had A Meaningful Opportunity To Comment On The Segregation Boundaries. The use of the ARPMA to segregate the 2.8 million acres designated as SFAs for withdrawal presupposes that the public was provided an opportunity for public hearing and meaningful comment. It also presupposes that reasonable alternatives to the SFAs were presented, which they were not. The public did not have a hearing or comment period prior to the application regarding the segregation and withdrawal boundaries because withdrawals first appeared in the FEIS....Dean William A. Payne summarized these concerns in a supporting memorandum..."...The DEIS was issued on November 22, 2013, and the FEIS on May 28, 2015. Thus, while the BLM took more than one and one- half years to revise the EIS, the public was only allowed 30 days to protest the FEIS, which exceeds 2,000 pages in length, and 60 days for consistency review. This despite the fact that there were major departures from and additions to the DEIS, and lack of response to or incorporation of many comments that were well grounded in science [For example, Humboldt County (2014) submitted a 40 page critique of the DEIS written largely by a University of Nevada Cooperative Extension expert....It was virtually ignored in the FEIS). Some revisions included important changes in methodologies, with insufficient justification or explanation for the public, making it difficult if not impossible even for scientific experts to make an informed response."21 Request I-B-1: That the BLM thoroughly explain and cite to scientific information describing how the SFAs were designated.</p>	1
<p>2. New Science and Mapping Require that the BLM Re-Initiate the Segregation and Notices, and Submit an SEIS. Secretary of the Interior Sally Jewell has committed to adopt the Sagebrush Ecosystem Council's ("Council's") new map immediately for project-level decisions.<sup>22</sup> This new map reflects new science that impacts the SFAs. It is NACO's position that the map should be adopted only in context of the State Plan, which permits ground-truthing and does not support wholesale programmatic exclusions or withdrawals. The new map referenced is the "Management Category Map (Draft December 2015) released by the Sagebrush Ecosystem Council ("Council") on December 11, 2015 at the Nevada Department of Wildlife ("NDOW"). At that meeting, Dr. Pete Coates presented these new maps (Coates et al. 2014, 2015)("Coates Map"). This commitment raises additional concerns. First, this map is specifically designed for program-level decisions, not project-level decisions. Management areas within the Coates Map simply triggers the need to ground-truth at the project level to help identify the habitat needed to implement the State Plan's Conservation Credit System. This is why the Council categorized management areas rather than designate SFAs or Withdrawal areas and that is what the State Plan supports. This was discussed in detail at the public meeting. The Coates Maps are based on modeling and do not provide confidence intervals or provide information about sample sizes. These maps contain disclaimers that say it is only meant as a model, for further ground-truthing. To adopt this map for project-level decisions is inappropriate and not supported by the best available science. Second, this map is significantly different than what is provided in the ARMPA, ...If there is a commitment to adopt this map, then the BLM must also reconsider the strongholds in light of this new scientific information. The BLM adopted the initial map presented by Dr. Pete Coates. Prior to the date the Record of Decision ("ROD") was signed, the BLM was aware that Dr. Pete Coates had this information but that the new map was not ready. Instead of waiting or preparing an SEIS, the Agencies failed to disclose that this information was being gathered and that the goal was to adopt that map in the future. It is therefore curious that the SFAs would not change even as new information becomes available for that very area. This new information requires a Supplemental Environmental Impact Statement ("SEIS") under NEPA.... the Agency must apply "a 'rule of reason,' if there remains major federal action to occur, and if the new information is sufficient to show that the remaining action will affect the quality of the human environment in a significant manner or to a significant extent not already considered."<sup>24</sup> This "rule of reason" is applied the same way the decision whether to create an EIS is applied.<sup>25</sup> That the SFAs only appeared in the FEIS yet resulted in this entire Withdrawal and additional EIS process legally requires an SEIS. Further, the new maps if adopted by the Agency will also require an SEIS or a new EIS altogether. Request I-B-2: That the BLM publish a Supplemental Environmental Impact Statement ("SEIS") for public notice and comment regarding the SF As and new mapping information. This information and public discussion at the Sagebrush Ecosystem Council meeting on December 11, 2015 makes clear that the purpose and use of the maps require further analysis, discussion, and reconciliation to ensure accurate and implementable Sage-Grouse protection measures. This also shows the need to provide an SEIS and to halt the segregation and Withdrawal period until that analysis is completed.</p>	1

Comment	Number of Commenters Providing this Comment
Please add me to the mailing list for the EIS process. I regret that I was not fully informed of the extent of the already completed Greater Sage Grouse EIS process which led to this Minerals Withdrawal proposal. Both EIS actions have had very minimal publicity to the general public or to the mining industry and other stakeholders.	1
The EIS should address scientifically and logically how this action affects or does not affect sagebrush habitat, particularly in view of the primary known threats.	1
The BLM, through the NEPA permitting process already has a 1000 pound gorilla mechanism in place to address future mining activities and their potential impact to sage grouse habitat. The NEPA process requires mitigation of impacts on wildlife. In fact I would suggest mining activity on public lands has improved sage grouse habitat! As mitigation actions usually require a 10 fold replication of any lands impacted. It could be argued that the BLM should encourage more mining on public lands, so that mining companies pay for restoring sage grouse habitat instead of the taxpayers!	1
I think it would be valuable and at least fair that when you do a scoping project that you break it out in to acres per county and also provide adequate mapping so as to facilitate a fairness to the many people you will be affected by a large scale maneuver as this.	1
The removal of land from under the Mining Act is much like assuming that you have Executive Order Privilege which you do not. A decision to do something of this magnitude borders on fraud as most of the public does not understand what you are doing because your scoping meeting do not tell the whole story. When you advertised this meeting you could have very well told all the pertinent facts instead of making all these hard working people interrupt their day to defend their livelihood and spend their day going to this meeting. Please be advised I protest anything you do that will compromise the ability of Valley County or any county for that matter from receiving rights and benefits acquired under the Bank-Head Jones Act.	1
.....The purpose of the public scoping process is to determine the relevant issues that will influence the scope of the environmental analysis, including alternatives, and guide the process for developing the EIS. Withdrawal Mandates under FLPMA § 204(c) Control the Withdrawal Process, which must also remain consistent with Multiple Use Principles under FLPMA as well as with NEPA. Acceptance of the withdrawals by the Secretary are predicated upon compliance with FLPMA § 202 and NEPA. To show that the BLM is not basing its decision on a predetermined "anti-mining agenda," the Department of Interior (DOI) in its required "notification of withdrawal" sent to Congress, must fairly consider all 12 factors listed in 43 USCS § 1714(c)(2), explaining in detail proposed withdrawal's effects on current natural resource uses, current land users, incompatibility with current land uses, and effect on state and local government interests and regional economy. The BLM's guiding principle in this action is multiple use as defined by the Federal Land Policy and Management Act (1976) (FLPMA), .....67	1
DEISs are prepared according to the scope determined in the scoping process. For FLPMA withdrawal purposes, it is important that the analysis provide a thorough estimate of the costs and benefits of the proposed withdrawal. An application may be cancelled or denied if the withdrawal is not needed or the costs are excessive. The costs are defined by 43 USC 1734(b) and are analyzed compared to available funds appropriated for processing applications. Before an authorized officer can take action on a withdrawal proposal, a supporting withdrawal application shall be submitted along with the documents needed to meet NEPA requirements. This process also requires the BLM to develop and process the FLPMA withdrawal case file for submission. The information, studies, analyses and reports must include: (1) A report identifying the present users of the lands involved, explaining how users will be affected by the proposed use and analyzing the manner in which existing and potential resource uses are incompatible with or conflict with the proposed use of the lands and resources that would be affected by the requested action....(2) If the application states that the use of water in any state will be necessary to fulfill the purposes of the requested withdrawal, extension or modification, a report specifying that the applicant or using agency has acquired, or proposes to acquire, rights to the use of the water in conformity with applicable State laws and procedures relating to the control, appropriation, use and distribution of water, or whether the withdrawal is intended to reserve, pursuant to Federal law, sufficient unappropriated water to fulfill the purposes of the withdrawal....(3) (see NEPA Analysis) An EA, an EIS or any other documents as are needed to meet the requirements of NEPA (42 USC 4332(2)(C)), and the regulations applicable thereto....	1

Comment	Number of Commenters Providing this Comment
<p>Consistent with 40 CFR 1502.14, the BLM must consider whether and what kind of mitigation measures may be appropriate to address the reasonably foreseeable impacts to resources from the approval of this proposed withdrawal. The BLM states "Because of the nature of a withdrawal of public lands from operation of the mining law, mitigation of its effects is not likely to be an issue requiring detailed analysis. However, consistent with Council on Environmental Quality regulations implementing NEPA (40 CFR 1502.14), the BLM must consider whether and what kind of mitigation measures may be appropriate to address the reasonably foreseeable impacts to resources from the approval of this proposed withdrawal.<sup>89</sup> This statement is inconsistent with NEPA and with FLPMA, which both require a detailed impacts analysis of the proposed activity. If anything, the nature of a withdrawal of public lands from operation of the mining law does require a detailed analysis regarding the mitigation of its effects, even more than other actions.....That the purpose of FLPMA expressly mentions mining and minerals elevates the importance of mitigation. A mineral withdrawal is a policy decision made at the explicit expense of the humans living in that environment. This is an extreme policy decision, and one which requires a complete and informed analysis of the potential impacts and possible mitigation strategies. It is such an impactful action that NEPA and FLPMA Sections 202 and 204 exist exclusively to ensure that agencies fully analyze and attempt to mitigate potential effects of mineral withdrawal. Therefore, NACO insists that the BLM provide a full analysis with a plan for the mitigation of the effects of a withdrawal from public lands.</p>	1
<ul style="list-style-type: none"> <li>• The No Action Alternative must include an accurate description of the existing sage-grouse populations, habitat conditions, and threats and must quantify these existing baseline conditions for comparison with the proposed action alternative(s) and their resulting net benefit for GRSG...The Bureau of Land Management/U.S. Forest Service (BLM/FS) Land Use Planning Amendment (LUPA) Final Environmental Impact Statement (FEIS) provided no science or analysis at any level to support the rationale that exclusion of mining and mineral exploration will maintain the key attributes of GRSG habitat that are needed to realize a net benefit for GRSG.</li> </ul>	1
<p>The Mineral Withdrawal Environmental Impact Statement (EIS) must include quantitative analysis and comparisons of key habitat attributes (sagebrush cover, sagebrush height, and perennial grass and forb cover and composition) between the No Action Alternative and the proposed action alternatives and disclose how mineral withdrawal will result in changes to these key attributes that are needed to realize a net benefit for the GRSG populations in the sagebrush Focal Areas (SFA).</p>	1
<p>Please maintain my name on the NEPA project notification list. I ask that at least one of the follow-on public meetings on the proposal's NEPA PEIS Scoping/Drafting process schedule be set for Bozeman, Montana, in view of the large number of rockhounds from the mid-Montana area who routinely use the Montana/Idaho/Wyoming/Utah/ Oregon proposed withdrawal and management areas for casual-use rockhounding on both claimed and unclaimed Public lands. Please add notification of public meetings on the PEIS (and any held on the withdrawal application in the future) by also publishing the information in the Bozeman Daily Chronicle.</p>	1
<p>The BLM and USFS significantly changed the conventions in the FEIS with the inclusion of the SFA without communication, forewarning or opportunity for public comment or appeal, .... Elko County maintains this directly violates the provisions of NEPA, FLPMA, and will permit the BLM/USFS to unlawfully restrict publicly managed and privately owned lands for the multiple uses as provided for in the Elko County Land Use Master Plans and Chapter Four of the Elko County, Nevada County Code.</p>	1
<p>Furthermore, Elko County maintains that the National Environmental Policy Act (NEPA) at 40 C.F.R. § 1502.9(b) requires agencies to disclose responsible scientific opposition, and therefore, the BLM should have disclosed that both the NTT and COT Reports, were being challenged under the DQA when the final environmental impact statement (FEIS) was released. ...Therefore, the NEPA documents associated with each of the LUPA/SFA are flawed and incomplete.</p>	1
<ul style="list-style-type: none"> <li>o The withdrawal was announced without adequate opportunity for public comment and is beyond the DOI's authority.</li> <li>• The 10 million acre withdrawal is premised on "sage grouse focal areas"- a land management scheme devised by the BLM after the public comment period for the land use management plan amendments had closed and the public has been denied an opportunity to comment on this critical element of the decision.</li> <li>•</li> </ul>	1

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In FLPMA, Congress specifically acknowledged the importance of mining on federal lands and minerals' contribution to society. In fact, FLPMA requires Congressional approval if mining activities are to be curtailed by large-scale withdrawals. Specifically, mineral withdrawals of more than 5,000 acres are subject to Congressional approval which the DOI has not received.	
I am a rockhound in northeastern Oregon and having reviewed the Record of Decision and Approved Resource Management Plan Amendments for the Great Basin Region, Including the Greater Sage- Grouse Sub-Regions of Idaho and Southwestern Montana, Nevada and Northeastern California, Oregon and Utah (ROD), September 2015, I have determined that it does NOT address the recreational use of the land for rockhounding. I and rockhounds in general, were NOT ASKED – Do you use and/or collect in these areas? How often do you use and/or collect in these areas? Do you plan to use and/or collect in these areas in the future? You DID NOT ask for our input or the input from the general public before formulating your proposal, instead, you pandered to special interest and environmental groups and only asked for our comments after the fact. “The BLM’s mission is to "manage" the public lands for the use and enjoyment of present and future generations under the mandate of multiple-use and sustained yield.” That is NOT what is stated in your Approved Resource Management Plan for the Greater Sage-Grouse Habitat Management Areas. As the Vice-President of the Hatrockhounds Gem and Mineral Society located in Hermiston, Oregon, a chapter of the Northwest Federation of Mineralogical Societies (NFMS), our members (40 strong, ages 7 - 70+ yrs.) collect a wide variety of rocks and minerals in many areas the BLM has designated as excluded from the 1872 Mining Law. It is unclear in the ROD whether this exclusion prohibits complete access (locking it up and throwing away the keys) to our members, as well as Future Rockhounds and the general public, as well as future generations, from continued use of these historical rockhounding areas to collect rocks and minerals in Greater Sage-Grouse Habitat Management Areas.....Rockhounds collect over a wide area of the Pacific NW including but not limited to locations in Central Oregon, the Northern Great Basin (Eastern & SE Oregon, Western Idaho & Northern Nevada), the Western Great Basin (S Central Oregon, SW Idaho & NW Nevada) and Central Idaho, now within your Greater Sage-Grouse Habitat Management Areas. Rockhounding as a recreational activity does NOT present a negative impact on the management of the sage-grouse. Rockhounding should be identified as a recreational activity in the ROD implantation plans thus allowing rockhounds and the general public to continue collecting rocks and minerals using hand tools, access and collecting SHOULD BE allowed in sage-grouse management areas, when the sage-grouse are not nesting. There is currently no requirement to notify the BLM of casual use activities. Casual use activities are those that cause only negligible disturbance to public lands and resources.	1
In addition to the considerations the BLM has identified , I request that the BLM conduct a Wyoming specific analysis and that it evaluate the following in that analysis: • The proposed use of the land in Wyoming that led to the withdrawal; • The current natural resource uses and values of the site and adjacent lands (public and non-public) in Wyoming; how these will be affected by the proposed action including aspects of the use decision that may cause degradation of the environment; and the economic impact of the change in use on individuals, local communities, and the nation; • The present users of the land involved, and how they will be affected by the proposed action; • The manner in which existing and potential resource uses are incompatible or in conflict with Greater sage-grouse conservation objectives in Wyoming, including an economic analysis of withdrawal; • Any suitable alternative sites available in Wyoming for the proposed use or for uses a withdrawal would displace; • The effect of the proposed action on State and local government interests in Wyoming and the region; • The effect of the proposed action on national interests, including security; • The effect of the proposed action on the economy; • The expected length of time needed for the withdrawal, if any; and • General geology; known and potential mineral deposits; past and present mineral production; mining claims; mineral leases; evaluation of future mineral production; and present and potential market demands pursuant to a report from a qualified mining engineer, engineering geologist or geologist which includes information (specific to Wyoming)	1
NEPA also requires that agencies use available and relevant data, ... Neither the Draft EIS nor the FEIS documents include sections on geology, ... or use BLM’s LR-2000 online database to quantify the number of mining claims affected by the SFA proposed mineral withdrawal zones. Additionally, the NV – CA Final EIS erroneously states that there is no scientific data documenting the synergies between managed livestock	1



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grazing and suppressing rangeland fuel loads despite the fact that the State of Nevada and at least four Nevada counties provided detailed bibliographies pointing out these references that needed to be considered in the NEPA analysis.	
To fully determine the mineral potential of the area, the BLM must also consider the mineral information developed by the U.S. Geological Service ("USGS"), as well as the affected states and private mining companies. By including, and considering, this other important information, the EIS and the mineral report, as required by FLPMA, will be more accurate. Aside from the geology of the areas proposed for withdrawal, the BLM must also consider the market and available technology, because these factors determine whether mining in the areas would be economical—thereby affecting the mineral potential....the BLM cannot consider perceived domestic environmental benefits without also considering the global environmental consequences of its actions	1
Likewise, there is no discussion of the existing regulatory framework that can address exploration activities on either BLM or USFS managed lands. Again, the BLM is adopting a broad brush when a far more limited approach would achieve the very similar benefits or allow mitigation.	1
It is important that a true no action alternative be developed and disclosed to allow the public to review and comment on the impact of prohibiting mining as opposed to continuing the current activities and realistic potential of new development over the life of the withdrawal. Unfortunately, since the SFA was an add-on adopted outside the public arena, the social and economic impact to the local community from the proposed mineral withdrawal have not been clearly defined or disclosed and therefore will need to be disclosed in the action alternatives.	1
The EIS must comply with the requirements in both NEPA and FLPMA to prepare a detailed and substantive analysis of how the proposed withdrawal will affect a wide array of environmental resources and the impact of the withdrawal on affected individuals, communities, local and state governments, and the Nation....Both NEPA and FLPMA require an in-depth analysis of the impacts resulting from putting numerous known Nevada mining districts (and districts in other western states) off limits to future mineral exploration and development....The EIS must quantitatively evaluate the profoundly adverse effect the withdrawal will have on jobs and local and state tax revenues associated with mining. The EIS must also quantify how the withdrawal will increase the Nation's reliance on foreign sources of the minerals needed to sustain modern life.	1
The Agencies' proposed overhaul of its LUPs is purportedly in response to the 2010 decision by the Service that the listing of the GRSG was "warranted but precluded" (WBP} under 16 U.S.C. §1533(b)(3)(B)(iii)..... The LUP Amendment initiative by the Agencies subject to analysis under the National Environmental Policy Act (NEPA}, 42 U.S.C. §§ 4321-4370h, is, as far as can be ascertained, unprecedented in its scope. As described below, the proposed Land Use Plan Amendments appearing in the final Environmental Impact Statement (FEIS) do not comply with applicable laws, regulations, policies, and planning procedures and this protest should be upheld..... The interests of Imerys and S&B in the Proposed Plan and FEIS relate to proper compliance by the BLM with the NEPA, the Federal Land Policy Management Act ("FLPMA"), 43 U.S.C. §§ 1701-1784, the National Forest Management Act ("NFMA") 16 u.s.c. §§ 1600-1687, the General Mining Act of 1872, (Mining aw) Ch. 152, 17 Stat. 91 (codified as amended at 30 U.S.C. §§ 22-24, 26-30, 33-35, 37, 39-43, 47), and the Mining and Minerals Policy Act of 1970, 30 U.S.C. § 21a. The Protesting Parties participated in the land use planning process through discussions with BLM and MDEQ during permitting activities that have been ongoing since 2012 and therefore have standing to bring this formal protest. At the time of those discussions, there was no impact to Imerys/S&B claims shown on various maps. However, maps editing and or created in April 2015 shown significant impacts to Imerys/S&B claims in the district.	1
A simple conclusory statement in the 24 September 2015 FR Notice does not serve as an analysis based on best science and impact evidence that existing land management procedures are inadequate to protect grouse. I also ask that you NOT accept those blanket withdrawal recommendations as a part of a "preferred alternative" during the PEIS analysis and drafting process; reiteration of, analysis of the adequacy of, and support for, current regulatory procedures for operational-impact-review-and-analysis pertinent to individual claims to be filed in the future are called for and supportable. These existing, adequate, and appropriate land management regulatory procedures as they relate to casual use and exploration on the affected Township/Range blocks need to be fully analyzed and discussed as part of the NEPA-required "No Action" alternative impact analysis.	1

Comment	Number of Commenters Providing this Comment
<p>The proposed withdrawals of the Sagebrush Focal Areas (SFAs) are a direct result of the Nevada and Northeastern California Greater Sage-Grouse Approved Resources Management Plan Amendment signed September 21, 2015 ("ARMPA"). Pursuant to Section 102(2) (C) of NEPA, the BLM will prepare an EIS for this proposed withdrawal upon finalization of the scoping period. Most importantly, FLPMA section 204 identifies specific analyses that the Agencies must undertake prior to the withdrawal of public lands from operation of the Mining Law of 1872. A proper determination is one which fairly considers all 12 factors listed in 43 USCS § 1714 and the BLM's Regulations at 43 CFR 2310.3-1 ...Our justifiable concerns are based on the fact that our county is subjected to 2,129,200 acres or approximately 75% of the 2,797,399 acres of Sage Brush Focal Area (SFA) in the State of Nevada is located in the northern ¼ of Elko County, this does not include the existing USFS Jarbidge Wilderness area of 113,000 acres. The total six state SFA acreage proposed for withdrawal is 10,047,727 acres, more than 20% of the total withdrawal is located in Elko County, more than any other single county of the twenty or more counties in the six Western States Greater Sage-Grouse Conservation planning area.....</p>	1
<p>The Mining/Exploration, Agriculture/Ranching, Oil/Gas, Renewable Energy and Recreation industries has committed significant resources to maintain Elko County's economic sustainability. As proposed the SFA restrictions will impose significant unjustified obstructions to mining, grazing, recreation and all other uses on federally managed public lands. The USFWS, BLM and USFS significantly changed the rules to employ the SFAs without notice, warning or any opportunity for stakeholder comment. Elko County maintains that this action violates the Federal Land Policy and Management Act (FLPMA) of 1976, the National Environment Policy Act (NEPA) of 1969, the General Mining Act of 1872 and the Multiple Use Sustained Yield Act of 1960 and will cause literal devastation to the Mining/Exploration, Agriculture/ Ranching, Energy and Recreation industries. The public was not provided a notice and comment period to provide input on the boundaries and potential effectiveness of the SFAs, as they were first presented in the FEIS for the ARMPA. Second, the science the Agencies rely on does not support the SFA boundaries. Third, there are known alternatives to the proposed withdrawals.</p>	1
<p>Thought this was a town hall style meeting where we could talk to someone. Everyone is only angrier with this "meeting." Where are our rights as citizens?</p>	1
<p>. This is an inappropriate method for the discussion that should be taking place. No instruction was given and everyone's public comments could not be addressed or heard by those present. For a fluid conversation and adequate information to be heard. It should be a forum discussion setting. . Representatives should have introduced themselves. . Maps of proposed area should be available as handouts.</p>	1
<p>The FEIS for the Hi line District in Northeastern Montana has slipped a new Greater Sage-grouse (GRSG) habitat management construct to the land use plans, namely, "Sagebrush Focal Areas" (SFAs). This management regime is grounded in a pronouncement in an October 27, 2014 memorandum from Director Dan Ashe of the United States Fish &amp; Wildlife Service (USFWS), entitled "Greater Sage-Grouse: Additional Recommendations to Refine Land Use Allocations in Highly Important</p>	1
<p>Landscapes" ("Ashe Memo"). Another element of the Proposed Plan amendments are lek buffer distances identified in another document not available or included into the DEIS. A USGS report entitled Conservation Buffer Distance Estimates for Greater Sage-Grouse - a Review, USGS Open File Report 2014 1239 (Mainer, et al. 2014) (attached). In addition, BLM created new maps in April, 2015 that dramatically alters the maps presented in the DEIS..... These changes represent new information and substantial changes to the Draft EIS. A supplemental EIS is required under NEPA: 1) if the agency makes substantial changes in the proposed action that are relevant to environmental concerns, 40 C.F.R. § 1502.9(c)(1)(i); or 2) there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts." 40 C.F.R. § 1502.9(c)(1)(ii). When the proposed action differs "radically" or "dramatically" from the alternatives described in the FEIS so that meaningful public comment on the proposed action was precluded, a SEIS is necessary. See California v. Block, 690 F.2d 753 (9th Cir. 1982). See also New Mexico ex. rel. Richardson v. Bureau of Land Management, 565 F.3d 683, 707 (10th Cir. 2009) (new alternative proposing new locations of activities required a SEIS because it affected "environmental concerns in a different manner than previous analyses," even though the general</p>	1

Comment	Number of Commenters Providing this Comment
<p>nature of the alternatives impact resembled those already analyzed). A Supplemental Environmental Impact Statement (SEIS) for the LUPA should have been prepared by the Agencies due to significant post-DEIS information that was utilized in preparing the Preferred Alternative in the FEIS. The "Ashe Memo", lek buffer distance study, and new or updated BLM maps collectively constitute new, relevant and material information that materially shaped the Preferred Alternative and has heretofore not been subject to meaningful review and comment by the public. The new habitat category, "Sagebrush Focal Areas" (SFAs), has dramatically reshaped the proposed Federal action due to its management as: 1) recommended for withdrawal from the Mining Law of 1872, "subject to valid existing rights;" 2) managed as no surface occupancy (NSO), without waiver, exception, or modification, for fluid mineral leasing; and 3) prioritized for management and conservation actions in these areas, including, but not limited to, review of livestock grazing permits/leases and closure of roads. Because this new management category appeared for the first time in the Preferred Alternative of the FEIS, meaningful public comment on the Proposed Plan was precluded, and thus, a SEIS is required. California v. Block, 690 F.2d at 758. In conclusion, the DEIS originally proposed in March of 2013 did not adversely impact the interests of Imerys/S&amp;B. However, the current Hi Line RMP and FEIS as proposed will adversely impact Imerys/S&amp;B's holdings and commercial interests in the region. We formally call for a Supplemental Environmental Impact Statement on the changes in these documents as required under NEPA.</p>	
<p>The use of the Nevada and Northeastern California Amended Resource Management Plan to segregate the 2.8 million acres designated as Sagebrush Focal Areas for withdrawal presupposes that the public was provided an opportunity for public hearing and meaningful comment. The public did not have a hearing prior to the application ... Elko County was not provided adequate time to study a large document that had significantly changed since its draft form. ...Some revisions included important changes in methodologies, with insufficient justification or explanation for the public, making it difficult if not impossible even for scientific experts to make an informed response. Lack of transparency regarding criteria used to determine landscapes essential to conservation of the species undermines public confidence.</p>	1
<p>AEMA and its members will also be injured if the BLM's environmental analysis fails to comply with NEPA, 42 U.S.C. §4321 et seq., procedural requirements. For example, AEMA is committed to principles that embody the protection of human health, the natural environment, and a prosperous economy. AEMA views economic, social, and environmental effects on the human environment, as well as mining, as interrelated—not mutually exclusive...the BLM must take a hard look at all effects of the proposed withdrawal's prohibition on mineral exploration and development within the SFAs. The effects from the proposed withdrawal include impacts on the economy and social environment, which are components of the human environment. The proposed withdrawal will result in numerous consequences, not solely environmental benefits, and those consequences must be considered....the EIS must thoroughly discuss the economic and social effects of the proposed withdrawal on the human environment</p>	1
<p>...tiering the EIS for the proposed withdrawal to the EISs prepared for the greater sage-grouse land use plan amendments would be inappropriate. Those EISs are patently deficient because the public did not have an opportunity to comment on the designation of SFAs and the analysis of the impacts of and on mineral exploration and development is severely lacking...the BLM's failure to include a map that depicts the location of existing mining claims within SFAs has prevented AEMA, MSLF, and their members, as well as the public from meaningfully participating in the scoping process. The BLM must remedy this problem....the analysis of the impact of locatable minerals on greater sage-grouse and its habitat, as well as the effects on mining, are severely lacking in the EISs for the greater sagegrouse land use plan amendments</p>	1
<p>In assessing the environmental impacts of the mineral withdrawal, it is important that the Secretary be cautious in tiering to the environmental impact statement that accompanied the amendments to the Resource Management Plans. In this case, tiering is particularly inappropriate relative to the SFAs given that the SFA concept was not covered in the draft EIS for the RMP's. It was a late addition incorporated into the final EIS without public review and comment. While Hamey County was a cooperating agency in the development of the revisions to the resource management plans, it along with the public was excluded from the process prior to the addition of the SFA concept. The SFA strategy was not developed in the cooperation with the cooperators, nor were the cooperators afforded opportunity to comment prior to the SFA strategy - including the mineral withdrawal - being adopted by the Bureau of Land Management.</p>	1

Comment	Number of Commenters Providing this Comment
<p>The decision document on the Modifications of the Great Basin BLM Management Plan of September 2015, discusses two separate management strategies for the SFAs. Generically the focal areas are to eliminate most new surface disturbance in the most highly valued sage-grouse ecosystem areas. Secondly, it is a strategy to avoid or limit new surface disturbance in priority habitat management areas of which SFAs are a subset. However, the Fact Sheet: BLM, USFS Greater Sage-Grouse Conservation Effort references that with respect to mining, the "plans will seek to minimize surface disturbance caused by mining activities in sagebrush focal areas and other priority habitat" (p.3). However, the proposed withdrawal is a far more onerous standard than to "minimize." In the EIS, the BLM will need to quantify the "minimize" standard of the RMP as the no-action alternative and in turn provide the information necessary to compare the withdrawal alternative with the no-action alternative. By proposing to withdraw the minerals in both of these categories, the BLM is blurring the distinction between them, however, more importantly it is ignoring that within the priority habitat management areas the surface disturbance was to "avoid or limit." This is far different than the withdrawal strategy to eliminate mining location and development activities whether or not they cause surface disturbances that affect the Sage-Grouse.</p>	1
<p>New mining operations are already either restricted or banned on more than half of all federally managed public lands. With so much land already closed to mining operations, and the need for minerals to support our nation, BLM must be very careful about making a determination that additional lands should be withdrawn. In determining the appropriateness of the proposed withdrawal, BLM must take into consideration the importance of federal minerals. Among other responsibilities, BLM is required to submit a report to Congress "prepared by a qualified mining engineer, engineering geologist, or geologist which shall include but not be limited to information on: general geology, known mineral deposits, past and present mineral production, mining claims, mineral leases, evaluation of future mineral potential, present and potential market demands." 43 USC 1714(c)(12) (See also, BLM withdrawal regulations at 43 CFR 231.0-2(b)(3)(iii)).</p>	1
<p><b>4.2.4 Legal Authority/Basis: Takings: Commenters make statements about takings. Some state it appears the proposal would allow taking of private property.</b></p>	
<p>Finally, a monumental taking by the BLM, with a changing political wind, could backfire and result in fewer options for the agency.</p>	2
<p>The omission of these considerations that demonstrate withdrawal of the WEX claims is improper, renders the continued segregation of WEX's claims unlawful and a taking which, if not halted, will require just compensation for interference with WEX's property rights and plans. If the Agencies had evaluated the mineral potential of the WEX claims, the \$37.7 million invested in the Wood Gulch claims at issue, the fact that the USFS already granted a Plan of Operations for the Wood Gulch and Doby George projects which the Agencies recognize are "Valid Existing Rights," the significant interference with those rights and WEX's investment resulting from the segregation and the devastating socioeconomic impacts from halting the WEX Projects, the WEX claims would not have been included.<sup>3</sup></p>	1
<p>So, a potentially significant resource of the future is considered "invalid", "null and void" and is off limits as a strategic resource to the US? Insanity. This alone can be considered absurd in the policy of US national interest. Economic parameters always change. But worse is the immediate damage done to the proprietors of the claims containing discovery. Having invested significant private resources into the once guaranteed ownership of a mineral value or the potential of that value, each proprietor is stripped of his investment and of any potential resource he may have in those claims. This is called a lose-lose situation. Companies in whose investment interest are traded publically on highly regulated stock exchanges can sell stock based upon resources. The definitions of reserves versus resources are very carefully defined under stock exchange reporting laws. Under these publically codified definitions, resources can be considered as an asset to the company upon which stock can be sold to the public...The stock of a company with a mineral resource that is not yet economically viable can be sold as a privately owned asset to the public under stock exchange laws. And those resources can be held by unpatented mining claims in the U.S. Many a company has sold stock as a public company, and many, many, many mergers and acquisitions have been performed upon this basis where the entities involved have a "only a resource". This resource is an asset of the company. A resource that could now be negated under these new mineral examination guidelines being promulgated under these sage grouse management plans. This constitutes a taking.</p>	1

Comment	Number of Commenters Providing this Comment
This action is a takings of private ground that may be within the sagebrush withdrawal. By taking the surrounding public land out of production the private land will be degraded economically.	1
The Federal Agencies do not have the expertise or resources to conduct validity examinations. A precursor to a determination of a VER for the granting of a land patent is a validity examination conducted by the federal agency. This is a time-consuming process that must be performed by knowledgeable and experienced personnel. It is our understanding that only about 20 mineral examiners are employed by the federal agencies, and as a result of retirement and turnover, those numbers are dwindling. The number of examinations that must be performed for the IO-million-acre withdrawal west wide is staggering. In Nevada alone, the Nevada Division of Minerals estimates 3,762 existing claims are present in the withdrawal areas. It is reasonable to assume the federal agencies cannot subject all of these claims to a validity examination in a timely fashion. It remains unclear if, while validity examinations are ongoing, the claim holder will be allowed to work their claims as required under the law, be required to pay the necessary claims fees as prescribed by federal and state law, or proceed with exploration and operational development, thus placing a de facto prohibition in place on further claim development or mining activities. Under a strict interpretation, such restrictions and limitations of the rights of a claimant could be interpreted as a taking. The map below, prepared by the Nevada Division of Minerals, depicts the number of claims by distribution and density within the State of Nevada and highlights the significant effort necessary to perform validity examinations on claims within the withdrawal area. <a href="http://minerals.nv.gov/uploadedFiles/mineralsnvgov/content/News/Distribu...">http://minerals.nv.gov/uploadedFiles/mineralsnvgov/content/News/Distribu...</a>	1
I oppose any Sage Grouse decision which withdraws lands from use under the 1872 Mining Act. In fact, I see withdrawing land as an illegal taking of a citizen right....Third, I do not see how the Interior Department can resolve a monumental conflict between mining law and environmental law without consulting Congress. A 20 year decision can be a lifetime and is not appropriate outside the halls of Congress.	1
I oppose any Sage Grouse decision which withdraws lands from use under the 1872 Mining Act. In fact, I see withdrawing land as an illegal taking of a citizen right....Third, I do not see how the Interior Department can resolve a monumental conflict between mining law and environmental law without consulting Congress. A 20 year decision can be a lifetime and is not appropriate outside the halls of Congress.	1
It is not listed and the federal government and its agencies who promote this removal do not have a legitimate reason to do so under existing laws. It appears that this proposal, based on the need to protect the species from being listed, would allow the taking of private property rights without congressional support. Mineral rights, grazing rights and water rights are all in jeopardy of being restricted with the final result a loss in value of private lands, the loss of the creation of new wealth in our communities due to loss of business and economic development.	1
BLM must evaluate whether any suitable alternative sites are available for uses that the withdrawal would displace. Thus, BLM must consider the extent to which there are alternative high mineral potential areas that would be available to displace the mineralized areas that would be withdrawn.	1
I do not believe that the proposed withdrawal has adequately analyzed potential impacts for socioeconomics. Many industries -- ranching, mining, energy -- have invested funds (range improvements, exploration baseline surveys) in the area which cannot be leveraged if the withdrawal occurs. Is this considered a "take"? I manage an environmental/engineering company that will be impacted if the withdrawal occurs. This impact will not only directly affect my and similar businesses, but will also affect those businesses we support. I believe responsible development is possible.	1
My opinion, is that the BLM and other federal agencies are, through false excuses like "grouse" are Taking the publics lands that you the BLM, are entrusted by "the people" to manage for them (and are doing a very poor job at, I might add.) You are breaking laws by closing roads, closing and destroying historical areas including rich mining heritage, burning homes and cabins. You are also breaking ADA laws as well. You and the USFS are using "national monument" and other "names" to keep out "the public" from their own lands and taking away the commerce of our natural resources, harming those that make their living from these lands. The public is watching, noting the grievances, and arming themselves against you and tyranny by learning their rights and their laws, and the more they learn the more they see your corruption, they are getting mad and are therefore arming themselves by the millions (see recent gun sales figures). If you think they are not talking, organizing, grouping, and getting ready for a uprising of your tyranny, well you are wrong. Every where I go people are talking about it. Video tapping you all, watching you,	1

Comment	Number of Commenters Providing this Comment
<p>photographing you. Learning their true rights, and your illegal policies. Do you really think the best way to manage public lands for all, is to keep them out? Are you that naive? Like the Bundy's in Nevada, You have hundreds of people stirred up just over the Hammonds, in Oregon, and what you did. Burning those lands and homes and cattle. The federal Gov. And you the BLM should be very ashamed. Documentaries are being produced and will be shown nationally and perhaps worldwide, this will bring tens of thousands if not hundreds of thousands more against you by showing your atrocities. Americans by and large are very patient and have very long fuses before loosing their temper but beware you have burnt those fuzes short. Be prepared for the American people to rise up and "fire the management" of our public lands and take them back. By elections or by force if necessary, if that fails. 2016 should prove to be an interesting year. That is just my opinion, but beware it is not just mine alone.</p>	
<p>b. Additional Issues Should Be Analyzed. Takings Analysis. The BLM must engage in a takings analysis as part of a Withdrawal pursuant to Exec. Order No. 12,630, 53 Fed. Reg. 8859 (Mar. 15, 1988). Although this withdrawal is subject to "Valid Existing Rights," ("VER") this does not take into account potential regulatory takings. Given that the definition of VER is a legal term of art, it is important to distinguish that definition from the one defined in the ARMPA at 5-24. Still, the definition provided in the ARMPA should be used to clarify what permit, license, lease, or claims holders possess and what they should expect through this process. NACO requests that the BLM pay special attention to Valid Existing Rights with no access or that become prohibitively expensive as a result of the SFA and Withdrawals. Also, the BLM must compensate "the holder of record of each permit, license or lease lawfully terminated or revoked after the allowance of an application, for all authorized improvements placed on the lands under the terms and conditions of the permit, license or lease, before the lands were segregated or withdrawn." Further, "The amount of such compensation shall be determined by an appraisal as of the date of revocation or termination of the permit, license or lease, but shall not exceed fair market value. To the extent such improvements were constructed with Federal funds, they shall not be compensable unless the United States has been reimbursed for such funds prior to the allowance of the application and then only to the extent of the sum that the United States has received. (b) When an application is allowed that affects public lands which are subject to permits or leases for the grazing of domestic livestock and that is required to be terminated, the applicant shall comply with the cancellation notice and compensation requirements of section 402(g) of the Act (43 U.S.C. 1752(g)), to the extent applicable."92</p>	1
<p>Federal laws required that the BLM and USFS (collectively, the "Agencies") through the course of their recent land management planning efforts consider all of this information, the mineral potential, the socioeconomic impacts on the local and State communities, the potential for takings claims and relative compensable damages that may be sought and viable reasonable alternatives to proposing withdrawal of these lands from mineral entry....This blatant violation of NEPA and other federal laws in the course of the land management process which triggered and formed the basis for the proposed withdrawal renders the continued segregation of Pilot Gold's claims unlawful and a taking that if not halted, will require just compensation for interference with Pilot Gold's rights and reasonable investment-backed expectations. Accordingly, Pilot Gold's claims should be excluded from the lands proposed for withdrawal immediately.</p>	1
<p>The management directives for the SFA threaten to eliminate or reduce the authorized use of the adjacent public lands for livestock grazing by imposing unworkable and authoritarian habitat management objectives. ...roughly 236,000 acres of Elko County private lands are adjacent to or engulfed by the SFA. The current use of these private land parcels for agriculture, ranching and other approved uses will be adversely affected by restrictions on grazing or access on adjacent public lands. ... the SFA will diminish or even eliminate future economic agriculture, ranching and other uses on private property ...and potentially subject the federal government to regulatory takings claims. Additionally the SFAs will create stranded inholdings of private land parcels surrounded by public land managed for the sole purpose of Greater Sage-Grouse conservation .... Consequently, landowners within and adjacent to the SFAs, will experience restrictions to adjacent public lands that will have a significant adverse impacts ....</p>	1
<p><b>4.2.5 Legal Authority/Basis: Water Rights: Commenters make statements about water rights. Some state that water rights will be needed for the proposal. Some question how water rights will be affected.</b></p>	



Comment	Number of Commenters Providing this Comment
(D) Water Rights Would Be Needed to Fulfill the Purpose of the Requested Withdrawal The application states "No water rights would be needed to fulfill the purpose of the requested withdrawal." ... Water availability is the most powerful predictor of brood rearing. Segregation and withdrawal will result in the expiration of private water rights, and will also implicate the water rights associated with grazing permits. Thus, the water the Sage-grouse currently uses is a result of those water rights. Without access to water supplies, the BLM may need to obtain water rights for the Greater Sage-Grouse, whether state or federal. The application only requires a "statement as to whether water will or will not be needed to fulfill the purpose of the requested withdrawal action." ...That water rights will be evaluated as a preliminary issue for the EIS is telling that this issue is inaccurately represented in the application. Thus, water rights would be needed to fulfill the purpose of the requested withdrawal. Request I-D: That the notice be revised to restate that water will be needed to fulfill the purpose of the requested withdrawal action, as required by 43 CFR 2310.3-1 (c) (13). This remedy will allow the public to more accurately comment on the water-related consequences of the withdrawal.	1
Furthermore the withdrawal application states "No water rights would be needed to fulfill the purpose of the requested withdrawal." 80 CFR 57637. However, segregation and withdrawal will result in the expiration of private water rights, and will also implicate the water rights associated with grazing permits. The application only requires a "statement as to whether water will or will not be needed to fulfill the purpose of the requested withdrawal action." 43 CFR 2310.3-1 (c) (13) that water rights will be evaluated as a preliminary issue for the EIS is telling that this issue is inaccurately represented in the application. Thus, water rights would be needed to fulfill the purpose of the requested withdrawal.	1
Elko County Position / Recommendation No. 4: That the BLM/USFS acknowledge and observe State of Nevada Revised Statutes concerning water rights and identify; how valid existing water rights "will" be impacted; how federal land management use and potential ownership will be needed to fulfill the purpose of the requested withdrawal action; concede to full due process as per NRS and afford the public to accurately comment, appeal and/or protest the water and water rights related consequences of the proposed withdrawal.	1
<b>4.2.6 Legal Authority/Basis: Segregation/Petition: Commenters make statements about the segregation and/or the petition. Some state the petition is inadequate or provides insufficient information. Some state the segregation makes the withdrawal a fait accompli. Some state the temporary segregation should be terminated until the withdrawal EIS is complete. Some state temporary segregation protections should remain in place.</b>	
The BLM's and USFS's decision to include the lands underlying the Projects in the Sagebrush Focal Area ("SFA") has jeopardized the viability and development of these Projects because the SFA lands have been included in the proposed withdrawal and are now segregated. In doing so, the Agencies violated their internal guidelines implemented under Executive Order 12630 that require they consider interferences with any reasonable, investment-backed expectation, regardless of its status as a property interest. <sup>4</sup>	1
The withdrawals are hardly "proposed", since they are already withdrawn for two years as "temporary segregations", thereby making it more likely that the "proposed" withdrawal for 20 years will be done. The withdrawal is essentially a fait accompli. I object to this method as a lack of due process and improper method of making land decisions.	1
Pursuant to its regulations, the BLM must make a "preliminary identification of the mineral resources in the [withdrawal] area." 43 C.F.R. § 2310.1-3(b)(5). The Petition provides that for the State of Wyoming, there are "28 producers, 82 past producers, 36 prospects, and 61 occurrences representing 42 different commodities including uranium, gold, platinum, silver, copper and silica." The Petition also includes a map of the areas to be withdrawn. Nowhere, however, does the petition identify the mineral resources as they pertain to the proposed withdrawn areas. Review of the BLM's map shows that parcels are scattered and sometimes isolated from other parcels. Thus the "area" described in the Petition does not match the term "area" as used in the BLM regulation. There are many areas, but the Petition fails to correlate mineral resources to each parcel. Since the BLM has not identified which parcels have mineral resources, and what those resources are, the Coalition is left to speculate as to the impacts of the proposed withdrawal. Perhaps more importantly, the Petition misleads the public into thinking that there are no mineral resources with regard to a particular parcel. Thus, the Petition fails to identify the mineral resources in any meaningful capacity under 43 C.F.R. § 2310.1-3(b)(5).	1

Comment	Number of Commenters Providing this Comment
Pursuant to Departmental Manual 603, “[a]ll withdrawals shall be kept to a minimum consistent with the demonstrated needs of the applicants.” 603 DM 1.1(A). The “demonstrated need” for the withdrawal must include “an explanation of why existing law or regulation cannot protect or preserve the resource.” Id. at (A)(3). The purpose stated in the Petition is to “protect Greater Sage-Grouse (GRSG) and its habitat from adverse effects of locatable mineral exploration and mining.” Pet. at ¶7. The Petition then attempts to draw a connection between sagebrush “strongholds” as identified by the U.S. Fish and Wildlife Service and the BLM’s “layered management approach” to protect the most valuable habitat. Id. at ¶7. The Petition fails, however, to show why the SFA’s as “subsets of PHMA” are necessary despite the existing “layered management approach” that the Petition belabors as part of BLM’s landscape scale GRSG conservation planning amendment. Id. In other words, the Petition cannot demonstrate that the withdrawals are necessary when the PHMA and GHMA habitat designations protect a larger area against a greater range of disturbances. Rather, the Petition makes the contrary case that the existing regulatory framework is extremely robust and the SFA’s only penalize the mineral industry contrary to FLPMA, the Wyoming Executive order 2015-04, and BLM’s multiple use mandates. The Departmental Manual does not require the Petition to show an increase in protection but instead, why the existing regulatory system is insufficient. The Petition is therefore insufficient under DM 603 which is binding on the agency. See 011 DM 1.2(B)); <i>Hymas v. United States</i> , 117 Fed. Cl. 466, 473 (2014).	1
Thus, the Petition does not answer the mandatory question posed by DM 603 – “how is the integrity of the resources, to be protected or preserved by a withdrawal, at risk with the active management of the lands for other public purposes?” 603 DM 1.1(A)(3). Existing regulations, state conservation plans, and newly minted BLM plans all provide ample protections for sage-grouse and the current Petition makes no attempt to show how these mechanisms are insufficient. There appears to be no “rational connection between the facts found and the conclusions made.” <i>Native Ecosystems Council v. U.S. Forest Serv.</i> , 418 F.3d 953, 960 (9th Cir. 2005).	1
.....Publication of a withdrawal proposal in the Federal Register initiates a segregation period lasting up to two years during which period the activities specified in the notice are restricted. <sup>8</sup> This application segregates and seeks "to withdraw approximately 2,797,399 million acres of public and National Forest System lands located in Elko, Humboldt, and Washoe Counties in Nevada from location and entry under the United States mining laws, but not from leasing under the mineral or geothermal leasing or mineral materials laws." <sup>9</sup>	1
The Agencies should Defer any Segregation of Lands Until a Final Withdrawal Decision is issued	1
The ROD and greater sage-grouse land use plan amendments severely restrict Pilot Gold’s uses on federal lands within greater sage-grouse habitat, especially in regards to mineral exploration and development which immediately impacts Pilot Gold given the 2-year segregation period has already commenced....Unlawfully subjecting Pilot Gold even to this temporary taking pending completion of the withdrawal process (through which Pilot Gold’s claims should be excluded) will impose significant and potentially irreparable harm on Pilot Gold all of which could have been avoided if the Agencies had followed the Federal law requirements in the land use planning process.	1
I ask that both the “Temporary Segregation” withdrawals and the formal application “processing” be terminated until a definition and procedures applicable to “Segregation Actions” (as differentiated from “Withdrawal Actions”) are developed and published, and until the Programmatic EIS on the impacts of the proposed Great Basin withdrawal actions is completed and a decision made by the Secretary of the Interior.	1
...temporary protections should remain in place through a moratorium on mining activities to ensure that habitat values are not lost in the interim.	1
<b>4.2.7 Legal Authority/Basis: Valid Existing Rights: Commenters make statements about Valid Existing Rights (VERs). Some state that guidance on VER determination is needed. Some state that the process for establishing VERs should be described and documented. Some question what work can occur during the EIS process. Others state that as part of validity inspections, legally invalid claims and leases should be eliminated from existence.</b>	
"Valid Existing Rights" offer no real and practical protection for exploration and development projects. The VER concept and the lack of supporting mechanisms from federal agencies will have a chilling effect on exploration activity and investment capital.	2

Comment	Number of Commenters Providing this Comment
WEX holds an approved Plan of Operations for the Wood Gulch Project which the BLM testified at a recent Federal Court hearing constitutes a “Valid Existing Right” <sup>6</sup> with which the Agencies would not interfere. The Wood Gulch Project is located in the SFA and on lands that have been segregated and are proposed for withdrawal from mineral entry.	1
3. The Withdrawal interferes with WEX’s valid existing rights & its reasonable investment-backed expectations in the Projects. FLPMA 204(c)(2)(3) requires the Secretary’s report identify present users of the land involved, and how they will be affected by the withdrawal. As indicated above, WEX is significantly adversely affected. WEX invested more than \$37.7 million in the lands at issue with reasonable expectations that its rights under Federal law would be respected and only subject to withdrawal in compliance with requirements set forth under Federal laws including FLPMA, NEPA, the NFMA and the U.S. Mining Laws. The segregation and proposed withdrawal of these lands has halted WEX’s ability to raise necessary funds to continue its development efforts and operations, jeopardizing the company and its significant investment and current discoveries. The segregation and withdrawal has interfered with WEX’s investment given that the segregation imparts a high level of uncertainty on WEX’s future prospects and has halted WEX’s ability to raise money needed to continue with its exploration drilling and operations to advance the Projects toward development. Investors are understandably leery of making future investments in light of the federal government’s proposed plan to expropriate WEX’s claims and put this land off limits to development. In addition, the segregation is interfering with WEX’s existing Plan of Operations at Wood Gulch (that includes the Gravel Creek discovery), which the Agencies recently represented to a Federal District Court judge they recognize to be a Valid Existing Right with which they would not interfere. <sup>10</sup> The segregation has substantially interfered with WEX’s use and value of its Plan of Operations because as a result of the cloud of uncertainty and risk posed by the segregation, WEX’s ability to raise funds to continue its activities has been severely compromised. In addition, the segregation undermines the value of additional drilling under the Plan of Operations and its usefulness in the future for development of the Project or to establish validity of the claim. Under the circumstances, the proposal to withdraw WEX’s claims based upon the underlying study through the NVLMP process that did not evaluate the geology, mineral potential, existing Plans of Operations, socioeconomic and other impacts, or provide adequate notice and opportunity to comment on the proposed withdrawal interferes with WEX’s reasonable investment-backed expectations (e.g. that any proposed withdrawal would only proceed in conformance with all legal requirements, including this requisite analysis and the requirements under 43 CFR 2310.1-3(b)(5) (that the withdrawal petition include a preliminary identification of mineral resources in the area proposed for withdrawal) and 43 CFR 2310.1-2(c)(12) (that the withdrawal application provide a study comparing the projected costs of obtaining alternative sites in suitable condition for the proposed use, conservation, and projected costs of obtaining and developing alternative sites for any displaced existing uses, such as exploration and mining)). <sup>11</sup>	1
C. WEX should be immediately excluded from the withdrawal under FLPMA 202(e)....Accordingly, the proposed withdrawal of WEX’s lands is unlawful given the violations of the land use planning provisions and requirements under FLPMA and the continued segregation of WEX’s lands is imposing significant and potentially irreparable harm on WEX. WEX’s investment of over \$37 million (which it made with reasonable expectations that its rights under Federal law would be respected) and the 758,800 ounces of gold at Doby George. WEX’s Projects have significant mineral potential which was even acknowledged by the USFS. As such, the USFS has advised WEX that it would be requesting that WEX’s Projects be excluded from the withdrawal. WEX respectfully requests that you work with the Secretary to formally and immediately exclude WEX’s projects from the withdrawal process.	1
As a result of the proposed withdrawal, the feasibility of current and future operations come into question in the financial markets —and, if these areas are withdrawn, mining claim validity examinations will be mandatory on all claims within the boundaries of the withdrawals.. Given the amount of time typically required to conduct mining claim validity examinations (typically 2-5 years as a minimum), the lack of enough qualified Certified Mineral Examiners with experience to complete the validity determinations within the agencies to conduct these examinations and expected costs to the land management agencies to conduct those examinations it is ludicrous to think that valid existing rights will be honored since operators will be locked up in validity examinations for years without the right to continue exploration or development of their real property	1

Comment	Number of Commenters Providing this Comment
rights until the validity examinations are complete, and even then they may be caught in perpetual analysis paralysis because they are situated in the middle of large swaths of real estate segregated from the mineral estate by these actions.	
“Validity determinations” of unpatented claims, which I was told by BLM and USFS personnel would be carried out under a 20-year withdrawal, would impose the demonstration of feasibility study-type economic requirements to prove a “valid” claim. This process would invalidate the vast majority of unpatented claims contrary to the well-established process allowing pursuit of a discovery; this process is long supported by the courts.	1
The withdrawal notice states that the land will be withdrawn from location and entry under the United States mining laws, subject to valid and existing rights. It is unclear if this means that validity examinations will be required for existing claims within the proposed withdrawal area. The BLM/USFS must evaluate whether validity examinations are required. If deemed necessary, BLM/USFS must define and follow a written protocol for validity examinations. Validity examinations must be required for all claims and not target only those claimants that have the misfortune of holding claims within the proposed withdrawal area. The protocol must be fair and show no preference among operators or commodities.	1
On a final note, NMA believes BLM needs to consider whether the withdrawal is even implementable given various BLM constraints. With the largest ever withdrawal in the history of FLMMA come BLM obligations of herculean proportions, not the least of which will be to conduct validity determinations of mining claims to ascertain which claims have valid existing rights and therefore are not subject to the withdrawal.... there are fewer than 20 certified mineral examiners at BLM and even fewer at the Forest Service and that nearly all are of retirement age. Mineral examinations for claim validity determinations are time intensive....Even if BLM provided additional resources to conduct determinations, it would take time to train and certify new examiners....	1
That the Mining Law is being deliberately undermined, indeed with the intent of evisceration is evident in the rhetoric emanating from the federal agencies. We hear that all current claims in the area of mineral withdrawal will be subjected to a mineral examination process with the intent to deny valid existing rights in the claim. For a bird that did not need to be listed, i.e., there is no existing public purpose for the mineral withdrawal. The mineral examination process used to be applied when an application for patent was submitted by the claim owner to establish fee title to the surface estate. Now it will be used for the opposite purpose and intent, that of denying the proprietor his investment in the claims. Where there is no valid public purpose for a withdrawal. We hear talk that only “validating existing rights” will be recognized. We are told that this means that only those claims with a deposit that can demonstrate economic viability on the date the segregation is published can survive. In this case September 24, 2015. Are we to believe that ALL economic variables are to be frozen in time? Commodity prices, fuel prices, labor costs, technological practices, interest rates – in short, all the economic variables that comprise an investment decision to go into production? And that the discovery has to have already been developed to the advanced extent that such an investment decision can be made? It takes years to develop and delineate a discovery to such an extent, thanks in significant part to onerous regulations also designed to impede economic activity. But a deposit of recognizable potential that is in the middle of this long process and cannot rise to the level as yet of an economic deposit will be discarded and invalidated as not rising to the stated high bar of “valid existing rights”? We hear of the prudent man test as defined in Castle v. Womble. We hear of the “marketability test” imposed by the Department of the Interior. These case decisions and solicitors opinions were made in the era before the patent moratorium in 1993. These were to apply to patent applications or areas of mineral withdrawal for a valid public purpose. They do not apply to a bird that was not deemed necessary to list as an endangered or threatened species. So, why the hostility to the Mining Law? Can it be that the Mining Law represents the last non-discretionary vestige of recognized private rights in the public lands? To whom is this deemed so bad then, apparently necessitating an all out assault on this law? The history of the Mining Law is self evident..... One does not wait until an “economic “ discovery has been made with the full development necessary to prove economic discovery establishing “valid existing rights” before fully perfecting these claims in the field and to file with the local County registrar..... This right is jeopardized when the sovereign entity behind the public lands, be it state or federal, chooses to shoot itself in the foot, or in this case in the head, and attempts to set a precedent that arbitrarily claims the power to remove this common law private property right at an arbitrary whim. This is what this precedent represents by invoking a mineral withdrawal based upon a bird that was	1

Comment	Number of Commenters Providing this Comment
<p>deemed not necessary to list as threatened or endangered. The Mining Law is under a full scale back door assault with this “non-listing” Trojan Horse..... And then let us now posit, as is currently demonstrated with this non listed sage grouse ARMP foolishness, that suddenly, without notice, the mineral developer is subject to a newly defined restrictive definition of the mineral examination process. Indeed, the federal agencies waited until December 10, 2015 to release a document called the Greater Sage Grouse Mineral Segregation and Proposed Withdrawal FAQ’s. This document outlines many newly defined and extremely restrictive criteria for valid existing rights. Under these new restrictions, the results of any further drilling you conduct will not be admissible after the date of the arbitrary mineral withdrawal. The project value is now essentially taken by arbitrary administrative decree. The following is quoted from the question regarding an already existing Plan of Operations in the FAQ’s: “It is important to note that further exploration after the segregation date to obtain a physical exposure of a valuable mineral deposit will not support valid existing rights.” And yet in a public press release, the BLM says that an existing Plan of Operations may move forward. How deceptive. If new data is not admissible, why would anybody invest further resources into developing the discovery? ..... Because the imposition of newly fabricated criteria known as Sagebrush Focal Areas that was concocted between the Draft EIS and the Final EIS for the Greater Sage Grouse, and then used as dubious criteria for mineral withdrawal; the mineral developer with a discovery is caught blindsided by this illegal activity..... The new restrictions also say each claim must undergo the validity tests with those that fail being declared invalid. There has been considerable precedent in the patenting process that contiguous claims in aggregate support each other with value to the project....</p>	
<p>As part of the analysis, the BLM should conduct validity tests to determine whether existing mining claims are legal.</p>	1
<p>The current proposal for mineral withdrawal only protecting “valid existing rights” will totally destroy exploration and should not be implemented. It is not justified as mining and exploration only impact a tiny area. The prior system provides adequate protection for all interests.</p>	1
<p>Valid, pre-existing claims: Neither the segregation for up to two years, nor any subsequent withdrawal, would prohibit ongoing or future mining exploration or extraction operations on valid pre-existing claims. Neither the segregation nor the proposed withdrawal would prohibit any other authorized uses on these lands. Under FLPMA, the Secretary can withdraw these lands for a maximum of 20 years, and may extend the period in the future. All of these claims, oil and gas, renewable energy. Livestock facilities and other infrastructure must be fully assessed, mapped and impacts examined.</p>	1
<p>Although Valid Existing Rights are protected, we don’t know what Valid Existing Rights are.</p>	1
<p>A promise to honor “valid existing rights” does not reassure claimants because land managing agencies have applied an extremely narrow (and confiscatory) definition of such rights.</p>	1
<p>The withdrawal notice states that the land will be withdrawn from location and entry under the United States mining laws, subject to valid and existing rights. It is unclear if this means that validity examinations will be required for existing claims within the proposed withdrawal area. If deemed necessary, validity examinations must be required on all claims and must not target only those claimants that have the misfortune of holding 'claims within the proposed withdrawal area.</p>	1
<p>There is another aspect of this current mineral withdrawal and its new rules for mineral examination. There has been much talk of “physical exposure” needing to be demonstrated in order to establish valid existing rights. And that a discovery needs to have a demonstrable connection to a “physical exposure” on the surface. This is absolutely absurd. Every exploration geologist worth his salt knows that for decades now the search has been on for buried or blind deposits. Many deposits have been found and mined that were covered with post mineral cover of sediments or volcanic flows. By definition, there is no surface physical exposure. The rules acknowledge that drill core can constitute physical exposure, but still has to be tied to the surface “seam”. There also has been much talk about the need for continuity of mineralization on a controlling structure..... In short, the “rules” outlined in the Proposed Withdrawal FAQ’s have either been crafted by thoroughly incompetent bureaucrats or are deliberately acting in hostility towards the mining industry and the Congressionally passed mining laws. Or both. The Proposed Withdrawal FAQ document is here directly quoted: “The government may assess the validity of any mining claim at any time until patent is issued, regardless of whether the subject</p>	1

Comment	Number of Commenters Providing this Comment
lands are segregated or withdrawn from mineral entry.” This statement is wrong in that we already know that a patent moratorium has been in effect since 1993. But with this statement, if allowed to stand, no claims and no project is safe from the application of these egregious new guidelines of mineral examination. This will devastate investment in a critical backbone industry of America. These Congressionally passed Mining Laws encourage the exploration for, and the mining of strategic mineral resources. Strategic means that these laws are in the interest of National Security. These proposed mineral withdrawals based upon no valid public purpose are therefore paramount to treason.	
Mining laws do not adequately protect claimants within areas of withdrawals. The Notice states under the Supplementary Information section that the Forest Service is requesting the “...Secretary of the Interior withdraw, for a 20-year period, subject to valid existing rights...” What the Notice fails to recognize is that just being a claimant does not prevent the proposed withdrawal from adversely affecting your claims. There is very little protection for claims undergoing exploration and development. While claimants will be allowed to continue paying maintenance fees on the claims, the moment any ground- disturbing activities are proposed, the majority of claims will be declared invalid due to the insurmountable burden necessary as evidence to prove a discovery of valuable minerals. The BLM and Forest Service would be under no obligation to facilitate, permit, or allow mineral exploration activities on pre-existing claims, owing to the requirements necessary to meet the burden of proving mineral discovery. Mineral development does not begin and end with guaranteed profitable operation. Successful mineral exploration can take years to decades of sampling, mapping, drilling and other exploration techniques to determine if the project is economically feasible. By suggesting that because a valuable mineral deposit has not yet been determined undermines the very process necessary to make a discovery, and prematurely precludes a potentially profitable mining claim from discovery. The reality for the current claimants is that this withdrawal in all likelihood will strip away most if not all of the claims held within the bounds of the proposed withdrawal. The number of claims held by early stage explorers and developers by far exceeds the number of claims which would ultimately be considered a valid existing right and thus offers little real protection to those pre-existing claims.	1
The EIS must fully describe and document the process to be used for establishing valid existing rights (VERs) including potential conflicts of adjacency. The EIS must fully evaluate the impacts to the claim holder of evaluating mineral potential through the imposition of a validity examination process and quantify the associated dollar value impact to claim holders (if any). The EIS must evaluate the ability and resources of the federal land management agencies to conduct validity examination to determine a VER, should one be required. The EIS must address the time it will take to conduct thousands of validity examinations in the withdrawal area, and the status of claims between the time the withdrawal goes into effect and a VER determination. This should include the current two-year segregation period as well as a potential renewal for an additional two years. The EIS must address fairness and parity with regard to timeliness and standards for validity examinations inside and outside of the withdrawal areas.	1
Publication of the proposed mineral withdrawal automatically segregated these lands from location and entry of new mining claims for two years. However, neither the segregation nor any subsequent withdrawal would prohibit future mining operations on valid mining claims.	1
– As part of the analysis, the BLM should conduct validity tests to determine whether existing mining claims are legal.	1
Within the EIS, Sweetwater County believes that the BLM should clearly define what constitutes a valid and existing right. By providing this definition, mineral investors would have a clearer understanding of their mineral rights in relationship to the withdrawal. This could prevent confusion that discourages mineral investment and creates endless potential conflict between mineral interests and the federal government. In addition, providing a definition of valid and existing rights could assist the investors in exercising their rights which would in turn help sustain the vitality of local and state economies.	1
Define in a public and transparent way, the term “valid existing rights,” and analyze its economic and legal implications under the proposed withdrawal.	1



Comment	Number of Commenters Providing this Comment
The Agencies' proposal in this withdrawal indicates that valid existing rights will be honored. Without defining how valid existing rights will specifically be handled, we expect that our members will be restricted from hunting or driving their ATV's and ORV's on existing roads in the SFA's. In our opinion this is restricting our valid existing rights. Valid existing rights as it pertains to minerals and other multiple uses should have been defined in detail before this removal proposal were put out for public comment. Again, managing for a single species that is not defensible by agencies for protection, and restricting other rights on the public lands is not warranted by law or by local opinion and is a disservice to the lands and the public.	1
In addition, federal agencies should require that all existing federal mining claims and mineral leases falling within the boundaries of the proposed mineral withdrawal be examined for validity before permitting any surface-disturbing activity to occur on them, as part of this decision-making process. There is little doubt that many mining claims and mineral leases in the important sage grouse habitats in question have not had the due diligence performed by their respective holders to maintain them in a legally valid state. Such legally invalid claims and leases should be eliminated from existence.	1
Valid existing rights undefined. The LUPA withdraws up to 2.7 million acres of lands from the General Mining Act of 1872, subject to Valid Existing Rights. It is estimated that 55% (almost 97,000) of all mining claims in Nevada reside in counties where SFA withdrawals are proposed. On its face, this exemption appears to be a somewhat reasonable concession to the withdrawal criteria. However, the term "Valid Existing Right" (VER) is not defined in federal law or regulation or in the LUPA, and it is not clear what mining rights and activities are to be protected (or not) by the proposed withdrawal action. Due to the lack of a concise legal definition, it is not possible to estimate the impacts and costs associated with the withdrawal as it relates to mining activities, the number of claims that might be subject to Validity Examinations (a currently required evaluation for obtaining a land patent), or the economic and social impacts of the potential forfeiture of claims deemed not valid.	1
The Federal Agencies do not have the expertise or resources to conduct validity examinations. A precursor to a determination of a VER for the granting of a land patent is a validity examination conducted by the federal agency. This is a time-consuming process that must be performed by knowledgeable and experienced personnel. It is our understanding that only about 20 mineral examiners are employed by the federal agencies, and as a result of retirement and turnover, those numbers are dwindling. The number of examinations that must be performed for the IO-million-acre withdrawal west wide is staggering. In Nevada alone, the Nevada Division of Minerals estimates 3,762 existing claims are present in the withdrawal areas. It is reasonable to assume the federal agencies cannot subject all of these claims to a validity examination in a timely fashion. It remains unclear if, while validity examinations are ongoing, the claim holder will be allowed to work their claims as required under the law, be required to pay the necessary claims fees as prescribed by federal and state law, or proceed with exploration and operational development, thus placing a de facto prohibition in place on further claim development or mining activities. Under a strict interpretation, such restrictions and limitations of the rights of a claimant could be interpreted as a taking. The map below, prepared by the Nevada Division of Minerals, depicts the number of claims by distribution and density within the State of Nevada and highlights the significant effort necessary to perform validity examinations on claims within the withdrawal area. <a href="http://minerals.nv.gov/uploadedFiles/mineralsnvgov/content/News/Distribu...">http://minerals.nv.gov/uploadedFiles/mineralsnvgov/content/News/Distribu...</a>	1
For the purposes of withdrawal, a workable and reasonable definition of valid existing rights is needed. If the withdrawal is to move forward as proposed, a clear, concise, and legally defensible definition of VER is necessary. The NvMA strongly recommends that the federal land managers adopt a reasonable and pragmatic definition that recognizes existing claims as valid, reduces the workload for validity examinations, and provides for timely determinations. The NvMA strongly advocates the federal agencies adopt a process that recognizes a VER as a claim that existed prior to September 24, 2015, and has filed the necessary location maps with the required federal and state agencies, is current in the payment of all necessary fees, and has completed the necessary assessment work in accordance with federal law.	1

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<p>“Valid existing rights” = death to mineral exploration. The recent proposal for mineral withdrawals to protect Sage Grouse habitat in the western US contains a phrase that on its face sounds very reasonable but in actuality will completely destroy all mineral exploration in these areas: “subject to valid existing rights.” Valid existing rights? What could be wrong with that? To have a valid existing right to a mining claim means that you must prove to a government mineral examiner that you have a mineral discovery, meaning a currently viable economic mineral deposit. In essence, this mean that the only claims that will continue to be valid are only those that already have an identified, drilled out, and fully economically evaluated mineral deposit “showing that the mineral could be mined, removed, and marketed at a profit.” This concept is obviously diametrically opposite of exploration, which is the search for such deposits, ie, looking in areas where such deposits are not now known to exist but could be discovered through a diligent search. Under this proposal, exploration claims have become invalid and no exploration will be conducted. We cannot find what we cannot look for, and we will not look for minerals in areas where we cannot secure mineral rights.</p>	1
<p>The Agencies Should Clarify Their Proposal for Upholding Valid Existing Rights in a Manner that Protects Properly Maintained Claims.</p>	1
<p>Pilot Gold believes the proposed withdrawal is neither lawful nor necessary; and interferes with Pilot Gold’s reasonable investment backed expectations in its unpatented mining claims and exploration rights on lands highly prospective for mineral development in which Pilot Gold has invested more than \$1 million to discover minerals. Pilot Gold holds an existing notice of intent approved by the Bureau of Land Management (“BLM”) for the Viper Project (“Project”) which is entirely within the area proposed for withdrawal and necessary for Pilot Gold’s economic development of its Project. Therefore, the segregation and threatened withdrawal of claims comprising the Project interfere with Pilot Gold’s property rights.</p>	1
<p>Valid existing rights, including property rights and rights under the Mining Law, must be protected.</p>	1
<p>· "Valid Existing Rights" offer no real and practical protection for exploration and development projects. The VER concept and the lack of supporting mechanisms from federal agencies will have a chilling effect on exploration activity and investment capital.</p>	1
<p>Unfortunately, according to the 9/24/15 Record of Decision, the “pre-existing claims will be honored subject to validity” wording may significantly impact LCI’s and its clients’ ability to evaluate the mineral potential at Lost Cabin by drilling. It is strongly recommended that common sense be exercised and that, at the minimum, a Notice level exploration (&lt;5 acres disturbance) be allowed to proceed at Lost Cabin prior to having a certified mineral examiner review of the property. Likewise, if every exploration project on federally-managed lands within the segregation, and perhaps throughout the USA, are held to the same claim validity, it would undoubtedly have a huge negative impact on mineral exploration.</p>	1
<p>There is much confusion and there has been considerable discussion about protecting existing rights in the SFA. It is essential that all valid existing rights, plans of operation, notices of intent, and all claims where claim maintenance fees have been paid pursuant to the General Mining Law and the Federal Land Policy and Management Act be considered valid existing rights and excluded from mineral withdrawal. My staff and state resource departments stand ready to work with the SLM to properly define and identify these rights and claims.</p>	1
<p>WHAT are the impacts of these “valid existing rights” and other uses that threaten these lands/ Please include livestock grazing disturbance, facilities, roading, oil and gas leases and development, agency vegetation treatments and fulebreaks (fragment habitats, crate ideal sites for weed invasion, often increase frequent fire risk, etc). Please make sure to include all existing and foreseeable land “treatments” and rules projects. This includes livestock forage crested wheat or other seedings, and all agency projects for all periods of time. Please also identify all lands identified for restoration following wildfires over the past 30 years, and provide updated information on how these lands com are to the focal habitat, We are greatly concerned that BLM’s continuing failed fire rehab policies under the ARMPA cost the taxpayers enormous sums. But they do not provide for successful restoration. A case in point is the \$67 million dollar Soda fire.</p>	1
<p>The Application conditions the withdrawal as subject to "valid existing rights" ("VERs") with the implication that the impact of these restrictions on claim holders would be mitigated because their rights to their claims would be protected. The requirement for a VER is overly restrictive, places an unrealistic burden on mining operators exercising their rights under the General Mining Law, and creates a defacto withdrawal which is outside</p>	1

Comment	Number of Commenters Providing this Comment
BLM's authority and contrary to law. For locatable minerals, "valid existing right" is a specific term reserved for those claims in which a "discovery" has been made. Therefore, the proposal to honor VERs fails to protect the rights associated with claims prior to a discovery of a valuable mineral. Very few mining claims can withstand the rigorous economic evaluation, required of a claim validity examination ("validity examination") to which they would be subjected as a result of this constraint. Validity examinations are used to determine whether a claim includes discovery of a valuable mineral deposit that qualifies as a VER which the federal government must exclude from the various restrictions, prohibitions and withdrawals. Thus, the many references to VERs in the Notice is misleading because it creates the false impression that the rights of mining claimants with claims in areas subject to restrictions, prohibitions, withdrawals and defacto withdrawals from future mineral entry would be respected and that claimants could continue to explore and develop their claims. Only after a claim is found to be valid as a result of a validity examination is it considered a VER. But mineral validity examinations create such a high threshold of proof that very few claims can demonstrate sufficient profitability to satisfy the criteria for a VER. Generally speaking, some but not all claims at operating mines may meet the claim validity examination test and be treated as having a VER. However, claims that are being actively explored almost never qualify as valid claims with a VER. Even claims at advanced exploration projects that are being proposed for mine development may not qualify as VERs.	
Based on my discussions with local and state-level BLM and USFS personnel, there still are many uncertainties in the plan and how it will be applied to unpatented claims in general as well as mineral deposits that have had significant work done on them as a block of claims. The review process for claims to determine valid "discoveries" and economic viability of any deposit remains nebulous, and I have seen no guidance even at this late date in the public comment period as to what data will or will not be acceptable as supporting proof that discoveries exist on one or more claims in a given block. It appears from available information on the withdrawal process as if each unpatented claim will be treated as a standalone parcel for review. This approach makes no sense in terms of mineral deposits or the exploration process in general. Mineral deposits do not nicely conform to the limits of any given claim boundary, as I am sure the BLM and USFS have seen from many past and present mines and exploration programs. Exploration work does not move forward at the same pace on every claim in a claim block both for financial and technical reasons. Claim blocks are formed for three primary purposes: 1) The area of the claims is known to have mineralization, but work does not necessarily proceed at the same pace on each claim because the stronger showings of minerals usually are investigated first..... 2) A larger block of land beyond just the known mineralization is needed to allow for mining operations, such as a waste pile, processing facilities, offices, equipment maintenance facilities, and so on where these cannot be placed on top of economic mineralization without impairing the ability to eventually mine that mineralization. 3) Some buffer may be needed around the mineral deposit as known from exploration to ensure that competing companies do not impair future exploration or mining operations by claiming ground that will be needed for future mining or along trends that could represent economic mineralization when further exploration work is performed in those areas.....If the goal of this claim-by-claim review is to destroy a deposit or claim block and render it unuseable for any future mining by turning the block into a patchwork or appearance of swiss cheese, then it is unlikely that ANY block of existing claims, including any active mines, will remain fully intact after such review.	1
BLM should conduct validity tests to determine whether existing mining claims are legal.	1
Concerned about the delays associated with this process for people & organizations that have existing valid claims. Also, apparently there is a risk that if the withdrawal does go into effect that this will carry over to people that had existing claims/rights. That seems unfair to state that their rights are not affected but all activity including expansion would cease after a withdrawal occurs. That greatly affects the economic well-being of individuals and companies.	1
One of the biggest problems with this plan is there is not a set system of checks and balances. The decisions are being made independently without a solid validation program. It says this does not effect existing mining claims. That is not true. If you understand the exploration process you would understand not being able to stake new claim could kill a program. It is also a violation of or rights. This will directly affect the mining industry in a negative way. As a claim holder in the proposed areas this will sorely limit if not kill any potential projects we have in the area. If you effect mining	1

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this much you will effect the state economy.	
Carlin Gold US owns a claim back in Elko Co. in No. Snake Mtns no of Wells, just north of Currant Creek. This proposal takes in the northern 1/2 of our block. I have submitted my comments and a map via email to sagebrush_withdrawals@blm.gov. The area is highly prospective for "Carlin-type" gold mineralization and Carlin is just one of several claim owners in the area. We had owned these claims for over 10 years.	1
Based on my discussions with local and state-level BLM and USFS personnel, there still are many uncertainties in the plan and how it will be applied to unpatented claims in general as well as mineral deposits that have had significant work done on them as a block of claims. The review process for claims to determine valid "discoveries" and economic viability of any deposit remains nebulous, and I have seen no guidance even at this late date in the public comment period as to what data will or will not be acceptable as supporting proof that discoveries exist on one or more claims in a given block. It appears from available information on the withdrawal process as if each unpatented claim will be treated as a standalone parcel for review. This approach makes no sense in terms of mineral deposits or the exploration process in general. Mineral deposits do not nicely conform to the limits of any given claim boundary, as I am sure the BLM and USFS have seen from many past and present mines and exploration programs. Exploration work does not move forward at the same pace on every claim in a claim block both for financial and technical reasons. Claim blocks are formed for three primary purposes: 1) The area of the claims is known to have mineralization, but work does not necessarily proceed at the same pace on each claim because the stronger showings of minerals usually are investigated first. Therefore, a larger block of claims is accumulated by the claim owner to allow for exploration to follow trends and additional exploration finds within that block based on surface and subsurface mineral information. This also is true of active mines where additional exploration around the mine is being explored for additional economic mineralization based on such trends or new ones found during mining. 2) A larger block of land beyond just the known mineralization is needed to allow for mining operations, such as a waste pile, processing facilities, offices, equipment maintenance facilities, and so on where these cannot be placed on top of economic mineralization without impairing the ability to eventually mine that mineralization. 3) Some buffer may be needed around the mineral deposit as known from exploration to ensure that competing companies do not impair future exploration or mining operations by claiming ground that will be needed for future mining or along trends that could represent economic mineralization when further exploration work is performed in those areas. Therefore, treating each claim in a claim block as if it has no relation to the others, and whether or not a specific claim has a "discovery" on it even when bordered by or nearby one or more claims that do have discoveries on them, is counter to any sense in the realm of geological exploration or mining engineering. If the goal of this claim-by-claim review is to destroy a deposit or claim block and render it unuseable for any future mining by turning the block into a patchwork or appearance of swiss cheese, then it is unlikely that ANY block of existing claims, including any active mines, will remain fully intact after such review.	1
An additional question for the withdrawal plan that I have not yet seen answered in available literature is how activities on claims will be controlled during the review and EIS scoping process? Will there be a total freeze of all mineral activities until a given claim or claim block is vetted by the BLM and/or USFS? Can already approved activities such as Plans of Operations or Notices of Intent continue? Can any activities such as non-disturbing surface work (e.g., geological mapping and sampling) continue? Can any results from ongoing activities, such as new assays, be brought into the claim review process after September 24, 2015, or will only results obtained before September 24 be admissible for the review? All active properties advance regulation compatible work on their mineral deposit at some pace that does not relate to outside factors other than funding availability. There also are lead times to getting various types of work done on a property. Certainty as to how properties can be worked on while the review process goes forward must be given to claim owners.	1
An additional question for the withdrawal plan that I have not yet seen answered in available literature is how activities on claims will be controlled during the review and EIS scoping process? Will there be a total freeze of all mineral activities until a given claim or claim block is vetted by the BLM and/or USFS? Can already approved activities such as Plans of Operations or Notices of Intent continue? Can any activities such as non-disturbing surface work (e.g., geological mapping and sampling) continue? Can any results from ongoing activities, such as new assays, be brought	1

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into the claim review process after September 24, 2015, or will only results obtained before September 24 be admissible for the review? All active properties advance regulation-compatible work on their mineral deposit at some pace that does not relate to outside factors other than funding availability. There also are lead times to getting various types of work done on a property. Certainty as to how properties can be worked on while the review process goes forward must be given to claim owners.	
"Subject to valid existing rights" sounds good, but as we all know, validity exams would be funded by the miner, and would be required before Plans of Operation and Notice level activities could take place. Ownership of the minerals on unpatented mining claims is a private property right. These minerals cannot be taken without compensation. In addition, before withdrawing mineralized lands from mineral entry, BLM must consider the fact that mining is a "public benefit, just as the protection of habitat is a "public benefit". Because of this, the burden of performing validity exams should rest with the government. Mine operators should not be expected to bear this cost.	1
The SFA Withdrawals are subject to Valid Existing Rights ("VERs"). Yet it is difficult to understand what that means in this context. As part of the segregation, the BLM has begun to initiate a claim validity analysis to determine what are VERs. This is a legal term of art, yet it is defined in the ARMPA as "Documented legal rights or interests in the land that allow a person or entity to use said land for a specific purpose and that are still in effect. Such rights include fee title ownership, mineral rights, rights of way, easements, permits, and licenses. Such rights may have been reserved, acquired, leased, granted, permitted, or otherwise authorized over time."78 Specifically, NACO wonders whether any documented legal rights or interests, according to the ARMPA definition of VERs, will be extinguished when the land is withdrawn. NACO recommends that the BLM develop Claims Validity Analysis procedures for the other VER elements that need clarification. This should include a public review and comment for each claim subject to claims validity proceedings. Request II-B-4: That the BLM clarify Valid Existing Rights and develop procedures for VER elements that need clarification. This should include a public review and comment for each claim subject to extinction.	1
Black Jack Exploration Inc. owns lode mining claims in sections 28 and 29, Township 44 North Range 52 East Mount Diablo Meridian, in northern Elko County, located and maintained all or in part since 2000. These claims are situated atop the former Burns Mine,... Photos of the site are appended with this letter. Studies of the property and adjacent properties have been completed by major mining and junior exploration companies, the U.S. Bureau of Mines and the Nevada Bureau of Mines and Geology. Black Jack has sampled the workings, and obtained samples that assay as much as 78 oz/ton silver and more than 22% lead from quartz-calcite-galena-sphalerite veins.... All were assayed at ALS Minerals Lab in Reno, Nevada and Vancouver, British Columbia. A public stock company, a junior explorer, had an option to purchase the claims in 2010 – 2012. That company conducted field surveys including electrical geophysical soundings of the property. A large induced polarization anomaly underlies the mine workings at approximately 150 meters below surface, or approximately 75 meters below the mine workings. The anomaly has a plan view expression approximately 500 meters north – south by 300 meters east – west, and was interpreted to be a potential limestone-hosted silver-lead replacement deposit. That company also had a technical report prepared of the property in 2011 – 2012 by an independent professional geologist for filing with Canadian securities exchanges. That report is included with this letter for your reference.	1
In your own word you say: "in the subject to valid existing rights, the lands described in this notice will be segregated from location and entry under the United States mining laws, unless the application/proposal is denied or canceled or the withdrawal is approved prior to that date. Licenses, permits, cooperative agreements, or discretionary land use authorizations may be allowed during the temporary segregation." {This is not a 2 year project this could be over in 120 days and you walk away with control of land that has been available for use by industries located in all these counties and at the same time leaving owner operators no time to litigate for damages you will have caused. Just imagine the unfairness of suspending the mining law after a 150 plus years of common acceptance) you then you go on to say .....) "The purpose of the proposed withdrawal of the Sagebrush Focal Areas in Priority Habitat Management Areas is to protect the Greater Sage-Grouse and its habitat from adverse effects of locatable mineral exploration and mining subject to valid existing rights." (That not a proven fact; Mountain Plover actually do better on land that is has a rougher texture and it's not a proven fact; That Sage Grouse are losing habitat in all of these areas)	1

Comment	Number of Commenters Providing this Comment
<p>The Withdrawal Must not Compromise the Security of Land Tenure. A viable exploration and mining industry requires long-term access to prospective lands to support projects at all stages of work from the initial prospecting to mine development. Certainty of land tenure is needed to encourage investment in exploration. The proposed withdrawals eliminate this certainty and violate claimant's property rights and rights under the Mining Law. The rights lost include rights to operate under authorized permits, which the BLM and USFS define as a valid existing right. The definition of "Valid Existing Rights" must accommodate the early stage projects lacking defined economic resources within the proposed SFA withdrawals. The withdrawal of lands adjoining confirmed resources jeopardizes development of support facilities for mines and the ability of developers to design mines that are economically efficient and environmentally effective. There must be provisions, in the event of any withdrawals, to provide access to lands necessary to the development of mine facilities. Also, the ability to expand resources onto adjoining claims during the life of the development or mining project.</p>	1
<p>The purpose of the proposed mineral withdrawal is protection of GRSG and its habitat from adverse effects of locatable mineral exploration and mining "subject to valid existing rights" (VER). The BLM's Federal Register Notices do not define VER which has led to much confusion, particularly for exploration projects. The BLM and USFS ARMPA are the basis for the proposed withdrawal broadly defined VER as follows: Documented legal rights or interests in the land that allow a person or entity to use said land for a specific purpose and that are still in effect. Such rights include fee title ownership, mineral rights, rights-of-way, easements, permits, and licenses. While unpatented mining claims, mill sites and tunnel sites that are properly maintained by annual maintenance fee payments or annual assessment work under the U.S. mining laws would fall within this definition, BLM and USFS state and district offices are in need of additional guidance on the scope of VER to ensure a uniform application of this definition that preserves the substantial capital investments that have been made in reliance on the rights granted by the U.S. mining laws, and protects local economies that are dependent on a sound mineral exploration and mining economy. Since 1992, pursuant to the General Mining Law, a claimant may hold and maintain an unpatented mining claim, mill site or tunnel site by paying the appropriate annual maintenance fee to the United States, or by conducting the requisite annual assessment work and making an appropriate annual filing with BLM. The holder of a properly maintained mining claim has the exclusive right to use lands within the claim for mineral exploration and mining. In enacting the requirement for annual claim maintenance fees, Congress sought to eliminate uncertainties associated with the historic annual assessment work requirements, and establish a clear line by which claimants can be assured that they have a valid right without the need for lengthy or complex administrative determinations.</p>	1
<p>Several thousand unpatented mining claims and mill sites have been located by numerous individuals and entities within the proposed Mineral Withdrawal Area. In Nevada alone, more than 3,700 claims exist in the proposed withdrawal area for which significantly more than a half million dollars are paid to the United States yearly in annual maintenance fees. See Attachment A. Many of these areas are highly prospective for economic mineralization and tens of millions of dollars have been expended by the claim owners in conducting exploration activities related to those claims in reliance on the rights granted by the U.S. mining laws. While only a small fraction of those claims might ultimately be mined resulting in limited and localized disturbance, preserving the current rights of those claimants, including reasonable access rights, will promote several sound national policies, including: • Promoting Congress' intent to establish a clear line by which mining claims can be maintained through payment of annual maintenance fees. • Recognizing the substantial investment of resources that have been made in reliance on the current claim maintenance requirements. • Avoiding the high costs, administrative burdens and permitting delays that would be associated with a requirement to conduct claim-by-claim validity determinations. • Supporting local communities and regional economies that rely substantially on a sound mineral exploration and mining economy. An unpatented mining claim, mill site or tunnel site that has been maintained in accordance with the annual filing and fee requirements of the General Mining Law and Federal Land Policy and Management Act meets the definition of VER as set forth in the BLM and USFS sage-grouse plan amendment documents. The following language is a suggestion for clarifying the definition of VER for mineral exploration projects to provide clear national guidance to agency field personnel that maintains consistency with existing laws and policies:</p>	1



Comment	Number of Commenters Providing this Comment
Documented legal rights or interests in the land that allow a person or entity to use said land for a specific purpose and that are still in effect. Such rights include fee title ownership, mineral rights and associated access rights, rights-of-way, easements, permits, and licenses. For mineral exploration projects, valid existing rights include unpatented mining claims, mill sites and tunnel sites that were located prior to the effective date of the final withdrawal notice and that have been maintained by the timely payment of an annual maintenance fee or the satisfaction of applicable annual assessment work and annual filing requirements pursuant to the U.S. mining laws and the Federal Land Policy and Management Act.	
Further, if public lands needed for ROWs for roads, power lines, pipelines, etc. are no longer available for development, ...the unpatented mining claims, patented claims, fee lands, and associated private property rights could be rendered worthless and could subject the federal government to a Fifth Amendment takings claim. ...the BLM's numerous references to VER has the potential to interfere with the access, use, and occupancy of lands open to location for mineral purposes, which are rights granted under the General Mining Law and Surface Use Act (30 U.S.C. § 612(b)).... The BLM asserts that mining is exempt from the 3-percent cap, the proposed action is conditioned with the constraints to "applicable laws and regulations, such as the 1872 Mining Law, as amended and valid existing rights"(VER). .... the proposal to honor VER, fails to protect the rights associated with claims prior to a discovery of a valuable mineral deposit. .... Only after a claim is found to be valid as a result of a validity examination is it considered VER. However, mineral validity examinations create such a high threshold of proof that a claim can be mined at a profit that very few claims can demonstrate sufficient profitability to satisfy the criteria for a valid claim and VER....The repeated and incorrect use of the term "Valid Existing Rights" when discussing the applicability of the conservation measures that restricts and prohibits land uses actually has the exact opposite effect on mining claims. It can be read to mean that the proposed land use restrictions apply to all mining claims in the SFA except those few claims that have a valuable discovery that can meet the economic tests to create VER. Thus, rather than limiting or exempting mining claims from the draconian land use restrictions, the references to VER throughout the LUPA/FEIS broaden the impact of these restrictions to nearly all mining claims in the State of Nevada.	1
<b>4.2.8 Legal Authority/Basis: 1872 Mining Law and other laws: Commenters make statements about the 1872 Mining Law and/or cite other laws that apply. Some state that the legality and consistency of the proposal with the law(s) should be analyzed. Some state that legal questions exist that must be answered before proceeding. Some state the legal basis for the withdrawal should be analyzed.</b>	
The 10 million acres are already under a two-year freeze from new mining claims while the BLM prepares its Environmental Impact Statement. Under the 1872 mining law, federal officials don't have the discretion to deny mining claims. Withdrawing the 10 million acres from being subject to that law would allow BLM officials to block mining claims. The mining claims ban conveniently circumvents the 1872 mining law, which was designed to promote development in the West. Nowadays, the folks in Washington think the West has developed enough. The new rules favor habitation of a bird that federal officials have already admitted is under no danger of extinction.	1
Under the 1872 Mining Law individuals are allowed to go onto the public lands and explore for and develop mineral deposits on unappropriated lands. Should this proposed withdrawal proceed and all or even a portion thereof become closed to mineral exploration and development, the public would be denied access to the public lands which is granted them under the law. Considering the fact that the federal agencies have conceded that mining activities actually only impact a tiny fraction of GSG habitat, potential denial of public access under the Mining Law is an arbitrary and capricious use of federal power.	1
That the Mining Law is being deliberately undermined, indeed with the intent of evisceration is evident in the rhetoric emanating from the federal agencies. We hear that all current claims in the area of mineral withdrawal will be subjected to a mineral examination process with the intent to deny valid existing rights in the claim. For a bird that did not need to be listed, i.e., there is no existing public purpose for the mineral withdrawal. The mineral examination process used to be applied when an application for patent was submitted by the claim owner to establish fee title to the surface estate. Now it will be used for the opposite purpose and intent, that of denying the proprietor his investment in the claims. Where there is no valid public purpose for a withdrawal. We hear talk that only "validating existing rights" will be recognized. We are told that this means that only	1

Comment	Number of Commenters Providing this Comment
<p>those claims with a deposit that can demonstrate economic viability on the date the segregation is published can survive. In this case September 24, 2015. Are we to believe that ALL economic variables are to be frozen in time? Commodity prices, fuel prices, labor costs, technological practices, interest rates – in short, all the economic variables that comprise an investment decision to go into production? And that the discovery has to have already been developed to the advanced extent that such an investment decision can be made? It takes years to develop and delineate a discovery to such an extent, thanks in significant part to onerous regulations also designed to impede economic activity. But a deposit of recognizable potential that is in the middle of this long process and cannot rise to the level as yet of an economic deposit will be discarded and invalidated as not rising to the stated high bar of “valid existing rights”? We hear of the prudent man test as defined in Castle v. Womble. We hear of the “marketability test” imposed by the Department of the Interior. These case decisions and solicitors opinions were made in the era before the patent moratorium in 1993. These were to apply to patent applications or areas of mineral withdrawal for a valid public purpose. They do not apply to a bird that was not deemed necessary to list as an endangered or threatened species. So, why the hostility to the Mining Law? Can it be that the Mining Law represents the last non-discretionary vestige of recognized private rights in the public lands? To whom is this deemed so bad then, apparently necessitating an all out assault on this law? The history of the Mining Law is self evident..... One does not wait until an “economic “ discovery has been made with the full development necessary to prove economic discovery establishing “valid existing rights” before fully perfecting these claims in the field and to file with the local County registrar..... This right is jeopardized when the sovereign entity behind the public lands, be it state or federal, chooses to shoot itself in the foot, or in this case in the head, and attempts to set a precedent that arbitrarily claims the power to remove this common law private property right at an arbitrary whim. This is what this precedent represents by invoking a mineral withdrawal based upon a bird that was deemed not necessary to list as threatened or endangered. The Mining Law is under a full scale back door assault with this “non-listing” Trojan Horse..... And then let us now posit, as is currently demonstrated with this non listed sage grouse ARMP foolishness, that suddenly, without notice, the mineral developer is subject to a newly defined restrictive definition of the mineral examination process. Indeed, the federal agencies waited until December 10, 2015 to release a document called the Greater Sage Grouse Mineral Segregation and Proposed Withdrawal FAQ’s. This document outlines many newly defined and extremely restrictive criteria for valid existing rights. Under these new restrictions, the results of any further drilling you conduct will not be admissible after the date of the arbitrary mineral withdrawal. The project value is now essentially taken by arbitrary administrative decree. The following is quoted from the question regarding an already existing Plan of Operations in the FAQ’s: “It is important to note that further exploration after the segregation date to obtain a physical exposure of a valuable mineral deposit will not support valid existing rights.” And yet in a public press release, the BLM says that an existing Plan of Operations may move forward. How deceptive. If new data is not admissible, why would anybody invest further resources into developing the discovery? ..... Because the imposition of newly fabricated criteria known as Sagebrush Focal Areas that was concocted between the Draft EIS and the Final EIS for the Greater Sage Grouse, and then used as dubious criteria for mineral withdrawal; the mineral developer with a discovery is caught blindsided by this illegal activity..... The new restrictions also say each claim must undergo the validity tests with those that fail being declared invalid. There has been considerable precedent in the patenting process that contiguous claims in aggregate support each other with value to the project....</p>	
<p>This proposal would set a precedent for circumventing the Mining Law of 1872. This is an inappropriate application of regulatory oversight by the BLM and USFS. Changes to the Mining Law are the purview of the U.S. Congress, not regulators.</p>	1
<p>Acknowledging the destructive impact of all mining, the mineral withdrawal should be exercised not only under the General Mining law of 1872, but also under the mineral and geothermal leasing laws including the Mineral Leasing Act, and also cover disposal under the Materials Act of 1947.</p>	1
<p>By withdrawing a significant portion of the public lands in the western United States, this proposal is in direct conflict with the Mining and Minerals Policy Act of 1970 (30 U.S.C. § 21a), which declares a policy of fostering and encouraging private enterprise in the “orderly and economic development of domestic mineral resources...”</p>	1

Comment	Number of Commenters Providing this Comment
<p>There is another aspect of this current mineral withdrawal and its new rules for mineral examination. There has been much talk of “physical exposure” needing to be demonstrated in order to establish valid existing rights. And that a discovery needs to have a demonstrable connection to a “physical exposure” on the surface. This is absolutely absurd. Every exploration geologist worth his salt knows that for decades now the search has been on for buried or blind deposits. Many deposits have been found and mined that were covered with post mineral cover of sediments or volcanic flows. By definition, there is no surface physical exposure. The rules acknowledge that drill core can constitute physical exposure, but still has to be tied to the surface “seam”. There also has been much talk about the need for continuity of mineralization on a controlling structure..... In short, the “rules” outlined in the Proposed Withdrawal FAQ’s have either been crafted by thoroughly incompetent bureaucrats or are deliberately acting in hostility towards the mining industry and the Congressionally passed mining laws. Or both. The Proposed Withdrawal FAQ document is here directly quoted: “The government may assess the validity of any mining claim at any time until patent is issued, regardless of whether the subject lands are segregated or withdrawn from mineral entry.” This statement is wrong in that we already know that a patent moratorium has been in effect since 1993. But with this statement, if allowed to stand, no claims and no project is safe from the application of these egregious new guidelines of mineral examination. This will devastate investment in a critical backbone industry of America. These Congressionally passed Mining Laws encourage the exploration for, and the mining of strategic mineral resources. Strategic means that these laws are in the interest of National Security. These proposed mineral withdrawals based upon no valid public purpose are therefore paramount to treason.</p>	1
<p>This withdrawal is a threat to the freedom of the people to use our lands, as well as the law of the 1872 mining act to mine the land.</p>	1
<p>The proposed mineral withdrawal is an unacceptable and unlawful tort against the People of the United States – The act of 1872 is a GRANT! It cannot be taken away by administrative law or regulation without an outright act of theft by the Federal Government....Any action to take granted rights from the people would be a trust breach, a criminal act, and would render the Federal Government illegitimate. Injunction and criminal complaints will issue!</p>	1
<p>The EIS must analyze the proposed withdrawal and its legality and consistency with the 1872 Mining Law. The EIS must evaluate the legal basis for the Secretary of the Interior to initiate a withdrawal of lands in the magnitude proposed.</p>	1
<p>Please stop the attack on the 1872 mining law! We want access to our public lands! Thanks. America</p>	1
<p>This is an attack on the mining law of 1872, it has nothing to do with a bird and I will do my best to spread my truth! Leave my constitution and my federal granted lands alone. These lands are for the public to use and sustain from. I vote mining!</p>	1
<p>Most of what I think has already been said so I won't repeat it in detail. The 1872 Mining Law is totally out of date but Congress has refused to override business interests, thus I support the proposal to withdraw lands determined to be crucial to the survival of the greater sage-grouse from location and entry under the 1872 Mining Law, subject to valid existing rights.</p>	1
<p>According to the Federal Land Policy and Management Act ("FLPMA"), BLM is mandated to manage the lands it administers to retain uses including "but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish, and natural, scenic, scientific, and historical values." Similarly, the National Forest Management Act ["NFMA"]) requires that the Secretary of Agriculture "provide for multiple use and sustained yield . . . in accordance with the Multiple- Use Sustained-Yield Act of 1960." FLPMA expressly provides that none of its land use planning provisions, among others, "shall in any way amend the Mining Law of 1872 or impair the rights of any locators or claims under that Act, including, but not limited to, rights of ingress and egress." Similarly, § 528 of MUSYA provide "Nothing herein shall be construed so as to affect the use or administration of the mineral resources of national forest lands. . ." In enacting FLPMA, Congress explicitly acknowledged the continued vitality of the Mining Law of 1872. Section 302(b) of FLPMA states: BLM is required to strike an appropriate balance between potentially competing interests and land management objectives: Therefore, the Application is contrary to explicit statutory language in FLPMA, and MUSYA, and § 22 of the General Mining Law.</p>	1

Comment	Number of Commenters Providing this Comment
The mining law grants rights to all citizens of the United States 18 years old and older. The part of the Sage Grouse protection proposal is taking those rights away from all US Citizens and is an incomprehensible proposal. The part of the Sage Grouse protection proposal that suggests elimination of 10 million acres from the mining law is obscene. The Sage Grouse can be protected without taking away legal rights of all US Citizens granted by congress. The proposal to eliminate lands for any new mining is unnecessary, ill conceived, legally actionable and gross misunderstanding of the rights of the people and should not be included in Sage Grouse protection proposal.	1
I oppose any Sage Grouse decision which withdraws lands from use under the 1872 Mining Act. In fact, I see withdrawing land as an illegal taking of a citizen right....Third, I do not see how the Interior Department can resolve a monumental conflict between mining law and environmental law without consulting Congress. A 20 year decision can be a lifetime and is not appropriate outside the halls of Congress.	1
I oppose any Sage Grouse decision which withdraws lands from use under the 1872 Mining Act. In fact, I see withdrawing land as an illegal taking of a citizen right....Third, I do not see how the Interior Department can resolve a monumental conflict between mining law and environmental law without consulting Congress. A 20 year decision can be a lifetime and is not appropriate outside the halls of Congress.	1
Section 204 Applies Oil and Gas Leasing. The legislative history shows that Congress intended Section 204 to apply to all forms of mineral development, not just hard rock mining. 43 U.S.C. §1714. Based on the report by the Public Land Law Review Commission (“PLLRC”) identifying the need for reform of public land laws, especially the withdrawal process. Congress concluded that it was necessary to terminate the withdrawals and public land classifications that denied access for mineral leasing as well as access for mining under the 1872 Mining Law.....Congress assumed that Section 204 embraces the Mineral Leasing Act when it ordered the Interior Secretary on several occasions to issue emergency withdrawals.	1
The 10 million acres are already under a two-year freeze from new mining claims while the BLM prepares its Environmental Impact Statement. Under the 1872 mining law, federal officials don't have the discretion to deny mining claims. Withdrawing the 10 million acres from being subject to that law would allow BLM officials to block mining claims.	1
The mining claims ban conveniently circumvents the 1872 mining law, which was designed to promote development in the West. Nowadays, the folks in Washington think the West has developed enough.	1
This is America, a Representative Republic, Ms. Burke. You are not Congress, nor a member of Congress. Designating giant swaths of public lands off limits and in opposition to the express intent of Congress with the Mining Acts of 1866 and 1872 is not just illegal, but will result in serious negative economic impact to the middle class, the lower middle class and to our country as a whole. I am one of over 50,000 small miners impacted by this atrocious and blatant attempt to continue the elimination of “public lands” open to the very people who own the lands. Please stop the environmental terrorism,	1
I predict they will also have minimal positive impact on the Greater Sage Grouse and its preferred sagebrush habitat because the management recommendations fail to substantively change the primary threats to sagebrush: wild land fire and invasive weeds. They also fail to acknowledge the underlying and difficult problem of population growth and the conflicts of a growing population with the natural habitat. Instead, this withdrawal of 10 million acres from locatable mineral entry appears to be a political buy-off of the US Fish and Wildlife Service and NGO groups at the expense of both small-time miners and corporate mining entities with little political support under the current federal administration. Like it or not, the 1872 mining law is still the law. Congress and the federal government have failed to come up with any viable alternative – even when the industry has been willing to accept reforms and is already regulated by dozens of additional environmental laws.	1
The removal of land from under the Mining Act is much like assuming that you have Executive Order Privilege which you do not. A decision to do something of this magnitude borders on fraud as most of the public does not understand what you are doing because your scoping meeting do not tell the whole story. When you advertised this meeting you could have very well told all the pertinent facts instead of making all these hard working people interrupt their day to defend their livelihood and spend their day going to this meeting. Please be advised I protest anything you do that will compromise the ability of Valley County or any county for that matter from receiving rights and benefits acquired under the Bank-Head Jones Act.	1

Comment	Number of Commenters Providing this Comment
It also seems to me that such a massively cumulative proposed abrogation of the provisions of the 144-year-old Mining Law should be reserved for Congress -- not the USDA or DOI Secretaries or Assistants. Treating such a huge agglomerated total acreage withdrawal as a simple one-time, or small-acreage, withdrawal application within the purview of an Assistant Secretary to approve is far beyond that authority level and not in line with Congressional intent related to the 1872 Mining act and its amendments.	1
The proposed mineral withdrawal is essential to protecting sage-grouse and sagegrouse habitat because the 1872 Mining Law and associated case law prioritizes mining over all other land uses.	1
The Mining/Exploration, Agriculture/Ranching, Oil/Gas, Renewable Energy and Recreation industries has committed significant resources to maintain Elko County's economic sustainability. As proposed the SFA restrictions will impose significant unjustified obstructions to mining, grazing, recreation and all other uses on federally managed public lands. The USFWS, BLM and USFS significantly changed the rules to employ the SFAs without notice, warning or any opportunity for stakeholder comment. Elko County maintains that this action violates the Federal Land Policy and Management Act (FLPMA) of 1976, the National Environment Policy Act (NEPA) of 1969, the General Mining Act of 1872 and the Multiple Use Sustained Yield Act of 1960 and will cause literal devastation to the Mining/Exploration, Agriculture/ Ranching, Energy and Recreation industries. The public was not provided a notice and comment period to provide input on the boundaries and potential effectiveness of the SFAs, as they were first presented in the FEIS for the ARMPA. Second, the science the Agencies rely on does not support the SFA boundaries. Third, there are known alternatives to the proposed withdrawals.	1
The proposed mineral entry withdrawal does not help the Sage Grouse and may worsen wildfires in the Sagebrush Focal Areas. It is not a prudent stewardship policy and is in direct conflict with the 1872 Mining Law and good science. We ask that you withdraw the proposed withdrawal immediately and stop wasting time and money in pursuit of political correctness and absurdity. We live and work in the mining industry in Nevada and Idaho.	1
The simple threat of withdrawal and restrictions has and will cause a chilling effect concerning potential and future investment for prospects to seek financing and investment for mining/exploration, agriculture/ranching and recreation activities in the region. Elko County believes that the SFA as represented in the FEIS, ROD and ARMPA does not comply with the 1872 National Mining Act, Multiple Use – Sustained Yield Act of 1960, FLPMA and NEPA....Several of the goals, objectives, management actions, standards, and guidelines contained in the FEIS/ARMPA/SFA are not consistent with rights under the General Mining Law....Elko County believes that the BLM has a legal obligation to comply with the General Mining Law, Mining and Minerals Policy Act, and the FLPMA to recognize the Nation's need for domestic sources of minerals and the right to explore and maintain multiple uses....Withdrawals of the magnitude proposed under the SFAs conflict with § 22 of the General Mining Law, and the Mining and Minerals Policy Act and cannot be implemented through the land use planning process. Withdrawal of this magnitude should only be made by an Act of Congress or by the Secretary pursuant to the requirements and procedures of the FLPMA § 204(c) for a period not to exceed 20 years.....	1
I have been reviewing protections for the sage grouse habitat and can't help but wonder-Why not protect Human habitat? People, including many US citizens, also call this area home--many were actually born there, and are just as much of the habitat as any sage grouse--more so, maybe as it is their money being used to protect it. They also have a right to live, work and develop the area. This entire sage grouse habitat plan appears to be nothing more than another of the Federal Governments land grabs. Furthermore, the additional restriction on mining claims that is being proposed is disgraceful. CONGRESS established the 1872 mining laws in order to provide a safe and organized way for individuals and corporations to develop the mineral deposits that would build a strong industrial base for our country. To short circuit congress is unethical, and to short circuit our individuals and companies is immoral-particularly when there is little evidence that the filing of mining claims will affect the sage grouse at all. In fact, it is only the development of a MINE that will have any minimal impact, which could be mitigated through the permitting process. The ban on mining claims is unnecessary.	1

Comment	Number of Commenters Providing this Comment
<b>4.2.9 Legal Authority/Basis: State Plan Consistency: Commenters discuss consistency with existing State Plans. Some state the proposal is inconsistent with state strategies. Some urge the BLM to take actions consistent with state strategies. Some state the EIS should analyze consistency with State Plans.</b>	
The Committee is also troubled by the fact that BLM's proposed withdrawal of lands is inconsistent with Wyoming's Greater sage-grouse core area protection strategy. The State's management strategy allows for new mining activity in Greater sage-grouse core areas but restricts such activities by density and disturbance. Governor Mead rightly noted the considerable resources and time the State has expended in developing this management plan which effectively conserves Greater sage-grouse and its habitat and supports the principles of multi-use and sustained yield. It is imperative BLM take actions consistent with our State's strategy for this species, especially in light of the requirements under the Federal Land Policy and Management Act (FLPMA) that specifies BLM's land use plans "shall be consistent with State and local plans to the maximum extent [the Secretary of the Interior] finds consistent with Federal law and the purpose of this Act." 43 U.S.C. 1712(c)(9).	1
This withdrawal is outside the scope of the Montana Sage Grouse Habitat Conservation Program and does not consult the Montana Sage Grouse Oversight Team.	1
This action is just another way for the government to get land out of production. This withdrawal is outside the scope of the Montana Sage Grouse Habitat Conservation Program and does not consult the Montana Sage Grouse Oversight Team.	1
The EIS must analyze the proposed withdrawal for consistency with the Federal Land Policy Management Act of 1976 (FLPMA) and the State of Nevada Greater Sage Grouse Conservation Plan.	1
Finally, SFAs are inconsistent with the Nevada Greater Sage Grouse Conservation Plan, which utilizes economic incentives and the concepts of avoid, minimize and mitigate to ensure habitat protection and improvement. The BLM is obligated under 43 CFR 1610.3-1(d) and 1610.3-2(a) to provide management plans that are consistent with existing state plans. BLM has not provided a rationale why these inconsistencies exist, why a specific industrial sector (that by the USFWS's own admission is not a major threat) is being singled out by the withdrawal action, or why mitigation solutions cannot be addressed through the adoption of the State Plan and CCS.	1
.....FLPMA was violated by ignoring the mandate that land use plans be consistent with State and local land use plans. This proposal is inconsistent with Wyoming's and Fremont County's stated land and resource use policies in our view. FLPMA preserves the rights of claim locators under the General Mining law, including access rights. The SFA withdrawals from mineral entry and travel restrictions violate these provisions of FLPMA, the requirement to recognize the Nation's needs for domestic sources of minerals, and the General Mining Law. The proposal violates several mandates of Sec. 204 [43 U.S.C. 1714] of FLPMA (Public Law 94-579), specifically sub-section (c) (2) no. (2), (3), (4) and (12), which direct, in part, the BLM to evaluate the mineral potential and economic impact of the proposed withdrawal.	1
The State Plan does not support the SFA Boundaries or withdrawals, and implementation of withdrawals will significantly undermine the potential effectiveness of the State Plan's Conservation Credit System. <sup>50</sup> In 2014, Nevada's Sagebrush Ecosystem council adopted the Nevada Conservation Credit System. <sup>51</sup> The credit system is designed to offset impacts from human-caused disturbances through enhancements and protections that result in a net benefit for greater sage-grouse habitat in Nevada. The State has invested \$650,000 so far to create this system. <sup>52</sup> The State system presumes that mining and other industry will occur, but only with mitigation that results in net conservation gain for equivalent habitat...."The CCS is intended to provide regulatory certainty for industries by addressing compensatory mitigation needs whether or not the species is listed under the ESA." <sup>53</sup> ... <sup>54</sup> ... <sup>55</sup> ...In fact, the Withdrawals will greatly impact the effectiveness and ability to implement the State Plan, which comes with significant funding to implement the State's Conservation and mapping efforts: "Nevada Gov. Brian Sandoval has requested legislative approval in his FY 15-17 Biennial Budget for over \$5.1 million for Sagebrush Ecosystem Program efforts,...Nevada is also working on a new mapping layer due out in May 2015 to identify locations of core habitat being threatened by pinyon-juniper encroachment; the map will be used to guide future decisions regarding removal projects." <sup>56</sup>	1



Comment	Number of Commenters Providing this Comment
<p>Coordination with State and Local Governments. Counties have land use planning and police powers, including an obligation to maintain transportation system and provide emergency services. It is this fact that drives the FLPMA directive that the BLM work closely with local and State governments to ensure consistency and implementation of planning efforts. Thus, it is very important that land management decisions be integrated with County planning efforts.... If the BLM determines that provisions of land use plans are not "consistent with the laws governing the administration of public lands," then NACO asks for a description of the differences and an explanation for why these differences or inconsistencies should not be resolved for the land use plans in the three counties where the SFA are located (e.g., Elko, Humboldt, and Washoe Counties). Elko County Land Use Plans.... Humboldt County Land Use Plans... Washoe County Land Use Plans....Request 11-B-5: NACO requests that the BLM pay special attention to local and State conservation and land use plans and laws, and to highlight and explain inconsistencies with those plans. It will be important to analyze the economic impacts to counties as a result of these inconsistencies.</p>	1
<p>Nevada believes that areas with high mineral potential should absolutely not be withdrawn from mining and mineral exploration. In that regard, the No Action Alternative is the preferred alternative for the State of Nevada. The No Action Alternative is consistent with the Nevada Sage-Grouse Conservation Plan (the Nevada Plan) which incentivizes avoidance of habitat disturbance in priority sage-grouse management areas, minimizes direct impacts of habitat disturbance based on applied Required Design Features (RDFs), and requires mitigation for direct and indirect impacts through the Conservation Credit System (CCS) that assures and quantifies net benefits to greater sage-grouse (GRSG).</p>	1
<p>As reflected in the BLM's own analysis, the State of Montana can adequately protect sage grouse populations in the event of mineral development. When proposed mine exploration, development, or mining operations are on federal lands, state regulation is exercised in conjunction with federal controls. While focused on reclamation, Montana's regulatory reach covers all potential operational impacts of mining, including those on air and water resources. In addition to requirements of the Montana's Metal Mine Reclamation Act and Open Cut Mining Act which relate primarily to non-metalliferous minerals, Montana administers other environmental protection laws on lands within the state, including federal lands. Those include Montana's Water Quality Act, Air Quality Act, stream bed and bank protection laws and others. In addition, all permitting decisions by the Montana DEQ and other administrative agencies are subject to environmental review under the Montana Environmental Policy Act. This comprehensive regulatory framework is explicitly recognized in the BLM's own analysis. (HiLine Proposed Resource Management Plan and Final EIS, Appendix P, p. 1685). In addition, and not mentioned in the BLM's analysis, are other features of the Montana Executive Order, such as sequencing and mitigation and state regulation of linear features often associated with mineral development, that the USFWS found compelling in concluding that listing was not warranted. The proposed mineral withdrawal is perplexing, given that a similarly-proposed mineral withdrawal in WY has been significantly scaled back because of the recognition that Wyoming has the authority to deny mining permits on federal land. MT has the same legal authority, but there is no recognition of this point, or associated reduction of the proposed withdrawal.</p>	1
<p>A mineral withdrawal is inconsistent with Montana's approach to protecting sage grouse, and will compromise Montana's ability to protect the bird on state lands and manage school trust lands. As described in my Consistency Review of the BLM Resource Management Plans, the Sagebrush Focal Area and associated mineral withdrawal now under consideration are inconsistent with the working landscapes approach taken by Montana to protect sage grouse. See Letter to Jamie Connell, date July 29, 2015, attachment 1. In addition, Montana's Department of Resources and Conservation records indicate that approximately 38,440 acres of state trust lands lie within the boundaries of the lands subject to withdrawal. If greater restrictions on public land direct development to state and private land, Montana loses the flexibility to manage habitat in a manner that is most protective for sage grouse. The proposed withdrawal is also a concern relative to the management of state school trust mineral rights. Under a Federal Enabling Act, the State has a fiduciary duty to manage school trust lands, including the mineral estate, to generate revenue for the support of Montana's public schools. While the withdrawal area does not contain much development potential, some mineral reserves could exist on state school trust located within the withdrawal area. As a practical matter, implementing the proposed mineral withdrawal renders the development of such minerals on state land inholdings virtually impossible.</p>	1

Comment	Number of Commenters Providing this Comment
<p>Hamey County actively participated in the U.S. Fish and Wildlife Service's status review of the sage-grouse; the Bureau of Land Management's revisions to the resource management plans; the State of Oregon's adoption of Goal 5 resource protection for sage-grouse habitat; and, has incorporated land use restrictions into its Comprehensive Plan to address sage-grouse risks. The County is the local land use planning authority for Hamey County and has adopted land use plans and policies that effectively manage development within the sagebrush habitat within the County. In the development of the withdrawal, Hamey County requests that the Secretary early on make direct contact with Hamey County Judge Steve Grasty to ensure that the Federal Land Policy and Management Act's (43 U.S.C. §1712) ("FLPMA") consistency, coordination and consultation processes are implemented early and seamlessly....In addition to coordinating with Hamey County relative to land use planning and management, the Secretary is also to assure that her land use plans are consistent with the Hamey County plan to the maximum extent she finds consistent with Federal law and the purposes of FLPMA (43 U.S.C. §1 712(c)(9)). 1 To the extent the mineral withdrawal will impact lands wherein the surface estate is owned or managed by another federal entity (e.g. Forest Service), the BLM will need to fulfill the Forest Service's independent duties relative to local plans and policies.</p>	1
<p><b>4.3.1 Scientific Basis/Validity: General Statements: Commenters make statements about the scientific basis of the withdrawal or question the validity. Some state the proposal is supported by sound science and/or is based on science. Some state the proposal is biased with little science to support the decision making process. Some state the proposal ignores reality and science. Some question whether there is a scientifically valid need for the proposal. Some ask to see the science that warrants the proposal. Some state the proposal is based more on political considerations than science.</b></p>	
<p>From the science that I have seen on the Greater Sage Grouse being effected by mining, I would say that more data needs to be collected and analyzed before crippling the industry.</p>	2
<p>The EIS is a sham designed to reduce access to future economic projects and must be rejected because of the false science and failure to address the economic impact to residents in the area.</p>	1
<p>So the recommendation for land withdrawal in the state of Oregon is flawed and that NEPA process has not been followed and upheld. With altering of data and using data from a different local to determine the effect in all areas is flawed. Even Oregon Fish and Wildlife recommends future study and collection of data needs to been done before any true recommendations for management.</p>	1
<p>I recognize that environmental protection is an essential element of land management and also in modern exploration and mining and believe there must be a balance between protection of the natural environment and the social, economic and societal benefits of derived from resource extraction - specifically mining. The current segregation and formal proposed withdrawals and recently enacted restrictive land use management plan decisions pertaining to Sage Grouse protection are clearly not balanced at all and in fact show exceptionally strong bias with little science to support the decision making process. I urge you to reconsider and rescind the current temporary segregation and proposed withdrawal and recind implementation of the land use management plan decisions discussed below.</p>	1
<p>These RODs and greater sage-grouse land use plan amendments severely restrict uses on the federal lands within greater sage-grouse habitat, especially in regards to mineral exploration and development. These restrictions are in addition to the existing surface management regulations under FLPMA, and USFS regulations. These decisions are contrary to common sense and are based on misguided concepts based on unsubstantiated assertions that exploration and development of mines has large scale impacts on habitat when in fact the studies themselves note less than 0.1% of the land area in the study areas are actually predicted to be impacted. In fact, it's just flat out bad science, based more on political considerations than science that the management plans and withdrawals are focused on small spatial footprint, temporary, minerals activity and directed at a small minority of public land users while the primary offenders grazing and wildfires run amok due to the lack of proper management of grazing, not mining are the real causes. Years of allowing overgrazing and mismanagement by the BLM of grazing activities, with a much larger and politically powerful group (e.g., ranchers) and subsequent degradation of the sage grouse habitat from wildfires are the primary causes of the</p>	1

Comment	Number of Commenters Providing this Comment
issue, but BLM has decided to take it out on the mining industry since the political impacts are far less. This isn't science, its junk science.	
I am personally opposed do this decision based on the fact I haven't been able to find hard data points to justify this decision. Please let me explain, I have tried to find measured vegetation points in all of these areas to decide if after 5 years this has improved, declined, stayed the same. I have also tried to find actual bird counts in all of these areas to be able to decide if the program is working. I cannot find any sort of proactive matrix to decide if the program is working, not working, or actually detrimental. I am a firm believer in the scientific method, first ask what is the question, what is the hypothesis, what are we studying or testing, how are we measuring, and what is the outcome. I do not see any of this. I personally do not believe in the conspiracy theory you are all a bunch of "tree hugging greenies" trying to shut down all federal land, but I do believe this is not being scientifically driven. Please start following the scientific method and work with us on decisions based on measurable goals that can be evaluated and changed if necessary.	1
In Montana almost 1 million acres of Sagebrush Focal Areas is affected. The BLM is responsibly acting and these actions are supported by sound science. Your proposal respects valid existing rights and allows for a solid direction forward. We thank you for your work to help conserve our precious native birds and wildlife.	1
My understanding is that the BLM proposal is a good one, and based on science. In light of so many challenges to the health of our environment, it's refreshing to have some good news.	1
It is ill advised because the scientific reports on the grouse habitats were structured with one goal in mind and not the actual truth or facts.	1
These two facts alone should have prohibited this proposal to go no further than your predecessors desk. The fact that it has (at a cost of billions of dollars of tax payers money), is hard evidence that this is not about science but a political agenda to remove exploration and other multiuse activities throughout the west in direct conflict with pre-existing law. For this you must be responsible as the current Director of the BLM. In the earlier comment period a letter by Dr. Mark Coolbaugh and myself clearly pointed out the deficiencies in the methodology applied to define Sage Grouse populations and habitat (March 21, 2012). This was very poor science and obviously forced workers with little data and a poor knowledge of geospatial statistics to put together a conclusion forced by a political agenda.	1
Mining in Oregon is distinctly different than what occurs in other states in the West. Mining on Federal land is a very restricted activity when compared to other states. Similarly, the Oregon population of Sage Grouse is distinctly different from populations outside Oregon. Generalizations about Sage Grouse made from North Dakota to California cannot be used to characterize individual distinct populations within a particular state.	1
First, withdrawing lands enblac is the worst kind of stewardship I can imagine. Why not throw your hands up and give your land to the Sierra Club or to the UN? A site by site evaluation with your myriad of environmental studies and protections is more than enough to insure Sage Grouse safety. Only if Sage Grouse were on the edge of extinction and you had no idea whatsoever about the reason should you consider land withdrawal, but never on the scale of millions of acres. Second, have you proven that mining is the root of the Sage Grouse problem? Show me the calculated merit of land withdrawal. Has the BLM proven a benefit over cost? From all that I can find, your effort is just a fishing expedition to see how much land the BLM can steal from the American public.	1
We don't have any evidence that a mineral withdrawal will protect sage grouse habitat and sage brush ecosystem.	1
The EIS is a sham designed to reduce access to future economic projects and must be rejected because of the false science and failure to address the economic impact to residents in the area....I urge the BLM to do the right thing and allow reasonable activity for all stockholders in our natural resources.	1
I have read through this proposal and found nothing in it that makes any scientific sense. Granted there is a problem with loss of shrub steppe habitat in the west. I live in the Yakima Washington area and have seen first hand the decline in old growth sagebrush habitat over the years. In reality the loss of this habitat has had nothing to do with small scale mining activities. However it has everything to do with wild fires and overgrazing by cattle. As I am sure you already know the introduction of Eurasian cheat grass and its rapid spread throughout the west is the major	1

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contributor to yearly lightning started wild fires that have laid waste to hundreds of thousands of acres of sagebrush habitat. This annual germinates early, sets seed, and then dies. Any source of fire goes through it like the stuff is gasoline. Sagebrush is not compatible with fire. Secondly, shrub steppe habitat did not evolve in the presence of large introduced grazers (cattle). The bunch grasses that provide their major source of forage frequently don't have a chance any more to reproduce. Cattle graze the floret's of these species to the ground preventing them from producing seed. Both fire and grazing have eliminated the cover sage grouse need to successfully nest and raise broods. None of this has anything to do with small scale mining.	
First, withdrawing lands enblac is the worst kind of stewardship I can imagine. Why not throw your hands up and give your land to the Sierra Club or to the UN? A site by site evaluation with your myriad of environmental studies and protections is more than enough to insure Sage Grouse safety. Only if Sage Grouse were on the edge of extinction and you had no idea whatsoever about the reason should you consider land withdrawal, but never on the scale of millions of acres. Second, have you proven that mining is the root of the Sage Grouse problem? Show me the calculated merit of land withdrawal. Has the BLM proven a benefit over cost? From all that I can find, your effort is just a fishing expedition to see how much land the BLM can steal from the American public. To put a point on this, show me your calculations that prove huge, ineffectively fought, fires in Idaho and Oregon are anything less than 100 times harder on Sage Grouse than claiming and mining.	1
It is a blatant lie to use the Sage-Grouse as an ESA environmental Trojan Horse to withdraw this land from full public use.....Ignoring reality and science does nothing for the environment.....	1
I suspect, and it is well documented, that West Nile virus is the major cause of the decline in the greater sage grouse, not mining. You can pick your study, by entering "greater sage grouse and West Nile virus" in your search engine. There are too many studies for me to link here. To ignore this fact clearly demonstrates a bias and agenda well beyond saving sage grouse. It makes me angry, and it clearly makes those impacted by the nonsensical claims angry as well. It makes all of us not just angry, but feeling powerless against the masters of corruption; not by what you say but by what you do. Likewise, fence posts used as perches by raptors hunting sage grouse, and grouse colliding with stretched barbed wire as major causes of declines in grouse numbers is phony science for everyone to see. The major declines came after 2004, when the fence posts and wire have been present for more than 100 years, while sage grouse numbers remained at historic levels and have been routinely hunted in most habitat areas. Furthermore, it is an insult to grouse to suggest that they have not instinctively adapted to posts and wire, really!.....Has mining led to the decline in sage grouse numbers in Lake and Malheur counties? What proof is there of that? I mentioned I once lived on Hart Mountain Antelope Refuge. Cattle were removed from that refuge about 25 years ago, yet the numbers of grouse declined on that refuge right in line with the general decline throughout the eleven western states. So what was the cause there, if it was not mining and it was not grazing? I tried, as a concerned citizen, to get facts and figures on this point, and on the Malheur Refuge, as the comment submission period for listing the grouse as endangered species neared, and I am still, to this date, waiting for a response. Can I also not expect an answer to the questions posed in this email?	1
The COT Report Supports Only Localized, Not Widespread Risk of Mining in SFAs. Even if a withdrawal is a preferred method of protection, the reports that the BLM relies on do not support the withdrawal boundaries as proposed....The NTT Report does propose a "withdrawal from mineral entry based on risk to the sage-grouse and its habitat from conflicting locatable mineral potential and development."33....The COT Report does not contain SFAs or suggest withdrawals. It only provides management zones and Priority Areas for Conservation ("PACs")....The COT Report shows that threats from mining within the ARMPA's SFA areas are only localized and not widespread.... a map that designates Sage-grouse Management Zones...Threats are characterized as (Y = threat is present and widespread),...the only area that is designated (Y) is not within the SFA.37...This means the SFA Withdrawal does not include the only (Y) area in the COT Report with a widespread threat of mining in Nevada...What this highlights is that these millions of acres are high priority habitat, that the BLM entered into private agreements after the LUPA FEIS was published, and that this acreage is not subject to withdrawals even though the habitat characteristics would suggest that they should be compared to the SFAs.	1

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In short, the scoping should consider whether there is any real and scientifically valid need for this withdrawal action. Does it actually improve sagebrush habitat? Or will it make it worse?	1
.....Mining has been demonstrated to occur on less than 1% of 1% of the total public lands that were historically sage grouse habitat. Yep, mining which has little or no known impact on the sage grouse habitat loss... the BLM says lets withdraw from “Potential Mining”, something that may or may not ever occur in the future, 10 million acres or roughly 30% of the total sage grouse habitat. Where’s the scientific basis for this action? There is none! Because this proposal is a political action to appease the liberal environmental radicals.... nothing to do with protecting Sage Grouse habitat.	1
The BLM’s National Technical Team (2011:24) recommended for locatable minerals in all priority habitats that the BLM “[p]ropose withdrawal from mineral entry based on risk to the sage-grouse and its habitat from conflicting locatable mineral potential and development.” To the extent that the lands proposed for withdrawal represent a minority of the lands designated as Priority Habitat Management Areas in the federal sage grouse planning process, the proposed mineral withdrawal from locatable mineral entry is consistent with the agency’s own expert recommendations for these lands.	1
Again, BLM needs to do its research and get out of the office. BLM needs to remember that it is simply a steward of the people’s land and not the hard-nosed owner. Both BLM and the U.S. Forest Service need to remember that they are federal agencies paid for by the people and for the people. Stop being bullied by environmental extremists, who simply want to stack up more cash in their pockets and use species—native or non-native—as their poster children. Which brings me to my next point. BLM cannot even prove that sage grouse is a native species to these areas. Burkhardt said that according to historical journals dating back to the 1800s, there is no mention of the sage grouse. “If you look at the historical record, from the early journals 1824-29, Peter Skene Ogden couldn’t even find sage grouse in this country,” Burkhardt said. “The Indians he encountered, he talked to them, and hell, they were eating bugs and rats because they couldn’t find much else ... the journal listed what the hunters managed to bring in and sometimes it was virtually nothing.” Yannone’s response: “I’m the wrong person to give you sage grouse history. According to the science I’ve read, yes. Again, I’m not a sage grouse expert.” There you have it. BLM’s own Environmental Coordinator in Wyoming has fessed up: You are not experts. Let the actual science do the talking and stop letting extreme environmentalists bend your ear, or worse, use their sue and settle tactics to strong-arm the federal government agencies. Remember that YOU are part of WE—“We the people.” Don’t put your fellow citizens in poverty over a sneaky agenda.	1
The proposed mineral withdrawal would do nothing for the sage grouse population, in fact, implementation will likely cause a slight decline in sage grouse. There is only one possible conclusion and that is the proposed withdrawal is a blatant attempt to destroy the mineral industry of the western states through arbitrary and capricious actions of anti-mining individuals within the involved federal agencies and their “associates”. There is no peer-reviewed science that demonstrates that mineral exploration and development affects sage grouse, in fact, there is no scientific basis at all to the various LUPA/SFA proposals. Instead there is only opinion and innuendo generated by radical-environmentally biased bureaucrats and their affiliates in various NGO’s, none of whom have intimate experience with the areas affected through having lived here for sufficient amounts of time to understand the land, the wildlife and the economy. The proposed mineral withdrawal is unwarranted, arbitrary and capricious. It directly violates Sec. 204 of FLPMA. It would do nothing for the sage grouse populations, a species which USFWS correctly concluded did not warrant listing as an endangered species. The continued attempt to implement the mineral withdrawal, creating a “de-facto” wilderness area using a “surrogate species” will undermine the long-term future of both the Endangered Species Act and the Wilderness Act: The proposed arbitrary and capricious actions will require a thorough review of the entire process and related body of legislation to prevent such outrageous attempts in the future.	1
I demand to see any scientific based study, both governmental and or independent study, that provides the evidence, merit, and warranting of this monumental land closure.	1

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The question has to be asked: With no significant examples of mining-related threats, how can the DOI in good conscience recommend 1,900,000 acres of mineral entry withdrawal? ....It is my observation from years of mineral exploration in Oregon, and supported by comments in the EIS, that the risk from exploration and mining to the Central Oregon sagebrush-focal-area habitat is slight to minimal. It appears that faulty assumptions with no basis in fact were used to justify the 1,900,000 acre Oregon mineral entry withdrawal. Somebody needs to check the facts. There is no verifiable data in the EIS that would suggest that the Oregon mineral-entry withdrawal is merited! Who in the DOI is responsible for recommending sagebrush-focal-area-mineral-entry withdrawal in Oregon and other states that will have such a profound negative impact on the attitude of the entire exploration industry toward working in the USA?	1
It appears, from my reading of the EIS, that there is a total misunderstanding of the direct impact of grassroots exploration on sagebrush habitat.	1
The science used to support the withdrawal is inadequate & ignored data in BLM's possession and prepared by sister agencies....This report will require inclusion of up to date information on Pilot Gold's Project and their mineral potential which will, combined with other factors, demonstrate the withdrawal cannot withstand scrutiny under FLPMA. This information was required to be considered in identifying the SFA lands proposed for withdrawal through the land management process that led to the RODs. The Agencies' failure to do so violated FLPMA and NEPA and, in doing so, triggered a withdrawal on an unlawful basis that interferes with Pilot Gold's reasonable investment-backed expectations in its property rights.	1
The proposed areas for withdrawal and the sagebrush focal area were not determined by local knowledge. This is a big failure by the agencies.	1
3. Is based on very limited, non-field substantiated data-set leading to withdrawal.	1
(3) There was no "Carlin Trend" 50 years ago, technology and science change with time. These areas should be reconsidered on a regular basis, more often than every 20 years.	1
The process being applied to the study appears to have a strong political motivation, dare it be said, an agenda. The sage grouse was studied and determined to be ineligible -- the next step to withdraw lands, public lands, from those rights of US citizens, particularly to locate mineral claims. It appears that studies could easily be accomplished without withdrawing lands from the public yet it appears this is not the method being applied. It makes the scientist (currently unemployed) wonder if good science is being applied to these studies or if this is simply politically motivated to prevent future discovery & mining on the lands. The process reflects poorly on the ability of the government to carry out a proper scientific study.	1
A simple conclusory statement in the 24 September 2015 FR Notice does not serve as an analysis based on best science and impact evidence that existing land management procedures are inadequate to protect grouse. I also ask that you NOT accept those blanket withdrawal recommendations as a part of a "preferred alternative" during the PEIS analysis and drafting process; reiteration of, analysis of the adequacy of, and support for, current regulatory procedures for operational-impact-review-and-analysis pertinent to individual claims to be filed in the future are called for and supportable. These existing, adequate, and appropriate land management regulatory procedures as they relate to casual use and exploration on the affected Township/Range blocks need to be fully analyzed and discussed as part of the NEPA-required "No Action" alternative impact analysis.	1
There is no logical tie between a total mineral withdrawal in the SFAs and the RMP's vegetative strategy which was to achieve the desired condition of: "[i]n all sagebrush focal areas and priority habitat management areas, the desired condition is to maintain all lands ecologically capable of producing sagebrush (but no less than 70 percent) with a minimum of 15 percent sagebrush canopy cover, consistent with specific ecological site conditions ... "(page 2-4). While one element of achieving this objective may be obtained by a total withdrawal of all mining exploration and location, there is no quantification that demonstrates this is the only way to achieve this desired condition. Nor does it look at the broader picture of what is truly placing the sage-grouse habitat at risk in this area (e.g. fire, invasive species and juniper).	1
<b>4.3.2 Scientific Basis/Validity: SFAs: Commenters make statements about the SFAs or the SFA boundaries. Some commenters question the boundaries and/or question the science behind the SFA boundaries. Some say the science relied on does not support the boundaries. Some say SFAs were employed without notice or opportunity for input and some bring up the Ashe Memo. Some state that the BLM needs to identify the authorities used to establish the SFAs. Some state that the data shows some of the habitat in SFAs is unsuitable. Some state the</b>	



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<b>SFAs should be updated with the best available science. Some state all stronghold areas should be included in withdrawal lands.</b>	
Sage-grouse Focal Area (SFAs) boundaries need to be adjusted to reflect existing projects and mining claims "on the ground."	3
In any case given that the surveys have not been done by the BLM to show that these areas are in fact sage grouse habitats that to remove 10 million acres at this point seems premature and arbitrary.	1
The total 10 million acres of land subject to the withdrawals, including 2.8 million acres in Nevada, comprises a huge swath of land, designated only on a township basis, with only broadbrush consideration of what is and what is not good sage grouse habitat. These areas really need to be mapped in detail.	1
Regarding proposed mineral withdrawal alignment with SFA maps, Lake County's proposal is: • USDI-Bureau of Land Management, as well as USDI-Fish & Wildlife Service, base their alignment of SFAs on ODFW's grouse habitat mapping, and that ODFW's mapping should be further refined before fully implementing any mineral withdrawals. Lake County appreciates the BLM for having considered local expertise as 'Good Science'. Lake County considers local expertise as always being the best for on- ground application of management. With that said, Lake County also recognizes that there are still some flaws in ODFW's habitat mapping, within Lake County. As ODFW's mapping is refined, there should be efficient, timely, and effective procedures in place for duly modifying any legal description for mineral withdrawals. With the concept of 'Good Science' being locally derived, Lake County reiterates that OARs of LCD's land use planning and of ODFW for mitigation be the guiding principles for mineral management on federally-administered lands in the State of Oregon.	1
Notably, the COT Report was originally intended to assist the states in their efforts to conserve the sage grouse but was subsequently waylaid by an Oct. 2014 internal memo from FWS Director Dan Ashe to the BLM and FS urging the agencies to manage lands under their jurisdiction in accordance with sage grouse “strongholds” within previously identified Priority Habitat Management Areas. <sup>7</sup>	1
For the first time in the proposed land use plan amendments and final environmental impact statements (FEIS) for the PLUPAs a new sage grouse habitat management construct to the LUPs makes an appearance.... the SFAs,... grounded in a pronouncement in the Oct. 2014 Ashe Memo,... Another element of the PLUPA/FEIS is the application of lek buffer distances identified in another document previously not available or included in the DEIS. A USGS report entitled Conservation Buffer Distance Estimates for Greater Sage-grouse — a Review, USGS Open File Report 2014 1239 (Manier, et al. 2014) (“Lek Buffer Study”), forms the basis for newly applied sage grouse lek buffer distances.... A SEIS is required under NEPA: 1) if the agency makes substantial changes in the proposed action that are relevant to environmental concerns,... or 2) if there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts,... The new SFA habitat category dramatically reshaped the ...“Proposed Action”...The debut of SFAs in the PLUPA/FEIS on which the proposed withdrawal is predicated constitutes a “substantial change” in the proposed action,...and an SEIS is required prior to adoption of the PLUPAs or the proposed mineral withdrawal. Additionally, the Lek Buffer Study, coupled with the Ashe Memo, collectively constitute “significant” post-DEIS information bearing on the proposed action or its impacts, and thus an SEIS is required....Here, none of the DEIS alternatives analyzed the key elements that ultimately made their way into the Proposed Action, particularly the SFAs, lek-buffer distances, and the disturbance cap... Thus, the Proposed Action in the PLUPA/FEIS could not have been fairly anticipated from reviewing the DEIS alternatives. Because the Agencies have “seriously dilut[ed] the relevance of public comment” on the DEIS, an SEIS is warranted. <sup>34</sup> ... This fatal error is compounded through the heavy reliance on the Ashe Memo and the Lek Buffer Study... Accordingly, the Agencies’ justification that the PLUPA is a lawful “suite of management decisions that present a minor variation of the Preferred Alternative identified in the Draft LUPA/EIS,” <sup>36</sup> fails both practically and as a matter of law.	1
The SFAs established by the 2014 Ashe Memo which predicate the proposed mineral withdrawal are not a valid land management or legal mechanism and cannot be used to support any land management action, including the proposed mineral withdrawal. Interior’s newly created term “SFA” is an attempt to create a FLPMA Areas of Critical Environmental Concern (ACEC) without going through the required process.... In order to designate lands as ACECs, BLM must follow its existing regulations.... BLM has followed none of these procedures for purposes of adopting	1

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and designating the SFAs.... When taking into account the established requirements for designating ACECs under FLPMA, it is clear that that the SFAs fail to meet this standard and may not be designated. According to an August 2015 report developed by the Western Association of Fish and Wildlife Agencies (WAFWA), “the number of male birds documented this year has rebounded significantly from a recent low in 2013....The number of males counted on leks has increased 63% since 2013.” <sup>40</sup> The WAFWA Report also found that “there is no evidence that the number of active leks has declined recently...” <sup>41</sup> ... Neither BLM nor FWS has presented adequate information to show that absent the mineral withdrawal of 10 million acres, the sage grouse is at risk of irreparable damage due to mining activity....The 10 million acres proposed for withdrawal do not approach the threshold set by FLMPA and its regulations for designation as ACECs....the proposed mineral withdrawal must not be accepted.	
What defined the “Focal Areas”? What was the scientific basis? Please cite the reports and authors. Who defined the “Focal Areas”? Were any NGO’s involved? Was NGO opinion sought over Industry input? Was NGO input utilized over BLM RAC opinion? When was the concept of the “Focal Areas,” first brought into the discussions? Where were the concepts of “Focal Area” aspects, first proposed? Were the State Offices of the BLM and USFS (?) aware and involved in the proposal? Were District BLM and USFS Offices involved?	1
The BLM did not provide any documentation at this scoping meeting from their agency, the U.S. Forest Service, or the U.S. Fish and Wildlife showing what data or research was used to determine these sagebrush focal areas are critical to the Greater Sage Grouse. This causes me concern, because the original proposal for land withdrawal in Wyoming as I understand it was 894,060 acres, which was then reduced to 252,160 acres; what rationale or science was used to prioritize and determine what sagebrush focal areas should be removed from the proposal and why.	1
In addition, the habitat maps delineating this habitat have not been ground truthed, and in areas where assessments have determined that habitat does not exist, the field office will not accept that data. This is a very concerning precedent.	1
Boundaries of the proposed mineral withdrawal are not clearly identified. Publically available geospatial data found in the GIS viewer on the BLM Sage-Grouse website, the associated descriptive text accompanying the available geospatial datasets, and the downloadable geospatial datasets on the BLM website contradict the ground stated as being withdrawn in the Federal Register. The publicly available datasets show the proposed mineral withdrawal coincident with the Sagebrush Focal Areas (SFA), whereas the Federal Register lists all townships which contain any portion of the SFA’s, however minor the presence within the associated townships. If the entire townships are being withdrawn as indicated by the language in the Federal Register, this represents a doubling of the acres withdrawn from mineral entry, from approximately 10 million acres coincident with the SFAs to more than 21 million acres (less private and other non-federal lands) contained within the townships specifically outlined in the Federal Register. The BLM Manual, “Specifications for Descriptions of Land: For Use in Land Order, Executives Orders, Proclamations, Federal Register Documents, and Land Description Databases” (Revised 2015) provides for a much more detailed allowable legal description. Page 9 of the Manual states that (citing Survey Manual section 3-33 and 9-90) descriptions by aliquot part must not go beyond a four-component description, and then indicates that a 2½-acre subdivision is acceptable. If this wording is not merely accidental, than this oversight and resulting overstated legal descriptions included under application is inexcusable. The egregious misrepresentation and segregation of minerals covering the entire township where intersected by the SFA results in more than doubling the acreage withdrawn from mineral entry, totaling greater than 21 million acres. In Nevada alone, the oversight of appropriate legal descriptions covering only the SFAs results in the area equivalent to nearly 25 townships, or approximately 900 square miles. As the legal description of the proposed withdrawal as stated in the Federal Register stands, it clearly far exceeds any BLM and National Forest System justification for the request of the withdrawal. If land surveys of the SFA boundaries would be required to provide the BLM with a precise boundary for a metes-and-bounds legal description of the proposed areas for mineral withdrawal, then those surveys should be conducted. If that isn’t possible, then the proposed withdrawal boundary must be withdrawn to ¼ ¼ ¼ ¼ section (2.5 acre) accuracy by further subdividing the rectangular survey denoted within the notice. In the current legal description depicting 21 million acres of land to be withdrawn, nearly 17,500 square miles have no justification for the withdrawal. If this is simply misstated in the Federal Register, we would implore the BLM to have the SFAs and corresponding mineral withdrawal areas properly surveyed and marked by signage in the field to better	1

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facilitate the exploration of, and location of locatable minerals adjacent to the withdrawn SFAs. This would ensure that no encroachment of the SFA occurs. If this is an accurate representation of what will be withdrawn should the proposal be approved, then it is an incredibly misleading, baseless land grab that is no longer based on scientific evaluation and best practices implementation, and should be rejected in its' entirety.	
Under the BLM's "purpose and need statement", "The purpose of the proposed withdrawal of the Sagebrush Focal Areas in priority Habitat Management Areas is to protect the greater Sage Grouse and its habitat from adverse effects of locatable mineral exploration and mining subject to valid existing rights." 80CFR 57637. The purpose and need statement is a key element in the development of alternatives in the EIS. The purpose and need statement is at best a broad brush approach to a very large landscape using a statistical model as a basis for alternatives and the assessment that additional protections are warranted. The model also sets the boundaries of the SFA; USGS researchers admitted to the Sage Brush Eco-System Council that the boundaries are estimated based on computer generated probabilities with rough data collected from "coarse" resolution land-sat satellite imagery. Without accurate, statistically defensible data, the boundaries of the SFA are a best guess and cannot represent "best science" without extensive ground truthing efforts. Until the model is validated in this way, SFA boundaries, management assessments and proposals will remain arbitrary and capricious. Focused managed alternatives outlined within the EIS will dramatically limit exploration of mineral resources during the life of the withdrawal. The proposal to limit economic activity within Humboldt County must be based on data and boundaries which are in agreement as critical to sage grouse habitat. At this date, there is not agreement among management professionals that additional restrictions are warranted.	1
The Sage Grouse focal Areas (SFA) provide the geographical extent of the proposed withdrawn lands and the basis of the withdrawal. These lands are purported to be crucial to the continued survival of Sage Grouse. However the determination of the SFAs was not made by the BLM but was submitted by FWS. The SFAs are arbitrary, and have not been vetted by normal scientific review and scrutiny. Nor were the SFAs publicly presented and evaluated as required by the NEPA process. Since the Sage Grouse EIS has been severed from the withdrawal process, the SFAs cannot be used as a justification for the withdrawal of 10 million acres of public land without undergoing the public and scientific review, evaluation and comment required by the NEPA process.	1
Significant withdrawn PHMA lands are excluded from SFA....Manage already-withdrawn lands as GSG safe-havens, remove the mineral segregation and vacate the application for a mineral withdrawal....The entire PHMA-GHMA classification system...The maps are wrong	1
The "landscape level" planning that included our project area in the SFA did not take into account the mineral potential of the Buckskin-National project area, which was well known to United States Geological Survey. The existing Plan of Operations, Decision Memo, and Biological Evaluation (BE) address protection and mitigation of impact on sage grouse and its habitat on the project-level scale, as opposed to the "landscape level" scale of the Notice of Proposed Withdrawal.	1
Do you have a map showing the proposed area that may be withdrawn from hardrock mining?	1
I attended the Reno scoping session for the SFA mineral withdrawal and its EIS. From conversations I got the impression that the boundaries of the SFA are still vague, and that part of the EIS studies will involve field studies/ ground truthing to verify whether that really is the best habitat, and there will be some adjustment of boundaries. Is that the case? And if so, is it in writing anywhere? I would like to reference the document, if there is one, when making suggestions for boundary changes in my comments about the SFA mineral withdrawal.	1
SFAs are not legally valid, science based and are inconsistent with FLPMA Sagebrush Focal Area (SFAs) are an artificial concept derived from a 2014 memorandum from USFWS Director, Dan Ashe. From this obscure basis, and referencing a variety of studies, the concept took shape and was included without adequate analysis or public input in the LUPA/FEIS. SFAs are an obvious attempt to circumvent the requirements of the Federal Land Management Policy Act of 1976 (FLPMA), which allows for the creation of Areas of Critical Environmental Concern (ACECs). The methodology and process for the establishment of an ACEC is clearly defined in FLPMA with the expressed goal of "preventing irreparable damage to fish and wildlife resources." The federal agencies have failed to follow their own requirements for the establishment of an ACEC, have	1

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put into place an artificial and unlawful land use management scheme that disproportionately singles out a particular industrial sector, and have failed to demonstrate that that sector will cause irreparable damage to the species.	
Within this portion of the SFA, in T41NR47&48E, I am the co-owner of the Julep 1-30 lode mining claims, NMC 1068612-1068641. The claims were located in 2009, and overlie a robust mineral system with an high potential to host a valuable gold deposit. Since location, we have conducted exploration on the claims in compliance with CFR 3809.5, and paid annual maintenance fees, toward the goal of delineating and developing a gold deposit on the claims. As the attached map indicates, the portion of the SFA affecting the claims is a discontinuous small outlier to the larger continuous SFA several miles to the north. As a satellite to the greater SFA, several problems are apparent. The boundaries of the area in question are arbitrary, and unrelated to underlying ecosystem boundaries. Effective resource management requires attention to natural systems. A piecemeal, arbitrary distinction fails to allow efficient stewardship of resources, and is in conflict with best practices in this field. As the map shows, the boundaries of the area appear to ignore standard township and aliquot survey. This presents insurmountable problems in the enforcement and management of the proposed withdrawal and segregation, and effectively moots the intent of the withdrawal. This aspect obviates the fact that this small portion of the SFA is a piecemeal afterthought, and neither integral nor essential to the SFA. On the ground, this area is in fact not a sagebrush ecosystem, The area was burned in a wildfire within the last ten years, and a robust grassland ecosystem has been established by seeding. This clearly identifies the area as outside the scope and purpose of the SFA.	1
A Biological Evaluation (BE) prepared as part of Plan of Operations studies, titled "Buckskin Minerals Exploration Biological Evaluation and Specialist Report," was prepared by Kyra Iris Walton Reid, Northeast Zone Supervisory Wildlife Biologist for the USFS, July 2012. b. Figure 4 in these comments is a copy of "Figure 2. Sage-Grouse Habitat" from that BE. This map shows that Preliminary Priority Habitat (PPH) covers only a portion of the mountain. Figure 4A is the same map as Figure 3A, but includes an accurately geo-registered "Figure 2. Sage-Grouse Habitat" as an underlying layer...These maps clearly show the BE conducted a more detailed, project-scale determination of sage grouse habitat. PPH on that map excludes the large areas of the mountain that are covered by mountain mahogany and buckbrush, have Limber Pine, or are significantly disturbed due to historic mining, all of which make these areas unsuitable for habitat.....Had the data in the BE been used when determining the SFAs, Buckskin Mountain would surely not have been included in an SFA, or considered as a whole to be in the Priority Habitat Management Area (PHMA).	1
The BLM relies on a U.S. Fish and Wildlife Service memorandum to identify the SFAs. See 80 Fed. Reg. 59857 (citing Greater Sage-Grouse: Additional Recommendations to Refine Land Use Allocations in Highly Important Landscapes (October 27, 2014)). In essence, the BLM delegated to the U.S. Fish and Wildlife Service the responsibility for identifying "strongholds" even though U.S. Fish and Wildlife Service has no regulatory authority to do so. Nor does U.S. Fish and Wildlife Service have any expertise regarding the actual resource conditions. There is no indication that BLM has since ground-truthed the information provided by the 2014 Memorandum. As indicated by our comments below, many, if not all, of the parcels in the Petition have substantial surface disturbance or are drawn along arbitrary lines. An agency may not sub-delegate authority to another agency under the guise of taking advice and this is especially true when the action requires discrete decisions to geographic boundaries.	1
Substantive Comment 2. In reviewing the most recently provide maps showing the SFA areas by the BLM, the SFA boundaries appear to have been drawn along various land ownership boundaries and not by Sagebrush vegetation occurrences. These boundaries need to be re-defined and re-drafted based on actual sagebrush occurrences.	1
The measures in the proposed withdrawal of Sagebrush Focal Areas may impose unnecessary restrictions upon uses of public lands in the planning areas, including mining and mineral exploration, fluid mineral development, grazing and other uses. These restrictions stem from the creation and adoption of the Sagebrush Focal Areas by BLM and the Forest Service.	1
This withdrawal process is governed by Sections 202 and 204 of the Federal Land Policy and Management Act of 1976 ("FLPMA"),...and with NEPA,....The proposed withdrawals of these SFAs are a direct result of the Nevada and Northeastern California Greater Sage-Grouse Approved	1

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Resources Management Plan Amendment signed September 21, 2015 ("ARMPA") and the recommendations provided by the FWS to the BLM in the Fish and Wildlife Service ("FWS") Memo from Director Dan Ashe ("FWS Memo") to provide regulatory assurances to help avoid a listing under the Endangered Species Act ("ESA"). 4	
Alternatives Are Available, and Agencies Lack Scientific and Procedural Support for the Segregation Boundaries and Resulting Withdrawal.....the public was not provided a notice and comment period to provide input on the boundaries and potential effectiveness of the SFAs, as they were first presented in the FEIS for the ARMPA. Second, New Science and Mapping Require that the BLM Re-Initiate the Segregation and Notices, and Submit an SEIS. Third, the science the Agencies purport to rely on does not support the SFA boundaries. Fourth, there are available alternatives to the withdrawal.	1
3. The Science Cited Does Not Support SFA Boundaries. A withdrawal of the SFAs constitutes an irretrievable commitment of resources for an action that may not even benefit Sage-Grouse, and that would undermine the State Plan....The public does not know how the SFAs were developed: "The methods provided for delineation of the SFAs are not explicit or transparent, and therefore of poor scientific quality." ....Mineral withdrawal from the areas designated as SFAs is not scientifically supported....	1
The U.S. Fish and Wildlife Service memorandum appears to have major quality and credibility issues. It cites a mere seven sources for identifying more than three million acres of SFAs across the sage-grouse's range and does not appear to have been peer reviewed – both are major methodological flaws contradicting the principles of NEPA and the Data Quality Act. Consolidated Appropriations Act of 2001, Pub. L. No. 106-554, § 515, 114 Stat. 2763, 2763A-153 – 2763A-154 (2000); See 67 Fed. Reg. 8452, 8457 (Feb. 22, 2002) (“OMB Guidelines”) (quoting 42 U.S.C. § 300g- 1(b)(3)(A)); Executive Order 13563, 76 Fed. Reg. 3821, 3821 (Jan. 21, 2011) (requiring agencies to use the “best available science” in carrying out their regulatory functions); U.S. Dep’t of the Interior, Information Quality Guidelines Pursuant to Section 515 of the Treasury & General Gov’t Appropriations Act for Fiscal Year 2001, Part II(4)(a), at 2 (undated); see also 36 C.F.R. § 219.3.	1
Scoping Comments to Sweetwater County Parcels – 50,000 Acres, more or less. a. T22N, R105W and 104W – 2,400 acres, more or less. These parcels sit squarely in the Rock Springs Mining District where there are several coal prospect sites in the area as well as at least one underground coal mine.....See Attachment 1. Thus, it is likely that these parcels sit atop significant mineral potential..... b. T25N, R101W – 19,353 acres, more or less. This parcel sits in the middle of the Jack Morrow Hills lease area and has significant mineral potential that must be fully analyzed before any withdrawal is authorized. Moreover, there is no indication that the State of Wyoming’s Core Area Strategy will not amply protect this site without withdrawing it from locatable entry for the next 20 years..... c. T25N, R105W – 1,500 acres, more or less. This parcel is bounded by Highway 28, which indicates that if the BLM’s noise restrictions and surface disturbance restrictions are to be taken seriously, this area cannot be a “stronghold.” ..... d. T26N, R105W – 3,596 acres, more or less. This township is directly adjacent to the Jack Morrow Hills lease area and thus it is extremely likely that these parcels have significant mineral potential..... e. T26N, R106W – 11,100 acres, more or less. Highway 191 cuts through the middle of the township. If the BLM’s noise restrictions and surface disturbance restrictions are to be taken seriously, this area cannot be a “stronghold.” Put another way, assuming sage-grouse are adverse to the noise caused by passing traffic, situating a “stronghold” directly next to and abutting a highway makes little sense.... f. T26N, R107W – 10,900 acres, more or less; T26N, R108W – 2,800 acres, more or less .....it appears that there have been past mining claims in the area which indicates that there is mineral potential in the area....	1
Scoping Comments to Sublette County Parcels – 28,000 Acres, more or less. a. T27N, R108W – 815 acres, more or less. Like the rest of the parcels in this area, it is extremely unlikely that the withdrawn acres do not have significant mineral resources....b. T27N, R107W – 4,600 acres, more or less. This parcel is criss-crossed with two track roads and trails and supports heavy recreational, hunting, and OHV use. Moreover, there is a large disturbed area within the withdrawal area directly to the west of the 40 acre “cut out” that appears to be either an oil and gas well or a water well. Regardless, it indicates the possibility of creating disturbance to sage-grouse precluding a “stronghold” as well as the possibility of future development. Similarly, the 640 acre “cut out” in this Township is also concerning and indicates that boundaries were arbitrarily drawn....c. T27N,	1

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<p>R106W – 3,600 acres, more or less. Highway 191 runs through the middle of this parcel, and as mentioned above, cast serious doubt on whether this parcel can be a stronghold if BLM's other land use restrictions are to be taken seriously.... There is, however, an area that was not withdrawn that creates a buffer between Big Sandy Recreation Area and the rest of the withdrawal. These gaps appear to function as a de facto withdrawal – no locatable minerals could be developed in these gap areas contrary to FLPMA.d. T27N, R105W – 19,000 acres, more or less. This parcel includes numerous two-track roads as well as the Big Sandy/Elkhorn Road and as mentioned above, these roads cast serious doubt on whether this parcel can be a stronghold if BLM's other land use restrictions are to be taken seriously.....</p>	
<p>Scoping Comments to Lincoln County Parcels – 111,000 Acres, more or less. a. Townships 24N and 23N, Ranges, 115,114, 113, 112 – 80,000 acres more or less. This is the area Northeast of Kemmerer and totals nearly 80,000 acres. As with the other parcels to be withdrawn, the Coalition is extremely concerned with the economic impacts of withdrawing an area that sits directly in the Kemmerer Mining District.....As we commented earlier, the BLM has not made any indication in its Petition that this particular area does not have significant mineral potential..... b. Townships 22N and 21N. Ranges, 118W and 117W – 8,558 acres, more or less. This area is quite possibly the foremost example of surface disturbances, energy and mineral resource potential, and arbitrary withdrawal boundaries. First, the area is south of and abutting Fossile Butte National Monument. The proposed withdrawal would therefore “grow” the regulatory effect of the national monument by precluding locatable mineral development....Finally, it is impossible to conclude that isolated parcels of 9 and 12 acres are sagebrush “strongholds.” These parcels demonstrate that BLM has not carefully reviewed the parcels it has nominated for withdrawal. It also shows that the boundaries of withdrawn areas have not been drawn according to any rational decision making process – a fundamental error in any agency decision. All isolated parcels, narrow or erratic “peninsulas” stemming from larger “block” areas, and the any parcel with a jig-saw pattern should be dropped as facially arbitrary. c. Townships 24N, 23N, 22N and Ranges 119W and 118W — 23,097 acres, more or less. Again, these parcels have not been carefully reviewed as they include numerous County Roads and other disturbed areas.....Moreover, the mineral potential of these parcels is highly likely given their proximity to coal seams previously identified by the USGS including one medium to high volatile bituminous coal deposit that runs north and south throu T23N, R119W.</p>	1
<p>Most importantly, however, is that these agreements tout the benefit of project owners funding mitigation and conservation while greatly reducing the ability of the State Conservation Credit program to be implemented in the most important areas using the most important potential funders. If the only area in the COT Report with a widespread threat of mining in Nevada is outside of the SFA, then it is insufficient to conclude that that some areas labeled as having a "localized" threat of mining should be subject to a widespread withdrawal lasting twenty plus years. Therefore, the COT Report does not support a need for widespread withdrawal above and beyond the many measures being implemented in the Northern or Western Great Basin Priority Areas.</p>	1
<p>2. New Science and Mapping Require that the BLM Re-Initiate the Segregation and Notices, and Submit an SEIS. Secretary of the Interior Sally Jewell has committed to adopt the Sagebrush Ecosystem Council's ("Council's") new map immediately for project-level decisions.<sup>22</sup> This new map reflects new science that impacts the SFAs. It is NACO's position that the map should be adopted only in context of the State Plan, which permits ground-truthing and does not support wholesale programmatic exclusions or withdrawals. The new map referenced is the "Management Category Map (Draft December 2015) released by the Sagebrush Ecosystem Council ("Council") on December 11, 2015 at the Nevada Department of Wildlife ("NDOW"). At that meeting, Dr. Pete Coates presented these new maps (Coates et al. 2014, 2015)("Coates Map"). This commitment raises additional concerns. First, this map is specifically designed for program-level decisions, not project-level decisions. Management areas within the Coates Map simply triggers the need to ground-truth at the project level to help identify the habitat needed to implement the State Plan's Conservation Credit System. This is why the Council categorized management areas rather than designate SFAs or Withdrawal areas and that is what the State Plan supports. This was discussed in detail at the public meeting. The Coates Maps are based on modeling and do not provide confidence intervals or provide information about sample sizes. These maps contain disclaimers that say it is only meant as a model, for further</p>	1



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<p>ground-truthing. To adopt this map for project-level decisions is inappropriate and not supported by the best available science. Second, this map is significantly different than what is provided in the ARMPA, ...If there is a commitment to adopt this map, then the BLM must also reconsider the strongholds in light of this new scientific information. The BLM adopted the initial map presented by Dr. Pete Coates. Prior to the date the Record of Decision ("ROD") was signed, the BLM was aware that Dr. Pete Coates had this information but that the new map was not ready. Instead of waiting or preparing an SEIS, the Agencies failed to disclose that this information was being gathered and that the goal was to adopt that map in the future. It is therefore curious that the SFAs would not change even as new information becomes available for that very area. This new information requires a Supplemental Environmental Impact Statement ("SEIS") under NEPA.... the Agency must apply "a 'rule of reason,' if there remains major federal action to occur, and if the new information is sufficient to show that the remaining action will affect the quality of the human environment in a significant manner or to a significant extent not already considered."24 This "rule of reason" is applied the same way the decision whether to create an EIS is applied.25 That the SFAs only appeared in the FEIS yet resulted in this entire Withdrawal and additional EIS process legally requires an SEIS. Further, the new maps if adopted by the Agency will also require an SEIS or a new EIS altogether. Request I-B-2: That the BLM publish a Supplemental Environmental Impact Statement ("SEIS") for public notice and comment regarding the SF As and new mapping information. This information and public discussion at the Sagebrush Ecosystem Council meeting on December 11, 2015 makes clear that the purpose and use of the maps require further analysis, discussion, and reconciliation to ensure accurate and implementable Sage-Grouse protection measures. This also shows the need to provide an SEIS and to halt the segregation and Withdrawal period until that analysis is completed.</p>	
<p>The FWS Memo Cites Only to Unpublished "Strongholds". According to the BLM, the SFAs were designated as requested by the FWS to provide the needed regulatory certainty to avoid a listing under the ESA. Supposedly, the FWS asked for this withdrawal because of the "strongholds" identified in the October 27, 2014 memo that identified "a subset of priority habitat most vital to the species persistence within which we recommend the strongest levels of protection."30 This is according to maps the FWS acknowledged were prepared by the conservation community. The BLM cites only to the FWS memo, yet the FWS in that memo does not cite to any scientific literature to support the SFAs, or, what the FWS refers to as "strongholds." Nor does the FWS cite to any scientific literature to support the SFAs in its listing decision. 31 The SFAs only appear in the maps attached to the memo, which are cited as "Pre-Decisional; For Internal Review Purposes Only. Do Not Distribute. PHMA current as of October, 2014."32 Figure 13.1 identifies strongholds for breeding populations, and does not identify any SFA. Therefore, the SFAs as proposed are not supported by any science, let alone the best available science.</p>	1
<p>All USFWS-proposed 'stronghold' areas should be included in the withdrawal...There is no circumstance under which it is appropriate to exclude lands from the mineral withdrawal that were designated either as "stronghold" areas by the U.S. Fish and Wildlife Service or as SFAs under the BLM planning process; all of the aforementioned categories of top-concern sage grouse habitats need to be withdrawn from future mineral location and development.</p>	1
<p>The EIS must evaluate the site-specific benefits to sage grouse from the proposed withdrawal and analyze reasonable alternatives...The withdrawal EIS must provide a thorough evaluation of the scientific and ecological basis for designating SFAs and whether they provide a sound basis for the proposed withdrawal boundaries</p>	1
<p>Neither the BLM, the U.S. Fish and Wildlife Service, the U.S. Forest Service, nor any of our State agencies can provide a description or definition of the process used to delineate the SFA. There is no information regarding the data or analyses that justifies promoting these particular designated acres of priority habitat to a higher level of management infringement than the remainder of the priority habitat throughout the State. The direct, indirect, economic, and cumulative impacts of SFA designation and the associated management actions were inadequately analyzed in the LUPA NEPA process and ROD. What we do know about the genesis of the SFA is that the State was not consulted for its expertise and input prior to the area delineation.</p>	1

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The SFA obscures over 2.1 million acres of northern Elko County, approximately 75 percent of the 2.8 million acres of Nevada's SFA land use prohibitions and restrictions. The numerous private land parcels adjacent to or within the Elko County SFAs are lands currently used for ranching, residential and recreation purposes that are comprised of lands cultivated for alfalfa hay or small grains, stream-irrigated meadows used to grow native wild hay, and pastures with sufficient carrying capacity to support cattle and wildlife. The future viable uses including commercial or industrial of these private land parcels depends in large part on the landowner's ability to use the adjacent public lands for livestock grazing, access, infrastructure and recreation.	1
The FWS Listing Decision Does Not Support the SFA Boundaries. The FWS published on October 2, 2015 its "12-Month Finding on a Petition To List Greater Sage-Grouse as an Endangered or Threatened Species."41 It found that listing the Greater-Sage Grouse is not warranted because existing regulatory mechanisms are sufficient to ensure the species' protection....42...43...This Memo, as discussed above, does not support the strongholds with any citation to science or supporting analysis....There is no science-based concern that supports a withdrawal. The science only supports localized withdrawal of 63,000 total acres in comparison with the 10 million being withdrawn. In 2010 the FWS was aware only "of approximately 63,000 acres of existing mining related disturbance within the range of sage-grouse."44 The notice indicates that mining related disturbance has not changed. Yet the FWS supports its own "recommendations for mineral withdrawal in SF As that would remove potential impacts on approximately 10 million acres of sage-grouse habitat."45 This is woefully inconsistent with the finding that " ... Overall, the extent of [mining] projects directly affects less than 0.1 percent of the sage-grouse occupied range. Although direct and indirect effects may disturb local populations, ongoing mining operations do not affect the sage-grouse range wide." 46...47...48...The FWS reasons only that the threat of widespread mining across those 10 million acres is that there might be a threat in the future...49	1
Finally, the FWS's own Biological Evaluations for projects within SFA boundaries are incompatible with the SFAs For example, the "Jarbridge Minerals Exploration Biological Evaluation and Specialist Report," Jarbridge Ranger District, Humboldt-Toiyabe National Forest, Elko County, Nevada (August 2015)("Jarbridge Report") states that this project, which sits squarely within the SFA boundary, covers only GHMA, OHMA and non-habitat. The FWS determined that the effects of the project were "No Impact" because: "Surveys have not found any sign of greater sage-grouse in the project area and there is no habitat available. Recent mapping by USGS and BLM shows a mixture of non-habitat and general habitat in the project area. Maps are being further refined and it will be recommended that the area be classified as entirely non-habitat."57 The FWS in these findings proves the BLM and FWS knew that maps were being refined at the time the ROD was signed, and therefore knew there was new information available that would warrant a revisiting of the rough habitat maps. This highlights the need to adopt the "further refined maps" within an SEIS due to information-based differences in the PHMA footprint.... Therefore, the SFA boundaries wholly lack scientific support or explanation. Further, while the State maps are more accurate and should be adopted, these maps as generated are only appropriate to use at a planning level to gauge important habitat areas before then then reviewing specific project boundaries to determine what mitigation measures, if any, need to be implemented. Request I-B-3-(1): That the BLM work with the State Plan developers to adopt the Coates 2015 map as it was intended- to then ground-truth project areas and use the Conservation Credit System for mitigation. Request I-B-3-(2): That the BLM cite to the science and provide an explanation that supports the SFA strongholds (other than the un-citable maps in the FWS Memo), and that the BLM and FWS point to each contradiction highlighted above and explain how the decision to adopt the FWS Memo strongholds is not arbitrary and capricious.	1
The MT Executive Order closely tracks the WY State Greater Sage Grouse Core Area Strategy (Wyoming State Strategy). Both focus on working landscapes, where sage grouse and people coexist in a manner that not only protects sage grouse, but also protects the way of life for the people who live in sage grouse country. The success of sage grouse conservation in Montana is dependent upon implementation of conservation strategies on private and state land, and the Montana Executive Order is built specifically upon the premise that all lands would remain working lands sharing in common standards for sage grouse conservation. The proposed mineral withdrawal, in its current form, first surfaced in a memo from the USFWS calling for inclusion in the BLM Plans of a "Sagebrush Focal Area" (Memo from Dan Ashe, Director USFWS, to Director, Bureau of Land	1

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Management and Chief, U.S. Forest Service, October 27, 2014), and was developed with little regard for consistency with Montana's efforts.	
The withdrawal was announced without adequate opportunity for public comment and is beyond the DOI's authority. • The 10 million acre withdrawal is premised on "sage grouse focal areas"- a land management scheme devised by the BLM after the public comment period for the land use management plan amendments had closed and the public has been denied an opportunity to comment on this critical element of the decision. • In FLPMA, Congress specifically acknowledged the importance of mining on federal lands and minerals' contribution to society. In fact, FLPMA requires Congressional approval if mining activities are to be curtailed by large-scale withdrawals. Specifically, mineral withdrawals of more than 5,000 acres are subject to Congressional approval which the DOI has not received.	1
The SFAs and associated “withdrawal” did not appear until the FEIS, and are not supported by the science relied upon by any of the agencies....Elko County is extremely concerned about the underlying information, or lack thereof, used to support the conclusion that this withdrawal should occur.....	1
...the proposed withdrawal is unlawful, because it relies on the alleged importance of SFAs for justification...the designation of SFAs in the RODs and greater sage-grouse land use plan amendments violates federal law, because neither the BLM nor the Forest Service has authority to designate SFAs or critical habitat...neither the BLM nor the Forest Service has any textual authority, either statutory or regulatory, to designate SFAs...the public, including active mining claimants within the SFAs, did not receive an adequate opportunity to comment on the designation of SFAs	1
The Jarbidge Mining District: The Jarbidge Mining District was at one time the largest gold-producer in Nevada. It is a classic epithermal gold-silver bearing vein system. It hosts significant gold and silver deposits which will be extracted by very efficient and environmentally benign underground methods.....There are no sage grouse in the Jarbidge Mining District and there is no habitat as is clearly stated in Section 5.1 Jarbidge Wildlife Biological Evaluation prepared by the US Forest Service and dated August, 2015. There never have been sage grouse in the district and this is widely recognized by the indigenous people of the area. The SFA map is obviously designed to encompass my proposed drill sites: The boundary was drawn irrespective of topography, vegetation, soil types, geology or any other natural features. It was blatantly designed to take my drill sites and, hence, what would be perceived as my best areas of mineralization. This is an egregious abuse by individuals within the involved agencies and their “un-named associates”: It is arbitrary and capricious and undoubtedly a deliberate criminal act. It may be that this deliberate attempt to take my mining claims is retaliation for my successful defense of some of the same mining claims when the USFS and BLM conspired to take them in 1996 through back- dating of a mineral segregation to pre-date my mining claims. I pursued this case for 7 ½ years to the 9th Circuit Court of Appeals where I prevailed and my claims were declared valid and the BLM was forced to re-instate them.	1
Mining, and mineral exploration in the Western U.S. provides thousands of jobs and has a huge effect on the economies of local communities and the states where they are located. Mining of metals and production of crude oil and natural gas have a huge impact on the economy and security of our nation. As a nation we buy most of our rare earths from other countries and more specifically Russia and China. We can’t afford to have our national security in the hands of countries that would like to destroy us. In the case of Oregon Sunstone, the economic effect on the local economy would be very harmful. The Sunstone miners spend hundreds of thousands of dollars on fuel and other oil products, parts for vehicles and equipment, groceries and other things for mining and just living in this community. They also provide recreation for thousands of people who come to the area to mine Oregon Sunstone, and the raw materials needed by artisans like myself to make a living and engage in our art. The Oregon Sunstone area is the #1 tourist attraction in Lake County. It brings thousands of people to the community every year that stay in local lodging, eat at local restaurants and shop in local stores...While most of the currently known Sunstone bearing area is not included in a SFA, the language in the BLM decision on creating the SFAs leaves it open to annex these areas in the future. The BLM map showing areas recommended for mining exclusion includes the entire known sunstone bearing area. Several claims in Harney County are either completely inside of an SFA or case crosses several claims owned by Rabbit Basin miners, intended for mining this year. The area that excludes existing claims is approximately 2 mile strip that semi-circles private land used for grazing.	1

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<p>The BLM has adopted, as a proposed proxy for a Supplemental Environmental Impact Statement, "Sagebrush Focal Areas" and a "LEK Buffer Study." The former was the subject of the so-called "Ashe Memo," dated October 2, 2014, entitled "Greater Sage-Grouse: Additional Recommendations to Refine Land Use Allocations in Highly Important Landscapes" and the latter was the subject of a USGS report entitled "Conservation Buffer Distance Estimates for Greater Sage-Grouse - A Review, USGS Open File Report, 2014-1239" (Manier, et al. 2014). The public has not had an opportunity to comment on the Ashe Memo or the USGA Open File Report. Since these are new concepts, recently introduced, which dramatically alter the proposed Draft Environmental Impact Statement, a Supplemental Environmental Statement is required before the final EIS can move forward based on the new concepts. (See 40 C.F.R. § 1506.6(b).</p>	1
<p>Mining is the major contributor to our local economies in Northern Nevada. The jobs and economy created due to mining is so significant that a pre-requisite of taking these lands out of multiple-use and removed from location and entry should require an in depth socio-economic analysis before they could be removed. This means prior to the 2-year segregation period. In fact, at its most basic level, the Federal Land Management and Policy Act of 1976 (FLPMA) requires such an analysis as part of the Environmental Study process. FLPMA preserves the rights of claim locators under the General Mining Law, including access rights. The SFA withdrawals from mineral entry and travel restrictions violate these provisions of FLPMA, the requirement to recognize the Nation's needs for domestic sources of minerals, and the General Mining Law. Several mining projects in the early development stages in Elko County have already been put in jeopardy due to the proposed removal from mining. Quantum Minerals' project in the area of Jarbidge is one of these projects. This project is in an area mapped as having low value habitat in the 2014 Draft EIS. However, in the Final EIS the majority of the project had been elevated to Priority Habitat even though NEPA Biological reports indicated that there were no Greater Sage-Grouse populations or habitat present. They recommended the maps be revised that showed that they were not present but the maps were not changed in the Final EIS. Western Exploration's Gravel Creek project that has 3 billion in estimated gold reserves, but due to uncertainty of future regulation of expanded exploration, necessary in developing mines such as this, this project is now in question. Mining junior and expansion projects, which are the heart and soul of future mines and economic stability to our region and nation, are all in jeopardy by this withdrawal. Temporary Segregation as proposed will keep the necessary exploration in the mining process from being able to function in a way that will allow the mining claims to be finally proved up upon. Future land development in the vicinity of the lands proposed to be removed from mining would also be in jeopardy due to provisions that would make power line extensions and alternative energy projects too costly due to requirements imposed to protect Sage Grouse whose populations are not so low as to need protection. This is single use and any change in priority of uses on public lands should be made through change in law and not by agency regulations.</p>	1
<p>We are also concerned that the Service and BLM have delineated "stronghold" areas and SFAs respectively, based on sage grouse population densities as mapped in a 2004 study, even though this study is now badly outdated and supplanted by more recent and robust population analyses. In light of these limitations in the Service's initial "stronghold" delineations, we have undertaken a more vigorous analysis of existing sage grouse populations and habitat, and have identified supplemental stronghold areas in need of designation and mineral withdrawal. We have based our supplemental boundaries (see map, Attachment 7) on more current and more detailed population density mapping (Doherty et al. 2010), which represents the best available science on sage grouse population densities.</p>	1
<p>The issues the proposed SFA's pose for Nevada include:...BLM's sensitivity to Nevada's political and financial underwriting of the sage grouse program would be appreciated...The selection of SFA's may/will have an impact on distribution of projects and funds...What will be the process for inventorying the remaining public land habitat...BLM's focus on the SFA's will be better accepted if BLM develops and distributes a process along with timelines on how the SFA's will managed with regard to new mining opportunities...Is BLM putting all its eggs in one basket in the SFA's...How will SFA's affect private land use...In addition to written reports to various interested groups and individuals, personal presentations are appreciated...Can critical lands remain closed beyond the two year window? If not what is the purpose of the SFA designation...</p>	1

Comment	Number of Commenters Providing this Comment
The FEIS for the Hi line District in Northeastern Montana has slipped a new Greater Sage-grouse (GRSG) habitat management construct to the land use plans, namely, "Sagebrush Focal Areas" (SFAs). This management regime is grounded in a pronouncement in an October 27, 2014 memorandum from Director Dan Ashe of the United States Fish & Wildlife Service (USFWS), entitled "Greater Sage-Grouse: Additional Recommendations to Refine Land Use Allocations in Highly Important	1
Landscapes" ("Ashe Memo"). Another element of the Proposed Plan amendments are lek buffer distances identified in another document not available or included into the DEIS. A USGS report entitled Conservation Buffer Distance Estimates for Greater Sage-Grouse - a Review, USGS Open File Report 2014 1239 (Mainer, et al. 2014) (attached). In addition, BLM created new maps in April, 2015 that dramatically alters the maps presented in the DEIS..... These changes represent new information and substantial changes to the Draft EIS. A supplemental EIS is required under NEPA: 1) if the agency makes substantial changes in the proposed action that are relevant to environmental concerns, 40 C.F.R. § 1502.9(c)(1)(i); or 2) there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts." 40 C.F.R. § 1502.9(c)(1)(ii). When the proposed action differs "radically" or "dramatically" from the alternatives described in the FEIS so that meaningful public comment on the proposed action was precluded, a SEIS is necessary. See <i>California v. Block</i> , 690 F.2d 753 (9th Cir. 1982). See also <i>New Mexico ex. rel. Richardson v. Bureau of Land Management</i> , 565 F.3d 683, 707 (10th Cir. 2009) (new alternative proposing new locations of activities required a SEIS because it affected "environmental concerns in a different manner than previous analyses," even though the general nature of the alternatives impact resembled those already analyzed). A Supplemental Environmental Impact Statement (SEIS) for the LUPA should have been prepared by the Agencies due to significant post-DEIS information that was utilized in preparing the Preferred Alternative in the FEIS. The "Ashe Memo", lek buffer distance study, and new or updated BLM maps collectively constitute new, relevant and material information that materially shaped the Preferred Alternative and has heretofore not been subject to meaningful review and comment by the public. The new habitat category, "Sagebrush Focal Areas" (SFAs), has dramatically reshaped the proposed Federal action due to its management as: 1) recommended for withdrawal from the Mining Law of 1872, "subject to valid existing rights;" 2) managed as no surface occupancy (NSO), without waiver, exception, or modification, for fluid mineral leasing; and 3) prioritized for management and conservation actions in these areas, including, but not limited to, review of livestock grazing permits/leases and closure of roads. Because this new management category appeared for the first time in the Preferred Alternative of the FEIS, meaningful public comment on the Proposed Plan was precluded, and thus, a SEIS is required. <i>California v. Block</i> , 690 F.2d at 758. In conclusion, the DEIS originally proposed in March of 2013 did not adversely impact the interests of Imerys/S&B. However, the current Hi Line RMP and FEIS as proposed will adversely impact Imerys/S&B's holdings and commercial interests in the region. We formally call for a Supplemental Environmental Impact Statement on the changes in these documents as required under NEPA.	1
The Mining/Exploration, Agriculture/Ranching, Oil/Gas, Renewable Energy and Recreation industries has committed significant resources to maintain Elko County's economic sustainability. As proposed the SFA restrictions will impose significant unjustified obstructions to mining, grazing, recreation and all other uses on federally managed public lands. The USFWS, BLM and USFS significantly changed the rules to employ the SFAs without notice, warning or any opportunity for stakeholder comment. Elko County maintains that this action violates the Federal Land Policy and Management Act (FLPMA) of 1976, the National Environment Policy Act (NEPA) of 1969, the General Mining Act of 1872 and the Multiple Use Sustained Yield Act of 1960 and will cause literal devastation to the Mining/Exploration, Agriculture/ Ranching, Energy and Recreation industries. The public was not provided a notice and comment period to provide input on the boundaries and potential effectiveness of the SFAs, as they were first presented in the FEIS for the ARMPA. Second, the science the Agencies rely on does not support the SFA boundaries. Third, there are known alternatives to the proposed withdrawals.	1
The withdrawal as proposed within the SFAs constitutes an irretrievable commitment of resources for an action that may not benefit Greater Sage-Grouse. Despite this irretrievable commitment, the public has no indication from where the science was identified to derive the SFAs. ... Elko County has many times in the past expressed concerns with the ARMPA's reliance on the NTT and COT Reports as conflicting with the Sagebrush	1

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Ecosystem Council and Sagebrush Ecosystem Technical Team findings supporting the State of Nevada's Action Plan. Nonetheless, the ARMPA cites to those reports, and therefore they should be used to determine whether the SFAs were supported by the science cited. The NTT Report does propose a "withdrawal from mineral entry based on risk to the Greater Sage-Grouse and its habitat from conflicting locatable mineral potential and development," however, the NTT report does not discuss where a withdrawal might be most appropriate. Rather, the FEIS and ARMPA rely upon the COT Report to determine the NTT's request to evaluate risk from conflicting locatable mineral potential and development.	
The Conservation Objectives Team (COT) Report does not support the SFA boundaries. o The habitat map adopted by the BLM does not distinguish SFAs from other priority habitat. o The identified risk of mining/exploration does not support the action. Mining not identified as a widespread risk in SFAs- only in Section 14 outside of SFAs (Northwest Interior).... o Even though SFA areas may have a localized risk from mining/exploration, the decision asserts there are additional recommendations for widespread withdrawal from mineral location and entry for SFAs.... o The BLM has not collectively reviewed each parcel of land within the SFA to determine its habitat characteristics. If a withdrawal is a preferred method of protection, the very reports that the BLM relied upon in the ARMPA do not support the withdrawal boundaries as proposed....	1
The Dr. Peter Coates Map do not support SFAs and is being misapplied; o Pages 2-2 and 2-3 describe the general characteristics for delineating focal areas, but there is no information on methodology used in their development. ....Delineation of the SFAs does not appear to incorporate modern scientific concepts of resistance and resilience; the level of science is therefore questionable o Adoption of the state's map for this purpose is a misapplication of science created for an alternative purpose. Thus, one alternative is to adopt the entire State Plan- not just a misapplication of the State's Habitat Map. □ The DEIS and the NDOW map it referenced defined the qualitative characteristics of habitat.... The habitat in the SFAs exhibits these characteristics – i.e., areas of high-quality sagebrush habitat, areas with highest breeding densities, and areas identified as essential to conservation and persistence of the species. In addition, the DEIS noted that among the issues brought forward for analysis was the use of "sound science to determine habitat requirements and restrictions needed to protect GRSF habitat."....	1
<b>4.4.1 Support No Action: State/Local Plans: Commenters assert that state or local plans are sufficient/superior to the federal plan for protecting sage-grouse</b>	
...we believe that the proposed withdrawal would create additional, unnecessary regulatory challenges to mining companies as well as additional work for the BLM; and we do not believe that this will create any significant conservation benefit for associated sage-grouse populations. As such, we do not recommend approval of the proposed withdrawal. Instead, we recommend that federal agencies continue to work closely with state agencies to continue to carry out proven, existing plans that will ensure success of the Greater sage-grouse while also allowing the responsible development of mineral resources on our public lands.	1
The agencies should craft a plan that meets the unique needs of each state while focusing on the primary threats to the species.	1
Viable alternatives for the desired conservation do exist which offer a reasonable approach in lieu of the draconian measure of withdrawing WEX's land. The alternative described below would allow WEX and the Agencies to balance the interests of WEX's continuing exploration and development with protecting the Greater Sage-grouse habitat. For example, a reasonable alternative that, as discussed above, could lead to greater protection of Greater Sage-grouse habitat, would be to allow WEX to continue activities subject to the restrictions and mitigation requirements imposed on lands identified within PHMA. The State of Nevada's Conservation Credit System balances economic development with Greater Sage-grouse conservation and provides a mechanism by which WEX can ensure conservation of the "best of the best" habitat occurs for any disturbance within its Project areas of PHMA. Such an approach balances multiple-use as required under FLPMA and NFMA and avoids interference with valuable property rights. The multiple-use approach is far superior to withdrawing these lands and taking WEX's \$37.7 million investment and future profits from development of its significant discovery and depriving the local community, State and Nation of the benefits of the minerals and jobs, economic development and tax revenues generated by the development of such a mine.	1



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Mining can be done in a manner that either reduces or minimizes the environmental impacts to sage grouse populations. Oregon's land use authorities, working with your agency, have adopted an approach to protect core sage grouse habitat, and where there might be minor impacts to populations a requirement that land use activities, such as mining, either avoid, minimize, or mitigate those potential impacts. The proposed withdrawal trumps Oregon's thoughtful analysis of mining proposals by both state and federal regulatory authorities and sweeps all intelligent discussions under the rug without an opportunity to present site specific analyses of each individual project. Such an arbitrary, large scale withdrawal thwarts the intent of Congress, the intent of the Oregon legislature, and the thoughtful approach put together by Oregon land use authorities to protect sage grouse and allow for economic benefits that flow from mining. The contradiction between your proposal and the work that has already been completed is clear and disturbing, and ultimately harmful to the residents and the economy of the counties and the state as a whole.	1
Application of the new resource management plans will ensure that any proposed project will not negatively impact habitat. Moreover, the State of Montana has the authority to deny mining permits on federal land. In sum, safeguards are in place to protect sage grouse habitat without taking such an extreme measure.	1
The existing regulations are perfectly adequate to regulate new disturbance and its reclamation.	1
Lake County's proposal for protection of SFA within Lake County, as well as other affected counties within the State of Oregon: • On federally-administered lands, principally those administered by USDI- Bureau of Land Management and by USDA-Forest Service, management of minerals should be reflective of, and coordinated & concurrent with State of Oregon Administrative Rules (OARs) for mitigation of mineral development, as well as other types of developments on these federally -administered lands.	1
Due in large part by pro-active conservation efforts of the State of Oregon, affected Oregon counties, federal agencies as USDA-Natural Resources Conservation Service, and many private businesses, namely ranch families in developing Candidate Conservation Agreements with Assurances (CCAAs), the sage-grouse IS NOT FEDERALLY-LISTED under the Endangered Species Act. In Oregon the sage-grouse and other sagebrush-dependent species remains under the management authority of the Oregon Dept. of Fish & Wildlife. Through a multi-year project called SageCon, the State of Oregon and affected counties developed Oregon Administrative Rules (OARs) under the Oregon Dept. of Land Conservation & Development (LCD) and under the Oregon Dept. of Fish & Wildlife (ODFW). The OARs under LCD govern private land use planning, adequately limits developments in sage grouse habitats, and provide a very limited threshold on how much grouse habitat can be adversely affected. The OARs under ODFW provide state case-by-case assessments of impacts to grouse habitats and provide stringent mitigation measures where applicable. Copies of the two sets of OARs (LCD and ODFW) are available from the Governor's Office of the State of Oregon. Regarding mitigation measures and procedures of ODFW, their OARs are attached. Director Kornze acknowledged that.. . " ..there is ample data available demonstrating that minerals do exist within or near the subject areas (proposed for mineral withdrawal) and that some of these occurrences may be of economic value." Director Kornze further states that. .. "...all five regions have been identified as containing potentially undiscovered (mineral) deposits."	1
In conclusion, it does not appear to the Committee that BLM's recommended proposed withdrawal would provide additional protections to Greater sage-grouse and its habitat beyond those provided under the State's existing regulatory mechanisms and core area protection strategy. The Committee strongly urges BLM to take actions consistent with Wyoming's management strategy for this species as required under FLPMA.	1
Secondly, the grouse populations are on an incline, making this designation even more unnecessary with state and locally driven conservation plans and efforts.	1
IMA was actively involved in Governor Otter's Sage Grouse Task Force and enthusiastically supported his consensus and science-based Idaho alternative to the listing of the sage grouse under the Endangered Species Act. Along with the Governor, we were disappointed with the federal government's failure to stick to a transparent, collaborative process in setting new land-use restrictions on greater sage-grouse habitat in Idaho and other states in the West.	1

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We implore you to halt this misguided withdrawal. Work with your sister federal agencies and the state of Idaho using the best available science to develop land use plans that will actually protect the sage grouse. Craft a plan that is tailored to meet the unique needs of our state while focusing on the primary threats to sage-grouse in Idaho – invasive annual grasses and wildfire. Don't use our common concern for sage grouse to unnecessarily and unfairly punish the mining industry in a way that will have horrific impacts on Idaho citizens while having virtually no beneficial impact on the recovery of this valued species.	1
The state of Wyoming has been working with the BLM, USFS, and the USFW since 2007 to develop and implement a strategic plan to protect the Greater Sage Grouse and their habitat. Priority Habitat Management Areas (PHMA) were identified and taken into account in this effort, and with Executive Order 2011-5 Wyoming Governor Matthew H. Mead implemented Wyoming's Greater Sage Grouse management plan. This plan is unique in that it incorporates state, federal, and private landowners into the implementation of the management plan. U.S. Fish and Wildlife endorsed Wyoming's effort; "core area strategy... if implemented by all landowners via regulatory mechanisms would provide adequate protection for sage grouse and habitat in that state". But now in less than one year after the implementation of the state's plan these federal agencies are recommending through the "9-Plan" to move forward with the removal of this addition acreage from federal lands in Wyoming. If these same agencies supported Wyoming's plan, why then would we not allow adequate time for the plan to be in effect before recommending additional restrictions? And to address this point further the BLM goes through an exhaustive process to develop a 20 year Regional Management Plan in each of its' districts across the state. They claim to put every effort in to these RMPs to insure the protection of the public lands for the next twenty years, why then if they have all this expertise in developing these RMPs, can we not wait for the full twenty years before we amend them, as will be the case with this proposal? I feel think amending the RMPs, and removal of these lands from mineral development is inappropriate and without merit We need to allow enough time to elapse with the implementation of the state plan so that we can make an accurate appraisal of its strengths and weaknesses.	1
I think there may be some concern from the Federal Agencies involved that they cannot control the impact of mining when a mining permit is issued. I argue that this historically has been the responsibility of the state, and in Wyoming the Department of Environmental Quality under the states' Greater Sage Grouse management plan is required to insure the health of core sage grouse habitat areas. At the end of the day I feel this proposal will add unreasonable constraints on mineral and livestock producers and these efforts are unwarranted in light of the massive cooperative effort the State of Wyoming, the U.S. Department of Interior, the U.S. Department of Agriculture, and the U.S. Fish and Wildlife Service put into the development and implementation of Wyoming's Greater Sage Grouse management plan.	1
This is particularly concerning to the Committee as the State has existing and adequate regulatory controls in place to protect Greater sage-grouse core area habitat from locatable mineral exploration and development. As stressed by Governor Mead, and detailed in his letter from the State's Attorney General's Office, Wyoming regulates locatable mineral operations at both the exploration and extraction phases regardless of surface or mineral ownership. BLM has even acknowledged this regulatory authority, stating in the Record of Decision and Approved Resource Management Plan Amendments for the Rocky Mountain Region: The State of Wyoming has permitting authority for locatable mining operations and has committed to use its authority to ensure operations proceed in accordance with the Core Area Strategy. The State has a successful record of using this authority in the past. In addition, nearly 50 percent of the SFAs in the Wyoming Sage-Grouse Amendment Planning Areas had already been withdrawn from locatable mineral entry. For these reasons, after coordinating with the FWS, the BLM found that a recommendation for withdrawing all SFAs was not necessary to address the threat of locatable mineral development. (p.1-31).	1
Exploration activities on Federal lands are subject to biological review and analysis including in-depth biological surveys and reports that review the Threatened and Endangered Species List and agency-specific sensitive species. The project analysis allows for review of these scientific reports, and consideration of how proposed activities may interfere with nesting sites, breeding seasons, or other sensitive habitats. Project specific mitigations are developed to minimize or avoid potential effects to the species in question. As previously stated, since all federal lands are governed	1

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25 CFR Part 228 (National Forest System Lands) and by 43 CFR Part 3809 (BLM Lands), and further subject to the National Environmental Policy Act, the Federal Land Policy and Management Act, the Endangered Species Act, the Migratory Bird Act, and various other Federal, State and Local environmental protections, it is unnecessary to withdraw locatable minerals from lands already subjected to the prolific regulatory process.	
The EIS must evaluate, as an alternative to withdrawal, the implementation of the State Conservation Credit System.	1
Wyoming has a sage grouse habitat protection plan in place that has been lauded at the highest level of the BLM and Interior Department. Even the smallest locatable mineral exploration activity requires a Plan of Operations/Mining Permit from BLM and the WY State DEQ and is subject to the rules of the habitat protection plan already. So why the need for a blanket withdrawal when any locatable mineral exploration and development is subject to a plan that has been touted as a laudable model of habitat protection? This withdrawal sends the message that the WY State sage grouse program is worthless in the face of possible locatable mineral exploration, much less development, which just is not true.	1
Other protections put in place by the Approved Management Resource Management Plan Amendments for the Great Basin Region, and by the Nevada Greater Sage-Grouse Conservation Plan including its Conservation Credit System, are sufficient to protect the Greater Sage-Grouse and all the other plants and animals in its habitat.	1
The Nevada Great Sage Grouse Conservation Plan includes a Conservation Credit System that provides incentives for habitat improvement and protection...The Conservation Credit System should be implemented instead of the withdrawal action.	1
The Coalition would urge BLM to revoke the proposed withdrawals and rely on the existing robust regulatory system to protect sage-grouse in Wyoming.	1
The state of Wyoming has adequate regulatory provisions already in place and has been a leader in this effort with the Greater Sage Grouse Core Area Strategy. The BLM, US Forest Service and the US Fish and Wildlife Service have all recognized Wyoming's leading effort to protect sage grouse. This proposed withdrawal includes over 81,000 acres of state mineral trust lands and some 62,000 acres of state trust surface lands. In addition to the state plan, Fremont County has a land Use Plan in place that recognizes multiple use as valid and important to the economy, health, safety and welfare of its citizens.	1
The withdrawal action fails to recognize the Nevada Conservation Plan. The NvMA and its members believe the best way to provide protection for the sage grouse while simultaneously allowing continued economic development is for the Agencies to recognize conservation measures that have been developed in cooperation with the regulated community and include a strong but pragmatic compensatory mitigation program. On October 1, 2014 the Sagebrush Ecosystem Council approved the Nevada Greater Sage Grouse Conservation Plan. This plan is a balanced, science-based program for the protection of the species and its associated habitat. A critical component of the Plan is the Conservation Credit System (CCS) that, for the first time, prioritizes habitat types and quality and provides for incentives for habitat improvement and protection. The CCS also allows for scientifically based mitigation opportunities for all types of anthropogenic disturbances without regard to the source(s) of those impacts. The federal agencies, in the approval of the LUPA, failed to recognize this scientifically valid and innovative approach to mitigation, and instead instituted a draconian and unnecessary land segregation and proposed withdrawal that does not address the full scope of potential impacts to the habitat. The LUPA allows for the use of the CCS as a mitigation tool, and the NvMA calls upon the BLM and U.S. Forest Service to recognize the CCS in lieu of the withdrawal action.	1
The BLM's rationale for proceeding with the withdrawal analysis is the first issue that requires our good hard look. Despite nearly a decade's worth of constructive interaction with the State of Wyoming, local governments, and stakeholders while simultaneously endorsing Wyoming's Core Area Strategy as an adequate regulatory mechanism to protect and enhance Greater Sage-grouse habitat, the BLM wrote the following: In light of the BLM's Greater Sage-Grouse Conservation Strategy, its Special Status Species Policy, and its goal to provide regulatory certainty for the conservation of the Greater Sage-Grouse and its habitat so as to potentially reduce the need to list the species, the BLM finds it is essential to include these recommendations for withdrawal from locatable mineral development in the [Approved Resource Management Plan] ARMP. That	1

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<p>rationale contrasts starkly with BLM's own decision documents. BLM's very first management objective in the ARMP noted it would "coopera[te] with the State of Wyoming and its agencies, local governments, private landowners,local sage-grouse working groups,partners and stakeholders, develop site-specific conservation strategies to maintain or enhance sage-grouse habitats and habitat connectivity." BLM continues by noting it will "Incorporate available site information collected using the Sage-Grouse Habitat Assessment Framework or similar methods to evaluate existing resource conditions and to develop any necessary resource solutions in cooperation with [the] State of Wyoming and its agencies,the local governments, private landowners,project proponents, partners, and stakeholders." Finally,the BLM rightly acknowledged that the "State of Wyoming has permitting authority for locatable mining operations and has committed to use its authority to ensure that operations proceed in accordance with the core area strategy and [has] a successful record of using this authority in the past." We agree with BLM's findings in the Record of Decision. And it is those findings, coupled with the fact that the areas recommended for withdrawal are exclusively within SFAs, which in themselves are exclusively within Wyoming Sage Grouse Core Areas, that gives us cause for concern. We believe the findings in the decision documents and endorsement by the Fish and Wildlife Service of Wyoming's Core Area Strategy are sufficient to preclude withdrawal.</p>	
<p>Moreover, Idaho already has the necessary framework in place to protect the sage-grouse from any perceived threat by the mining industry. Idaho has regulatory authority that governs the impacts of mining within the state. The Idaho Department of Lands, in coordination with the Idaho Department of Environmental Quality, Idaho Department of Fish and Game, and Idaho Department of Water Resources, administers the Idaho Surface Mining Act. Through Executive Order 2015-04, I directed the Department of Lands to implement my sage-grouse plan, which addresses mineral development, when issuing permits pursuant to the Idaho Surface Mining Act. This provides more than adequate protection for sage-grouse and its habitat from the impacts of locatable mineral operations, making the withdrawal unnecessary.</p>	1
<p>Nor does the Petition state how existing state conservation measures such as Wyoming's Core Area Strategy in Executive Order 2015-04 and Utah's Greater Sage-grouse Management Plan "cannot protect or preserve the resource." Indeed, the U.S. Fish and Wildlife service stated in March and again in November of 2010 that Wyoming's "core area strategy[,] if implemented by all landowners via regulatory mechanisms, would provide adequate protections for sage-grouse and their habitat in the state." See 75 Fed. Reg. 13910, 13974 (March 23, 2010). Then, in the 2015, the U.S. Fish and Wildlife Service stated that "[w]hile impacts to sage-grouse are possible in non-core habitats, the majority of primary habitats necessary for long-term conservation of sage-grouse in Wyoming are included in the identified Core Areas." 80 Fed. Reg. 59857, 59882 (Oct. 2, 2015). Wyoming's core areas are reviewed every five years to "allow for the incorporation of new data that ensures the most important areas for sagegrouse receive protections." Id. In 2015, the State of Wyoming added 58,191 ha (143,794 ac) to the Core Areas. Id. State regulatory measures are applied across all lands in Wyoming – approximately 15 million acres. Id. Only about 17 percent of the sage-grouse bird density occurs outside of core areas "minimizing impacts to sage-grouse" in Wyoming. Id. at 59883. These facts strongly suggest that there is no basis for the proposed withdrawal.</p>	1
<p>The State conservation plan for sage grouse habitat is site specific and is based on geological and economic studies that determine mineral potential in areas that are now being considered, I believe unnecessarily, for withdrawal. Those factors were not considered when withdrawal area boundaries were arbitrarily designated by the federal government. I ask you now to please reconsider this proposed withdrawal and allow Nevada to manage its public lands through state- developed conservation efforts as a cooperating agency with both the BLM and the USFS.</p>	1
<p>The State's opposition to Sagebrush Focal Areas is presented in the Governor's Consistency Review of the Final Greater Sage-Grouse Land Use Plan Amendment EIS, 1 which is fully incorporated into these scoping comments.</p>	1
<p>Population increases of nearly two-thirds from 2013 to 2015 cannot be attributed to land management plans finalized in October of 2015.<sup>61</sup> Rather, these increases are, and must be, attributable to local and State efforts. These efforts are sufficient alternatives....The BLM should wait to withdraw this land to give the State Plan time to be implemented. In the meantime, the ARMPA already imposes exclusion zones, restoration goals, grazing standards, and project guidelines that greatly limit what industry can do within prime habitat.</p>	1

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As a Nevada resident I would like to comment on the state lands that have been segregated and proposed by the federal government, for withdrawal from mineral entry as well as from public use ostensibly for the protection of sage grouse habitat. Protection and conservation of sage grouse habitat should be handled on the state level. The Nevada Department of Wildlife (NDOW) has developed guide lines with which to protect the bird and its habitat. Biological and rangeland studies conducted by various state and federal agencies have demonstrated that conservation efforts by ranchers and mining companies have been very effective in protecting sage grouse habitat from its biggest threat, range fires. Grazing practices by ranchers and rangeland fire prevention efforts by mining companies have provided the necessary conservation to protect and even expand sage grouse habitat in Nevada.	1
The staff of the Office of State Lands and Investments (OSLI) has reviewed the captioned notice and offers the following comments relative to the proposed action insofar as it pertains to the mission of this office. Our records indicate that approximately a total of 81,136.34 acres of state trust mineral estate and 62,460.08 acres of state trust surface estate, much of which is currently under lease, lie within the boundaries of those lands subject to the proposed withdrawal in the State of Wyoming to protect the Greater Sage-Grouse and its habitat from adverse effects of locatable mineral exploration and mining. The proposed withdrawal raises concerns regarding the implications for the State of Wyoming's ability to prudently manage its trust lands and the inherent mineral and surface rights attending those lands. This proposed withdrawal again demonstrates the issues we constantly face with interspersed State land ownership, especially minerals, within areas controlled by plans for federal lands. Generally speaking, most of the lands subject to withdrawal in the State of Wyoming are already subject to the protections provided pursuant to EO 2015-4 Greater Sage-Grouse Core Area Protection as well as stipulations applied to those same lands for big game crucial, winter and yearlong ranges.	1
NACO recognizes that the Agencies are, and should be, encouraged to rely on one another to draw upon collective resources. While the work that the FWS does is extremely important, it is also important to consider that the FWS does not have jurisdiction over any non-migratory species not on the endangered species list, which includes the Greater Sage Grouse. Because the FWS Settlements resulted in an accelerated listing schedule, a listing under the ESA has become a threat resulting in what can only be described as a FWS veto power over the land management planning process. This veto power has resulted in an equally accelerated decision-making process that overrides the State Plan and lacks the use of credible science regarding extremely sensitive socioeconomic and environmental issues. It is important that the BLM think through this Withdrawal process before making a determination that will commit irretrievable resources for twenty plus years.	1
Finally, the FWS's own Biological Evaluations for projects within SFA boundaries are incompatible with the SFAs For example, the "Jarbidge Minerals Exploration Biological Evaluation and Specialist Report," Jarbidge Ranger District, Humboldt-Toiyabe National Forest, Elko County, Nevada (August 2015)("Jarbidge Report") states that this project, which sits squarely within the SFA boundary, covers only GHMA, OHMA and non-habitat. The FWS determined that the effects of the project were "No Impact" because: "Surveys have not found any sign of greater sage-grouse in the project area and there is no habitat available. Recent mapping by USGS and BLM shows a mixture of non-habitat and general habitat in the project area. Maps are being further refined and it will be recommended that the area be classified as entirely non-habitat." The FWS in these findings proves the BLM and FWS knew that maps were being refined at the time the ROD was signed, and therefore knew there was new information available that would warrant a revisiting of the rough habitat maps. This highlights the need to adopt the "further refined maps" within an SEIS due to information-based differences in the PHMA footprint...Therefore, the SFA boundaries wholly lack scientific support or explanation. Further, while the State maps are more accurate and should be adopted, these maps as generated are only appropriate to use at a planning level to gauge important habitat areas before then then reviewing specific project boundaries to determine what mitigation measures, if any, need to be implemented. Request I-B-3-(1): That the BLM work with the State Plan developers to adopt the Coates 2015 map as it was intended- to then ground-truth project areas and use the Conservation Credit System for mitigation. Request I-B-3-(2): That the BLM cite to the science and provide an explanation that supports the SFA strongholds (other than the un-citable maps in the FWS Memo), and that the BLM and FWS point to each contradiction highlighted above and explain how the decision to adopt the FWS Memo strongholds is not arbitrary and capricious.	1

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Request I-B-4: To look to alternative options to a withdrawal, specifically to provide at least enough time to ensure the complete implementation of the State Plan. This might mean entering into a Coordinated Agreement and MOU to work with the State to implement the Conservation Credit Program. The Bi-State Action Plan is a prime example for how local, State, and federal Agencies can work together.	1
The proposed mineral withdrawal is not necessary or justified to protect sage grouse. Proposing to withdraw all locatable minerals from exploration and mining, on almost a million acres of public land, is a step premised upon a finding of incompatibility between existing and potential uses (here mineral development) and the proposed use for which the withdrawal is necessary (protecting the sage grouse and its habitat from adverse effects).....At the same time, the proposed withdrawal of lands for locatable mineral location and entry to protect sage grouse and its habitat is inconsistent with Montana's strategy for protecting the birds. In the face of such limited justification, the BLM must place a priority on consistency with Montana's strategy.	1
I strongly oppose the Bureau of Land Management's proposed 10 million acre withdrawal that extends across six Western states. It's ridiculous that you would propose to withdraw 10 million acres in the name of the sage grouse, even though the Secretary of Interior opted not to list it as an Endangered Species and after the concentrated effort by the Western states to provide more protection for the bird.	1
The staff of the Wyoming Game and Fish Department (WGFD)...believe that the withdrawal is unnecessary because of Governor Mead's Sage-grouse Executive Order which provides a regulatory mechanism to cover non-fluid mineral activity regardless of mineral ownership. Sagebrush habitat within the SFA's would be adequately protected without a withdrawal. We have attached Governor Mead's Sage Grouse Executive Order 2015-4 for your reference. The EIS should include an analysis of all regulatory mechanisms including state permitting activity for mineral development in these SFAs.	1
On March 25, 2015, the FWS and BLM entered into the "Barrick Nevada Sage-Grouse Enabling Agreement" across 250,000 acres of private lands within the Southern Great Basin management area. This Agreement cites to 43 CFR part 3809 regulations for authority. Therefore it would qualify as a cooperative agreement ....With language nearly mirroring that found within the Barrick Enabling Agreement, the Newmont Mining Corporation...then it logically follows that cooperative agreements would adequately provide for the proposed use to protect the Greater Sage-Grouse. The adoption of the Barrick Enabling Agreement and Newmont Agreement only proves that the BLM could enter into a Cooperating Agreement to implement the State Plan and Conservation Credit System. The Agreement also shows that a credit system is a preferred approach with supporting funding and conservation efforts.... Entering into a Cooperating Agreement to implement the State Plan is preferred over entering into Cooperative Agreements with individual private entities on a piecemeal basis. These entities provide substantial funding and partnerships across the most important habitat that would support the success of the State Plan. Instead, they now potentially reduce the effectiveness of the Conservation Credit System and further stratify what should be a collaborative conservation effort. Such an Agreement would greatly enhance the mitigation bank and credit program developed by the State. Request I-A-C: To enter into a Cooperating Agreement with the State of Nevada to implement the State Conservation Credit System similar to what was provided for the Barrick Gold and Newmont Mining Corporations.	1
.....The reasonable range of alternatives should allow the BLM to analyze in detail the environmental impacts of the proposal and provide a clear basis for choice among options. <sup>74</sup> The Alternatives are supposed to reflect a balance between multiple uses and needs. To the extent that these needs conflict, the Agency must choose one over the other. It is NACO's position that many of the needs and requests expressed throughout this process do not conflict so long as the alternatives provide options that honestly compare and contrast these needs. Each alternative should present a realistic choice, otherwise the analysis is wasteful and simply "going through the motions" required by law. See I-B-C "There Are Available Alternatives to a Withdrawal," which urges the incorporation of the State Plan's Conservation Credit System and considers alternatives to the entire concept of the SFAs and the resulting Withdrawal. Alternatives to the decision to withdraw the SFA is distinguishable from the alternatives below, which presuppose that the SFA boundaries will be used to support the Withdrawal.	1



Comment	Number of Commenters Providing this Comment
<p>As you know, the State of Montana has undertaken significant efforts to establish a comprehensive sage grouse conservation program. These efforts started with development and implementation of conservation strategies identified in the Management Plan and Conservation Strategies for Sage Grouse in Montana (2005). That plan was the result of work completed by the Montana Sage Grouse Working Group. Local sage grouse working groups were formed and have been operational in Glasgow, Winnett, Miles City and Dillon. Montana has a 10-year history of working on this important conservation issue. In April 2013, I created a citizen-based sage grouse advisory council and asked them to formulate recommendations on policies and actions for a state-wide strategy to preclude listing of sage grouse under the Endangered Species Act. Through these efforts the State of Montana devoted a great deal of effort in designing a management plan for the protection of sage grouse and their habitat. The result was Montana Executive Order No. 10-2014, which created the Montana Sage Grouse Oversight Team, the Montana Sage Grouse Habitat Conservation Program, and the accompanying management plan (subsequently amended by Executive Orders 12-2015 and 21-2015). To further emphasize Montana's progress and commitment to sage grouse conservation, we were successful in passing the Montana Sage Grouse Protection Act during the 2015 legislative session. This act ensures that critical funding and support are available for necessary sage grouse conservation efforts in the future. This commitment is more than words: in addition to funding for staff resources, there is also a revolving conservation fund with an initial balance of \$10 million from the State of Montana. Today, our Sage Grouse Habitat Conservation Program has permanent staff and is fully operational. Our sage grouse conservation strategy has also been adopted by Montana's State Land Board and is being implemented on Montana's state lands.</p>	1
<p>The Montana Executive Order closely tracks the Wyoming State Greater Sage Grouse Core Area Strategy (Wyoming State Strategy). Both focus on working landscapes, where sage grouse and people coexist in a manner that not only protects sage grouse, but also protects the way of life for the people who live in sage grouse country. The success of sage grouse conservation in Montana is dependent upon implementation of conservation strategies on private and state land, and the Montana Executive Order is built specifically upon the premise that all lands would remain working lands sharing in common standards for sage grouse conservation. The proposed mineral withdrawal, in its current form, first surfaced in a memo from the U.S. Fish and Wildlife Service calling for inclusion in the BLM Plans of a "Sagebrush Focal Area" (Memo from Dan Ashe, Director USFWS, to Director, Bureau of Land Management and Chief, U.S. Forest Service, October 27, 2014), and was developed with little regard for consistency with Montana's efforts.</p>	1
<p>Since we were part of the team which developed Wyoming's Executive Orders, we are fully aware that Wyoming's conservation strategy is determined by the USFWS as an "adequate regulatory mechanism". We believe that "adequate" means nothing else is necessary. The Core Area Strategy contains the proper balance of habitat (sagebrush) and disturbance protections to conserve the GSG. The Core Area strategy together with the full compliment of conservation provisions were reviewed by the BLM and analyzed during its development and the agency should be aware of its adequacy. Bottom line the proposed withdrawal is unnecessary. They are, even as we speak, proving to be adequate.</p>	1
<p>Further, if there is any doubt about the efficacy of Wyoming's EO, It would be instructive to review the other landscape use restrictions and designations within the proposed withdrawal areas. They are considerable and daunting to any project proposer.</p>	1
<p>The withdrawal of lands for locatable mineral location and entry is without merit. The BLM must prioritize consistency with Wyoming's strategy. This unnecessary proposal has a chilling effect on the partnerships that Wyoming has developed. I oppose the withdrawal - Wyoming has an adequate regulatory mechanism to manage locatable mineral development. Commenter attaches previous letters of comments they made on the draft land use plan amendments and alternatives within the DEIS and that support adaptive management.</p>	1
<p>As reflected in the BLM's own analysis, the State of Montana can adequately protect sage grouse populations in the event of mineral development. When proposed mine exploration, development, or mining operations are on federal lands, state regulation is exercised in conjunction with federal controls. While focused on reclamation, Montana's regulatory reach covers all potential operational impacts of mining, including those on air and water resources. In addition to requirements of the Montana's Metal Mine Reclamation Act and Open Cut Mining Act which relate primarily to</p>	1

Comment	Number of Commenters Providing this Comment
<p>non-metalliferous minerals, Montana administers other environmental protection laws on lands within the state, including federal lands. Those include Montana's Water Quality Act, Air Quality Act, stream bed and bank protection laws and others. In addition, all permitting decisions by the Montana Department of Environmental Quality and other administrative agencies are subject to environmental review under the Montana Environmental Policy Act. This comprehensive regulatory framework is explicitly recognized in the BLM's own analysis. (HiLine Proposed Resource Management Plan and Final EIS, Appendix P, p. 1685). In addition, and not mentioned in the BLM's analysis, are other features of the Montana Executive Order, such as sequencing and mitigation and state regulation of linear features often associated with mineral development, that the USFWS found compelling in concluding that listing was not warranted. The proposed mineral withdrawal is perplexing, given that a similarly-proposed mineral withdrawal in Wyoming has been significantly scaled back because of the recognition that Wyoming has the authority to deny mining permits on federal land. Montana has the same legal authority, but there is no recognition of this point, or associated reduction of the proposed withdrawal.</p>	
<p>Multiple-use of the public lands is what we support and expect. Unless we, the public, support a more restrictive use through the legislative and legal process provided by law, the public lands should be managed under the concept of "Multiple-use". Sage Grouse are not endangered and removal of 10,000,000 acres of public lands from other uses is not warranted. Per the Endangered Species Act SEC. 6. ø16 U.S.C. 1535c (a) GENERAL -In carrying out the program authorized by this Act, the Secretary shall cooperate to the maximum extent practicable with the States. Such cooperation shall include consultation with the States concerned before acquiring any land or water, or interest therein, for the purpose of conserving any endangered species or threatened species. This is taken directly from the ESA and it is obvious that the Act and the procedure outlined for the protection of a species so it wouldn't be listed, is not being followed by the Agencies in this withdrawal. The State of Nevada and Elko County both have plans that have not had enough time to show results but are certain to if given time. Please withdraw this proposal and manage the lands identified under the multiple-use concept.</p>	1
<p>As you know, on September 22, 2015, the Department of the Interior (DOI) announced that listing the greater sage-grouse as an endangered species was "not warranted." I was among many across the West who applauded this conclusion. However , the next steps by the federal government have gone above and beyond what is specifically dictated in the Endangered Species Act. Allowing federally-crafted Resource Management Plans (RMPs) to supersede the state authority's to manage bird populations is unjust. The revised RMPs are incredibly expensive and extensive in their overreach, threatening agriculture, energy development, and public access...At the end of the day, I firmly believe state-driven solutions are the best approach for Montana. We have proved we are capable of working together to reach middle ground proposals to protect the species while ensuring energy development opportunities continue. Montanans took the time, effort, and financial resources to create a plan that has our diverse interests in mind. The federal government should respect our initiative and investment by allowing state and local authorities to protect the sage-grouse.</p>	1
<p>Putting 2.8 million acres in Nevada off limits to mining coupled with the other NVLMP land use restrictions and prohibitions may indeed create serious environmental problems given the wildfire dangers on Nevada's public and forest lands and the urgent need to reduce fuel loads (i.e, non-native annual grasses) on these lands. Withdrawing lands from mineral entry will result in lost conservation opportunities compared to the habitat conservation and enhancement that would be achieved by implementing the Nevada Conservation Credit System (CCS) in the Nevada Sage-Grouse Conservation Plan. The State Plan allows development of projects in PHMA in exchange for the substantial funds that private-sector project proponents must pay to the CCS which uses the contributed funds to conserve and enhance other high-priority habitat areas.</p>	1
<p>Greater consideration should be given to the smallest possible land package to be withdrawn, that has little or no mineral potential. All land withdrawals should be deferred until such time as the land management plans have been implemented and monitored for the effectiveness of mitigation and the need to protect and improve sage grouse habitat...it is believed this large land tract is unnecessary to protect the greater sage grouse and its habitat and clearly is not appropriate without first allowing the land management plans to be implemented and evaluated for effectiveness.</p>	1

Comment	Number of Commenters Providing this Comment
Let me start by saying excluding any lands from mining and exploration, or from any other authorized multiple use, is inconsistent with the Nevada Greater Sage-Grouse Conservation Plan (Plan) and the Conservation Credit System (CCS), which I believe is the best conservation plan for Nevada. Nevada's Plan and CCS create meaningful disincentives for mining and exploration in priority sage-grouse management areas through compensatory mitigation requirements that achieve and quantify a net conservation gain for greater sage-grouse. The CCS is also consistent with President Obama's recent Mitigation Policy.....As I stated before, Nevada proposes a No Action Alternative and prefers our state Plan and CCS as the proper management and conservation plan for Nevada.	1
Nevada believes that areas with high mineral potential should absolutely not be withdrawn from mining and mineral exploration. In that regard, the No Action Alternative is the preferred alternative for the State of Nevada. The No Action Alternative is consistent with the Nevada Sage-Grouse Conservation Plan (the Nevada Plan) which incentivizes avoidance of habitat disturbance in priority sage-grouse management areas, minimizes direct impacts of habitat disturbance based on applied Required Design Features (RDFs), and requires mitigation for direct and indirect impacts through the Conservation Credit System (CCS) that assures and quantifies net benefits to greater sage-grouse (GRSG).	1
Elko County Position / Recommendation No. 1: It is in Elko County's and Nevada's interest that the State of Nevada Plan developed by the Sagebrush Ecosystem Program be implemented without interference.	1
Elko County and the State of Nevada has committed resources and is dedicated to preserving Greater Sage-Grouse and its habitat. Nevada completed its State Plan to conserve Greater Sage-Grouse in 2014, and has directed significant funding at conservation of \$5.7 million for Fiscal Years 2015-2017. Special Report by Western Governors, Greater Sage-Grouse Inventory: 2014 Conservation Initiatives, Western Governors' Association, page 5 (March 2015). Nevada has spent over \$7.4 million since 2012 in support of Greater Sage-Grouse conservation efforts using ....Elko County's Greater Sage-Grouse Management and Conservation Plan and Elko County Public Land Use & Natural Resource Management Plan are designed to provide Greater Sage-Grouse management, conservation, preservation and re-habilitation measures, strategies and funding sources ...Expenditures ...exceed \$200,000 and no federal funding was used.....Implementation of withdrawals and will significantly undermine the potential effectiveness of the State Plan. Implementation will preclude the State from implementing its plan for a minimum of 20 years- before the state plan is even given an opportunity to be effective. ... Nevada and local specific data was not included in the delineation of SFAs, and no experts in the State were consulted. Overall, these are in conflict with federal policy, and design principles for CPR management.	1
Elko County Position / Recommendation No. 2: Rescind the Sagebrush Focal Area order and application for mineral entry withdrawal.	1
Elko County Position / Recommendation No. 3: Integrate the State of Nevada Plan as a Cooperative Agreement, over entering into Cooperative Agreements with individual private entities on a piecemeal basis. This would enhance the mitigation bank and credit program developed by the State and Local Plan.	1
Lincoln County has been a cooperating agency in the development of the BLM's Resource Management Plan Amendment for Greater Sage Grouse and we supported Wyoming's plan as a science based alternative to listing. We are disappointed with the federal government's failure to provide a transparent, collaborative process in establishing additional land-use restrictions on sage-grouse habitat in Lincoln County.	1
Among the issues that also need to be analyzed in the EIS are the changed circumstances that have occurred since the adoption of the RMP5• In this case the State of Oregon Department of Land Conservation and Development ("LCDRC") has adopted the Statewide Goal regulation relative to sage-grouse habitat (OAR 660-023-0115);6 and, the ODF&W rule establishes a mitigation policy for development within sage-grouse habitat (OAR 635-140-0025). The recent adoption of these two administrative rules and ODF&W's overlay maps relative to sage grouse habitat, represent new information that was not considered when the focal area concept was developed. The LCDRC sage-grouse Rule restricts large scale development within sage-grouse habitat. Given this new information it is questionable whether the proposed withdrawal is the least onerous method of achieving the goals and objectives of the resource management plans. A second changed circumstance is that the USFWS determined that the sage-grouse did not warrant protection under the ESA under current management. That decision was made notwithstanding that the mineral entry within the SFA's	1

Comment	Number of Commenters Providing this Comment
had not been withdrawn. The withdrawal is no longer necessary to avoid listing under the ESA...	
It is my opinion that the state of Nevada can better manage "state lands" than any federal agency -- DOI and USFS needs to cease the obvious draconian land grab effort and allow processes already established by state & local consortiums to improve recognized areas of habitat and predator control. That will promote healthy range land and support sage grouse & all wildlife management. At the same time -- allowing for responsible economic growth - I hereby reserve the right for additional comment!!	1
<b>4.4.2 Support No Action: Existing Regulations: Commenters assert that existing regulations or mining specific NEPA/mitigations are sufficient to protect sage-grouse</b>	
Blanket exclusion for filing a mineral claim under the 1872 Mining Law in a sage grouse management area is not reasonable land use planning. Claim holders are required to file a plan with the agency prior to disturbance of the area. This offers the agencies the opportunity to assess and manage the impacts to the sage grouse in the management areas.	8
These tools include existing mitigation requirements and practices already in place. Not only are wholesale mineral withdrawals not necessary to conserve the sage grouse and its habitat, productive uses can co-exist with, and benefit, sage grouse when coupled with appropriate conservation measures.	2
The NFMS position is that blanket exclusion for filing a mineral claim under the 1872 Mining Law in a sage grouse management area is not reasonable land use planning. Claim holders are required to file a plan with the agency prior to disturbance of the area. This offers the agencies the opportunity to assess and manage the impacts to the sage grouse in the management areas.	2
The BLM 3809 regulations are adequate regulatory mechanisms to address Greater Sage-grouse habitat, making these withdrawals unnecessary.	2
The existing Plan of Operations requires significant Greater-Sage grouse conservation measures and the NVLMP provides for heightened mitigation requirements for disturbance on lands identified as priority Sage-grouse habitat. These measures currently being implemented for continuing development in areas identified as priority Greater-Sage grouse habitat demonstrate the Agencies have the necessary regulatory tools to implement their multiple-use mandate and balance continued development of new discoveries such as WEX's and conservation. Accordingly, WEX's claims should be excluded from the lands proposed for withdrawal immediately.	1
We do understand the scope and purpose for the Sage Grouse Management Plan. In the Resource Management Plan Amendment there are recommendations on how to handle current active users rights to the land and its resources. These same requirements can be used moving forward with out withdrawal of locatable minerals.	1
Moreover, in order to obtain any new permit for disturbance within the SFA which, even without the withdrawal carries the highest level of protection for Priority Habitat Management Area ("PHMA"), mitigation will be required. Under the State of Nevada's Conservation Credit System, a company such as WEX that seeks to develop its mineral projects within PHMA could be required to provide for conservation lands to ensure protection of GSG habitat. This would potentially mean WEX would pay for conservation of a greater number of acres of habitat than it disturbs and for lands that the State of Nevada in collaboration with the Nevada Division of Wildlife and the Agencies have determined actually is the "best of the best" Greater Sage-grouse habitat. This is critical given than some of these lands are privately owned and cannot be regulated or protected for conservation through government regulation – but certainly can be sold if there is a market created by projects such as Doby George, Wood Gulch, and Gravel Creek. These long-term conservation measures required under the land management decision provide much greater benefit than the speculative conservation of placing WEX's 7,000 acres off limits to mineral development – especially in light of the fact that there may not be sufficient federal funds appropriated annually to manage these lands if they are withdrawn in a manner that conserves and enhances the habitat. WEX's continued operations and use of these lands will provide certainty that protective measures for the habitat will occur as required by necessary approvals for development.	1

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Mining can be done in a manner that either reduces or minimizes the environmental impacts to sage grouse populations. Oregon's land use authorities, working with your agency, have adopted an approach to protect core sage grouse habitat, and where there might be minor impacts to populations a requirement that land use activities, such as mining, either avoid, minimize, or mitigate those potential impacts. The proposed withdrawal trumps Oregon's thoughtful analysis of mining proposals by both state and federal regulatory authorities and sweeps all intelligent discussions under the rug without an opportunity to present site specific analyses of each individual project. Such an arbitrary, large scale withdrawal thwarts the intent of Congress, the intent of the Oregon legislature, and the thoughtful approach put together by Oregon land use authorities to protect sage grouse and allow for economic benefits that flow from mining. The contradiction between your proposal and the work that has already been completed is clear and disturbing, and ultimately harmful to the residents and the economy of the counties and the state as a whole.	1
The restrictions included in the BLM and FS land use plan amendments, as well as the withdrawal recommendation, were instrumental in the U.S. Fish and Wildlife Services' (FWS) Sept. 2015 conclusion that that listing of the sage grouse as endangered under the Endangered Species Act (ESA) was not warranted. The decision also rested on the unprecedented number of federal, state, local and private conservation efforts, including those voluntarily taken by the mining industry. Not only have mining companies entered into sage grouse conservation agreements <sup>1</sup> and conducted award-winning habitat restoration <sup>2</sup> , their active management of mine sites has routinely resulted in improved habitat.	1
Lake County considers a blanket withdrawal, as 'one-shoe-fits-all', to be unnecessary and inappropriate when examples of other acceptable conservation measures are available to adequately protect critical sage grouse habitat; aka: Sagebrush Focus Areas (SFAs).	1
...exploration activities actually improve the sagebrush ecosystem by reclaiming disturbed areas with appropriate native plant species. Additionally, these relatively benign activities support rural economies...Rather than banning an activity that does no harm, let's use the annual rental fees paid by explorers for every located mining claim to reclaim lands devastated by wildfire and support programs to suppress wildfire and stop the spread of invasive species.	1
The AFMS and NFMS position is that blanket exclusion for filing a mineral claim under the 1872 Mining Law in a sage grouse management area is not reasonable land use planning. Claim holders are required to file a plan with the agency prior to disturbance of the area. This offers the agencies the opportunity to assess and manage the impacts to the sage grouse in the management areas.	1
Our position is that blanket exclusion for filing a mineral claim under the 1872 Mining Law in a sage grouse management area is not reasonable land use planning. Claim holders are required to file a plan with the agency prior to disturbance of the area. This offers the agencies the opportunity to assess and manage the impacts to the sage grouse in the management areas.	1
It is important to realize over 90% of land disturbance from exploration activity is by law reclaimed, with habitat often improved in the process. Protective measures currently in place for known leks are extremely generous to the species, with additional protections unlikely to significantly affect sustainability.	1
We object to the proposed withdrawals within each of the six states for the following reasons: 1. Federal Lands are governed by 25 CFR Part 228 (National Forest System Lands) and by 43 CFR Part 3809 (BLM Lands) and mining activities are subject to additional Federal and State environmental regulations. Mineral claimants proposing to conduct activities on public lands are strictly governed by 25 CFR Part 228 (on National Forest System Lands) and 43 CFR Part 3809 (on BLM Lands). The notice in the Federal Register states that surface management by the BLM or the Forest Service would not adequately constrain nondiscretionary uses, which could result in loss of critical sage-grouse habitat. This statement is categorically untrue and undermines the management authority of both agencies while overstating the rights of mineral claimants. These regulations consider both the scope of the proposed operation and provides for adequate management authority to allow proposed activities to take place. Should proposed activities pose risks to identified Sagebrush Focal Areas in Priority Habitat Management Areas, they would be fully addressed on a project-by- project basis through the NEPA process, as required for all Notices and Plans of Operation submitted for all mineral exploration that	1

Comment	Number of Commenters Providing this Comment
may or will cause disturbance of surface resources on Federal land. Further, specific issues identified through scoping would be analyzed and project specific mitigations implemented to adequately address the issue(s).	
Unnecessary based on USFWS “Not Warranted” finding under the Endangered Species Act. The US Fish and Wildlife Service published a 12-month study on October 2, 2015 indicating that they no longer felt the potential listing of the Sage-Grouse was warranted under the Endangered Species Act. On page 59 of the report, the impacts of mining are discussed. The report states that mining occurs in each of the states, but is most prevalent in Wyoming and Nevada. “Mining has occurred throughout the range of sage-grouse since the mid-1800s (Nevada Mining Association 2015), and mining in sagebrush habitats continues today (American Mining Association 2014).” The report further analyzes existing mining activity and states that “the extent of these projects directly affects less than 0.1 percent of the sage-grouse occupied range. Although direct and indirect effects may disturb local populations, ongoing mining operations do not affect the sage-grouse rangewide.” Justifications for allowing other activities, such as hunting, recreation and grazing to continue echo the reasoning that the activities do not affect the sage-grouse rangewide. Allowing for multiple uses of public lands should continue in all regards, including locatable minerals while maintaining a systematic approach to review of proposed activities on a case-by-case basis. This finding in the USFWS report is contrary to the entire justification of this proposal and we urge you to consider allowing locatable minerals within SFAs to be reviewed on an individual proposal’s own merits, and deciding how best to implement the program while maintaining consideration for the effects on the sage-grouse habitat.	1
New mining operations are already over-regulated. For example the way we count releases is fictional - representing rock moved a short distance, NOT true releases of toxic heavy metals. In fact mine site are very clean and team with wildlife of all sorts.....These proposed restrictions come from an emotional/political nexus of uninformed people and activists. Policies should be based on reality.	1
My position is that the blanket exclusion for filing a mineral claim under the 1872 Mining Law in a sage grouse management area is not reasonable land use planning. Claim holders are required to file a plan with the agency prior to disturbance of the area. This offers the agencies the opportunity to assess and manage the impacts to the sage grouse in the management areas.	1
The NFMS position is that blanket exclusion for filing a mineral claim under the 1872 Mining Law in a sage grouse management area is not reasonable land use planning. Claim holders are required to file a plan with the agency prior to disturbance of the area. This offers the agencies the opportunity to assess and manage the impacts to the sage grouse in the management areas. The NFMS would like the implementation plans to address the conditions under which mineral claims can be filed in a sage grouse management area and mitigations that would have to be in place for exploration or mining activities.	1
This letter is sent to comment on your sagebrush withdrawal proposal. The attached map shows Carlin Gold US’s claims in the Snake Mountains, Elko County, Nevada. This is our Willow Project, and we have held these claims for 10 years. We have an active permit with a posted reclamation bond under the 3809 notice-level regulations. These regulations contain adequate provisions to address greater Sage-grouse habitat.... The north half of our claim block is within the currently defined withdrawal proposal area. There are also active claims north and west of our property that would also be in the proposed withdrawal. We respectfully request that your agency adjust the Sage-grouse focal area boundaries to reflect the well documented mineral potential here and specifically the active claims in the area.	1
I strongly protest your decision and ask that you rescind the entire area from your mineral withdrawal proposal. Surely, site specific procedures can be enacted that would minimize any negative impact to these birds.	1
I strongly oppose this withdrawl. Mining activity can be done properly and does not pose any probable disruption to the “Sage Grouse”.	1
Another argument against the proposed withdrawal is that the regulations already provide adequate regulatory control over mining activity and disturbance so additional protection is unnecessary and unwarranted. Except for locating a mining claim and limited exploration under a Notice of Operation, which involves minimal surface disturbance, all other mining activities can be controlled by application of the regulations.	1



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Withdrawal also says that the entire mine permitting process and the stipulations and conditions that can be mandated to minimize environmental impact are also worthless.	1
Half of the nation's hardrock mineral state is already either off-limits or under restrictions for development. As articulated in the BLM's 2006 Minerals and Energy Policy, BLM's land use planning and multiple-use management decisions will recognize that, with few exceptions, mineral exploration and development can occur concurrently or sequentially with other resource uses and that the least restrictive stipulations that effectively accomplish the resource objectives or uses will be used. The proposed withdrawal violates the Multiple Use Mandate by adding the most restrictive stipulations possible; complete withdrawal.	1
The withdrawal proposal seems to assume that the withdrawal is necessary because, without it, even given the agency's clear authority to implement such measures as are necessary to prevent undue impacts to surface resources, there are no sufficient means to control any mining activities which may occur despite the established dearth of mineral potential in the withdrawal area. This assumption is unwarranted. The agency itself, in its Appendix P in the Hi-Line draft RMP/Final EIS, recognizes the controls exercised over mining operations conducted on all lands within the state, private, state or federal, under Montana's mine reclamation laws. Montana has separate statutes regulating coal and uranium mining (Montana Strip and Underground Mine Reclamation Act, Montana Code Annotated (MCA) 982-4-201 et. seq.), metal mining (Montana Metal Mine Reclamation Act, MCA 882-4-301 et. seq.) and bentonite, sand and gravel mining (Open-cut Mining Reclamation Act, MCA 882-4-401 et. seq.). When proposed mine exploration, development or mining operations are on federal lands, the state controls are exercised in conjunction with federal controls. While focused on reclamation, Montana's laws take into account all potential operational impacts of mining, including those on air and water resources, fauna and flora. The MDEQ (and its predecessor the Montana Department of State Lands) has been considering impacts on sage grouse habitat in its mine permitting decisions, and mandating protective and mitigative measures for any such impacts, since at least 1977. In addition to requirements of the referenced mining statutes, Montana administers other environmental protection laws on lands within the state, including federal lands. Those include Montana's Water Quality Act, Air Quality Act, aquatic ecosystems protection laws, solid and hazardous waste laws. In addition, all permitting decisions by the Montana Department of Environmental Quality and other administrative agencies implementing these laws are subject to environmental review under the Montana Environmental Policy Act. The combination of these laws, and the regulations promulgated pursuant to these laws, means that the proposed withdrawal is not necessary to accomplish the stated purposes of the withdrawal.	1
Because, by the agency's own analyses, the potential for mineral exploration and development in the area of the proposed withdrawal is minimal, the withdrawal of the sagebrush focal area appears to have been a last-minute, "belt and suspenders" measure for the protection of sage grouse habitat in the SFA. However, because the controls on any mineral exploration or development of federal minerals in the SFA, both under federal law and regulation, and state law and regulation, are competent to protect sage grouse habitat in the area, particularly given the implementation by EO of Montana's Management Plan and Conservation Strategies for Sage Grouse in MT, the withdrawal serves no purpose and the proposal should be withdrawn. Some supporters of the proposed withdrawal might suggest that MT should not care about the BLM's action if there is not enough potential for mineral development to worry about. Such a suggestion is specious for at least three reasons. First, the suggestion that needless federal action should be condoned even if it is not supported scientifically flies in the face of reason, and only adds to the volumes of government regulations and policies that unduly burden our citizens and businesses. In addition, Federal action that is so obviously intended merely to cater to political special interests without providing any substantive protections violates our State's sovereignty and upsets the principles of Federalism so firmly planted in our Constitution. And finally, I note that thousands of acres of state-owned lands and minerals lie within the boundaries of the proposed mineral withdrawal, and MT has already taken significant measures to protect sage grouse on and off our state trust lands. Needless and inconsistent federal mineral withdrawals jeopardize our State's ability to effectively manage sage grouse protection measures on a comprehensive state-wide basis, and prevent us from fulfilling our fiduciary duties to manage state trust lands as required by Art. I, § 1 (Federal Enabling Act), Art. X, § 11 (Public land trust, disposition), of the MT Constitution.	1

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Other Tools are Available to the Agencies. The BLM has numerous tools in their “tool box” to protect the environment and minimize or mitigate adverse impacts to threatened and endangered species. For example, the BLM 3809 regulations are adequate regulatory mechanisms to address Greater Sage- grouse habitat. A mineral withdrawal, in violation of FLMPA and at great economic and national security loss to the nation, is therefore unnecessary and excessive, and should be a tool of last resort. Other tools include existing mitigation requirements and practices. Not only are wholesale mineral withdrawals not necessary to conserve the sage grouse and its habitat, productive uses can co-exist with, and benefit, sage grouse when coupled with appropriate conservation measures. The best way to provide for protection of the sage grouse, while simultaneously allowing continued economic development, is for BLM to develop conservation measures in cooperation with the regulated community that include a strong but pragmatic mitigation program.	1
MMA rejects the proposal as an unnecessary and premature measure to restrict economic activity without first weighing the merits of the withdrawal against the success of existing conservation policies.	1
I am a nature lover, hunter, and hobby rock collector. As such, I urge you to use great thought and restraint in withdrawing BLM land from mining use. Certainly the small mining activities most common can be restricted to activity outside the lekk/nesting season (most claims are only worked for a short time every year or two). Please do not blanket manage - do not simply close BLM land to mining. I am very worried such activity would prevent me from my summer hikes where I look for and collect rocks. This is a very important thing for me, and it lets me enjoy our public land with very, very little impact to sage grouse. It would be terrible to restrict us rockhound hobbyists from using our land.	1
BLM must justify why the withdrawal is needed at all in Nevada given the superior conservation that would be achieved by requiring mitigation through the CCS for mineral exploration and mine development projects (as well as for other types of projects) compared to withdrawing lands from mineral entry or implementing the other NVLMP land use restrictions and prohibitions in the SFA.	1
I like sage grouse and I think helping them proliferate is good but not at the complete expense of something as important as mining. Your closure is too broad and far reaching. There are better ways to help the sage grouse than the complete closure of mining. For example requiring mine operations to account for sage grouse populations as part of the environmental impact permit process already in place.	1
The EIS should evaluate a mitigation alternative that examines the use of mitigation measures at mining projects in proposed withdrawal area rather than withdrawing these lands from operation of the Mining Law. For Nevada, BLM should specifically examine how implementing the Nevada Conservation Credit System (CCS) for mineral projects on lands in the proposed withdrawal would result in effective conservation of high-priority habitats elsewhere in the state and achieve superior statewide conservation...mitigation through the CCS using private-sector funds would achieve superior statewide conservation than a withdrawal...because the SFA identified in the NVLMP are primarily a subset of Priority Habitat Management Areas (“PHMA”), it is irrational and therefore arbitrary and capricious to manage the two types of PHMA differently. BLM and USFS have endorsed the land use management tools in the NVLMP as being the appropriate tools for GSG conservation in PHMA. The PHMA land use management tools should be applied to the SFA/proposed withdrawal areas rather than withdrawing these lands. The EIS must evaluate an alternative that examines applying the PHMA conservation measures in the SFA rather than withdrawing these lands from mineral entry.	1
Finally, BLM manages mining operations on public lands under the 1872 Mining Law and FLPMA. FLPMA and BLM’s 43 CFR 3809 surface management regulations require all locatable mineral activities on public lands to prevent unnecessary or undue degradation of public lands during hardrock mining and reclamation. The 3809 Performance Standards (§3809.420) require compliance with all applicable Federal and state environmental laws and regulations in order to comply with FLPMA’s requirement to “prevent unnecessary or undue degradation of the public lands.” Under the regulations, all mining activities are conducted under a plan of operations approved by the BLM, and following environmental analysis under NEPA. The BLM may require additional measures to ensure that any mining operation that will not cause unnecessary or undue degradation of the public lands. BLM rules also require significant bonding to ensure full reclamation of surface resources. In accordance with applicable laws, regulations and policies, the BLM would be required to assure that mineral development is completed in a way that protects sage-	1

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grouse habitat. Moreover, the NEPA process for any mining operation would include full public input and must address the economic, cultural, and environmental consequences to the residents in the immediate vicinity of the proposed action. Each NEPA analysis would account for the cumulative impacts of all the operations that precede the subject proposal while anticipating the impacts of operations yet to be proposed.	
I do not possess or intent to file for any mining claims in this area but to totally exclude the filing of any claims in the future seems quite extreme since claim holders would be required to file a plan with the agency prior to disturbance of the area allowing the agency to manage the impacts in that management area.	1
For the proposed analysis, BLM must represent a more mature view of the mineral resource of these areas, in light of its multiple-use mandate. Mines do not encompass huge tracts of land in comparison to the millions of acres involved in the proposed withdrawal. BLM should consider alternatives that minimize and mitigate mining operations, such as those agreements now underway at the Alton Coal Mine or the Barrick operation in Nevada. The State recommends this EIS fully explore and analyze a full suite of best management practices, including disturbance caps, buffer zones and seasonal stipulations.	1
As any major mining development would be subject to its own EA/EIS and concerns for habitat protection should be addressed then.	1
The long-term protection of the sage-grouse habitat across management zones are numerous. Regulatory tools currently mitigate impacts to the sage-grouse. These protections include those provided by the Nevada State Plan, Council, and SEIT, or by the ARMPA. These include, but are not limited to: permit and license restrictions, exclusion areas, habitat designations, seasonal travel restrictions, lek buffers, mitigation requirements, and the Conservation Credit System. Thus, the risk of development remains curbed by other means whether or not the Mining Act remains in effect.	1
Population increases of nearly two-thirds from 2013 to 2015 cannot be attributed to land management plans finalized in October of 2015. <sup>61</sup> Rather, these increases are, and must be, attributable to local and State efforts. These efforts are sufficient alternatives....The BLM should wait to withdraw this land to give the State Plan time to be implemented. In the meantime, the ARMPA already imposes exclusion zones, restoration goals, grazing standards, and project guidelines that greatly limit what industry can do within prime habitat.	1
The withdrawal of public lands from mining claim location and exploration is not warranted. When a mining development plan is presented to the Federal Land management agency in charge there is an opportunity to put in offsetting benefits to Sage Grouse. This tool needs to be used vs. a withdrawal. Allow the States to supervise as they already have Sage Grouse management planning already in place to improve the production of Sage Grouse.	1
While the blanket exclusion of filing a mineral (mining) claim under the 1872 Mining Law in any sage- grouse management area is NOT reasonable or good land use planning. Claim holders are required to file detailed records and plans including reclamation of the site, with the BLM prior to using earthmoving equipment, offering agencies the opportunity to assess and manage any impacts within sage-grouse management areas. The BLM should implement plans to address the conditions under which mineral claims can be filed in sage-grouse management areas and mitigations that would be in place for exploration and/or mining activities.	1
Along with the NFMS we believe that a blanket exclusion for filing mineral claims under the 1872 Mining Law in sage grouse management areas is not reasonable land use planning. Current law requires claim holders to file a plan with the agency prior to disturbing an area. This requirement provides affected government agencies the opportunity to assess and manage the impacts pertinent to the sage grouse management areas. We believe the ROD should manage rather than eliminate mining claims.	1
It is essential, pursuant to both the Federal Land Policy and Management Act ("FLPMA") and the National Environmental Policy Act ("NEPA"), that BLM fully consider those deleterious effects and that it analyze alternatives for protecting sage-grouse habitat. A thorough consideration of those factors will demonstrate that the proposed withdrawal is unjustified, and that more narrowly tailored conservation measures will appropriately balance the needs for sagebrush protection and mineral production.	1

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There are a number of mechanisms that can be employed to mitigate any impacts of mining activities on sage-grouse habitat, such as habitat mitigation banking agreements, mining reclamation prescriptions, and habitat restoration measures, without need for the proposed wide-ranging withdrawal.....there are numerous options for minimizing and mitigating potential impacts to sage-grouse habitat that may result from mineral exploration and mining activities, such as mitigation banking, habitat restoration, and reclamation actions...BLM should consider alternatives that incorporate those types of sustainable and multiple-use measures.	1
(C) Existing Cooperative Agreements to Protect Greater Sage-Grouse in Equally Valuable Habitat Proves a Cooperative Agreement Can Adequately Constrain Nondiscretionary Uses Within SFAs. A cooperative agreement and right-of-way would adequately constrain nondiscretionary uses for the area encompassed by the Nevada SFA....SFAs and withdrawals are not needed as shown by recent cooperative agreements. This is further supported by the mining threat assessments in the COT Report and FWS Greater sage-grouse Findings coupled with the Barrick Enabling Agreement and the Newmont Agreement, and potentially others. FLPMA requires "An analysis and explanation of why neither a right-of-way under section 507 of the Act ..., nor a cooperative agreement under sections 302(b)... and 307(b)... of the act would adequately provide for the proposed use." ...In response, the BLM claims "The use of a right-of-way, interagency or cooperative agreement, or surface management by the BLM under 43 CFR part 3715 or 43 CFR part 3809 regulations or by the Forest Service under 36 CFR part 228 would not adequately constrain nondiscretionary uses, which could result in loss of critical sage-grouse habitat."	1
Newmont has substantial concerns with and opposes the unprecedented proposal to withdraw approximately 10 million acres of federal lands from location and entry under United States mining laws. That broad-brush approach would have substantial adverse effects on Newmont, the mineral industry, communities, and State and local economies; is unnecessary for conservation of the sage-grouse; and is contrary to long-standing principles governing federal land management. It is essential, pursuant to both the Federal Land Policy and Management Act ("FLPMA") and the National Environmental Policy Act ("NEPA"), that BLM fully consider those deleterious effects and that it analyze alternatives for protecting sage-grouse habitat. A thorough consideration of those factors will demonstrate that the proposed withdrawal is unjustified, and that more narrowly tailored conservation measures will appropriately balance the needs for sagebrush protection and mineral production.	1
Should further work be recommended as a result of the initial geological studies, there are ample reclamation bonds, required permits, rules and regulations in place to oversee the social, wildlife and habitat impacts from drilling and other advanced exploration activities. Should an economic deposit be discovered and put into production, extensive permitting regulations are already on the books, bonds to cover reclamation are put into place, mitigation lands are identified, and habitat improvement that far exceeds the mine area reclamation requirements are initiated to enhance habitat quality for future generations. This is all done at no cost to the taxpayers.	1
Environmental responsibility is woven into the very fabric of the modern mining industry. Mineral exploration, discovery and mining are highly regulated on the local, state, and federal levels. Industry must comply with a long list of environmental statutes to protect our water, air, lands and wildlife or suffer the consequences.	1
The BLM 3809 regs are adequate regulatory mechanisms to address Greater Sage-grouse habitat, making these withdrawals unnecessary.	1
Existing regulations are effective in protecting and reclaiming habitat.	1
The EIS should evaluate a mitigation alternative that examines the use of mitigation measures at mining projects in proposed withdrawal area rather than withdrawing these lands from operation of the Mining Law. For Nevada, BLM should specifically examine how implementing the Nevada Conservation Credit System (CCS) for mineral projects on lands in the proposed withdrawal would result in effective conservation of high-priority habitats elsewhere in the state and achieve superior statewide conservation.	1
Pursuant to 43 C.F.R. § 1610.5-2, this formally protests the Montana Hi Line RMP Greater Sage- Grouse Land Use Plan Amendment by Bureau of Land Management/United States Forest Service ("Agencies").....Imerys and S&B Industrial Minerals NA as "Protesting Parties" strongly support conservation of the Greater Sage-grouse (GRSG). The Agencies have dedicated tremendous resources to Greater Sage- grouse (GRSG)	1

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conservation, and the Protesting Parties strongly support those efforts. As members of the regulated community we actively practice stewardship on the public lands - lands upon which the sustainability of our business models depend. We are adversely impacted by the illegal proposed Land Use Plan Amendments and have, since the GRSG listing petition was originally received by the USFWS in 2002, been fully engaged in conservation of the species.	
The existing regulatory authorities and administrative practices make the proposed action unnecessary	1
...mining is not a primary threat to greater sage-grouse and its habitat...existing surface management regulations are more than adequate to conserve the greater sage-grouse and its habitat from any purported harm caused by mining....The greater sage-grouse land use plan amendments already contain severe restrictions on mineral exploration and development,in addition to existing surface management regulations on federal and state levels. Therefore, the proposed withdrawal is unnecessary	1
The current conservation efforts for sage grouse are working, sage grouse populations have increased. Therefore there is no need for the SFA withdrawal.	1
(2) Within some of the areas (SFA's) proposed for withdrawal there has been fires that have consumed hundreds of thousands of acres in the last few years (i.e. Montana Mountains), which was prime habitat. Yet these lands are still within the SFA, therefore considered "priority habitat." It will take years to restore that habitat. Why can't mining be treated similarly? Mining is temporary and reclamation is mandatory, so mined lands will eventually become habit again.	1
Mineral exploration actively improves habitat this way: when we finish work we clean up after ourselves. You collect bonds from us to be sure that happens. In the process of working, we remove invasive plants, In cleaning up we plant weed free seeds of a mixture you specify. The net result is improved habitat. In addition, you collect claim fees from us that can be used for habitat improvement, fire suppression, and post-fire rehabilitation. If we do not locate claims, you will not have that money available to you. SFAs should not be withdrawn from mineral entry.	1
The sage brush focal areas proposed withdrawal plan is flawed as it only mentions "damage" to the habitat by hardrock mining. The real destruction of habitat is rampant wildfires due to drought & ineffective fire management....Ironically, when mining reclaims project areas, they are required to reseed, often w/sagebrush as one of the priority species. What/how do you encourage growth of sagebrush in fire areas. (A detailed discussion will be sent prior to the deadline of Jan 15, 2016.	1
...Not only are wholesale mineral withdrawals not necessary to conserve the sage grouse and its habitat, productive uses can co-exist with, and benefit, sage grouse when appropriate conservation measures are in place. It would appear that the best way to provide for protection of the sage grouse, while at the same time allowing continued economic development, is for BLM to develop conservation measures in cooperation with the regulated community that include a strong mitigation program.	1
Mining operations which take place under the existing regulations can be designed, implemented, mined areas reclaimed and monitored successfully without withdrawing the areas from mining activity. Well-designed reclamation of public lands impacted by mining can ultimately lead to higher value habitat than if the same lands were left unmanaged.	1
Nevada explorers and miners work within tight oversight by BLM and USFS staff. No drilling is allowed on public lands without a detailed reclamation plan and a financial bond of significant amount to cover the disturbance on the project...After completion of the project, the land is reclaimed and reseeded. No reclamation monies are returned until the governmental agency signs off on the project...	1
<b>4.4.3 Support No Action: Other Threats: Commenters state that other factors, such as wildfire and weeds, are greater threats to sage-grouse than mining</b>	
I object to the proposed withdrawal of 10 million acre mineral rich federal lands from new mining activities for the following reasons: - Mining is not even considered a major threat to the bird or its habitat as evidenced by the department's own supporting documents, which point to wildfires and invasive species as the greatest threats to the sage grouse...	253

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On September 22, 2015, the department of Interior announced that the listing of greater sage-grouse was not warranted. The greatest danger to sagebrush is fire, the great danger to sage-grouse is predation. This proposal will protect neither. Montana FWP is proposing to ship 120 sage-grouse to Alberta, thus the sage-grouse population must be healthy and not needing any more habitat.	2
Concerning the BLM proposal of over 10 million acres of land to be withdrawn in the west. USFWS "not warranted" decision states that mining's impact is minimal and local to the project areas. Less than 0.1% of the 173 million acre habitat is impacted by all mining. This is minuscule compared to the overwhelming impact of unregulated wildfire.	2
OMA has read and concurs in the entirety with the December 23, 2015 letter submitted into this record by Katie Sweeney on behalf of the National Mining Association (NMA), and the letter submitted today by Maegan Woita on behalf of the American Exploration and Mining Association (AEMA). Each letter references earlier acknowledgments by both BLM and the United States Forest Service (USFS) that mining operations do not pose a primary threat to sage grouse or their habitat, making the proposed withdrawal a gross form of overkill that tackles the wrong threat. The mining footprint in the West is extremely modest, and even more so in Oregon. Withdrawing nearly 2 million acres in Oregon from mineral exploration is akin to killing an ant with a howitzer.	1
These RODs and greater sage-grouse land use plan amendments severely restrict uses on the federal lands within greater sage-grouse habitat, especially in regards to mineral exploration and development. These restrictions are in addition to the existing surface management regulations under FLPMA, and Forest Service regulations. These decisions are contrary to common sense and are based on misguided concepts based on unsubstantiated assertions that exploration and development of mines has large scale impacts on habitat when in fact the studies themselves note that less than 0.1% of the land area in the study areas are actually predicted to be impacted. In fact, it is just flat out bad science, based more on political considerations than science that the management plans and withdrawals are focused on small spatial footprint, temporary, minerals activity and directed at a small minority of public land users while the primary offenders grazing and wildfires run amok due to the lack of proper management of grazing, not mining are the real causes. Years of allowing overgrazing and mismanagement by the BLM of grazing activities, with a much larger and politically powerful group (e.g., ranchers) and subsequent degradation of the sage grouse habitat from wildfires are the primary causes of the issue, but the BLM has decided to take it out on the mining industry since the political impacts are far less. This isn't science, its junk science.	1
The Notice also began the two-year segregation period, which does not expire until September 24, 2017. The Notice also stated that "...the use of a right-of-way, interagency or cooperative agreement, or surface management by the BLM under 43 CFR part 3715 or 43 CFR part 3809 regulations or by the Forest Service under 36 CFR part 228 would not adequately constrain nondiscretionary uses, which could result in loss of critical sage-grouse habitat..." This assertion is just plain preposterous that land management agencies cannot manage the use of the public lands by a small group of modern mining users, but can seemingly manage well the large number of grazing allotments that are the root of the problem.	1
The impact of mineral exploration over the very large area of identified habitat is small, mostly the ability of geologists and others to be in an area, drive on existing roads, hike elsewhere, and inspect geologic features. Impact is greater once a serious exploration target is identified, but those targets are tiny compared to the area of habitat. Although prospective areas are large, individual mineral deposits are small, with surface footprints generally in the range of 10's of acres to rarely several square miles for larger types of deposits, e.g., some Copper deposits. Again an example from the region of known and potential Lithium resources near McDermitt, Nevada: a potential Lithium mine in this area might cover a few 100's of acres, and overall development would be much less than 1000 acres. In contrast, the Holloway fire of 2012 apparently affected more than 450,000 acres that overlapped significantly with the lithium prospective area. I have seen parts of the fire area, and no vegetation remained (see accompanying photo). Thus, one major fire decimated sage grouse habitat in an area 450 times the area that would be temporarily affected by mining and would be reclaimed after mining. Based on the assessment of BLM and US Fish and Wildlife Service, this disparity in impact between wildfire and invasive vegetation that will occupy the burned area and geologic resource exploration and development holds true throughout	1



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Nevada. Geologic resource exploration and development are not the problem, and withdrawals that greatly reduce them will do effectively nothing to help the greater sage grouse.	
In the US Fish and Wildlife Service's decision to not list the GSG as threatened and endangered, they indicated that mining activities have a minimal impact to the 173 million acre habitat; namely less than 0.1% of that total. If this is the case, why was this withdrawal proposed? It would appear that the mining industry has been singled out despite the miniscule amount of habitat that we impact by our activities. The real threat to the GSG habitat is wildfire and the agency(ies) must address that issue first and foremost.	1
Impacts by the mining industry are for the most part minimal, whereas the exploration process requires being able to screen large acreages with essentially no disturbance in order to focus in on small tracts for further work. By far the major impact to sage grouse habitat is wildfire and there seems to be little in the sage grouse EIS (separate document) that addresses controlling fire. Why in the world is mining punished for problems related to fire?	1
As a result, despite the acknowledgement of fire and invasive species as driving actors in species population and habitat degradation, the BLM and FS fail to prioritize these primary threats in their land planning process and instead focus on dramatic restrictions to activities.... BLM's own reports describe mining's impacts as being "localized."...	1
The cycle of devastating wildfires and the damage they cause to slow recovering sage-brush, coupled with the invasion of faster growing cheatgrass is well known and is without dispute the paramount driver to sage grouse habitat degradation. The cycle of fire and pervasion of invasive species is well documented as the primary threat to sage grouse habitat.	1
The BLM and FS fail to prioritize these primary threats in their land planning process and instead focus on dramatic restrictions to activities, including the recommendations to withdrawal 10 million acres from mining. BLM's own reports describe mining's impacts as being "localized."	1
Fire is the issue! Why put all these restriction on mining and energy when they are such minor contributors?	1
With due respect, the grouse is not going to benefit from this hiatus of activity in the "Focal Areas". Fire is the enemy, not the relatively benign activities of industry. My best assessment of your proposal is that you are trying to regulate what you have control over. This proposal is for the benefit of someone or some cause other than for the Sage Grouse! My worst assessment of your proposal is that it is a sham. It has become a backdoor revue to circumvent the Mining Law, promote the Wildlands Project concept advocated by known Eco-Terrorists (the governments label, not mine), and in general exert even more control over land within the State of Nevada.	1
We also note that any impacts on sage grouse habitat from mining and geothermal development in the region are relatively miniscule. Although mining has been a huge part of Nevada's economy for over 150 years, it impacts less than 0.5% of the land within the state.....In contrast, wildfires from 2000 to 2015 alone burned ~25% of the SFAs in Nevada, amounting to greater than 695,000 acres (Figure 1). Considering the relative impacts on sage grouse habitat by fire and climate change versus less than 1% of the land affected by existing and potential future mining and/or geothermal development, it seems far more prudent to develop a plan that addresses the primary impacts on habitat (e.g. wildfires) but continues to allow mineral entry and development, with suitable requirements, of course, for reclamation. This approach would likely facilitate multiple opportunities for habitat remediation between the extractive industries and state and federal agencies, potentially fostering strong synergies that could ultimately resolve the primary challenges facing the sage grouse species.	1
II. The Mineral Withdrawal is not Necessary to Conserve Sage Grouse or their Habitat. Wildfire and invasive species are primary threats. As a threshold matter, BLM has failed to demonstrate that the withdrawal of 10 million acres from location and entry under the general mining laws is necessary or even recognizably beneficial to achieve the objective of conserving the sage grouse and its habitat. It is undisputed that wildfire and invasive species are the primary threats to sage grouse throughout its range. Similarly, the FWS' 2013 Greater Sage Grouse COT Report identifies fire as "one of the primary factors linked to loss of sagebrushsteppe habitat and corresponding population declines of greater sage-grouse." The cycle of fire and pervasion of invasive species is well documented as the primary threat to sage grouse habitat.	1

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I am strongly opposed to the proposed withdrawal from mineral entry (currently sequestration) of more than 10 million acres of public land in northern Nevada, southern Oregon and southern Idaho for the following reasons: First, the withdrawal does little or nothing to preserve or improve the sagebrush habitat. It is accepted scientific fact that the primary threats to the sagebrush habitat are wildfire and invasive species. Mineral entry is not a threat to the sagebrush ecosystem because modern exploration activity has an extremely light impact on the land and what little impact is made is reclaimed leaving the land in the same or better condition than previous. Mineral entry does not mean that there will be a mine. Very few projects (less than 0.1% according to empirical industry experience) actually turn into mines and if a viable deposit is found and a mine is built, it is mandated by federal, state and local regulations to be one of the most environmentally sensitive industrial operations in the world..... Restrictions on access to public lands should be limited to those activities that actually damage the land and its ecosystem.	1
Mining is not even considered a major threat to the bird or its habitat as evidenced by the department's own supporting documents, which point to wildfires and invasive species as the greatest threats to the sage grouse.	1
Mining is not even clearly not a major threat to birds including the sage grouse. In fact the sage grouse often use the man made structures and water sources in and around mines, as does other wildlife. Mines and related exploration areas are in fact very tiny (and temporary) relative to the giant extent of the habitat. The disturbance is economically self-limited.	1
Mining is not even considered a major threat to the bird or its habitat as evidenced by the department's own supporting documents, which point to wildfires and invasive species as the greatest threats to the sage grouse;	1
The Department maintains the withdrawal is necessary to prevent a listing of the sage grouse. Yet, most of the reports prepared for the listing determination do not identify mining activities as a significant threat and instead point to wildfires and invasive species as the greatest threats. In fact, the agency's own report shows that all development activities only impact seven percent of the entire ecoregion, yet mining is asked to pay the price with mineral withdrawals which are vastly disproportionate to its footprint....	1
Mining is not even considered a major threat to the bird or its habitat as evidenced by the department's own supporting documents, which point to wildfires and invasive species as the greatest threats to the sage grouse;	1
The EIS must evaluate and quantify the actual benefits to sage grouse and their habitat from the withdrawal of 2.7 million acres from mineral entry. It is important to note that the U.S. Fish and Wildlife Service did not identify exploration and mining as the major threats to the species.	1
Having lived in this area for the last 18 years I have to make the observation that a much greater issue for the impact on the sage brush environment has been the BLM's approach to fire management which as far as can be ascertained for many years has been to let it burn. Thankfully for the last few years there seems to have been a more aggressive approach. How about putting the BLM's time and effort in a plan to eradicate the cheat grass rather than an ill-conceived land withdrawal?	1
In Oregon, the BLM proposes to withdraw almost 2 million acres of Federal lands: "determined to be crucial to the survival of the greater sage-grouse." Supposedly this proposal was made: "in response to the U.S. fish and Wildlife Service identifying habitat disturbance and fragmentation caused by certain hardrock mining operations as a threat to sage grouse habitat." The identification of the threat by the FWS and the response to the threat by the BLM are not supported by fact, logic or science in Oregon. Mining in Oregon does not result in significant disturbance, nor does it result in fragmentation, especially when compared to other man-caused activities that are not being regulated in the same Sage Grouse habitat.	1
The withdrawals unfairly single out mining as opposed to activities that are not addressed but have vastly greater potential to adversely affect sage grouse habitat, such as wind energy development, pipelines and unregulated recreational activity.	1
The Proposed Withdrawal is not necessary to protect the sage-grouse. The Application and subsequent withdrawal is unnecessary because mining is not a threat to sage-grouse. In its 2010 Finding, the Fish and Wildlife Service ("FWS") identified the threats to sage-grouse across the western range. The primary threat to the species' western range, including Idaho, is habitat fragmentation from fire and invasive weeds. Moreover, the Conservation Objectives Team ("COT") Report indicates that mining is not a threat in four sage-grouse populations in Idaho (East Central, Snake-	1

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Salmon-Beaverhead, Sawtooth, and Weiser), and only a localized threat to the Northern Great Basin population. The Forest Service also concedes that the sage-grouse is "most threatened by fire and invasive species."	
I'm curious why hunting of sage grouse is still allowed if they are endangered? Also why are you not working on the cheat grass problem fueling wild fires, rather than blaming small time miners and hobby rock hunters? that have little to no impact at all. Were not big mining companies. What is the real reason you want to cut the public off the public lands. certain patches of public land? The areas that are all high mineral places....what does this really have to do with birds? I smell a big Rat!!! You say this will not impact existing claim owners but putting a two year pause on our collecting does have impact. What next ...what's the long term plan .. The hidden agenda plan?? I will sign the petition that was started and take it to the Arizona gem shows with me to collect more signatures.	1
BLM has failed to demonstrate that the withdrawal of 10 million acres from location and entry under the general mining laws is necessary or even recognizably beneficial to achieve the stated objective of conserving the sage grouse and its habitat. It is undisputed that wildfire and invasive species are the primary threats to sage grouse throughout its range. BLM summarized the impacts of these threats in its Record of Decision (ROD) approving the Resource Management Plan Amendments, stating; "The primary threats [to sage grouse] are the widespread present and potential impacts of wildfire, the loss of native habitat to invasive species, and conifer encroachment." Despite the acknowledgement of fire and invasive species as driving factors in species population and habitat degradation, the BLM and USFS fail to prioritize these primary threats in their land planning process and instead focus on dramatic restrictions to activities, including the recommendations to withdrawal 10 million acres from mining.	1
....something going extinct is part of the cycle and mining is one thing that is not a large factor in a species going extinct, that is nature's call. The glaciers are growing so with that being said, don't close mining, ...	1
Major threats to Sage Grouse and their habitat include wildfire and invasive species, and exploration can help combat those threats	1
Fire and cheatgrass	1
Long-term climatic variation	1
Sage grouse in Nevada are not an endangered species; there is an actual hunting season on them in Nevada. Fragmentation of sage grouse habitat may be a concern where invasive cheat grass is concerned, but that has nothing to do with mining. Invasive grass species have taken over large areas of sagebrush habitat by out competing native flora. The enemy then is cheat grass not mining. In these modern times, Nevada miners reclaim lands disturbed by mining activities to enhance the natural habitat of the area. Careful recontouring, and revegetation programs are required by Federal and State agencies as part of the mining process.	1
From my opinion, fire always has been and always will be a component that is part of the natural land cycle of Nevada and the west. The sagebrush ocean has always recovered and benefited from fire. With cheat grass arriving in the last few decades it has short circuited the ability of sagebrush and other native species to compete for the space. Cheat grass grows fast in the spring, and dries up the soil so native species can't compete with it. Available funding should go to figuring out how to get cheat grass off the land. Genetitic sterilization of cheat grass would be an effective approach to deal with the sage grouse habitat problem.	1
Mineral exploration and certain hard-rock mining operations proposed by the U.S. Fish and Wildlife Service in the proposed SFA's did not, nor will it cause the decline of the sage grouse or the loss of their habitat in the future. The decline is due to Wildfires and the lack of the Revegetation and Restoration of the burned lands. Withdrawing these SFA lands from mineral exploration and mining will not only reduce current revenues from Washoe, Humboldt and Elko counties of Nevada, but the loss of current and future jobs and revenues that could be used for fixing, in my opinion, the Real Problem of finding ways to fight the true cause of the loss of the Sage Grouse Habitat which are wildfires...BLM should focus on to find solutions to fund revegetation and restoration programs to protect and re-establish the Sage Grouse and other wildlife habitats...	1

Comment	Number of Commenters Providing this Comment
Recent initiatives to protect threatened sagebrush habitat across the western US are a good step forward but should include exemptions for mineral exploration and mining. Mineral exploration and hardrock mining impact less than 0.1% of the 173 million acre sagegrouse habitat, a pittance compared to regions impacted by wildfire and livestock grazing, which are estimated to constitute 85% of the threatened habitat. Many studies have linked wildfire to invasive cheat grass, which in turn is associated with over grazing. To put this in perspective, the impacts from mining and mineral exploration to sage grouse habitat could be readily offset if each of us ate just 0.5% less beef.	1
A common sense approach targeting the problems will be more effective than some of proposed solutions like temporary withdrawal of mineral lands and other radical ideas. Spending time and money on wildland fire and predators will be more effective than a proposed temporary closure of lands for mineral exploration.	1
Wildland fires certainly have a greater and more devastating impact to habitat than localized mineral locations.	1
...most of the reports prepared for the listing determination do not identify mining activities as a significant threat and instead point to wildfires and invasive species as the greatest threats...The withdrawal ignores the role that mining companies take in actively managing the federal lands on which they operate. During mine reclamation, mining companies frequently restore low-value habitats into prime potential sage-grouse habitat by eliminating invasive species and reducing risks of wildfires.	1
Can public education be used to preserve sagebrush habitat and save the sage grouse? Improve fire management on sagebrush habitat (and forests), including public education and restrictions and real penalties for persons starting fires, intentionally or accidentally. I'm tired of paying my tax bill to fight fires started by careless idiots.	1
As a Nevada resident I would like to comment on the state lands that have been segregated and proposed by the federal government, for withdrawal from mineral entry as well as from public use ostensibly for the protection of sage grouse habitat. Protection and conservation of sage grouse habitat should be handled on the state level. The Nevada Department of Wildlife (NDOW) has developed guide lines with which to protect the bird and its habitat. Biological and rangeland studies conducted by various state and federal agencies have demonstrated that conservation efforts by ranchers and mining companies have been very effective in protecting sage grouse habitat from its biggest threat, range fires. Grazing practices by ranchers and rangeland fire prevention efforts by mining companies have provided the necessary conservation to protect and even expand sage grouse habitat in Nevada.	1
“We didn’t want an ESA listing, but in many ways these administrative rules are worse,” stated Idaho Governor C.L. “Butch” Otter in a Sept. 25 press release. “This complaint is an unfortunate but necessary step to protect the rights of Idaho citizens to participate in public land decisions that will impact their communities, their economy and their lives. Our people deserve to be involved in development of critical land-use plans that will responsibly address the most serious threats to Idaho’s sage-grouse population—wildfires and such invasive species as cheat grass that are fueling them.” This situation is reminiscent of another bird that was used by extreme environmentalists for a larger agenda—the spotted owl. Just as that bird crippled the logging industry, this scheme would do unnecessary and undue harm to ranchers and recreationalists alike. J. Wayne Burkhardt, who taught range management, has been studying the sage grouse and potential threats to the birds since the mid-80s. He stands by more than 30 years of research that say the main threats to sage grouse are not humans or surface disturbance brought on by ranchers, prospectors or other recreationalists, but instead cheat grass and wildfires. It appears that BLM needs to do its homework. Not only are humans not the cause of the sage grouse decline, but less involvement could mean the end of the species altogether. With the demise of the logging industry came the gross mismanagement of the forests, which has resulted in the explosive forest fires that barrel through our Western states now. And guess what happens to not only the owls and grouse, but all the other animals in the forest and on the range? Cripsy critters. “When you think about it, the No. 1 threat to sage grouse is cheat grass and wildfire so you take away grazing and you leave all that grass out there to burn,” Burkhardt said.	1

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The third largest threat, Burkhardt added, are predators. This is the circle of life, and at some point you must stop playing God. If you are scientists at all, you probably believe in evolution and “survival of the fittest.” Well, there you have it. “They did the same thing with the desert tortoise in the Mojave—listed the desert tortoise and used it to stop virtually all land use in the Mojave Desert on public lands,” he said. “And, the tortoise was the excuse, yet all the data showed that tortoise hatchlings when they emerged from the burrow, the ravens just picked them up one at a time until they cleaned them out.” BLM’s response to this? When asked about the biggest detriment to sage grouse, BLM’s own Environmental Coordinator in the Lander, Wyo. Office, Kristin Yannone, said, “I’m not a biologist and I cannot offer a professional opinion on that.”	1
I predict they will also have minimal positive impact on the Greater Sage Grouse and its preferred sagebrush habitat because the management recommendations fail to substantively change the primary threats to sagebrush: wild land fire and invasive weeds. They also fail to acknowledge the underlying and difficult problem of population growth and the conflicts of a growing population with the natural habitat. Instead, this withdrawal of 10 million acres from locatable mineral entry appears to be a political buy-off of the US Fish and Wildlife Service and NGO groups at the expense of both small-time miners and corporate mining entities with little political support under the current federal administration. Like it or not, the 1872 mining law is still the law. Congress and the federal government have failed to come up with any viable alternative – even when the industry has been willing to accept reforms and is already regulated by dozens of additional environmental laws.	1
My recommendations mirror those of Don Buford and the crew at Dust Devil: 1. Set aside two million acres for Sage Grouse habitat in areas where there are no mines currently operating or that have minerals or oil/gas that are necessary for the economies of local communities, states, or the country. This area should be where Sage Grouse currently reside but may be threatened by disappearing habitat. 2. Utilize cattle to graze off cheatgrass in the very late fall and very early spring before the native perennials begin to emerge. 3. Utilize Pseudomonas plurescens bacteria to destroy the root systems on cheatgrass. It will not affect the bunch grasses, sage brush or forbs. 4. Use Plateau herbicide or other herbicides that do not harm bunch grasses, forbs or sage brush. Use of a short toxicity pre-emergent herbicide administered just before cheatgrass emerges would have a very favorable effect on the habitat..... 6. Allow mining in the areas where there is little or no Sage Grouse residing because of lack of suitable habitat. When reclaimed, these areas should be planted with native bunch grasses, forbes and sage brush. Miners doing reclamation should be encouraged to make sure there is sufficient top soil and allowed to use a water holding additive such as mulch or silica gel that will help new perennials grow. Many of the mining areas have no sage brush because of wild fire. The rock is so close to the surface that only cheatgrass can survive for many years. The mining process creates what we call fines that can be put over the rock to provide something in which plants can grow. These fines are mineral rich but lack nitrogen so a nitrogen based fertilizer should be used. The addition of native legume seed will fix nitrogen into the soil. The mining process also allows for increased habitat for burrowing animals such as sage rats, kangaroo rats, jackrabbits, mice and lizards. This provides more prey for coyotes, hawks, owls and eagles who might otherwise have a Sage Grouse dinner.	1
Withdraw this mining withdrawal proposal and focus on the real scientific causes of sage grouse habitat reductions.	1
Mineral development occurs in discrete areas where economic mineralization occurs. In its recent decision determining that listing of the sage-grouse is not warranted under the Endangered Species Act, the USFWS noted that less than 0.1 percent of sage-grouse occupied range is affected by mining projects. Given the small area of mining activity in sage-grouse habitat, a 10 million acre withdrawal is not necessary or appropriate for sage-grouse conservation. Documentation prepared during the RMP/LMP amendments indicates that the primary threats to sage-grouse habitat are rangeland fires and invasive species, not hardrock mineral activities.	1
Wildfires and the spread of invasive species, such as cheatgrass, have been determined to be the paramount cause of sage grouse habitat degradation, not mining. Mining operations are already restricted or banned on more than one half of all federally-owned public lands. Further restrictions on mining when it isn't the cause of sage grouse habitat degradation, makes no sense. Why curtail or prohibit mining when it isn't the problem? Even the BLM has admitted that mining isn't the problem with degradation of the sage grouse habitat. The BLM stated in its ROD approving the Resource Management Plan Amendments that "the primary threats [to sage- grouse] are the widespread present and potential impacts	1

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of wildfire, the loss of native habitat to invasive species and conifer encroachment.	
Granted the numbers of the birds are down from historical highs but the reason is primarily due to a high number of predators, particularly the nest predators. The Endangered Species Act provides that in addition to loss of Critical Habitat for a species that Predator Control can also be a cause and need to protect a species from becoming endangered. For the US Fish and Wildlife Service to ignore that predators are a distinct and documented cause of reduced numbers of Sage Grouse lends one to believe that they have purposely ignored the studies conducted by Universities such as Idaho State University in Pocatello as well as many other valid private and public studies. Identifying habitat disturbance and fragmentation caused by hard rock mining operations as a reason to withdraw 10,000,000 acres from multiple uses without doing anything about predators is objectionable to our members, not to mention the fact that mining occupies less than 2% of total lands in Nevada. A University of Idaho Study shows that Ravens are taking a high percentage of the Sage Grouse eggs out of the nest. Raven population has grown immensely over the past 40+ years that they have been protected by the Migratory Bird Treaty Act. Other feathered predators include the Magpie whose population has been expanding on a rapid rate in recent years. The Sage Grouse is not a migratory species and thus the State of Nevada has control of it.	1
By BLM's own admission the most significant impact to their perceived view of the decrease in the Sage Grouse (SG) population is habitat loss caused by wildfire. We agree. We have observed the BLM, who is responsible for fire management, stand back waiting for an archeologist to investigate an area for offloading a bulldozer to fight a fire, while a small fire turns into a raging inferno, impossible to control, destroying thousands of prime SG habitat.....In addition, we have witnessed the BLM sit by with heavy equipment, watching a fire burn rather than cutting a fire break to stop the fire.....All sensible parties agree, that the primary cause of the Sage Grouse habitat destruction is the BLM's ineptitude in fighting range fires. Millions of acres of former sage grouse habitat have now been replaced with fields of flammable cheatgrass. Way down on the list, but second to BLM range fires and the cause of Sage Grouse population declines is predator population mismanagement or lack thereof by the USFWS.....Anyone with common sense knows that the ravens are decimating Sage Grouse populations!	1
Mining prevents wildfires - which BLM and FWS agree is biggest threat to grouse habitat.	1
It is my observation, from reading the Oregon Sage Grouse EIS and being involved in grassroots mineral exploration in SE Oregon, that the 1,900,000-acre Oregon mineral entry segregation (mineral withdrawal) is not merited. Mining and exploration presents no or at most minor future risk to sagebrush focal area habitat in eastern Oregon. Below are some of the reasons why the withdrawal is not justified and why all withdrawn lands in Oregon from the September 24, 2015 Record of Decision (ROD) should be returned to mineral entry.	1
Here is the problem. Apparently, to justify the proposed 1,900,000-acre Oregon mineral entry withdrawal (segregation), the mineral exploration and mining risk to sagebrush/sage grouse focal area habitat had to be combined with other risk factors such as wildfires, conifer encroachment, invasive weeds, drought, etc. The reality is that these other risk factors are not related to mineral exploration and mining. The risk from exploration and mining within the proposed Oregon Mineral Withdrawals were stated in the original COT as "slight" (EIS pg. 5-54) and documented past exploration in SE Oregon as "minimal" (EIS pg. 3-121). Slight and minimal are consistent with my own observations of the exploration and mining impacts in the sagebrush focal area habitat in SE Oregon. Somehow and with no explanation, the risk from exploration and mining in the EIS was elevated from slight and minimal to a "current and widespread risk to Central Oregon sage grouse habitat" (EIS pg. 5-54).	1
Most of the reports prepared for the listing determination do not identify mining activities as a significant threat and instead point to wildfires and invasive species as the greatest threats. In fact, the agency's own report shows that all development activities only impact seven percent of the entire ecoregion, yet mining is asked to pay the price with mineral withdrawals which are vastly disproportionate to its footprint.	1
I implore you to halt this misguided withdrawal. Work with your sister federal agencies using the best available science to develop land use plans that will actually protect the sage grouse. Craft a plan that focuses on the primary threats to sage-grouse – invasive annual grasses and wildfire. Don't use our common concern for sage grouse to unnecessarily and unfairly punish the mining industry.	1



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Furthermore, we believe that withdrawal of public lands is not an effective means of habitat management. Substantial evidence shows that wild fire and invasive species present the greatest threat of habitat fragmentation. The withdrawal of lands in the SFA's will limit options for controlling fire impacts and management of invasive species. The stakeholders in the area including mining, exploration, stockmen, and sportsmen all can play a part in a collaborative effort to improve habitat, including financial contributions to the NV Conservation Credit System under the NV State Sage Grouse Conservation Plan.	1
USFWS "not warranted" decision states that mining's impact is minimal and local to the project areas. Less than 0.1% of the 173 million acre habitat is impacted by all mining. This is minuscule compared to the overwhelming impact of unregulated wildfire.	1
We disagree with the urgency of the mineral withdrawal when there are other threats to greater sage-grouse and habitat that have not been adequately addressed. For instance, the out-of-control wild horse population in Nevada has resulted in significant loss of habitat and will continue until the horses are managed at the appropriate management levels. The loss of habitat in Nevada from wildfire is staggering and there are thousands of acres in need of rehabilitation, which directly affects greater sage-grouse habitat. Devoting time and resources to these two management issues would be of greater benefit to the habitat than mineral withdrawal when it is known that disturbance from mining operations and exploration has a minimal effect on habitat.	1
The State of Nevada adamantly rejects the premise that mineral withdrawal should be the initial conservation action implemented under the Approved Resource Management Plan Amendment (ARMPA) when other existing threats to habitat have a far greater urgency and detrimental impact on GRSG in terms of habitat loss. The need for wild horses to be managed at appropriate management levels and the occurrence of thousands of acres in need of wildfire rehabilitation have resulted in thousands of acres of habitat loss that could be restored through proper management and treatment if resources and time were directed to these objectives as opposed to preparing an EIS for the mining and exploration withdrawal action.	1
The mining withdrawal on more than 2.7 million acres in Nevada is grossly disproportionate to the mining risks in Nevada identified in the Greater Sage-Grouse Conservation Objectives Final Report (2013) (COT Report): Northern Great Basin. Threats to this population were identified as wildfire and invasive species. At least part of this large population was described as stable to increasing from 2007- 2010 and was predicted to have virtually no chance of declining below 50 birds in 30-100 years. Portions of this population are well connected with Idaho, Oregon, and Utah. Western Great Basin. The threats to these population management units are variable and site-specific, however, continuous, year-round use by wild horses, wildfires, and invasive species are prevalent. Resiliency needs to be improved with increased habitat suitability in terms of shrub densities and native grasses and forbs. ...• The EIS must analyze the anticipated results from mineral withdrawal in terms of ameliorating the specific and most pervasive threats to GRSG in the SFA -- wildfire, invasive species, and wild horses -- and demonstrate how mineral withdrawal improves landscape resiliency.	1
...mining is not a primary threat to greater sage-grouse and its habitat...existing surface management regulations are more than adequate to conserve the greater sage-grouse and its habitat from any purported harm caused by mining....The greater sage-grouse land use plan amendments already contain severe restrictions on mineral exploration and development,in addition to existing surface management regulations on federal and state levels. Therefore, the proposed withdrawal is unnecessary	1
There is no logical tie between a total mineral withdrawal in the SFAs and the RMP's vegetative strategy which was to achieve the desired condition of: "[i]n all sagebrush focal areas and priority habitat management areas, the desired condition is to maintain all lands ecologically capable of producing sagebrush (but no less than 70 percent) with a minimum of 15 percent sagebrush canopy cover, consistent with specific ecological site conditions ... "(page 2-4). While one element of achieving this objective may be obtained by a total withdrawal of all mining exploration and location, there is no quantification that demonstrates this is the only way to achieve this desired condition. Nor does it look at the broader picture of what is truly placing the sage-grouse habitat at risk in this area (e.g. fire, invasive species and juniper).	1

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It is difficult to reach the conclusion that the withdrawal of the SF As in Harney, Lake and Malheur Counties are necessary when in fact the US Fish & Wildlife identified the sage-grouse limiting factors in this three county area were invasive species, fire and juniper. The withdrawal of the lands is not dictated by the actual threats to the sage-grouse.	1
The root cause of the habitat problem is wildfire.	1
2. Doesn't get to the real issue: Fire & necessary habitat rehab.	1
(2) The withdrawal is useless because the lands effected by exploration and mining activity are insignificant compared to the threat from range fires. Mining and exploration roads provide access for fire prevention vehicles, water from mines provide fire suppression, mines and roads provide fire breaks. -- No Withdrawal --	1
(1) The overall impact of mining in Nevada is less than 200,000 acres which is extremely small compared to fire & invasive species. Why single out mining & propose withdrawing 2.9 M acres?	1
(2) Within some of the areas (SFA's) proposed for withdrawal there has been fires that have consumed hundreds of thousands of acres in the last few years (i.e. Montana Mountains), which was prime habitat. Yet these lands are still within the SFA, therefore considered "priority habitat." It will take years to restore that habitat. Why can't mining be treated similarly? Mining is temporary and reclamation is mandatory, so mined lands will eventually become habit again.	1
You appear to be misinformed in regard to a perceived need to withdraw public lands from mineral entry to "protect" the sage grouse. Your own agencies have concluded that the bird is not threatened or endangered and the population is sufficient to continue to allow hunting of this species in the very areas that are proposed for withdrawal. They have also testified that exploration and mining have little or no impact on sage grouse and that the greatest impact is from wildfire. Lightning causes most wildfires in Nevada. Exploration roads and mine roads provide access for fire fighting equipment. Mines provide fire breaks and water to put the fires out.	1
I am opposed to the extensive nature of this proposed withdrawal of mineral entry for the following reasons: . the potential for mining to significantly impact vast areas of sage grouse habitat is extremely low. . Nevada already has vast areas withdrawn from mineral entry such as: -- Wilderness areas -- Wilderness study areas -- Wildlife refuges -- Military areas -- ESAC - Environmental Sensitive Areas of Concern Fire is the greatest threat to sage grouse habitat and you just let it burn so cheat grass can take over!	1
The landscape scale habitat maps are not useful for site-level management decisions. Large withdrawals like the SFAs are not effective management tools, since they effect many areas that are not quality habitat, or habitat at all. More effort should be placed on habitat improvement, such as revegetation, fire suppression, and grass removal.	1
The sage brush focal areas proposed withdrawal plan is flawed as it only mentions "damage" to the habitat by hardrock mining. The real destruction of habitat is rampant wildfires due to drought & ineffective fire management....Ironically, when mining reclaims project areas, they are required to reseed, often w/sagebrush as one of the priority species. What/how do you encourage growth of sagebrush in fire areas. (A detailed discussion will be sent prior to the deadline of Jan 15, 2016.	1
Why is the segregation of minerals needed? Segregation of minerals is mandatory while other activities are possible (oil & gas, geothermal). Existing regs do fine for eagles, tortoise -- why not for the GSG? A withdrawal of mineral exploration is gross overkill for a species that is neither threatened or endangered and is actually a hunted game bird. The real issue is range fires. We should focus on fire suppression and restoration and not restrict economic activities that are a very minor threat to habitat.	1
In my opinion the area of withdrawal is overly large. My 35+ years in the mining exploration industry has shown me that mineral exploration only temporarily displaces animal life. Actual habitat destruction is small especially when taking into account the overall area inhabited by sage grouse. While actual mines are more permanent and destructive they are extremely rare. Barring mineral entry is directly blaming mining for the sage grouse population declines and I don't believe that is the problem. Raven and coyote population blooms and cheatgrass invasion which promotes	1

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more devastating fires is more likely the problems and they are already here. Blaming miners is not the solution and punishes an industry that contributes substantially to rural economies.	
Obviously, BLM needs to look at other options for protecting and maintaining sage brush focal areas besides mineral withdrawals. BLM's own reports describe mining's impacts as being "localized." It is well know that the primary threats to sage grouse and sage grouse habitat are wildfire and invasive species. Cheatgrass has significantly degraded vast areas of former sage grouse habitat. The invasion of cheat grass and other invasive species is magnified by wildfires, after which, faster growing invasive species inhibit sage-brush regrowth.	1
Cheat grass is the real enemy to establishing sage brush communities as it is usually the first plant which takes hold after a wildfire. Perhaps non-toxic methods of weed-control would give sage brush a chance to establish in fire areas. Maybe some of the sagebrush monies could go to getting rid of the biggest threat to the landscape in a postfire period.	1
<b>4.4.4 Support No Action: Disproportionate: Commenters state that the withdrawal is disproportionate to the small impact mining has on landscape</b>	
Concerning the BLM proposal of over 10 million acres of land to be withdrawn in the west. USFWS "not warranted" decision states that mining's impact is minimal and local to the project areas. Less than 0.1% of the 173 million acre habitat is impacted by all mining. This is minuscule compared to the overwhelming impact of unregulated wildfire.	2
A federal analysis shows that activities such as ranching, mining, and oil and gas exploration affect only 7 percent of the bird's ecosystem. The segregation and possible withdrawal of lands from mining claims is unnecessary.	1
The proposed withdrawal of WEX's claims is disproportionate to the impact the Projects would have on Greater Sage-grouse habitat....The wholesale withdrawal of WEX's claims at Gravel Creek which would be developed as an underground mine (with therefore minimal if any impact to the Greater Sage-grouse) is unnecessary and disproportionate to any potential impacts the Projects may have on Greater Sage-grouse or their habitat particularly given that WEX would be required to avoid such impacts where feasible and mitigate to offset any impacts that are not avoided. In its recent decision that the listing of the Greater Sage-grouse for protection under the Endangered Species Act was not warranted, the U.S. Fish and Wildlife Service ("USFWS")..... made a finding that mining does not have a significant impact on greater sage-grouse: "...Overall, the extent of [mining] projects directly affects less than 0.1 percent of the sage-grouse occupied range. Although direct and indirect effects may disturb local populations, ongoing mining operations do not affect the sage-grouse range wide." (FR 59858, October 2, 2015, p. 59915). Given that the mining operations have such a slight effect on the Greater Sage-grouse, the potential resource uses are not incompatible with and are not in conflict with the proposed use of Greater-Sage grouse habitat conservation. Therefore, the withdrawal of WEX's claims is disproportionate, arbitrary, capricious and unlawful when assessing the slight impact mineral activities have on the Greater Sage-grouse habitat and evaluating viable alternatives to achieve the desired conservation benefits.	1
OMA has read and concurs in the entirety with the December 23, 2015 letter submitted into this record by Katie Sweeney on behalf of the National Mining Association (NMA), and the letter submitted today by Maegan Woita on behalf of the American Exploration and Mining Association (AEMA). Each letter references earlier acknowledgments by both BLM and the United States Forest Service (USFS) that mining operations do not pose a primary threat to sage grouse or their habitat, making the proposed withdrawal a gross form of overkill that tackles the wrong threat. The mining footprint in the West is extremely modest, and even more so in Oregon. Withdrawing nearly 2 million acres in Oregon from mineral exploration is akin to killing an ant with a howitzer.	1
The impact of mineral exploration over the very large area of identified habitat is small, mostly the ability of geologists and others to be in an area, drive on existing roads, hike elsewhere, and inspect geologic features. Impact is greater once a serious exploration target is identified, but those targets are tiny compared to the area of habitat. Although prospective areas are large, individual mineral deposits are small, with surface footprints generally in the range of 10's of acres to rarely several square miles for larger types of deposits, e.g., some Copper deposits. Again an example	1

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from the region of known and potential Lithium resources near McDermitt, Nevada: a potential Lithium mine in this area might cover a few 100's of acres, and overall development would be much less than 1000 acres. In contrast, the Holloway fire of 2012 apparently affected more than 450,000 acres that overlapped significantly with the lithium prospective area. I have seen parts of the fire area, and no vegetation remained (see accompanying photo). Thus, one major fire decimated sage grouse habitat in an area 450 times the area that would be temporarily affected by mining and would be reclaimed after mining. Based on the assessment of BLM and US Fish and Wildlife Service, this disparity in impact between wildfire and invasive vegetation that will occupy the burned area and geologic resource exploration and development holds true throughout Nevada. Geologic resource exploration and development are not the problem, and withdrawals that greatly reduce them will do effectively nothing to help the greater sage grouse.	
In the US Fish and Wildlife Service's decision to not list the GSG as threatened and endangered, they indicated that mining activities have a minimal impact to the 173 million acre habitat; namely less than 0.1% of that total. If this is the case, why was this withdrawal proposed? It would appear that the mining industry has been singled out despite the miniscule amount of habitat that we impact by our activities. The real threat to the GSG habitat is wildfire and the agency(ies) must address that issue first and foremost.	1
BLM's proposed mineral withdrawal is significantly disproportionate to the amount of land used for mineral development and the impacts associated with that mineral exploration and development. Further, these activities can easily be accomplished while considering and mitigating any impacts to the sage grouse. ...BLM's proposed management of mineral development must be commensurate with the actual footprint on the land that mineral development has and is likely to have in the future. The withdrawal of 10 million acres is completely inappropriate in light of the limited extent of mineral activities co-located in sage grouse habitat within the planning area.	1
The Department maintains the withdrawal is necessary to prevent a listing of the sage grouse. Yet, most of the reports prepared for the listing determination do not identify mining activities as a significant threat and instead point to wildfires and invasive species as the greatest threats. In fact, the agency's own report shows that all development activities only impact seven percent of the entire ecoregion, yet mining is asked to pay the price with mineral withdrawals which are vastly disproportionate to its footprint....	1
My company, Genesis Gold Corp, owns claims in sections 1, 2, 3, 10, 11, 12, 13, 14, and 15, T. 40 N, R. 47 E. and in sections 34 and 35, T. 44 N, R. 55 E., our Island Mountain Project. This is supported by the fact that this project has undergone continued exploration for the last 25 years with expenditure of well over \$3 million, with positive results leading to the definition of a gold deposit resource. Under your proposal, this area will be withdrawn from mineral locations. This will result in our gold and silver exploration project becoming entirely untenable and our claims will become worthless. To the best of my knowledge, you have provided no direct evidence that our project would in any way represent a significant threat to Sage Grouse.	1
Based on the USFWS "not warranted listing", and an agency determination that within the SFA boundary for GSG, "mining does not pose a significant effect on habitat," and that further USFWS analysis determined that "total historical mining in the SFA "affects less than 0.1% of the sage grouse occupied range" (FR59859, October 2, 2015,pg. 59915) the proposed designation of 2.8 million acres for withdrawal is a grossly disproportionate proposal given the intended purpose of the withdrawal.	1
We also note that any impacts on sage grouse habitat from mining and geothermal development in the region are relatively miniscule. Although mining has been a huge part of Nevada's economy for over 150 years, it impacts less than 0.5% of the land within the state.....In contrast, wildfires from 2000 to 2015 alone burned ~25% of the SFAs in Nevada, amounting to greater than 695,000 acres (Figure 1). Considering the relative impacts on sage grouse habitat by fire and climate change versus less than 1% of the land affected by existing and potential future mining and/or geothermal development, it seems far more prudent to develop a plan that addresses the primary impacts on habitat (e.g. wildfires) but continues to allow mineral entry and development, with suitable requirements, of course, for reclamation. This approach would likely facilitate multiple opportunities for habitat remediation between the extractive industries and state and federal agencies, potentially fostering strong synergies that could ultimately	1

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resolve the primary challenges facing the sage grouse species.	
BLM's proposed mineral withdrawal is significantly disproportionate to the amount of land used for mineral development and the impacts associated with that mineral exploration and development.... Data compiled by the United States Geological Survey (USGS) clearly show that the habitat loss due to mining (locatable, leasable and salable) range-wide are minor, totaling about 3.6 percent, and can be mitigated with appropriate project-specific conservation measures including off-site mitigation for unavoidable impacts. <sup>9</sup> It is important to note that the locatable mineral activities subject to the withdrawal are only a subset of that 3.6 percent.... Furthermore, in developing its plans the BLM relies on mine plan acreages to calculate potential impacts, however, actual surface disturbance footprint within the boundaries of Notices and Plans will be a subset of the total acres reported in the LR2000 database....BLM's proposed management of mineral development must be commensurate with the actual footprint on the land that mineral development has and is likely to have in the future. The withdrawal of 10 million acres is completely inappropriate in light of the limited extent of mineral activities co-located in sage grouse habitat within the planning area. BLM must explain the overly restrictive response upon the regulated community in light of the relatively small footprint associated with developed lands in the ecoregion.	1
Moreover, within the State of Nevada, as usual heavily impacted by these arbitrary proposals, there are 2.8 million acres proposed for withdrawal. BLM's LR-2000 database for Nevada shows the statewide surface disturbance of mineral exploration and development as of January 2014 was 191,374 acres. This is 6.8% of the 2.8 million acres proposed for withdrawal. And this disturbance total for the entire State includes significant acreage that is outside of sage grouse habitat. Why is this hugely disproportionate reaction even being considered? This too, underscores an evident hostility towards the General Mining Laws of the United States, as amended. You must be reminded that one of the fundamental purposes of the Mining Law is to secure domestic sources of metals that are vital to National Security. Moreover, it is achieved by the recognition of proprietary rights of the private entity in the mineral value in the ground. It is only through this fundamental recognition of common law private rights that the industry of a free people achieves this basis of National Security. Why is this fundamental contribution to our society and civilization so arbitrarily undermined?	1
I am strongly opposed to the proposed withdrawal from mineral entry (currently sequestration) of more than 10 million acres of public land in northern Nevada, southern Oregon and southern Idaho for the following reasons: First, the withdrawal does little or nothing to preserve or improve the sagebrush habitat. It is accepted scientific fact that the primary threats to the sagebrush habitat are wildfire and invasive species. Mineral entry is not a threat to the sagebrush ecosystem because modern exploration activity has an extremely light impact on the land and what little impact is made is reclaimed leaving the land in the same or better condition than previous. Mineral entry does not mean that there will be a mine. Very few projects (less than 0.1% according to empirical industry experience) actually turn into mines and if a viable deposit is found and a mine is built, it is mandated by federal, state and local regulations to be one of the most environmentally sensitive industrial operations in the world..... Restrictions on access to public lands should be limited to those activities that actually damage the land and its ecosystem.	1
.....the Association and its members are adamantly opposed to the proposed withdrawal because it is an ineffective and unscientifically based approach to species anagement. From a public policy perspective, the withdrawal imposes a disproportional impact on mineral exploration and mining in relation to the threat. The withdrawal has the potential to significantly and adversely impact the economy of the State of Nevada while providing little or no added protection to the habitat of the greater sage grouse.	1
The Association and its members are adamantly opposed to the proposed withdrawal because it is an ineffective and unscientifically based approach to species management. From a public policy perspective, the withdrawal imposes a disproportional impact on mineral exploration and mining in relation to the threat. The withdrawal has the potential to significantly and adversely impact the economy of the State of Nevada while providing little or no added protection to the habitat of the greater sage grouse.	1
The agency's own analysis establishes the proposed withdrawal is neither necessary nor justified.....This establishes that, for the entire planning area, not just Phillips and Valley Counties where the vast majority of acres are to be withdrawn, the number of acres of high to moderate mineral	1

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development potential is just 41,771 acres. This is roughly 1% of the total mineral lands in the planning area, and is just 4% of the lands proposed to be withdrawn.	
This proposal is thoroughly unnecessary and unjustified. Mining and mineral exploration will never impact more than a tiny portion of the area under consideration, at most probably on the order of 0.1% of the acres. This amount of course is well under you 3% aggregate disturbance limit, and even much those acres would be reclaimed over time. In addition, the Fish and Wildlife Service has noted a sharp rebound recently in Sage Grouse populations, this happening during a time when this entire area was open to mineral exploration. What's the problem?	1
The current proposal for mineral withdrawal only protecting "valid existing rights" will totally destroy exploration and should not be implemented. It is not justified as mining and exploration only impact a tiny area. The prior system provides adequate protection for all interests.	1
Mining is not a significant threat to the greater sage grouse in Nevada. In determining the need for the protection of the greater sage grouse, the U.S. Fish and Wildlife Service (USFWS) developed a prioritized listing of threats to the species in Eastern California and Nevada. Fire and invasive species were acknowledged as the greatest threats to the greater sage grouse within the Great Basin. Mining and mineral development were low on the list. According to the Bureau of Land Management (personal communication, Gary Johnson, 2015), active permitted mining in Nevada covers about 170,000 acres. The Nevada Division of Environmental Protection has confirmed this value (personal communication, Bruce Holmgren, 2015). Nevada contains just over 70 million acres, meaning mining in Nevada covers just 0.2% of its surface area. Some of this land is not in greater sage grouse habitat or remains undeveloped due to operational limitations. Despite the low documented actual and potential impacts to the greater sage grouse from mining, the federal land management agencies are proceeding with the withdrawal of 2.7 million acres in Nevada from mineral entry. No other threat category identified by the USFWS is being so disproportionately singled out or impacted.	1
This is crazy talk, complete overkill.... Just where was the disturbance and fragmentation discovered anyway? If anything, shouldn't we immediately close the land where all this damage has already been taking place? I mean, it is the current mining operations that are threatening the sage-grouse habitat, correct? So why let current mining operations continue? Why not just close off the land to ALL Future Mining?	1
The impact of the withdrawal 10 million acres of land in the west for sage grouse habitat will be devastating to the mining industry as a whole and to the individual owners of undeveloped mining claims.....So in order to protect less than one percent of sage grouse habitat, the BLM is proposing to devastate and industry and the economic foundation of vast areas of the Western US. Here is a solution. Why not allow existing mining claimowners to retain all of their historical rights and allow new mining claims within the identified habitat areas until such land claims exceed five percent of the habitat. Should that happen, then the BLM can begin to monitor the impact of mining and put reasonable restrictions in place. Based on 40 year of working in the mining industry, my guess is that a 5 percent limit would never be approached.	1
It is unnecessary because the amount of land disturbed during mining is insignificant compared to the amount of land the Sage Grouse habitats. There is more land under airports in this country than there is land disturbed by mining activities. No one is proposing banning airports – yet!	1
There are several important reasons why the withdrawal of almost 2 million acres in Oregon is not appropriate. First, the threat of future expansion of mining activity in Oregon is insignificant. According to the information provided during the Sage Grouse NEPA process, the total Federal mineral estate within the planning area is 14,148,100 acres. Of that area, 1,435,900 acres are already withdrawn, and 24,300 acres have been petitioned for withdrawal, leaving 12,425,000 acres open to entry....The NEPA documents suggest a current potential disturbance due to mining activity of 16,240 acres, calculated by multiplying 812 claims by 20 acres per claim, the common size of a lode mining claim. This number is not accurate and grossly exaggerates even the potential disturbance due to mining activity. Most mining claims have no active mining activity, and will never have any; hence there is no disturbance or fragmentation associated with these claims. Actual disturbance is based on the number of Notices and Operation Plans, of which there are 94 within the planning area. Multiply 94 by 5 acres per claim and the total actual disturbance due to mining on Federal land in the planning area is 490 acres.....Since there are only 11 state permits for mining on Federal land for the entire state of Oregon, it can be assumed that almost all mining disturbance in the planning area is less than 5 acres per claim. Therefore, even the 490 acre estimate is	1

Comment	Number of Commenters Providing this Comment
clearly conservative. Even using the NEPA-derived maximum potential disturbance area, of 16,240 acres, results in a potential disturbance of only 0.11% of the planning area, which in itself is still insignificant. However, the actual conservative disturbance is only 0.003% of the planning area, or nearly infinitesimal. Consequently, there is no way that an activity of such minimal significance could pose a significant threat to Sage Grouse from habitat disturbance or a significant fragmentation of habitat. And even if mining activity is expanded by 100-fold in the future, it will still pose an insignificant impact on Sage Grouse. The proposed withdrawal of almost 2 million acres, or 1.4% of the planning area based on the arguments of disturbance and fragmentation from mining activity is totally unwarranted and unsupported by logic, science, or common sense.	
...the proposed withdrawal is not necessary nor even helpful in preserving sage grouse habitat and the sagebrush ecosystem. The “adverse effects of locatable mineral exploration and mining on the Greater Sage-Grouse and its habitat” (quoting from the Federal Register notice) are entirely minimal, and a withdrawal is a completely disproportionate tool to address those effects.	1
Mineral exploration and mining are not a major threat to Sage Grouse or their habitat	1
Withdrawal is unnecessary: Mining has miniscule impact on GSG	1
The EIS Purpose and Need and alternatives analysis must clearly explain why withdrawing 10 million acres, which is nearly six percent of the habitat and nearly 60 times larger than the 0.1 percent of the habitat that is impacted by mining is necessary...The EIS must address this glaring incongruity between the enormous size of the withdrawal compared to the minimal impact that mining has on GSG habitat to explain the need for the proposed withdrawal.	1
The obvious incongruity of the proposed withdrawal of 10 million acres to address the 173,000 acres nationwide impacted by mining (0.1 percent of the 173 million acre habitat range wide as cited in FWS’ not warranted determination (op. cit.) requires BLM to reduce dramatically the size of the withdrawal as discussed above.	1
The new rules favor habitation of a bird that federal officials have already admitted is under no danger of extinction. Or estimates based on poor historical records. A federal analysis shows that activities such as ranching, mining, and oil and gas exploration affect only 7 percent of the bird's ecosystem, the segregation and possible withdrawal of lands from mining claims and other activities is unnecessary.	1
BLM’s proposed mineral withdrawal is significantly disproportionate to the amount of land used for mineral development and the impacts associated with that mineral exploration and development. Despite the BLM’s characterization of mining impacts as being localized in nature, the agency’s proposed mineral withdrawals are generalized across the West. BLM’s proposed management of mineral development must be commensurate with the actual footprint on the land that mineral development has and is likely to have in the future. The withdrawal of 10 million acres is completely inappropriate in light of the limited extent of mineral activities co-located in sage grouse habitat within the planning area. BLM must explain the overly restrictive response upon the regulated community in light of the relatively small footprint associated with developed lands in the ecoregion.	1
I have read through this proposal and found nothing in it that makes any scientific sense. Granted there is a problem with loss of shrub steppe habitat in the west. I live in the Yakima Washington area and have seen first hand the decline in old growth sagebrush habitat over the years. In reality the loss of this habitat has had nothing to do with small scale mining activities. However it has everything to do with wild fires and overgrazing by cattle. As I am sure you already know the introduction of Eurasian cheat grass and its rapid spread throughout the west is the major contributor to yearly lightning started wild fires that have laid waste to hundreds of thousands of acres of sagebrush habitat. This annual germinates early, sets seed, and then dies. Any source of fire goes through it like the stuff is gasoline. Sagebrush is not compatible with fire. Secondly, shrub steppe habitat did not evolve in the presence of large introduced grazers (cattle). The bunch grasses that provide their major source of forage frequently don't have a chance any more to reproduce. Cattle graze the florets of these species to the ground preventing them from producing seed. Both fire and grazing have eliminated the cover sage grouse need to successfully nest and raise broods. None of this has anything to do with small scale mining.	1



Comment	Number of Commenters Providing this Comment
I am strongly opposed to the withdrawal of mineral entry on any Federal BLM or Forest Service land for any reason and in particular in relation to sage grouse habitat. Mining has touched less than one-quarter of one percent of all the land in the entire U.S. (Nevada Mining Association) whereas urban areas occupy 2.6 percent, parks and wildlife areas occupy 13.1 percent, cropland occupies 19.5 percent and grassland pasture and rangeland occupies 25.9 percent (USDA, EIB-14). To state that mining has a big impact on land use and sage grouse habitat is inconsistent with land allocations listed above. Mining's impact is miniscule compared to the other land uses listed.	1
I estimate that in any given year there would be 100 or less exploration/drilling permits given in that area most of which by design would involve less than 5 acres. Let's just double that just in case I am underestimating the impact. So let's say there would be somewhere around 1000 acres. So for argument sake that equals an area equal .01% of the Sage Grouse habitat would be disturbed by mineral exploration activity. I have been working in that area for 38 years. I do not believe that mineral exploration and mining has any impact on Sage Grouse. The simply move over a couple hundred yards and carry on. If you have numbers that differ significantly from mine I would like to hear them. You should not withdraw this ground from location for two years without having the actual projected disturbance numbers resulting from mining verses the total existing habitat. It would be trivial for your GIS people to compile all the permits for the last several years and calculate how much ground is being disturbed per year, how much is reclaimed and resulting areal impact verses the total area. Could be done in a few days. Why didn't they do that? The lack of that info in your proposal highlights the bias in the process.	1
For the proposed analysis, BLM must represent a more mature view of the mineral resource of these areas, in light of its multiple-use mandate. Mines do not encompass huge tracts of land in comparison to the millions of acres involved in the proposed withdrawal. BLM should consider alternatives that minimize and mitigate mining operations, such as those agreements now underway at the Alton Coal Mine or the Barrick operation in Nevada. The State recommends this EIS fully explore and analyze a full suite of best management practices, including disturbance caps, buffer zones and seasonal stipulations.	1
Failure to Preliminarily Identify the Mineral Resources in the Area . The notice does not provide the requisite "preliminary identification of the mineral resources in the area.13 This information is extremely important because it is the reason this action is occurring....The FWS listing determination states that the Agencies do not know how much mining impacts Greater Sage Grouse. On October 2, 2015, the FWS issued another finding stating that "Consistent with our 2010 finding, we do not have a comprehensive dataset about existing and proposed mining activity to do a quantitative analysis of potential impacts to sage-grouse."14 " ... Overall, the extent of [mining] projects directly affects less than 0.1 percent of the sage-grouse occupied range. Although direct and indirect effects may disturb local populations, ongoing mining operations do not affect the sage-grouse range wide."15 Also, FWS quantifies the huge area of the western U.S. that contains GSG habitat: "The sagebrush ecosystem upon which the sage-grouse depends remains one of the largest, most widespread ecosystems in the United States, spanning approximately 70 million ha (173 million ac)".16 These findings are problematic, as the State of Nevada, Commission on Mineral Resources Nevada Division of Minerals ("Division of Minerals") does have a comprehensive dataset about existing and proposed mining activity.17 It is possible to perform a quantitative analysis of potential impacts to sage-grouse.	1
The amount of Federal land disturbed by mining is extremely small, compared with the BLM's proposed withdrawal of over ten million acres. In all of Nevada only 191,374 acres of BLM land are covered by Notice of Intent and Plans of Operations. Since these lands are scattered through the state, the number of acres within the Sagebrush Focal Areas is much smaller. Assuming that one half of the 191,374 acres are within the Sagebrush Focal Areas (95,687) that would be only 3.4% of the 2,797,399 acres of land proposed for withdrawal in Nevada. The proposed withdrawal is akin to attempting to kill a fly with a sledgehammer!	1
.....Mining has been demonstrated to occur on less than 1% of 1% of the total public lands that were historically sage grouse habitat. Yep, mining which has little or no known impact on the sage grouse habitat loss... the BLM says lets withdraw from "Potential Mining", something that may or may not ever occur in the future, 10 million acres or roughly 30% of the total sage grouse habitat. Where's the scientific basis for this action? There	1

Comment	Number of Commenters Providing this Comment
is none! Because this proposal is a political action to appease the liberal environmental radicals.... nothing to do with protecting Sage Grouse habitat.	
Mineral development occurs in discrete areas where economic mineralization occurs. In its recent decision determining that listing of the sage-grouse is not warranted under the Endangered Species Act, the USFWS noted that less than 0.1 percent of sage-grouse occupied range is affected by mining projects. Given the small area of mining activity in sage-grouse habitat, a 10 million acre withdrawal is not necessary or appropriate for sage-grouse conservation. Documentation prepared during the RMP/LMP amendments indicates that the primary threats to sage-grouse habitat are rangeland fires and invasive species, not hardrock mineral activities.	1
The 10 million acres being proposed for withdrawal is disproportionate to the impact mining has on Greater Sage Grouse habitat conservation	1
Most of the reports prepared for the listing determination do not identify mining activities as a significant threat and instead point to wildfires and invasive species as the greatest threats. In fact, the agency's own report shows that all development activities only impact seven percent of the entire ecoregion, yet mining is asked to pay the price with mineral withdrawals which are vastly disproportionate to its footprint.	1
Area of Mining Impact Minimal Compared to Size of Withdrawal...The US Fish and Wildlife Service stated in its September 2015 decision regarding the status of the sage grouse that the impact of mining is minimal and affects less than 0.1% of the 173 million acre habitat in the western U.S (FR 59858, October 2, 2015, p. 59915). The scarcity of commercially viable mineral deposits in any part of the habitat including Nevada indicates that this proportion of future mining impact is unlikely to change, substantially, with further development. The withdrawal of 2.8 million acres in Nevada and 10 million acres habitat-wide is unnecessary to protect sagebrush habitat.	1
USFWS "not warranted" decision states that mining's impact is minimal and local to the project areas. Less than 0.1% of the 173 million acre habitat is impacted by all mining. This is minuscule compared to the overwhelming impact of unregulated wildfire.	1
...the EIS Purpose and Need should clearly explain why the proposed mineral withdrawal is necessary and consistent with applicable federal laws and regulations. Specifically, the Purpose and Need statement must examine whether withdrawing 10 million acres of land is necessary to address the impacts from mining on GSG habitat in light of the gross disparity between the dimensions of the vast GSG habitat compared to the documented localized and minor impacts from mining upon this habitat...	1
I feel it is particularly inappropriate when looking at the interactive maps being provided to the Public ( <a href="http://www.blm.gov/wo/st/en/prog/more/sagegrouse.html">http://www.blm.gov/wo/st/en/prog/more/sagegrouse.html</a> ) and reading the broadly-worded text in current grouse-management EIS' and the 24 September 2015 FR Notice -- that complete 1872 Mining Act withdrawals are required in all DOI- or USDA-administered Federal lands located within an entire Township and Range bloc which contains even a tiny parcel designated as an SFA. I would again argue that NO withdrawals are even necessary, given the currently codified procedures at 36 CFR 228 and 43 CFR 3809 for agency review and assessment of Plans of Operation of proposed mining activities after a claim is legally located and filed -- let alone proposing that complete withdrawals for 20 years or more are "crucial" to assure an appropriate level of future grouse population maintenance.	1
The maximum number of acres authorized for disturbance within Notices and Plan of Operations boundaries in the entire state of Nevada is only 191,374 acres, some of which are not co-located within Greater Sage-Grouse habitat. By contrast the proposed withdrawals within SFAs are almost 2.8 million acres; 15 times larger than the total footprint of existing mining activities in the State of Nevada. Therefore, the proposal to withdraw almost 2.8 million acres of land in Nevada from mineral entry is grossly out of proportion with the maximum potential impact that mineral activities might have on Greater Sage-Grouse and its habitat. Consequently, the proposed withdrawal within SFAs is not justified, is unreasonable and unnecessary, and is therefore, arbitrary and capricious. Additionally the proposal to withdraw almost 2.8 million acres from mineral entry demonstrates a general lack of understanding of geology and mineral occurrence by the BLM. Mineral deposits do not occur everywhere; they are located in small areas where geologic conditions are favorable. Mineral deposits are difficult and expensive to find. Therefore maintaining access for future mineral exploration and development is a planning issue that cannot be ignored.	1

Comment	Number of Commenters Providing this Comment
The BLM's proposed prohibition against mineral development in SFAs and Greater Sage-Grouse habitat areas is disproportional to the amount of land used for mineral development and the impacts associated with mineral exploration and development, ....	1
The small amount of land disturbed by humans is very small compared to how much land used for withdrawal.	1
In my opinion the area of withdrawal is overly large. My 35+ years in the mining exploration industry has shown me that mineral exploration only temporarily displaces animal life. Actual habitat destruction is small especially when taking into account the overall area inhabited by sage grouse. While actual mines are more permanent and destructive they are extremely rare. Barring mineral entry is directly blaming mining for the sage grouse population declines and I don't believe that is the problem. Raven and coyote population blooms and cheatgrass invasion which promotes more devastating fires is more likely the problems and they are already here. Blaming miners is not the solution and punishes an industry that contributes substantially to rural economies.	1
In the EIS, the BLM will need to explain why the COT identified only two areas within Oregon wherein mining was a present and widespread threat to the sage-grouse. It was only the Baker population (Unit 17) and the Central Oregon population (Unit 28) wherein mining was a present and widespread threat, all other areas of Oregon were identified as only localized threats (See Table 1-2, pp. 1-10 & 1-11 ). However, neither the Baker population nor the Central Oregon population are located with the 1,929,580 acres of SF As identified for withdrawal. The EIS will need to explain why, when the threat is localized, a 1,929,580 acre withdrawal is warranted. The proposed withdrawal is clearly not the minimum necessary, nor is there a localized approach. As one examines Table I-2 threats to the greater sage-grouse by area, the northern Great Basin of Oregon, Idaho, and Nevada, mining has a very localized threat. A localized impact does not warrant the broad brush restrictions.	1
Proposed area too big to broad & overreaching. If we don't grow it, we have to mine it. This nation's economy (demands) thrives on an open economic system. Pulling areas out without a time limit to allow it for reconsideration or/and putting back into what it is now availability so the resources can be developed fails to take into account changing times and peoples needs. Rather than pull areas out of availability, why not give someone a chance to address the issues and still have it available for mining, ranching, hunting and such. When people can no longer access or use land people no longer have a chance to learn to love it. It is our destiny to take possession and make use of the land. Ranching is part of that destiny as well as mining. Nature takes back what man fails to maintain.	1
I am writing to express my opposition to the withdrawal of this huge amount of land from mineral entry. First off, I don't see that protection of the Sage Grouse is such a high priority that taking such drastic measures to protect it from the solitary threat of mining disturbance is worth stifling a mineral industry that is struggling right now. Risk far outweighs reward here. The industry is already hurting badly. I am one of a majority of geologists in this industry that is having a hard time finding work. This is also an industry that raise, I believe, the second-most tax revenue per industry in Nevada (I am mostly invested in the state of Nevada). USFW has already decided against protecting the Sage Grouse after thoroughly studying the data. It seems oxymoronic to go through so much effort and tax dollars to protect a bird that is so heavily hunted in this area. The Sage Grouse is nothing more than a proxy war, I've heard members of anti-mining groups say as much.	1
<b>4.4.5 Support No Action: Not Necessary: Commenters state the withdrawal is unwarranted, not necessary, or provide other reasons why they oppose it. Some express opposition without a specific reason. Some state the existing mitigation requirements for mining are overly restrictive.</b>	
For the official record, I oppose this withdrawal on the Public Land proposed by the BLM.	2
As a concerned citizen, I strongly disagree with the withdrawal of the lands for new mining claims for 20 years. I find this to be ridiculous.	2
Lastly, there are other viable and reasonable alternatives to the withdrawal of WEX's claims which balance the interests of both mining exploration and conservation and, in fact, result in greater protection of Greater Sage-Grouse habitat than placing these highly prospective lands for mineral development off limits.	1
Requesting no ban on Mining Claims for 20 years.	1

Comment	Number of Commenters Providing this Comment
No need to take away mines, cattle grazing. Let the hard working miners and ranchers have their land, which they work hard and paid for it plus taxes, etc.	1
I believe the proposed withdrawal is unnecessary.	1
The members of the Treasure State Resource Industry Association would like to go on record in opposition to the proposal to withdraw 10 million acres of federal lands from potential mineral extraction for purposes of protecting habitat for sage grouse.	1
First and foremost, I, as are many others, appalled by the fact that the DOI has taken this unprecedented action of proposing the withdrawal of almost 10 million acres of public lands from operation under the Mining Law of 1872. This action is at best just wrong and at worst unlawful.	1
Also in the EIS there must be analysis of alternatives to the proposed withdrawal. The BLM must consider valid alternatives, one of which should be the alternative of no withdrawal.	1
NMA opposes the proposed withdrawal of these lands from new mining claims. The withdrawal would be the largest ever in the history of the Federal Land Policy and Management Act (FLPMA). New mining operations are already either restricted or banned on more than half of all federally owned public lands. Given the vast amount of federal lands already closed to mining operations, caution should be exercised when determining whether additional lands should be withdrawn.	1
Lake County is in opposition to the mineral withdrawal as currently proposed.	1
NMA believes the proposed withdrawal of 10 million acres of likely mineral rich federal lands is unwise from and unnecessary to protect the sage grouse and its habitat. We request BLM review the impacts of the proposed withdrawal through the lens of its multiple use mission under FLPMA. The agency can take other less restrictive measures to protect sage grouse habitat.	1
AMA opposes the proposed withdrawal of these lands from new mining claims. The withdrawal would be the largest ever in the history of the Federal Land Policy and Management Act (FLPMA) and is not supported by scientific studies that actually indicate that modern responsible mining techniques do not appreciably harm the sage grouse	1
The agency can take other less restrictive measures to protect sage grouse habitat which can include engaging the mining industry to help reclaim mined lands to ideal sage brush habitat.	1
This proposal is unjustified and wrongheaded. It is apparent the federal agencies are beholden to extreme special interests bent on closing off more and more public land from the public. The ARMP's adopted with the September 22 ROD on the Greater Sage Grouse outline many ways that this goal is to be effected.	1
The most egregious of these measures directly instigated by the ARMP's is the subject of this comment period. It is clear that invoking a mineral withdrawal based upon a species that did not need to be listed is an attempt to set a new precedent providing new powers to federal agencies that are already way out of control. Historically, a mineral segregation and subsequent mineral withdrawal were conducted in situations where there was a bonafide public interest and/or for national security. Historic examples include bombing ranges, areas to be flooded by dams, areas to be reclaimed from the desert to productive agricultural purposes, and more recently, areas to be withdrawn for wilderness as duly passed by Congress and provided for under such laws as the Wilderness Act. What is happening here is a significant precedent in that a bird that was not deemed necessary for listing under the ESA as threatened or endangered does not serve a valid public purpose. There is no justification for such an extreme measure. This underscores the duplicitous motive for this highly suspicious and likely subversive action.	1
You guys just might shake off the other name the blm is known as , "the bureau of land mismanagement"! Ha! Thanks for smelling the coffee! !	1
I am adamantly opposed to the proposed withdrawl of approximately 2.8 million acres. I have been intimately involved with the Sage Grouse Planning efforts in Northern Nevada and this proposal is completely unnecessary for a number of reasons. First and foremost it is proven that the best habitat for sage grouse and other obligate species is that of private ground, primarily meadows which is supported by stewards of the sagebrush withdraw area.	1

Comment	Number of Commenters Providing this Comment
In addition to my outright objection of the withdrawl area as a whole, I have particular concern over the proposed for withdrawal which includes the Montana Mountains of extreme north-central Nevada, near Orovada. ...In addition to making it clear that I oppose the withdraw completely, I am also writing to you to express our support for the Western Lithium Kings Valley Lithium Project and to request that the SFA boundary be modified and moved to the east to exclude this known lithium deposit. ...All alternatives analyzed in the upcoming BLM EIS should show an adjusted SFA boundary which excludes the Western Lithium Kings Valley Lithium Project (Stages 1-5) to eliminate any conflicts with this known valuable strategic and critical mineral.	1
....we object to the proposed withdrawal in its entirety.	1
Please DO NOT withdraw any of the six of the identified Sagebrush Focal Areas from future mining claims and development.	1
Preventing new mining activity in these alleged sage-grouse areas does nothing to actually protect the long-term success or failure of the species. The value from new hardrock mining outweighs any future benefit that might come from sage-grouse. The proposed withdrawals will negatively impact Oregon and illegally takes opportunities from the entire nation.	1
I object to the proposed withdrawal of 10 million acre mineral rich federal lands from new mining activities....	1
I object to the proposed withdrawal of 10 million acres of federal lands from new mining and exploration activities....	1
I object personally to the proposed withdrawal of 10 million acre mineral rich federal lands from new mining activities.....	1
I object to the proposed withdrawal of 10 million acre mineral rich federal lands from new mining activities.....	1
I oppose the withdrawal of land for sagebrush habitat for sage-grouse for these reasons:	1
In conclusion I would make the following suggestions for BLM. We are now a net importer of beef <a href="http://www.cattlenetwork.com/us-beef-imports-33-2015">http://www.cattlenetwork.com/us-beef-imports-33-2015</a> . and lamb. Food is a basic human right, choice of food is a basic human right, importing food is not sustainable. The BLM should focus on eliminating the \$19 BILLION <a href="http://www.gao.gov/new.items/d11424t.pdf">http://www.gao.gov/new.items/d11424t.pdf</a> in maintenance backlog so some future generations does not have to. This proposal has no price tag. I would like to know where the money for this project will come from based on 2015 spending chart by the Federal Government...	1
I would like to offer my comments on mining in the Greater Yellowstone area. National parks were set aside to protect their unique pristine elements. That's why they are called National Parks. I believe we took a wrong turn allowing any exploitation of these areas including drilling, mining, lumbering. I tire of writing to defend this position which seems so obvious. Isn't anything precious worth more than money?	1
It seems the human management of the BLM, is in line with their communistic desires to eliminate the right of the people to seek and harvest the natural resources of the public estate, are using the most restrictive management practice for saving the sage grouse, by declaring a public right of mineral mining off limits for saving the grouse. The right to mine is protected by the 1872 Mining act, with the authority of the 9th Amendment of the US Constitution. The rights of the grouse are not protected by the US Constitution. the BLM has various wild life reserves, There is now a famous one Near Burns, Oregon, so the BLM has the resources at present time to raise sage grouse in captivity. which should be the only necessary recourse to protect the Sage Grouse.	1
I am writing to object to this With drawal for protection of the Sage Grouse. It is not necessary to protect these birds. that cannot be accomplished by contracting out to game farms, Similar to pheasant farms where intense breeding and raising can be done in a controlled environment. the California Fish and Wildlife has done this type of preservation of a species for years.	1
Mining is not a threat to the Sage Grouse as these birds can live on the same land where mining is occurring.	1
This type of act by the B.L.M. is an act of Communism, if the land is with drawn from mining If you should be scared of a law suit from the conservative organizations, I am sure you will also be facing a law suit from mining organizations for unqualified and un warranted restriction. This might be a good fight to further restrict the abusive power of the B.L.M.	1

Comment	Number of Commenters Providing this Comment
.....direct expropriation of valuable mineral property..... I am also a concerned citizen who would like to see reasonable measures taken to ensure a healthy environment and to prevent the decimation of native species. Your new proposal to withdraw large swaths of lands from all mineral entry however, is not reasonable but very heavy handed, unjustified, and unnecessarily harmful both to my company and to mineral exploration in general.	1
The underlying need as identified in the ARMP is to provide additional protection to areas the BLM has identified as "Sage Brush Focal Areas". This request implies that the withdrawals provide additional protection above and beyond what the ARMP provides for priority habitat. Therefore, EIS alternatives must identify what management opportunities exist that will provide additional protection. In addition, the "eminent Threat" to sage grouse habitats must be specifically identified as to location and pending threats present. If the proposal cannot identify additional protection specific to proposed claim activity and if there is no additional protection suggested, the withdrawal is simply duplicative.	1
I strongly oppose the Mineral Withdrawal application of the Great Basin Region. Sally Jewell doesn't endanger the sagebrush grouse and then turns around and proposes a Mineral Withdrawal to protect the Grouse. This is what happens when our Forest Service and BLM is dominated by liberal activists, emboldened by appointed liberal politicians and encouraged by a stupidly liberal President. According to the Dept. of Interiors web page, due to the restrictive nature, the cost of processing, and the level at which a final decision is made, a withdrawal should be used only as a management tool of last resort. If you can't take public land away one way, you'll just do it another way. Again I STRONGLY oppose this Mineral Withdrawal application.	1
The clearest statement of rationale for the Montana proposed withdrawal (and this statement is far from clear) is found in the discussion of Alternatives A and E for the Brazil Creek area, in Appendix P. This discussion for Alternative A says "[I]n the foreseeable future 10 exploration projects are anticipated for the Brazil Creek areas." The discussion for Alternative E says "[T]he mining claims located within and before the withdrawal would be subject to valid existing rights as determined by a mining claim validity examination. Assuming the mining claims subject to activity are determined to be valid the withdrawal of the Sagebrush Focal Areas would reduce the amount of exploration to six projects due to the additional time it would take to conduct a validity examination." Apparently, the writer is saying that the withdrawal is necessary to provide for the validity examination, but that is not correct. The Department of the Interior can conduct validity examinations on unpatented mining claims any time it wishes, with or without a withdrawal. The proceeding to do so is called a "government contest." 43 CFR § 4.451 is entitled "Government contests." Section 4.451-1 provides: "The Government may initiate contests for any cause affecting the legality or validity of any entry or settlement or mining claim." Accordingly, to the extent the proposed withdrawal was deemed necessary to, in some fashion, halt or slow exploration on mining claims, it is not necessary. More to the point is that the BLM's own analysis in Appendix P clearly establishes the proposed withdrawal is not necessary because the lands within the withdrawal area simply do not contain the mineral potential to attract prospectors/claimants. The discussion under Brazil Creek alternative E says that, of the 927,074 acres within the Sagebrush Focal Area "[a] total of 6,422 acres of high development potential, 11,453 acres of moderate development potential, and 71,514 acres of low development potential would be withdrawn as indicated on Map P.1." In other words, just 17,875 acres have enough mineral potential to worry about. And, as indicated above, the agency can initiate validity determinations on any claims actually filed as it deems expedient. Given the purpose of the proposed withdrawal ("[T]he purpose of the Sagebrush Focal Areas in Priority Habitat Management Areas is to protect the Greater Sage-Grouse and its habitat from adverse effects of locatable mineral exploration and mining subject to valid existing rights"), there is, according to the agency's own projections, simply no justification for the proposed 983, 156 acre withdrawal. (We note another discrepancy in the withdrawal figures, as the acreage to be withdrawn according to the agency's Record of Decision is 971,089, including 20,058 acres of existing withdrawals.)	1
I totally and completely oppose the the above subject plan for the Great Basin region. It is time you people quit making these kind of decisions without any public input from the residents of these areas.	1

Comment	Number of Commenters Providing this Comment
I respectfully oppose the U.S. Forest Service and Bureau of Land Management's Approved Resource Management Plan Amendments for the Great Basin Region. ...I would appreciate a reply and to be kept informed as to the progress of the proposal as it moves forward.	1
I am a member of the Mt. Hood rock Club, and it has come to my attention that there is to be a large land closer to keep citizens from accessing public land in Oregon "again". I have had dealings with the BLM in the past, at one time I had a mining claim in eastern Oregon. So some one in DC, decided to change the laws, I tried to work with that, and the paper work and rules kept changing which drove the cost and frustration off the chart. So after spending hundreds to maintain the claim I just gave up (BLM wins), or does it, no more money from me for the last 15 years. And I can still go camp and pan in the same place, I just can't keep others from mining, which I never did anyway. just wanted to keep some big operation from claiming and kicking me off. I have been to; Leslie Gulch, and camped at Sucker Creek and sage grouse, hunted in the desert, (and did not see any sage grouse), by the way. I know there is an agenda on the move hear, and my agenda will be to vote and make people aware of political plots exploited by government (ie) tax dollars used against citizens by our government .What a sad point for the USA. I will be voting to change our leadership as I know the dye is cast and the voice of the people mean nothing to people in charge anymore. And if any one thinks keeping cows or people of the land will stop global warming, it is still as it always has been better habitat for scorpions, rattle snakes, and chucker, then people.	1
halt your plans to halt Mining on BLM lands. These are public lands and they do not belong to the government in itself.	1
I don't know where this will go, but I would like to express my dismay at this short notice! Please do nothing until everyone has been notified! Lands should not be removed as the nesting birds do not move unless they are disturbed. I have seen one or two in my years of rockhounding. You just walk around them and give them distance. They are not disturbed. The same as when a deer or other animal goes by them. There is always going to be some people who do not want anyone on the Federal Land, but themselves. This is prime land for rocks and minerals. Please keep this open.	1
We in the northwest still suffer grievous financial and sociological harm from the spotted owl mess. Why should we again suffer the loss of our recreational lands for a nebulous reason? It is likely that natural predators will not be concerned about disturbing these birds before or after nesting season. One has to question the interests of the BLM as stewards of land to be maintained for the use and enjoyment of it's citizens.	1
As a 78 year old crippled miner, I request that you stop your plans to set aside 10 million acres of land for the sage grouse.	1
I feel it is a very serious illegal over reach, even outside of the present BLM RMP, by this federal agency to withdraw these lands from mineral activity.....I used to respect the BLM as great managers of our federal multiple use lands, but now I do not.	1
I'm all for preserving the environment and making 'reasonable' efforts to assist endangered species. 10 Million acres? There isn't a creature in existence that warrants this level of protection! Species go extinct all the time - they call it natural selection.... Do not institute a ban on mining for the small operator!	1
I am writing to let you know that I highly oppose to the Sage Grouse protection plan that effects mining land....I recommend that the proposed actions to remove 10 million acres of public land from mineral locations be eliminated from the plan to protect the Sage Grouse.	1
I strongly oppose the withdrawal of the approximate 10 million acres of BLM and USFS lands from location and entry under existing Mining Laws and the general multiple use policies of the past.	1
I strongly oppose any and all attempts to withdraw federal property from mining. Without a strong mining community here in the US, people will be forced to turn to other countries for their rare earth minerals, countries which do not practice the same reclamation and environmental concerns as we do. By withdrawing ever more land from public access, you force miners to go out of business and the public to seek less-acceptable sources for their minerals. Not one more inch must be taken from the public!!!!	1
The proposal to withdraw an additional 2 million acres of federal land in southeastern Oregon is excessive and unwarranted when compared to the extent of land already set aside in the region. The large amount of previously withdrawn lands containing quality Sage Grouse habitat was largely ignored in the NEPA process. The proposal to withdraw even more land ignores the amount of land already providing crucial habitat protection.	1



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The Malheur National Wildlife Refuge, created in 1908 includes 187,757 acres of habitat. The Hatfield Mountain National Antelope Refuge, created in 1936 contains the highest Sage Grouse population density in the state, and includes 270,608 acres of withdrawn land. The Steens Mountain Wilderness Act in 2000 withdrew nearly 1 million acres of quality habitat. Together these areas total over 1.4 million acres of withdrawn land. Furthermore, there are an additional 2.6 million acres of Federal land set aside as Wilderness Study Areas, and most of this land is in southeastern Oregon, within the planning area. These areas are effectively closed to mining. While they are open to entry under the mining laws, and mining claims can be filed, wilderness management restrictions prevent exploration and development.	
The rationale for the recommendation to withdraw 2 million acres of Federal land in Oregon is not valid. Withdrawing an additional 2 million acres of land to protect Sage Grouse against increasing mining activity in Oregon is not warranted based on actual fact and logic. Habitat degradation and fragmentation in Oregon due to mining activity has not occurred to date and cannot be reasonably expected to occur in the future. For these reasons the proposal to withdraw and set aside additional Federal lands in Oregon is not supported or warranted.	1
I adamantly oppose all the proposed withdrawals from mineral location pursuant to the 1872 Mining Law, and in particular the withdrawals covering the historic South Pass Mining District in Fremont County, WY.	1
UMA opposes the proposed withdrawal of these lands from new mining claims. The withdrawal would be the largest ever in the history of the Federal Land Policy and Management Act (FLPMA). New mining operations are already either restricted or banned on more than half of all federally owned public lands. Given the vast amount of federal lands already closed to mining operations, caution should be exercised when determining whether additional lands should be withdrawn.	1
On behalf of hardrock miners in Montana, the Montana Mining Association (MMA) resists the proposed Department of Interior action to withdraw mineral acreage from mining operations in Fergus, Petroleum, Phillips, and Valley counties in Montana.	1
To impose the largest withdrawal in the history of Federal Land Policy and Management Act after state and federal agencies have deemed the sage grouse unwarranted for listing, and put into action specific conservation strategies, would be duplicitous and unnecessary.	1
I believe the proposed mineral withdrawal will, if enacted, do the GSG, the local economy and the country more harm than good. I strongly oppose the current SFA mineral segregation and the proposed SFA mineral withdrawal.	1
I strongly recommend that the SFA mineral segregation and withdrawal concept be dropped completely because millions of acres of HMA lands are already withdrawn.	1
Vacate the Secretarial Order and rescind the SFA, the mineral segregation and drop the application to withdraw from mineral entry	1
The Coalition strongly objects to any withdrawal in Wyoming as being unnecessary, ill conceived, violative of FLPMA and NEPA, and fundamentally arbitrary and capricious.	1
I am opposed to shutting down mining on BLM land in response to sage grouse studies....Public land should remain open to the public, even for mining.	1
....This area contains approximately 252,162 acres in Fremont, Lincoln, Sublette, Sweetwater, and Uinta Counties in Wyoming.....The Fremont County, Wyoming legislative delegation objects to the proposed mineral withdrawal. Fremont County has a long history of mining as it has provided good jobs and an important tax base. Mineral exploration is a vitally important component of this economic activity and it must be allowed to continue under the General Mining Law.	1
Therefore, please acknowledge our objection to this mineral withdrawal proposal, now and in the future. Only Congress has land designation authority and this appears to create de facto wilderness by the executive branch.	1
I would like to express my concerns and disagreement on the Proposed Greater Sage-Grouse Environmental Impact Statement (EIS).	1
The EIS is a sham to reduce access to future economic projects and must be rejected because of false science and failure to address the economic impact to residents in the area...I urge BLM to do the right thing and allow reasonable activity for all stockholders in our natural resources.	1

Comment	Number of Commenters Providing this Comment
Lastly, let me express my opposition to the entire plan. It is very clear the BLM is under what amounts to political blackmail by the USF&WS and environmentalists. The Congress and Administration needs to get a backbone as if not, the people are going to take actions themselves against the federalists in DC. Talk from constituents like this was rare a decade ago. As an elected official in Oregon, I hear it every day from common citizens and businesses alike now.	1
I strongly oppose your recent decision to designate 3,854,622 acres of public land to be withdrawn from mineral entry under the guise of protecting the Greater Sage-Grouse.	1
I strongly oppose this proposal to lock up our lands and keep them from the people who they belong to.	1
I am writing to let you know how the small scale mining community and I feel about your proposal take 3,854,622 acres of public land and declare it withdrawn from mineral entry. This action is completely unwarranted and frankly, a mismanagement of public property you have been entrusted to manage.	1
It is quite clear that you are acting in the best interest of the far left environmental movement that strive to place any and all animal rights above any and all human rights. As you are aware, the Sage Grouse does not meet the criteria to be listed as an endangered species. Why is it even a consideration to deny the human mining rights as defined in all of the various mining laws and the Mining Acts of 1866 and 1872 for a bird that has no endangered status?.....The FWS has identified "certain hardrock mining operations as a threat to sage-grouse habitat". You have at your disposal the ability to manage these few "certain", apparently problem operations, please manage them appropriately and leave intact the rights of the rest of the citizens of the U.S. States of America. Instead of designating huge swaths of public land off limits to beneficial use I implore you to use the tools that you already have at your disposal to manage the mineral wealth of America, instead of the agenda driven idea that people in Sage Grouse habitat is the problem.	1
The withdrawal of 3.8 million acres from full public access by Executive Decree is an affront to the American people. It is a betrayal of public trust. Besides being un- Constitutional, since it bypasses Congressional approval, it will further decimate the economy and livelihoods of thousands in and surrounding this land. Just how much economic pain do you and your minions intend to inflict on the American people with ill conceived environmental gamesmanship?....The Constitution says ten square miles. That's it....I adamantly oppose this public land withdrawal for all the reasons stated, and more.	1
I vehemently OPPOSE this designation as it steals my rights as an American for the petty views of the environmental radical lobbyist with NO Congressional APPROVAL!!	1
Let's not get carried away over Sage Grouse habitat. They are not an endangered species and will be here after we are gone. Do not close off vast amounts of public land for no reason.	1
I'm writing to express opposition to the plan to withdraw 1.9 million acres of desert land in Malheur and Lake counties in Oregon from mining exploration for 2 to 20 years, in an attempt to find a balance between the full range of resources in those critical areas of sage grouse habitat.	1
This email is to let you know we oppose the no trespass order for 10+million acres of public land in favor of the sage grouse. As prospectors and rock hounds we find it more and more difficult, if not impossible, to pursue our beloved hobbies..... We also love being in nature and treasure the environment. We don't disturb plants or animals and always fill in our holes. PLEASE, PLEASE, PLEASE Don't close our Public lands.	1
I would like to object to the 10 MM acre Federal land withdrawal plan that purports to establish primary habitat management areas and general habitat management areas as has been proposed; and which would exclude hard rock mining activity and claims from multiple western states.	1
As a Nevada resident for the Majority of my Life I ask that you DO NOT destroy my state, my Home, My Hunting grounds! The BLM Does NOT OWN THE LAND IN NEVADA or any other state for that Matter... YOU Are supposed to Be Managing it FOR THE RESIDENTS of the STATE! .....The BLM stands for the Bureau of Land MANAGEMENT... it means that you are supposed to manage MY STATES LANDs the way That WE THE PEOPLE of NEVADA want it managed... YOU THE BLM and EVEN THE FEDERAL GOVERNMENT DO NOT OWN THESE LANDS	1

Comment	Number of Commenters Providing this Comment
THEY ARE MY STATES LAND AND EVERY OTHER STATES LAND. YOU are supposed to BE the managers..... STOP THE LAND GRAB! DO NOT put sage hens on the endangered species list and do not CLOSE OUR LANDS!	
I urge you to rigorously oppose the U.S. Forest Service and Bureau of Land Management's Approved Resource Management Plan Amendments for the Great Basin Region. If it has not previously been known to you, I urge you and your staffs to investigate and start putting a stop to the overreaching that these and many other government departments do on a daily basis....The US Forest Service and Bureau of Land Management have decided to ignore the Interior Department and go ahead on its own and place restrictions on 10 million acres of land in Idaho, Montana, Nevada, Oregon, Utah and Wyoming. The restrictions include mining, oil and gas exploration, even livestock grazing restrictions.	1
I strongly oppose this land grab. This all our lands not just blm's. Public land. Every day we lose more ground to enjoy in whichever way we chose Stop taking land from the public plz	1
It appears to be some sort of a land grab and not based on real science or on good allocation of public resources or time. Please do note that I totally oppose this attempt at more land withdrawing from public use.	1
This withdrawal is nothing more than the implementation of United Nations Agenda 21 now slated as Agenda 30. I can not believe that so-called Americans working within the U.S. Forest Service and the Bureau of Land Management would even consider doing this. This will and is affecting yourselves as well as your posterity's. All over a bird that is not even endangered. You people working in the Forest Service and BLM are nothing but pawns in a game to destroy all of America. Including yourselves. Open your eyes.	1
I oppose mining in the Greater Yellowstone Ecosystem.	1
Incompetent public land managers are a major problem also....It was not until the local resource people were kicked off the land they were protecting and making a living off that there were increased problems with endangered species...These bosses are looking to protect their own jobs by trying to showing how important their own work is, not caring for and protecting our local resources...Just because some have a college degree it does not mean they are educated and knowledgeable. It is quite easy to buy a degree off the internet. Closing off the forests to logging and mining has several effects, it reduces the presence of competent people that are working in the area to be able to put out small fires when they start if they come across them early. Closing the forest to logging and fire wood gathering increases the fuel load on the public lands and increases the fire danger that has been common the last few years. Also the access roads to timber sales and mining claims that are constructed gives better access to many additional areas to put out fires without having to build new temporary roads. No access roads to a new small fire causes delays when a fire is just starting. A small easy to put out fire turns into a large uncontrolled inferno with no easy access. These large incidents "managed" by Incident management teams are another problem that needs to be addressed, but not with this letter. Land closures will also make the US dependent on foreign countries for our lumber and mineral supplies. Not encouraging small operators to manage their own land and the public land they use is causing many of the present sage grouse problems with the public lands. Large cooperate and/or foreign owned farms and ranches that do not have to make a living off the land they own and public land they use is the source of most of the present habitat problems, they don't have to make a living off the land. They make resource protection more of the responsibility of the inept federal agencies, which creates more range quality problems. I fear that letting the BLM and Forest Service do a "Temporary Closure" will turn into a permanent closure. The same inept government trained managers first trained in the same distant schools will again blame the locals for continued sage grouse low numbers and request more closures and even more land withdrawn. It will require more government workers looking to justify their positions and another increase in the national debt. We cannot buy our way out of this, the taxpayers cannot afford more government! ...Limiting the actions of extreme groups with a radical agenda will assist the sage grouse recovery more than limiting the activities of local resource users. The problem is not the people that wisely use the local resources to make a living, it is the so called "protectors of the resources" trying to justify their jobs that are causing the problems. I am sure that there are a few local resource users that are not competent and do cause problems, but that should not require that "all the users" of federal land be responsible for the problems and massive federal spending to attempt to fix them by throwing money at them.	1

Comment	Number of Commenters Providing this Comment
I oppose this withdrawal.	1
I strongly oppose this withdrawal from mineral entry to protect the greater sage-grouse.	1
Valley County opposes the withdrawal of any lands identified as Sagebrush Focal areas from location and entry under the United States mining laws to protect the Greater Sage-Grouse and its habitat from adverse effects of locatable mineral exploration and mining. Effective immediately there is approximately 800,000 acres of land in Valley County alone, that is affected by this segregation of land, for the next two years during the application process.	1
Stop closing lands to mining and rockhounding. The animals will be just fine.	1
The BLM must include an alternative of "no action." In the context of land management planning, no action means no change from the current management direction. Because the 2015 ARMPA and the State Plan are in effect, this alternative should contain the protections outlined in the 2015 Amended Resource Management Plan and the State Plan.	1
In conclusion, and in light of the above, the balance of interests clearly weights in favor of significantly limiting, or even rejecting in its entirety, the proposed mineral withdrawal.	1
As a Consulting Economic Geologist with more than 37 years of exploration experience in twelve (12) western states, I strongly oppose this proposed action. And I fully support the statements made against this proposal, contained in the following document, prepared by the National Mining Association.	1
I strongly urge you to dismiss this unnecessary proposal.	1
.....I am very opposed to the proposed actions: It will devastate the local and regional economy while accomplishing nothing for sage grouse populations and I base my conclusions on many years of geologic field work and foot or horse-back travel within the affected areas.	1
This letter is to register Rancho Grande's opposition to the proposed withdrawal and the proposed EIS.	1
The proposed mineral withdrawal would do nothing for the sage grouse population, in fact, implementation will likely cause a slight decline in sage grouse. There is only one possible conclusion and that is the proposed withdrawal is a blatant attempt to destroy the mineral industry of the western states through arbitrary and capricious actions of anti-mining individuals within the involved federal agencies and their "associates". There is no peer-reviewed science that demonstrates that mineral exploration and development affects sage grouse, in fact, there is no scientific basis at all to the various LUPA/SFA proposals. Instead there is only opinion and innuendo generated by radical-environmentally biased bureaucrats and their affiliates in various NGO's, none of whom have intimate experience with the areas affected through having lived here for sufficient amounts of time to understand the land, the wildlife and the economy. The proposed mineral withdrawal is unwarranted, arbitrary and capricious. It directly violates Sec. 204 of FLPMA. It would do nothing for the sage grouse populations, a species which USFWS correctly concluded did not warrant listing as an endangered species. The continued attempt to implement the mineral withdrawal, creating a "de-facto" wilderness area using a "surrogate species" will undermine the long-term future of both the Endangered Species Act and the Wilderness Act: The proposed arbitrary and capricious actions will require a thorough review of the entire process and related body of legislation to prevent such outrageous attempts in the future.	1
The proposed withdrawal of 10,000,000 acres of land from mineral locations together with a proposed EIS to greatly limit or curtail mining activity on the withdrawn lands do not appear to have any rational correlation to protecting or improving the sage grouse habitat. Consequently, your help in denying the proposed withdrawal and obtaining a "no action" alternative to the proposed EIS is earnestly requested.	1
Withdrawing this amount of land from the location and entry under the U.S. mining laws is unacceptable as proposed for the protection of habitat for Sage Grouse. The bird has not been listed and for many good reasons including the fact that there is an abundance of birds and the species is not remotely in jeopardy of going extinct. Many of our members, either through their real estate business or in the recreational use, spend a lot of time in the areas being classified as Sagebrush Focal Area's. The sage grouse is still plentiful and NV even has a hunting season for the bird.	1

Comment	Number of Commenters Providing this Comment
I oppose the withdrawal of lands identified as sagebrush focal areas.	1
The Board of Fremont County Commissioners are hereby formally notifying you of our object to the proposed withdrawal of lands within Fremont County...	1
The very tone of this EIS is almost enough to intimidate anyone from buying a ranch our trying to develop bentonite or some other recoverable resource as a business venture. There is no reason to withdraw this land from an area that is producing so many Sage Grouse that we are exporting them to our neighbors to the north of us. As usual, most of us perceive that our point are falling on deaf ears. This would be a good time for this agencies to do the job they do with integrity and common decency and fairness. Most of us realize that this is not being perpetrated by our local BLM staff. They are just stuck with the ones higher up the latter that continue this direct assault on or industries and our way of life would like you to do the dirty work Short Answer to question Hell No!!!!	1
.....If this closure happens this will greatly impact families and businesses in those suggested areas financially. Not only will families not be able to hunt or put food on their tables, but this would severely impact the mining industries with exploration. Not only is my own family hunters but we are also employed in the mining industry and this withdrawal would significantly impact our home and financial stability. Our family is not the only one this will impact. The percentage of hunters vs mining industry employees is quite large for Nevada, Oregon, Idaho, Wyoming, and Montana just to name a few. How is it morally and ethically correct to close down areas that bring revenue into those states, and damage the working families financial stability? Don't punish the hard working families and active hunter for an endangered species. If there is an endangered species of animal close down that season of hunting for that specific species. Don't close down 100's of 1,000's of acres when a season can be shut down with a click of a button. I am completely against this closure.	1
As a resident and tax paying citizen of Nevada, as well as a United States Marine Corps veteran, I am informing you of my explicit objection regarding the proposed land withdrawal pertaining to the Sage grouse habitat.	1
The BLM and Wildlife Services should be completely defunded because they do not protect the land or the wild creatures. It is an agency that serves a different master--not the American public.	1
The greatest threat to SFA is not soil disturbance. It is govt. interference. This animal has a population that regularly expand and contracts. The ranching community is actively engaged in keeping the sage grouse population viable. Absolutely no one gives us credit. We are just the big bad monster cow producer, methane creator. I challenge you to walk a day in my shoes to see how it really works.	1
The EIS must consider a no-action alternative under which there would be no withdrawal of lands from location and entry under the United States mining laws. This alternative must evaluate the extent to which the plethora of other existing and reasonably foreseeable federal, state and local efforts to protect sage grouse and its habitat provide adequate protection for the species.	1
The strict surface disturbing restrictions directly impacts Pilot Gold's ability to mine...BLM has severely interfered with Pilot Gold's ability to mine its own land given the surface disturbing restrictions in place...Pilot Gold is restricted from undergoing mining operations which relate to surface disturbing activities for the greater sage grouse particularly from March 1 through June 30 and November 1 to February 28. Id. The types of surface disturbing activities include operation of heavy equipment, installation of pipelines and power lines, drilling, etc. The use of heavy equipment and drilling is essential to Pilot Gold's mining operations and would deprive Pilot Gold of its ability to use its land to its fullest potential.	1
It is very clear that most politicians do not care about the state of our domestic minerals industry, but they should. Although the public needs the products of mining, it only gets distorted news and has been educated for a generation to despise mining.	1
The question has to be asked: With no significant examples of mining-related threats, how can the DOI in good conscience recommend 1,900,000 acres of mineral entry withdrawal? ....It is my observation from years of mineral exploration in Oregon, and supported by comments in the EIS, that the risk from exploration and mining to the Central Oregon sagebrush-focal-area habitat is slight to minimal. It appears that faulty assumptions with no basis in fact were used to justify the 1,900,000 acre Oregon mineral entry withdrawal. Somebody needs to check the facts. There is no verifiable	1

Comment	Number of Commenters Providing this Comment
data in the EIS that would suggest that the Oregon mineral-entry withdrawal is merited! Who in the DOI is responsible for recommending sagebrush-focal-area-mineral-entry withdrawal in Oregon and other states that will have such a profound negative impact on the attitude of the entire exploration industry toward working in the USA?	
We have to question, is it in our nation's best interest and the interest of future generations to continue to withdraw more prospective land where new mineral discoveries might be made? Is a reliable domestic source of raw materials for our nation's security and our industrial complex important? I believe the answer to question one is a definite no and the answer to question two resounding yes. We need to recognize that mining is important and bring common sense back into the regulatory environment. The Department of the Interior, Bureau of Land Management and the State of Oregon can set a positive example by voiding the 1.9 million-acre sagebrush-focal-area mineral withdrawal as it is harmful to the U.S. mining industry and serves no productive purpose.	1
NVMRA is providing these comments on the Proposed Mineral Withdrawal Environmental Impact Statement ("EIS") because its members have numerous interests that are adversely affected by the proposed withdrawal....NVMRA's previously submitted comments objecting to this proposed withdrawal, which will put lands with some of the most prospective geology in the world for the discovery of precious metals deposits off limits to mineral exploration, development, and mining for at least 20 years....the proposed mineral withdrawal in the NVLMP is inconsistent with FLPMA and interferes with mining claimants' rights under the Mining Law. Additionally as discussed at length in our Protest Letter, the Final EIS violated numerous NEPA requirements.	1
I am absolutely against the withdrawal of 10 million acres of public and National Forest System (NFS) lands identified as "Sagebrush Focal Areas" in Idaho, Montana, Nevada, Oregon, Utah, and Wyoming, from location and entry under the United States mining laws as well as scoping comments to be analyzed in the associated draft environmental impact statement.	1
I would like to formally express my opposition to the proposed minerals withdrawal based on the following concerns:	1
The proposed mineral withdrawal is not necessary based on the items listed above and the proposed withdrawal does not benefit all of the stakeholders involved in the areas this proposed action would effect.	1
The NFMS position, which I support, is that blanket exclusion from being able to file a mineral claim under the 1872 Mining Law in Sagebrush Focal Areas is an unnecessarily restrictive level of Public land management – even for a 2-year “temporary restriction” period.....The proposed PEIS and all related implementation plans related to current EIS’ should articulate that the provisions of established National policies in 36 CFR 228 and 43 CFR 3809 still allow and govern casual-use prospecting/collecting or other rockhounding activities in all sage grouse management areas. If specific concerns exist as to potential impacts of exploration activities on BLM lands, they should be discussed and articulated in supplemental NEPA reviews of existing plans and amendments and their Implementation Plans/Amendments -- not through blanket mineral location-filing and access/entry withdrawals that seem to be the proposal of BLM in the Notice of Intent of 24 September 2015 and the extension notice of 13 November, 2015.	1
I feel it is particularly inappropriate when looking at the interactive maps being provided to the Public ( <a href="http://www.blm.gov/wo/st/en/prog/more/sagegrouse.html">http://www.blm.gov/wo/st/en/prog/more/sagegrouse.html</a> ) and reading the broadly-worded text in current grouse-management EIS' and the 24 September 2015 FR Notice -- that complete 1872 Mining Act withdrawals are required in all DOI- or USDA-administered Federal lands located within an entire Township and Range bloc which contains even a tiny parcel designated as an SFA. I would again argue that NO withdrawals are even necessary, given the currently codified procedures at 36 CFR 228 and 43 CFR 3809 for agency review and assessment of Plans of Operation of proposed mining activities after a claim is legally located and filed -- let alone proposing that complete withdrawals for 20 years or more are "crucial" to assure an appropriate level of future grouse population maintenance.	1
• The No Action Alternative must include an accurate description of the existing sage-grouse populations, habitat conditions, and threats and must quantify these existing baseline conditions for comparison with the proposed action alternative(s) and their resulting net benefit for GRS...The	1

Comment	Number of Commenters Providing this Comment
Bureau of Land Management/U.S. Forest Service (BLM/FS) Land Use Planning Amendment (LUPA) Final Environmental Impact Statement (FEIS) provided no science or analysis at any level to support the rationale that exclusion of mining and mineral exploration will maintain the key attributes of GRSG habitat that are needed to realize a net benefit for GRSG.	
The No Action Alternative must be analyzed for the positive impacts the mineral industry provides such as participation in landscape scale efforts that require a broad range of partnerships and opportunities for reclamation and to further reclamation technology through restoration research.	1
It is also difficult to comment given that there is no statement as to the manner in which the potential uses resulting from new mining claims in the subject areas are in fact incompatible with, or are in conflict with, the proposed use of the land as SF As. Rather than discuss these impacts, the statement merely contains a statement that withdrawal of the sage-grouse focal areas in priority habitat management areas is to protect the greater sage-grouse habitat from adverse effects of the locatable mineral (a) exploration, and, (b) mining. One is left to wonder why the impact of exploration, discovery, and filing claims has such an adverse impact that withdrawal is the only recourse.	1
My question - Why withdraw such a huge area for a bird that is not on anyone's endangered list?	1
While attending the sage grouse meeting (?) I asked a question as to why the BLM had done a prescribed burn north of the town of Plush along the then dry lake beds. This is well within the area in question. I was given a blank stare and a general political answer that stated he was not familiar with the circumstances but was quite sure it was for the good of the wildlife. We have been put under many unfair circumstances as miners for a species that the US Govt itself declares not endangered, yet they can play fire truck whenever they want.	1
I am an avid rock hound and ATV rider. I attended a meeting at which I learned about the Sage brush withdrawal proposal. ....It appears this proposed map is an attempt to lock up any mineral or gem deposits for the government. Sage grouse are fast flyers "up to 50 miles an hour and can fly a mile or more at a time", why would backhoe or caterpillar equipment interfere with them when they are mainly working in one spot. ....I believe the increased avian population, coyote and now wolves are a substantial threat that hunt them down and eat them or their eggs, not backhoes or caterpillar's equipment. I am against you taking more of our Idahoan rights to appease the government! Why not work on getting rid of the coyotes and wolves that are killing most of the sage grouse. I feel this is a way to get the government's foot in the door to close down more of our Idaho access to BLM property	1
The proposed area is too much too broad and for too long. It would cripple development of resources.	1
EIS needs to fully analyze and fully disclose the economic impact of such withdrawal to the state; # or geologists out of work, indirect impacts to local communities. Mining is NOT a significant impact and is a temporary impact -- it can be reclaimed to be sage grouse habitat -- therefore mining and exploration should be allowed in SFA.	1
As City Manager, I am opposed to the proposed 20 year withdrawal. Mining exploration is extremely important to the City of Elko's economy.	1
I am asking that people like my self a retired serice man, rockhound hobbyist and tax payer. Not be denied access to lands we love and enjoy even in the presents of the Sage Grouse...utter disregard to the national interest in Rockounding or mineral development...	1
I am totally against this illegal land grab.	1
EOMA opposes the proposed withdrawal of these lands from new mining claims. The withdrawal would be the largest ever in the history of the Federal Land Policy and Management Act (FLPMA). The proposed withdrawal of approximately 10 million acres from location and entry under the general mining laws without Congressional approval far exceeds the Secretary's authority to withdraw lands under FLPMA.	1
<b>4.5.1 Support Proposed Action: Proposed Withdrawal: Commenters state reasons for their support of the proposed withdrawal.</b>	
I am writing to express support for the proposal to protect 10 million-acres of public land in six western states from new mining claims to prioritize the conservation of Greater Sage-Grouse and their habitat....The proposed mineral withdrawal is essential to protecting sage grouse and sage grouse habitat because the 1872 Mining Law, and associated case law, prioritizes mining over all other land uses. Absent a mineral withdrawal, these public lands could not be effectively managed for the conservation of this important species.	4217



Comment	Number of Commenters Providing this Comment
I am writing to express support for the proposal to protect 10 million-acres of public land in six western states from new mining claims to prioritize the conservation of Greater Sage-Grouse and their habitat...The proposed mineral withdrawal is essential to protecting sage grouse and sage grouse habitat because the 1872 Mining Law, and associated case law, prioritizes mining over all other land uses. Absent a mineral withdrawal, these public lands could not be effectively managed for the conservation of this important species.	50
Please withdraw all six of the identified Sagebrush Focal Areas from future mining claims and development. Preventing new mining activity in these key sage-grouse strongholds will help ensure that BLM's plans to protect the habitat of this important species will be successful.	46
One of the main reasons why the Greater Sage-Grouse was not protected under the Endangered Species Act in September 2015 was because recently-approved Resource Management Plans indicated that the BLM would protect Sagebrush Focal Areas from habitat fragmentation. This proposal helps fulfill the BLM's obligation to conserve sage-grouse habitat; I understand that the BLM will conduct comprehensive scientific studies to ensure that the mineral withdrawal is defensible, and that those studies will make needed adjustments to the proposed withdrawal areas to ensure that the best habitat is protected;	14
Thank you for the proposal to withdraw new hardrock mining claims on 3.6 million acres in Idaho in order to protect the greater sage-grouse.	14
I am writing to ask the BLM to proceed with a mineral lease withdrawal on 10 million acres in six western states to assist with sage-grouse conservation. I also want to specifically support this proposal in Montana.... The BLM proposal is fair: it respects valid, existing rights and is proceeding in a thoughtful, scientifically defensible manner.	13
The proposed mineral withdrawal is essential to protecting sage grouse and sage grouse habitat because the 1872 Mining Law, and associated case law, prioritizes mining over all other land uses. Absent a mineral withdrawal, these public lands could not be effectively managed for the conservation of this important species.	5
I am writing to express support for the proposal to protect 10 million-acres of public land in six western states from new mining claims to prioritize the conservation of Greater Sage-Grouse and their habitat.	3
I strongly support any measure in support of protecting sage grouse habitat. Please DO withdraw 10 million acres of public land from "development" in order to enrich the habitat for sage grouse. For in doing so, you are also enriching the habitat for many, many other species, including the human species, who needs open space and clean air every bit as much as the grouse.	2
As an Idaho resident who frequently visits the the Greater Yellowstone Ecosystem, I urge you to protect habitat important to sage-grouse and other wildlife from destructive hard rock mining. Please withdraw the proposed lands from hard rock mining.	2
I am writing to express support for the proposal to protect 10 million-acres of public land in six western states from new mining claims to prioritize the conservation of Greater Sage-Grouse and their habitat. Have you seen photos of this little guy? He's gorgeous!	1
We must find a way to stop the cloud of greed from distorting our perception of the future. It will be a dark time for our children at this pace. We need change to even have a chance to begin to course correct our environmental crisis. ...I am writing to express support for the proposal to protect 10 million-acres of public land in six western states from new mining claims to prioritize the conservation of Greater Sage-Grouse and their habitat.	1
...I am writing to express support for the proposal to protect 10 million-acres of public land in six western states from new mining claims to prioritize the conservation of Greater Sage-Grouse and their habitat.	1
I am writing to you from Spain to express support for the proposal to protect 10 million-acres of public land in six western states from new mining claims to prioritize the conservation of Greater Sage-Grouse and their habitat.	1
My husband and I are writing to express support for the proposal to protect 10 million-acres of public land in six western states from new mining claims to prioritize the conservation of Greater Sage-Grouse and their habitat....WE strongly support conservation efforts to protect the greater sage-grouse – an iconic American symbol of the west! PLEASE TAKE THE RIGHT, FAIR, JUST, HUMANE AND HEALTHY ACTION AND WITHDRAW PUBLIC LANDS FROM MINING TO PROTECT GREATER SAGE-GROUSE	1

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In support of nature over industrial profit! I am writing to express support for the proposal to protect 10 million-acres of public land in six western states from new mining claims to prioritize the conservation of Greater Sage-Grouse and their habitat.	1
I am writing to express my strong support for the proposal to protect 10 million-acres of public land in six western states from new mining claims to prioritize the conservation of Greater Sage-Grouse and their habitat. Our nation does not need more destructive mining in the very places where so much is at stake for those species that call it home. I don't want to see them become homeless due to mining claims nor what mining wants to do to make them so. I believe that this is a pivotal moment where government can take steps to put a halt to mining for the greater good and long term protection of these species and the lands they all live on.	1
It's not just the sage grouse...it's people, other animals, the land itself. I am writing to express support for the proposal to protect 10 million-acres of public land in six western states from new mining claims to prioritize the conservation of Greater Sage-Grouse and their habitat.	1
So the proposed mineral withdrawal is essential to protecting sage grouse and sage grouse habitat because the 1872 Mining Law, and associated case law, prioritizes mining over all other land uses. Absent a mineral withdrawal, these public lands could not be effectively managed for the conservation of this important species.	1
The proposed mineral withdrawal is essential to protecting sage grouse and sage grouse habitat because the 1872 Mining Law, and associated case law, prioritizes mining over all other land uses. This is now and has been a mistake that has decimated a once thriving species and the health of the sage brush lands. Absent a mineral withdrawal, these public lands could not be effectively managed for the conservation of this important species.	1
I am writing to ask the BLM to proceed with a mineral lease withdrawal on 10 million acres in six western states to assist with sage-grouse conservation. I also want to specifically support this proposal in Montana...	1
I ask that all of the portion of Oregon Lands that have been proposed for Withdrawal from any future mining claims under the 1872 act be withdrawn and closed to future mining claims.	1
To begin, we wanted to make it clear that we support the proposed mineral withdrawal on all Sagebrush Focal Areas identified in recent BLM and USFS land use plan amendments and revisions, which cover approximately 10 million acres of land in six western states.	1
This withdrawal will significantly assist with sage-grouse conservation. As you know, in September 2015 when the U.S. Fish and Wildlife Service decided that Greater Sage-Grouse did not warrant protection under the Endangered Species Act, one of the main reasons justifying the decision was because states, the BLM, and the USFS had made commitments to take charge of conservation efforts for this bird. The mineral withdrawal being proposed helps fulfill the BLM's and USFS's obligation to conserve sage-grouse habitat. We understand that if the BLM/USFS decide to proceed with the mineral withdrawal, the scoping opportunity currently underway is an important step in a longer process. After the scoping process is complete, the BLM and USFS must conduct comprehensive scientific studies/an environmental review to ensure that the mineral withdrawal is defensible, that its boundaries are accurate, and that the best habitat is protected. We want to make it clear that we support the mineral withdrawal for the maximum allowable time (20 years)-and we support the effort by the BLM and USFS to continue working on this important conservation measure.	1
We understand that bentonite and gravel are the main two minerals that will be impacted by the proposed withdrawal in Montana. The USFWS identified habitat fragmentation caused by certain hardrock mining operations as a significant threat to sage-grouse. As a result, the BLM's resource management plans for Montana, which were finalized in late-September 2015, recommend that the BLM safeguard Sagebrush Focal Areas (called Protection Priority Areas) by withdrawing them from new entry granted under the 1872 Mining Law. Even though an individual bentonite or other mine might be relatively small in acreage, the associated roads, etc. for exploration and/or development can significantly fragment habitat. Sage-grouse don't tolerate noise, towers, etc.—and while these things may not kill them, the impacted birds just move away from the developed site, effectively shrinking the useful habitat. It is critical for resource managers trying to curtail habitat fragmentation to draw lines on a map and restrict development in critical habitat. The BLM is pursuing this mineral withdrawal in their most consolidated land and their best, most intact sagebrush	1

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habitat. This approach makes sense to us. We witnessed bentonite companies attending every meeting of Montana Governor Steve Bullock’s Greater Sage-Grouse Habitat Advisory Council meetings, where they tried to get a significant area with bentonite potential removed from sage-grouse protection measures in the area currently proposed for mineral withdrawal. Although we don't know if the bentonite companies would actually have developed these mines, during the Advisory Council meetings the companies repeatedly tried to get specific sage-grouse habitat set aside for bentonite development.	
The main challenge surrounding sage-grouse conservation is determining how to deal with habitat fragmentation. When a wildlife species like the sage-grouse is declining from “death by 1,000 cuts,” it is important to eliminate as many of the threats (“cuts”) as possible. This proposed mineral withdrawal will eliminate several sources of habitat fragmentation on almost 1 million acres of the best BLM sagebrush habitat in Montana. We believe this initiative is an important “piece of the puzzle” for sage-grouse conservation	1
We support the Department of the Interior’s efforts to withdraw these lands from mineral development to benefit sage-grouse and other public values and are offering specific recommendations for evaluating and proceeding with appropriate areas for withdrawal.	1
The Nevada Chapter of Backcountry Hunters & Anglers (NV BHA) supports the proposed mineral withdrawal for the Sagebrush Focal Areas (SFA).	1
We view the on-going efforts by the federal agencies, the states and stakeholders to provide appropriate management and regulatory certainty for the survival of the sage grouse (SG) to be a long-term gift to us all, should implementation be rigorous and timely. The “winners” will include all sagebrush dependent species, ranchers, energy companies, sportsmen, recreationists of all kinds. That said, to achieve this goal, and to keep SG from being eventually listed, all parties must exercise a degree of restraint, put our collective noses to the grindstone and speedily implement the hard work and expertise reflected in the SG EIS.	1
SFA's are the ultimate in essential areas to ensure retaining high quality SG habitat and thus ensure SG thrive and survive. If these areas cannot be conserved and protected, the likelihood of eventual listing is high. That result would have severe consequences for all wildlife and people who depend upon and/or enjoy our public lands.....Via the 1872 Mining Law, mining has priority over all other multiple uses on public land. However, until such time as we can demonstrate that public land can be managed to ensure the survival of the SG, within the very highest value SG habitat (SFA) it is essential to determine if limited time cessation of additional development will have a positive impact on SG survival.	1
The conservation credit system (CCS) may eventually minimize negative impacts to SG and/or loss of habitat. But, even at best, there is no way to create additional high quality SG habitat and be certain that any population will find it and thrive. The birds are highly loyal to their traditional grounds and have typically been shown to not relocate unless a new area is within a couple of miles of an existing lek. The CCS will be a necessary and useful system in areas of general habitat. However, in PHMAs and SFAs “minimization” would still represent an irreplaceable loss..... A withdrawal of SFAs from new mineral entry will help provide the regulatory certainty required to continue keeping the bird from being listed.	1
The undersigned conservation groups wish to thank the Bureau of Land Management for this opportunity to comment in support of the proposed mineral withdrawal to conserve habitat for the Greater Sage-Grouse.	1
The Records of Decision (RODs) for the National Greater Sage-Grouse Planning Strategy identified mining as a threat to sage-grouse and noted that withdrawing areas from mineral location and entry will help reduce potential surface disturbance in SFAs. NWF urges the DOI to complete the proposed withdrawal of lands from mineral development to benefit Greater sage-grouse as well as other public land resources.	1
Please prohibit mining development in the Sagebrush Focal as recommended in the Hi Line RMP of June 2015. Mineral development would destroy more Sage Grouse habitat and disturb areas designated as Lands With Wilderness Characteristics. There's already too little wild, natural land left, compared to the vast amount of our public lands which have been developed for resource extraction and commercial and agricultural uses. Historically, and to the present, mine reclamation in Montana has a poor track record. Protecting the wild areas that we have left should be a priority of the BLM.	1

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Without this action, current federal mining laws may require BLM and USFS to prioritize mineral exploration and extraction over all other land uses, including fish and wildlife conservation. These laws also provide that BLM and USFS lands must, under some circumstances, be transferred to private ownership. The agencies cannot fulfill their commitment to ensure healthy and sustainable populations of Greater sage-grouse if the conservation of the birds' essential habitats remains secondary to these demands. The decision by the United States Fish and Wildlife Service (USFWS) in September 2015 that the Greater sage-grouse no longer warrants listing as either endangered or threatened pursuant to the Endangered Species Act (ESA) is based in large part on implementation of these amended federal land use plans, including the proposed withdrawals. 80 Fed. Reg. 59916. USFWS assumed as part of its September 2015 decision not to list sage-grouse under ESA that large expanses of essential sage- grouse habitat will be withdrawn from mineral development as part of federal strategies to conserve and recover the bird.	1
NWF notes that withdrawal of important Greater sage-grouse habitat is fully in compliance with the Presidential Memorandum: Mitigating Impacts on Natural Resources from Development and Encouraging Related Private Investment issued in November 2015. That memorandum calls on both USFS and BLM first "to avoid and then minimize harmful effects to land, water, wildlife, and other ecological resources (natural resources) caused by land- or water-disturbing activities." It also specifically recognizes "that existing legal authorities contain additional protections for some resources that are of such irreplaceable character that minimization and compensation measures, while potentially practicable, may not be adequate or appropriate, and therefore agencies should design policies to promote avoidance of impacts to these resources." SFAs and other essential habitat for a species on the brink of requiring ESA protection clearly meets this latter standard. DOI should exercise its existing legal authority to execute withdrawals and preserve these irreplaceable lands from the threat of loss to mineral exploration and extraction.	1
The need to withdraw Greater sage-grouse habitat is well-documented. In December 2011, the Sage-Grouse National Technical Team (NTT) convened by BLM issued a report on science- based conservation measures that are "necessary to promote sustainable sage-grouse populations." NTT 2011: 4. The NTT report recommended withdrawing all priority sage-grouse habitat from mineral development to conserve the species. See NTT 2011: 14. USFWS's own Conservation Objectives Team (COT) Report reached similar conclusions, finding that: Surface mining and appurtenant facilities within sage-grouse habitats result in the direct loss of habitat, habitat fragmentation, and indirect impacts from disturbance (e.g., noise, dust). Current reclamation activities do not always consider sage-grouse habitat needs. Those that do may take decades to restore habitats and experience the same limitations as restoration activities. Surface facilities supporting underground mining activities can have similar impacts. COT 2013: 50. USFWS further recommended that management of habitat "[a]void new mining activities and/or any associated facilities within occupied habitats, including seasonal habitats." COT 2013: 50.	1
Thank you for the proposal to withdraw new hardrock mining claims on 3.6 million acres in Idaho in order to protect the greater sage-grouse. As a long time resident of Idaho, I am thrilled that the BLM is making this a priority.	1
Thank you for the proposal to withdraw new hardrock mining claims on 3.6 million acres in Idaho in order to protect the greater sage-grouse. This is a terrific first step.	1
Thank you for the proposal to withdraw new hardrock mining claims on 3.6 million acres in Idaho in order to protect the greater sage-grouse. This is exactly what we need to do for the grouse.	1
Please consider the following comments in support of the mineral withdrawal proposal and consider withdrawal of all minerals within priority and important sage grouse habitat.	1
There is enough mineral mining in the US. The US does not need any more mineral mines at the expense of critical habitat for prairie bird populations. Birds and their habitat are much more important than another source of minerals.	1
As one of the millions of Americans who treasure the Greater Yellowstone Ecosystem and one of the many thousands who live there, I urge you to protect habitat important to sage-grouse another wildlife from hard-rock mining.	1

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I urge you to protect habitat important to sage-grouse and other wildlife from destructive hard rock mining. I support the recommendation to withdraw the proposed lands within the Greater Yellowstone Ecosystem from hard rock mining.	1
The proposed mineral withdrawal is essential to protecting sage grouse & its habitat because the 1872 Mining Law, & associated case law, prioritizes mining over all other land uses. Absent a mineral withdrawal, these public lands could not be effectively managed for conservation of this severely endangered iconic keystone species.	1
I am writing to express support for the proposal to protect ten million-acres of public land in six western states from new mining claims to prioritize the conservation of greater sage-grouse and their habitat. I strongly support conservation efforts to protect the greater sage-grouse—an iconic American symbol of the west.	1
This is the 'canned' introduction that I have been provided: 'I am writing to ask the BLM to proceed with a mineral lease withdrawal on 10 million acres in six western states to assist with sage-grouse conservation. I also want to specifically support this proposal in Montana, where the mineral withdrawal is proposed on 983,156 acres of Sagebrush Focal Areas in Fergus, Garfield, Petroleum, Phillips, and Valley Counties in Montana. This withdrawal has been described in detail by the BLM.'	1
--the habitat that this acreage provides to the sage-grouse and other species of birds cannot be replicated if destroyed	1
As an avid supporter of preserving our bird species, I am writing to support mineral lease withdrawal of 10 million acres to support sage grouse protection. Through the mineral withdrawal, BLM will be fulfilling its obligation to conserve sage grouse habitat. The BLM withdrawal is fair and based on scientific findings.	1
As a Montana Audubon member and conservationist, I am writing to ask the BLM to proceed with a mineral lease withdrawal on 10 million acres in six western states to assist with sage-grouse conservation. I also want to specifically support this proposal in Montana, where the mineral withdrawal is proposed on 983,156 acres of Sagebrush Focal Areas in Fergus, Garfield, Petroleum, Phillips, and Valley Counties in Montana. This withdrawal has been described in detail by the BLM.	1
The Greater Sage-Grouse was not protected under the Endangered Species Act in September 2015 was because recently-approved Resource Management Plans indicated that the BLM would protect Sagebrush Focal Areas from habitat fragmentation. This proposal helps fulfill the BLM's obligation to conserve sage-grouse habitat; I understand that the BLM will conduct comprehensive scientific studies to ensure that the mineral withdrawal is defensible, and that those studies will make needed adjustments to the proposed withdrawal areas to ensure that the best habitat is protected;	1
I was happy to learn that the BLM is considering a mineral lease withdrawal on 10 million acres in six western states as part of ongoing efforts to conserve the sage-grouse. I am most familiar with the lands under consideration in Montana where I live. Specifically, the nearly 1 million acres of Sagebrush Focal Areas in Fergus, Garfield, Petroleum, Phillips, and Valley Counties.	1
I am in support of this proposed withdrawal action...BLM plans scientific studies to focus withdrawals in the best habitat...withdrawal will benefit many other Sagebrush-dependent Species of Conservation Concern in Montana, including Greater Sage-Grouse, Mountain Plover, Ferruginous Hawk, Golden Eagle...Greater Sage-Grouse was not protected under the Endangered Species Act in September 2015 in part because BLM Resource Management Plans indicated that Sagebrush Focal Areas would be protected from habitat fragmentation.	1
I am requesting the BLM withdraw mineral development in the Phillips and Valley County Montana Sagebrush Focal Area (927,074 acres).	1
I am writing to express MAS' support for the proposal to withdraw ten million acres of BLM-managed land in six Western states from mining. The proposal seeks to preserve habitat critical to the survival of the greater-sage grouse, and other shrub-steppe obligate species.	1
Historically, the greater sage-grouse probably occurred in Arizona. Gunnison sage grouse were reported in Arizona but disappeared around the time of Arizona's 1912 statehood. Destruction of native grass and shrub communities by habitat-altering human activity, including mining, likely contributed to the extirpation of these species. Immediate action must be taken to protect greater-sage grouse habitat or this species will be	1

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extirpated from the remaining western states. Working as a District Biologist for Washington Department of Fish and Wildlife, I witnessed the impact of habitat degradation and fragmentation on sage grouse populations. The proposal by the Bureau of Land Management (BLM) to withdraw approximately ten million acres of Sagebrush Focal Areas from hard- rock mining represents a step in the right direction. This action will protect greater-sage grouse habitat and help preserve populations of many other species that utilize the shrub-steppe ecosystem.	
Please protect all Sagebrush Focal Areas from future mining claims and development. Preventing additional mining in these areas will support BLM's plans to protect the sage-grouse.	1
I support your proposal to withdraw lands currently or potentially important to sage-grouse from new mining claims. Doing so is a noteworthy although not particularly courageous action.	1
Most of what I think has already been said so I won't repeat it in detail. The 1872 Mining Law is totally out of date but Congress has refused to over ride business interests, thus I support the proposal to withdraw lands determined to be crucial to the survival of the greater sage-grouse from location and entry under the 1872 Mining Law, subject to valid existing rights.	1
.....The Sage Grouse is in real trouble and possibly warrants being listing on the Endangered Species list, but political pressures are too great against this currently. And only half measures are being implemented to save this species. Please withdraw the public lands in question from further development by mining interests. Now is the best time to do this with the lower resource values of precious metals and oil. There currently is less pressure from from the mining and oil industries to develop the lands in question. Once commodity prices rebound I'm sure there will be more pressure to develop these lands. Do the right thing! Protect these vital intact sagebrush lands. Withdraw them from exploitation!	1
Because the sage grouse was not listed under the ESA in order to allow for state and federal plans to work, the BLM has a responsibility to help conserve the bird for generations to come. We support the mineral withdrawal on 10 million acres in 6 western states to help prevent habitat fragmentation and the downward trend of the sage grouse as well as other birds like the mountain plover.	1
I support the proposal to withdraw mineral leases in Montana as well as in other western states, so that appropriate longterm studies can be completed in Sagebrush Focal Areas.	1
I am concerned about protecting important bird habitat, especially habitat for Sage Grouse and for other species dependent on sagebrush. I urge the BLM to move forward with the agency's proposal for mineral lease withdrawal on 10 million acres in six western states. This is particularly important in Montana (a state I love and visit every year) where proposal Sagebrush Focal Areas are affected.	1
The proposal seems like a vital step for the BLM to fulfill its obligation to preserve sage-grouse habitat, as well as aid other bird species that are declining due to loss and fragmentation of sagebrush habitat.	1
I am a frequent visitor to Montana. If i were younger i would consider moving there as the wildlife and open spaces tug at my heart. As a grandmother I am very concerned that the habitat of some of our most endangered wildlife is being destroyed by mining and other interests who think not of the future but of their present financial interests. What will be left for my grandchildren to enjoy? And their children? In order to fulfill the BLM's obligation to conserve sage-grouse habitat as agreed in the Sept. 2015 Resource Management Plan, I ask that you withdraw land in Montana from mineral extraction. I feel confident that the BLM studies will ensure that the mineral withdrawal is defensible and that the best habitat is protected.	1
I am in full support of the proposal by the BLM and Department of Interior to withdraw lands from the Mining Law of 1872 in order to protect the sage grouse.	1
I support the withdrawal of lands for mining to support the sage-grouse.	1
Thank you for spending time on this thorny, important , sage grouse issue. As you know, conservation of the sage brush steppe is not just about the grouse, though it is a species in real danger. It is also about the deer, elk, coyotes, foxes, owls, snakes, wrens, jays, and all manner of interesting creatures that depend on this ecosystem. With that in mind, I ask you to withdraw new mineral claims as proposed on 3.6 million acres in Idaho, at	1

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least for a few years until we -- BLM and other interested and affected parties -- get a better handle on the natural and manmade dynamics affecting the lands. Please, take this conservative approach. Let's fix this, carefully, step at a time.	
We are also alarmed at the arbitrary nature of the existing state plans and the political deal- making and compromises that resulted in the deficient RMPA amendments which will result in continued large-scale loss of habitat (due to grazing-caused weeds, and expanded developments that are allowed under the poor plans). The state plans are greatly deficient and the RODS show serious contradictions and great lack of certainty of effective conservation, enhancement restoration. Individual state plans contain variations where different approaches or priorities were consistent with overall conservation objectives. The plans honor all valid, existing rights, including those for oil and gas development, renewable energy, rights-of-way, locatable minerals, and other permitted projects. The state plans are all over the place, ineffective, and can not be shown to effectively protect sage-grouse.	1
I strongly support your protecting these lands under the Sagebrush Focal Areas in Fergus, Garfield, Petroleum, Phillips, and Valley Counties....	1
I would like to ask BLM to withdraw the 1 million acres in north central MT from any new mineral leases or development of any kind. We must do all we can to protect wild animals, birds, and especially sage grouse from destruction and fragmentation of habitat. It is our responsibility as residents, voters, and responsible government agents to protect, preserve, and educate the public about our natural wild lands and to do all we can to keep them protected for future generations.	1
Please withdraw all six of the identified Sagebrush Focal Areas from future mining claims and development. Preventing new mining activity in these key sage-grouse strongholds will help ensure that BLM's plans to protect the habitat of this important species will be successful. The value of healthy populations of sage-grouse outweighs any future benefit that might come from new hardrock mining and ensures that additional disturbance in these areas will never take place.	1
I support withdrawal of land for extraction exploration to protect the sage grouse.	1
The undersigned conservation groups wish to thank the Bureau of Land Management for this opportunity to comment in support of the proposed mineral withdrawal to conserve habitat for the Greater Sage-Grouse. This comment applies to both the proposed withdrawal application, and scoping for the Draft Environmental Impact Statement (EIS).	1
The proposed mineral withdrawal is essential to protecting sage grouse and sage grouse habitat because the 1872 Mining Law, and associated case law, prioritizes mining over all other land uses. Absent a mineral withdrawal, these public lands could not be effectively managed for the conservation of this important species.	1
I support the proposal to protect 10 million-acres of public land in six western states from new mining claims to prioritize the conservation of Greater Sage-Grouse and their habitat.	1
Please save Montana's Sagebrush Focal Areas, which include BLM land within the following Montana Important Bird Areas (IBAs)...I am asking the BLM to withdraw almost 1 million acres in north central Montana from new mineral leases. This withdrawal is designed to protect some of the best sage-grouse habitat in the state from fragmentation	1
I come to you with a question. If a person knows that they can tip some approximate number of dominoes with perfect safety, but going one over will set off a chain reaction leading to their deaths and the deaths of over 5 billion innocent people (I've left the politicians out of my count for obvious reasons; also several dozen varieties of terrorist, for similar reasons)- should you then go about tipping dominoes? I think that to do so would be foolish and suicidal. The Sand Grouse is a domino. We already lost protection for our pitifully few Wolves. How much damage will you inflict on the Environmental system known as the Biosphere?	1
I just wanted to weigh in with my support for BLM's consideration to withdraw lands in Idaho from hardrock mining claims. Although it is unfortunate that the State of Idaho wasn't part of that discussion, I don't believe it substantially changes what we are working on here in most of Idaho's sage grouse range. As a permittee in the Challis Field Office (where most of our permits are within core habitat), I encourage the BLM to	1



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continue to try and engage the state on what is going to occur on the ground, despite the state's litigation efforts.	
I am emailing in support of the proposed BLM plans that would close areas to mining in Rich and Box Elder counties. Like I said I fully support the BLMs proposals and hope to see them take action on the proposals.	1
As a Utah resident I support the BLM's plan in their coordination and efforts to save and manage the habitat for the sage grouse. Stewardship and preservation of our natural resources is more important then ever for future generations of all living beings. Though the population of sage grouse has increased it is not thriving and it is still threatened.	1
We support efforts by the BLM to protect and restore the natural and biological integrity of the area and conserve greater-sage grouse habitat.	1
I am a big fan of eastern Idaho and take two trips annually to that region to fish and see friends. I am strongly in favor of excluding surface mining in that area, and I gather you are considering a twenty-year-exclusion. I urge you to take this action. I believe the land you are considering is economically viable long term without mining. By contrast, mining would bring a short term economic stimulus, but it would greatly reduce economic viability in the long run by making the area less able to support fish and game. After all, has anyone ever heard of a mining operation that did not damage the surrounding land and eventually have to be cleaned up? I am strongly in favor of a mining exclusion.	1
I urge BLM to provide a protective habitat for those and other animals in eastern Idaho by prohibiting new mining for an extensive time	1
I want to thank you for your time and consideration to remove the proposed land from hard rock mining. As a Montana resident and homeowner, I have enjoyed hiking and see the sage grouse in the national forests around where I live. They are a special sight as they are not common. I hope you will remove the lands from hard rock mining in order to protect this species and also to keep our Montana lands free from contamination, pollution and destruction by human-hands.	1
Please protect this special habitat important to so many species, including the sage-grouse from rock mining and its devastation.	1
Because our public lands are valuable reservoirs of natural beauty and wildlife habitat they should be protected from devastation and degradation whenever possible. Lands in the Greater Yellowstone Ecosystem are particularly diverse and worthy of increased protections. I urge you to protect habitat important to sage-grouse and other wildlife from destructive hard rock mining. I strongly support the recommendation to withdraw the proposed lands from hard rock mining.	1
I understand that you're considering approximately 640,000 acres in eastern Idaho for mineral withdrawal. I support this withdrawal from hard rock mining.	1
I'm writing in support of the proposal to withdraw lands in the Greater Yellowstone Ecosystem from hard rock mining, in order to protect sage-grouse and other wildlife habitat.	1
I support the protection of the the sage grouse and their habitat in our public lands. I support the proposal to withdraw hard rock mining.	1
I urge you to protect habitat important to sage grouse and other wildlife from destructive hard rock mining. I support the recommendation to withdraw the proposed lands from hard rock mining.	1
I support the recommendation to withdraw the proposed lands (640,000 acres in Eastern Idaho) from hard rock mining for 20 years.	1
I am writing to ask BLM to consider that protecting fish and wildlife habitat from mining, any type of mining, is critical to all of Greater Yellowstone Ecosystem. I support the recommendation to withdraw the proposed lands from hard rock mining.	1
....I am writing in support of the recommendation to withdraw proposed lands along Yellowstone's western boundary from hard rock mining for the sake of wildlife habitat. Such an action would benefit not only sage grouse, but moose, elk pronghorn and grizzlies whose present vitality in the region of the Park represent a remarkable heritage well kept to our time and one worthy of a great future.	1
Please note my support of your proposal to protect the large areas used by the sage grouse and several other species. I support the prohibition of mining in these areas..	1

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I am writing to express support for the proposal to protect 10 million-acres of public land in six western states from new mining claims to prioritize the conservation of Greater Sage-Grouse and their habitat.	1
I hold the Greater Yellowstone Ecosystem to be an extremely valuable asset to our nation. I am not alone in this belief, as millions of other Americans feel the same way. I fully support the recommendation to withdraw the proposed lands from hard rock mining in order to protect habitat that is critical to sage- grouse and many other wildlife species. These lands are important for moose, elk and pronghorn to survive.	1
I am writing to impress upon you the importance of protecting of protecting habitat important to wildlife from destructive hard rock mining. I applaud the recommended withdrawal of these proposed lands from hard rock mining. These lands are important habitat for sage grouse, moose, elk, pronghorn, an expanding population of grizzly bears and people. Our wild lands are disappearing and protecting the pieces that we still have becomes more urgent all the time.	1
....I am a resident of Montana and specifically support mineral withdrawal on 983,156 acres of Sagebrush Focal Areas in Fergus, Garfield, Petroleum, Phillips, and Valley Counties in Montana. The primary reason I support this withdrawal is because it will go a long ways to preventing habitat fragmentation of threatened and endangered species. As I understand, the BLM is obligated to conserve sage grouse habitat.	1
I'm writing in support of withdrawing those areas of public land (my land and yours) from mining destruction, use and interference of wildlife. Give sage grouse, elk, nesting birds and all other wildlife the protection they need and have a right to. We've done such damage throughout history, it's time to do something right.	1
I strongly urge you to protect all 640,000 acres of eastern Idaho land from destructive hard rock mining.	1
I am in favor of this plan to protect the habitat of sage grouse. As a birder and lover of open spaces, I think this Idaho land should be kept free of mining for the foreseeable future. Mining will create major changes in the area to the detriment of the grouse, which is having problems due to other human activities.	1
Please consider the proposal to protect these lands as they are important for the future of the sage-grouse and many other species.They provide a great deal of enjoyment for many of us now. And we should protect this area so that it can continue to be enjoyed for many generations to come.	1
This move would preclude mining and protect lands that sage-grouse, mule deer, elk, and many other species rely on. I believe it is necessary to continue to aggressively protect other species on our planet from the ravages of overpopulation of homo sapiens. Please do go ahead and preclude this area from hard rock mining and save the greater sage grouse.	1
One special feature found here, is the imperiled sage-grouse. This fascinating bird needs large expanses of unbroken habitat to thrive – something found in abundance across eastern Idaho. In a recent effort to protect sage-grouse habitat, approximately 640,000 acres in eastern Idaho is being considered by the BLM for a mineral withdrawal. This move would preclude mining and protect lands that sage-grouse, mule deer, elk, and many other species rely on.	1
FLPMA plainly authorizes the Secretary to withdraw public land from the operation of any or all of the “general land laws: – not only the General Mining Law but also the Mineral Leasing Act. 4 The Secretary should exercise this authority to protect these sage grouse habitats of elevated significant from all types of future mineral development; the sage grouse habitats protected from hard-rock mining will be worth nothing to the conservation and recovery of these birds if they are subsequently converted into oil and gas fields, gravel pits, or potash mines.	1
I whole-heartedly urge the BLM to proceed with a mineral lease withdrawal on 10 million acres in six western states to further conservation of sage-grouse and their habitat. I am a wildlife biologist with more than 30 years experience on the prairies, a bird hunter, and I recreate on our BLM lands here in Montana. I support this proposal in my home state of Montana, where the mineral withdrawal is proposed on almost a million acres of Sagebrush Focal Areas in Fergus, Garfield, Petroleum, Phillips, and Valley Counties in Montana. This BLM proposal is very fair: it respects valid, existing rights and it is proceeding in a thoughtful, scientifically defensible manner.	1

Comment	Number of Commenters Providing this Comment
The undersigned organizations support the proposed withdrawal of federal mineral estate proposed to protect key habitats for the greater sage grouse, and urge federal agencies to expand the withdrawal in areal extent and scope. This action is necessary to provide full protection to the most important sage grouse habitats from future impacts resulting from the conveyance of additional valid mineral development rights. The Secretary of Interior ("Secretary") should fully exercise her authority to withdraw federally-owned minerals from locatable entry, all forms of leasing, and also mineral materials sales..... The recommendations contained in these comments are fully implementable under the law and fully reasonable in their consistency with the best available science and the on-record recommendations of federal agencies, and therefore must be considered fully and in detail in the forthcoming NEPA analysis for the proposed mineral withdrawal in order to satisfy NEPA 'range of alternatives' obligations.	1
This withdrawal helps fulfill the BLM's obligation to conserve sage-grouse habitat! One of the big reasons the Greater Sage-Grouse was not protected under the Endangered Species Act in September was because recently-approved Resource Management Plans indicated that the BLM would protect Sagebrush Focal Areas from habitat fragmentation. Please take action to make this happen. Comprehensive scientific studies by BLM will ensure that the mineral withdrawal is defensible, and that those studies will make needed adjustments to the proposed withdrawal areas to ensure that the best habitat is protected;	1
I urge the BLM to proceed with withdrawing mineral leases on 10 million acres in six western states to assist with sage-grouse conservation. I also want to specifically support this proposal in Montana, where the mineral withdrawal is proposed on 983,156 acres of Sagebrush Focal Areas in Fergus, Garfield, Petroleum, Phillips, and Valley Counties in Montana.	1
.....One of the main reasons why the Greater Sage-Grouse was not protected under the Endangered Species Act in September 2015 was because the BLM indicated it would protect Sagebrush Focal Areas from habitat fragmentation. Meet BLM's obligation to conserve sage-grouse habitat!	1
.....The Yellowstone region is a national treasure. I would like the region to be protected and so I am writing you today to urge you to protect habitat important to sage-grouse and other wildlife from destructive hard rock mining. I support the recommendation to withdraw the proposed lands from hard rock mining.	1
.....I feel it is incredibly important to preserve public lands and wildlife NOW so there will be something left many years from now. Withdrawing 640,000 acres from Idaho lands from mineral extraction is absolutely the right thing to do.	1
The mineral withdrawal is necessary because there is no evidence to demonstrate the long-term success of conservation credit programs	1
The proposed mineral segregation in Idaho is reflective of the State of Idaho's Conservation Plan and Federal Alternative	1
Inconsistent policies related to the regulation of locatable mineral mining in Priority Habitat Management Areas need clarification, and voluntary requirements fail to provide adequate protections for sage-grouse.	1
Together with millions of Americans who treasure the Greater Yellowstone Ecosystem, I urge you to protect habitat important to sage grouse and other wildlife from destructive hard rock mining. We support the recommendation to withdraw the proposed lands from hard rock mining.	1
I am one of the millions of Americans who treasure the Greater Yellowstone Ecosystem. I urge you to:-protect habitat important to sage-grouse and other wildlife from destructive hard rock mining. I support the recommendation to withdraw the proposed lands from hard rock mining.	1
As one of the millions of Americans who treasure the Greater Yellowstone Ecosystem, I urge you to protect habitat important to sagegrouse and other wildlife from destructive hard rock mining. I support the recommendation to withdraw the proposed lands from hard rock mining.	1
The Greater Yellowstone Ecosystem is a national treasure, so I urge you to protect habitat important to sage-grouse and other wildlife from destructive hard rock mining. I strongly support the recommendation to withdraw the proposed lands from hard rock mining.	1
The Greater Yellowstone Ecosystem is worth protecting because of its habitat important to sage-grouse and other wildlife from destructive hard rock mining. Please support the recommendation to withdraw the proposed lands from hard rock mining.	1

Comment	Number of Commenters Providing this Comment
The Yellowstone region is a national treasure. I would like the region to be protected and so I am writing you today to urge you to protect habitat important to sage-grouse and other wildlife from destructive hard rock mining. I support the recommendation to withdraw the proposed lands from hard rock mining.	1
Some places are just too precious to allow mining and the Greater Yellowstone Ecosystem is one of them. One needs to look no further than the recent events in Colorado to understand the inherent risks. Therefore, as one of the millions of Americans who treasure the Greater Yellowstone Ecosystem, I urge you to protect habitat important to sage-grouse and other wildlife from destructive hard rock mining. I support the recommendation to withdraw the proposed lands from hard rock mining.	1
As one of the millions of Americans and people from all over the planet who highly value the Greater Yellowstone Ecosystem, my family and I ask you to protect habitat important to sage-grouse and other wildlife from destructive hard rock mining. We support the recommendation to withdraw the proposed lands from hard rock mining.	1
...writing you in favor of the withdrawal of mineral leases on nearly a million acres of endangered sagebrush steppe in Montana that is critical habitat for many prairie species, notably birds...could reverse the trend of decline in this much ravaged habitat type...Let's preserve(conserv) the little that is left to us of this rich, beautiful landscape...	1
Beatys and Louse SFAs are clearly some of Oregon's most important and viable sage-grouse populations...permanent or otherwise long-lasting impacts associated w/ mines and mine infrastructure create significant negative impacts for sage-grouse & sage-grouse habitat...The relatively few mining claims...indicates an extremely low cost to withdrawing these areas...please withdraw these lands from operation of the 1872 Mining Law	1
<b>4.5.2 Support Proposed Action: General Support: Commenters express general support for the withdrawal without making explicit statements.</b>	
As one of the millions of Americans who treasure the Greater Yellowstone Ecosystem, I urge you to protect habitat important to sage-grouse and other wildlife from destructive hard rock mining. I support the recommendation to withdraw the proposed lands from hard rock mining. These lands are important habitat for not just sage grouse, but also moose, elk, pronghorn, and an expanding population of grizzly bears.	81
As one of the millions of Americans who treasure the Greater Yellowstone Ecosystem, I urge you to protect habitat important to sage-grouse and other wildlife from destructive hard rock mining. I support the recommendation to withdraw the proposed lands from hard rock mining.	2
This also leads to my support of important wildlife, including the beautiful sage grouse. I urge you to resist mining leases to these important lands.	1
Not only does mining exploration disturb the sagebrush habitat, but it might also increase range fires. Please follow through on this.	1
NO TO MINING IN THE GREATER YELLOWSTONE ECOSYSTEM! Our environment cannot sustain any more destruction wrought by the blind, insane greed of big business! They should learn to profit from recycling and leave our wilderness alone!	1
As a life long resident of Oregon (67 years) and retired Forest Service employee who has spent part of his career in prime sage grouse country, I urge you to protect the sage grouse from the impacts that would come from mining activity in their territories. These birds are extra special as the habitat that they depend on. We on this planet are all dependent on each other for survival.	1
The Department of Interior should complete the analysis and make recommendations in a timely manner, but until that analysis is complete, temporary protections should remain in place through a moratorium on mining activities to ensure that habitat values are not lost in the interim.	1
If future generations are to have any resources of any kind, including wildlife and its needed habitat left to them, lands must be protected from excessive use/abuse now. Furthermore, with the rapidly expanding world populations, people need open, if not truly wild, spaces for their mental and emotional health.	1
.....I would appreciate the BLM, Fish and Game, Forest Service etc., do everything possible to protect and safe guard the greater sage grouse, habitat, disturbance and fragmentation by hard rock mining operations. In addition, the priority of these three agencies is to safe guard our public lands from oil and gas development as well. As a Utah resident, living in a desert and with climate change, water is becoming a real issue. Mining	1

Comment	Number of Commenters Providing this Comment
and fracking has a high demand for water. It is time to seriously protect our lands for future generations and move to renewable energies that are not so destructive to our life and environment.	
It's important to save and improve the natural habitat for Sage Grouses on BLM range lands. The spread of "desertification" in the Great Basin area is partially due to poor land management of Federal cattle grazing allotments and mining areas. It reduces the native plants and natural biospheres in the area. Infrared aerial photos of those areas will indicate warmer ground temperatures. This is a factor in Global Warming. Restoration of the Sage Grouse native habitat will help to reverse this process. While the BLM can work to restore rangelands, "The Nature Conservancy" can help to do the same thing on private property. It's a "Win-Win" situation for public and private lands.	1
Thank you for listening to people who value our public lands for habitat enhancement and for recreation like birding, wildlife watching and hiking. We want to support the BLM's work on behalf of sage grouse and other imperiled birds and wildlife.	1
I am writing regarding the proposed mineral withdrawal for the Hi-Line Focal Area. Until NEPA analysis is complete a moratorium on mining activities should be kept in place to ensure that valuable wildlife habitat is not lost. Move forward with the recommended withdrawals and complete NEPA analysis so that recommendations can be made in a timely manner.	1
Please consider adding mining prohibitions to the NE Montana BLM areas affected by the sagebrush withdrawals. Full protection for wildlife habitat and landscapes is important. The mountain plover could be impacted by mining as well as other native species.	1
Please stop the leases. Withdraw them. The Sagebrush Areas must be preserved.	1
I was notified about the withdrawal of land for mining in several western states. I read as much as I could about the action propose and agree with most of the proposal. However, I could not find any information on the gathering of rock, minerals, and the such for hobbyist rock hounds. Can you tell me what provisions are made for collecting rocks in the sagebrush withdrawal areas. As a life long hiker, hunter and now rock hound interests, I would want even more areas open to the hobby of rock collecting. Please be sure to allow the hobbyist collector to have access and be allowed to carry out a portion of rocks.	1
As a citizen i would like my opinion to be know in support of protecting the sage grouse. New mining activity in the area would further fraction the territories and populations of these animals and i don't agree with such a position. While humankind has conquered the planet we still have the responsibility of sharing the planet with the other animals here.	1
The Greater Sage-Grouse is not protected under the Endangered Species Act at current, but has been considered by the FWS. The Montana Governor has agreed to support protection of the Greater Sage- Grouse on state and private lands in Montana, and the Federal Government must also protect the Sage- Grouse on public lands. The BLM's Resource Management Plans indicate the BLM would protect Sagebrush Focal Areas from habitat fragmentation. Implementation of this long-term mineral withdrawal will help fulfill the BLM's obligation to conserve sage-grouse habitat in the West.	1
I have lived in southwest Montana for the last 24 years and truly believe the Greater Yellowstone Ecosystem should be off-limits for hard rock mining.	1
I am a Nevada resident and support protection for the sage grouse and its habitat, which an intelligent person knows is important to more species than just one, including us.	1
The planned land withdrawals in the Great Basin to protect the sage grouse is wonderful and overdue.	1
We Cannot use public land for mining like this.	1
I think this is a positive and sound approach to learning how such withdrawal affects sage grouse.	1
Please protect Greater Yellowstone from mining. It's the right thing to do.	1
Without belaboring the reasons that so many have already enumerated I would like to ad our names to those in favor of protecting open land in S-E Idaho.	1

Comment	Number of Commenters Providing this Comment
How wonderful it would be if the BLM were to decide on protecting fish and wildlife habitat from the devastation caused by mining activities in eastern Idaho and the Greater Yellowstone ecosystem.. I have a great many European friends who come to visit the west.. they are so envious of our National Parks and impressed at the efforts made to protect all manner of wildlife. Please include the sage-grouse who need this protection so badly...	1
Oregon Wild strongly supports the withdrawal of sensitive resource areas from mineral entry. We urge BLM to be inclusive and withdraw other sensitive resources as well, such as riparian areas and wet meadows, where sage grouse raise their broods.	1
Please consider a policy of withdrawal of mining from critical areas west of Yellowstone in order to protect animals such as the sage grouse who live there and to allow a large area of habitat that will permit safety for wildlife who live there.	1
.....I support GYC on this project to protect the projected 640,000 acres the BLM has chosen for mining of minerals. There has to be lands safely available for our wildlife, big and small.....	1
These animals need to be saved. Help these animals out.	1
Yellowstone is our national park for us and more importantly our wild life, not for mining and such commercial concerns. Respect this and protect our land and its wildlife. This is our heritage not a commercial interest. This is our number one concern, protecting what we have and could never replace. Do what is right, protect the land.	1
I am very much concerned about the impact of hard rock mining on the ecosystem. The creatures who inhabit the land must be allowed to flourish and fulfill their evolutionary destinies. All living beings have their own value and therefore need protection against the destruction of humans, according to Norwegian Philosopher Arne Naess. It's been said that how we treat our fellow creatures is one more way in which each one of us, every day, writes our own epitaph.	1
I am pleased to hear about the proposal to protect 10 million-acres of public land from new mining claims to prioritize the conservation of Greater Sage-Grouse and their habitat. It is rare these days that care for other species wins out over human greed and it warms my heart that in this case we may see that happen. Caring for all species on the planet is our moral duty, and I am so often saddened when we fail at this again and again.	1
Every species requires a certain set of environmental conditions to be able to move around, feed and reproduce. When habitats are threatened, so are the animals who live there. For example, wolverines and bears roam across vast distances, so when their habitat is broken up by roads or other commercial development, their ability to survive is jeopardized. I very strongly urge you to protect Greater Yellowstone from mining.	1
Please hold our trust by protecting our public lands from ANY commercial exploitation. This isn't land for the government to exploit at the tax payer's expense, and we're fine paying the upkeep.....NO concessionaires or industrial harvesting!	1
...I believe that many areas where Sage Grouse do not currently live will not have populations in the future. The major reasons for lack of habitat...Over grazing by sheep in the first half of the twentieth century...Wild fires...Cheatgrass...	1
.....Please do everything within your power to protect this invaluable American treasure for those of us lucky enough to live nearby and the millions who come from all over the world to experience Yellowstone. Wildlife must be protected from destructive hard rock mining so I urge the federal government to support the recommendation to withdraw the proposed lands from hard rock mining.	1
Protecting fish and wildlife habitat from hard rock mining is critical for the Greater Yellowstone Ecosystem.	1
NO NEW MINING-AMERICANS WANT CLEAN, RENEWABLE ENERGY, NOT THE FILTHIEST KIND DESTROYING OUR COUNTRY!	1
Protecting sage grouse is important to me as this is a representative species of the health of this environment. Removing this environment from new mining claims is the start of protecting these lands from other environmental impacts that can degrade and ultimately ruin this fragile environment.	1
Protecting sage-grouse habitat is critical not just for sage-grouse but for all sagebrush obligate species. Friends of Nevada Wilderness is very supportive of permanent mineral withdrawals around the Sheldon Refuge including the very important habitat in the Sheldon Contiguous & Massacre Rim WSAs in Washoe County. It appears the other focal habitat across Humboldt & Elko Counties coincide with key habitat.	1

Comment	Number of Commenters Providing this Comment
<b>4.6.1 Recommend Alternatives: Increase Boundaries: Commenters recommend additional areas, such as priority areas, be added to proposed withdrawal.</b>	
While the proposed 10 million acre mineral withdrawal in Sagebrush Focal Areas (SFAs) is significant, best available science indicates that all priority areas for Greater Sage-Grouse conservation (PACs) should be protected from mining to ensure sage grouse survival and recovery. I therefore urge that the draft EIS include an alternative which analyzes the environmental benefits of expanding the mineral withdrawal to include all PACs.	4,275
I urge you to expand the scope of the mineral withdrawal to include priority sage-grouse habitat.	91
While the proposed 10 million acre mineral withdrawal in Sagebrush Focal Areas (SFAs) is significant, best available science indicates that all priority areas for Greater Sage-Grouse conservation (PACs) should be protected from mining to ensure sage grouse survival and recovery. WE therefore urge that the draft EIS include an alternative which analyzes the environmental benefits of expanding the mineral withdrawal to include all PACs.	2
Given the significant and persistent effects of mining on sage-grouse, the Sage-Grouse National Technical Team convened by the BLM recommended withdrawing all priority sage-grouse habitat from mineral development to conserve the species...	1
The BLM should evaluate additional areas for withdrawal in the EIS in order to fulfill DOI's purpose for the withdrawal order.....The range of alternatives is "the heart of the environmental impact statement" (40 C.F.R. § 1502.14)..... This evaluation extends to considering more environmentally protective alternatives and mitigation measures...In the context of the proposed action, and considering the scientific information and agency recommendations described above, evaluating additional areas for withdrawal would be both reasonable under NEPA and warranted to protect sage-grouse and its habitat and avoid damaging environmental effects to public lands and resources from mining.	1
BLM should evaluate withdrawing certain areas in Northwest Colorado....Conservation organizations proposed that the most important habitat in Northwest Colorado be designated as areas of critical environmental concern during the federal planning process. Based on the criteria for identifying SFAs and other considerations, we recommend that a subset of that proposal, three areas comprising approximately 590,000 acres, be considered for withdrawal as part of this EIS. These areas would protect the Blue Mountain, Great Divide and North Park sage-grouse population areas (see attached map).	1
BLM should evaluate withdrawing all SFAs in Wyoming. ...Given the nature of hard-rock mining and the law governing the activity, even the most restrictive state strategy is unable to protect sage-grouse from the impacts from mining. To provide greater certainty of protection of for sage-grouse and its most essential habitat on federal lands, the EIS should evaluate the potential benefits of withdrawing all SFAs in Wyoming from mineral development.	1
BLM should evaluate withdrawing priority sage-grouse habitat in the Lander Field Office. As acknowledged in the Rocky Mountain ROD (RM ROD: 1-31), the Record of Decision and Approved Resource Management Plan for the Lander Field Office Planning Area recommended withdrawing approximately 467,000 acres of priority sage-grouse habitat in the Lander planning area from mineral development to protect sage-grouse and its habitat (Lander ROD: 20; 43, Record 2004). Unfortunately, even though the benefits of these withdrawals were already determined and BLM recommended they proceed, those lands were not included within the Federal Register notice for this process. To fulfill the stated purpose of the Rocky Mountain ROD and the proposed mineral withdrawal, and to enhance habitat connectivity between existing and proposed withdrawals and sage-grouse core areas in the Lander Field Office, BLM should incorporate the identified lands in the Lander planning area into this process.	1
NV BHA wishes the withdrawal be applied to all PHMAs, as these are the "best of the best" of existing SG habitat. We recognize logistical hurdles, such as money, time and staff deficiencies, could preclude study and monitoring results from being realized in a timely fashion. Under these circumstances, triage, and the concept of "biggest bang for the buck" must prevail to meet the urgency of this endeavor. That said, we	1



Comment	Number of Commenters Providing this Comment
advocate for a full EIS of any new mining exploration or expansion within PHMAs as essential.....Mineral exploration activities usually require only a categorical exclusion, thus escaping the full review and impact analysis of NEPA. Withdraw areas require a full NEPA review of Plans of Operation and so should any within PHMAs.	
The proposed 10 million acre withdrawal falls far short of the NTT recommendation to protect priority habitat, and does not include the validity exams or buyouts for existing rights. It does not withdraw all Wyoming SFAs and the Lander, Miles City, and Northwest Colorado Resource Management Plans which did not establish SFAs are wrongly excluded from the proposed withdrawal, as is priority habitat for the Bi State distinct population segment. We therefore urge that the withdrawal application be revised to include all Greater Sage-Grouse PACs and also apply to locatable, salable and leasable minerals, and that the draft EIS include an alternative which analyzes the environmental benefits of mineral withdrawal from all PACs.	1
I also hope you will listen to your national technical team and include all of the prioritized sage grouse habitat.	1
Withdrawals should not be limited to focal areas. Opportunities for future mineral development of all types on priority and important sage grouse habitat should be included. The scope of the mineral withdrawal and EIS should be expanded to include priority habitat management areas ....we encourage the Department of Interior to include the withdrawal of all Priority Areas for Conservation from future mineral location, leasing, and withdrawal from all kinds of extractive and motorized uses.	1
While the proposed 10 million acre mineral withdrawal in Sagebrush Focal Areas is not nothing, best available science shows all priority areas for Greater Sage-Grouse conservation (PACs) must be protected from mining to enable sage grouse survival & recovery. As an emeritus member of the American Institute of Biological Sciences (AIBS), I ask that the draft EIS include an alternative, analyzing environmental benefits of expanding mineral withdrawal to include all PACs.	1
While the proposed ten million acre mineral withdrawal in Sagebrush Focal Areas (SFAs) is significant, the best available science indicates that all priority areas for Greater Sage-Grouse conservation (PACs) should be protected from mining to ensure sage grouse survival and recovery. I therefore urge that the draft Environmental Impact Statement include an alternative which analyzes the environmental benefits of expanding the mineral withdrawal to include all PACs.	1
While the proposed 10 million acre hard rock mineral withdrawal in Sagebrush Focal Areas (SFAs) is significant, best available science indicates that all priority areas for Greater Sage-Grouse conservation (PACs), approximately 35 million acres of federal lands, should be protected from all forms of mining to ensure grouse survival and recovery. For example, the National Technical Team recommendation for priority habitat is the “withdrawal from mineral entry based on risk to the sage-grouse and its habitat from conflicting locatable mineral potential and development.” And to “make any existing claims within the withdrawal area subject to validity patent exams or buy out.” Further, in a March 12 letter from grouse conservation scientists to Secretaries Jewell and Vilsack, the importance of this recommendation was reiterated, stating, “Closing and recommending for immediate withdrawal lands from leasing or sale (including coal) under federal mineral laws for the maximum period allowed under law.”	1
The final RODs issued by BLM and USFS, however, do not propose withdrawing all priority habitat. They do include the designation of SFAs within Priority Habitat Management Areas (PHMAs)—those areas considered the “best of the best” habitat and “essential for the species survival”—to be withdrawn from mineral entry. The application of the Assistant Secretary of the Interior for Land and Minerals Management to withdraw these lands pursuant to FLPMA should be pursued and DOI should carefully review whether additional habitat should be included. The Scope of the EIS Should Be Comprehensive. 1) NWF urges BLM to evaluate alternatives that consider additional areas for mineral withdrawal in the EIS. In the context of the proposed action, and considering the scientific information and agency recommendations described above, evaluating additional areas for withdrawal would be both reasonable under the National Environmental Policy Act (NEPA) and warranted to protect sage-grouse and their habitat and avoid damaging environmental effects to public lands and resources from mining. BLM should evaluate withdrawing	1

Comment	Number of Commenters Providing this Comment
lands in Northwest Colorado. The Northwest Colorado Greater Sage-Grouse Approved Resource Management Plan Amendment does not identify any SFAs within the state. USFWS defined SFAs as a subset of PHMAs most vital to species persistence, for which USFWS recommends the strongest levels of protection. These areas were identified based on four factors: - Existing high quality sagebrush habitat; - Highest breeding densities; - Areas identified in scientific literature as essential to conservation and persistence; - A preponderance of federal ownership and, in some cases, adjacent protected areas to anchor the conservation importance of the landscape. Portions of Greater sage-grouse habitat in Northwest Colorado appear to meet these criteria. NWF specifically recommends that areas be considered for withdrawal as part of this EIS to protect the Blue Mountain, Great Divide and North Park sage-grouse population areas. BLM should also evaluate withdrawing all SFAs in Wyoming. Between the Proposed Land Use Plan Amendment and issuance of the final RODs, BLM removed nearly 900,000 acres identified for potential withdrawal in the Approved Resource Management Plan Amendment for the Casper, Kemmerer, Newcastle, Pinedale, Rawlins, and Rock Springs offices. The Rocky Mountain ROD states: In Wyoming, a portion of SFAs are recommended for withdrawal, while in other areas SFAs are not recommended for withdrawal but are still subject to other protective measures. The State of Wyoming has permitting authority for locatable mining operations and has committed to use its authority to ensure that operations proceed in accordance with the core area strategy and a successful record of using this authority in the past. The area recommended for withdrawal in Wyoming SFAs covers an area where the potential for development has been identified and provides connectivity between the recommended withdrawal in the Lander Planning Area and existing withdrawals. Rocky Mountain ROD: 1-22.	
Given the nature of hard-rock mining and the law governing the activity, however, even the most restrictive state regulation is unable to protect sage-grouse fully from the impacts of mining. To provide greater certainty for the birds and their most essential habitat on BLM and USFS lands, the EIS should evaluate the potential benefits of withdrawing all SFAs in Wyoming from mineral development. Finally, BLM should evaluate withdrawing priority sage-grouse habitat in the Lander Field Office. As acknowledged in the Rocky Mountain ROD, the Record of Decision and Approved Resource Management Plan for the Lander Field Office Planning Area recommended withdrawing approximately 467,000 acres of priority sage-grouse habitat in the Lander planning area from mineral development to protect sage-grouse and their habitat. However, these lands were not included in the Federal Register notice for this process. To fulfill the stated purpose of the Rocky Mountain ROD and the proposed mineral withdrawal, and to enhance habitat connectivity between existing and proposed withdrawals and sage-grouse core areas in the Lander Field Office, BLM should include the identified lands in the Lander planning area into this process.	1
BLM should consider additional areas for mineral withdrawal beyond those identified to date. The Fish and Wildlife Service recommended that all priority sage-grouse habitat be protected and the benefits to increasing protection for additional lands should be acknowledged and considered in the range of alternatives for the environmental impact statement. Make needed adjustments to the proposed withdrawal areas to ensure that the best habitat is protected, which may require expanding the current proposal and require that any mapping errors be corrected.	1
Preventing hard-rock mining in Sage-Brush Focal Areas is a beginning, but much more must be done to protect this species.	1
Expanded Mineral Withdrawal Land Area and Range of Withdrawals Are Essential. BLM must greatly expand the land areas it considers in need of protection with a Mineral Withdrawal. It must also act to remove other heavy stressors on the sagebrush environment. WLD was shocked to see the severe new cuts to the highest habitat protection category. BLM came up with the new "Focal category" in the midst of the process, it appears under pressure from outside groups. This appears to cut back even further on protections to benefit mining, public lands livestock grazing and other industries.	1
Adjustments to the proposed withdrawal areas may be needed to ensure that the best habitat is protected which may require expanding the current proposals and require that mapping errors be corrected. Specific areas that may benefit from the added protection that mineral withdrawal would provide should be specifically identified. Mining could impact mountain plover and other wildlife in the focal area and those potential impacts must be assessed.	1

Comment	Number of Commenters Providing this Comment
Please accept these comments (mineral withdrawal.pdf) on behalf of American Bird Conservancy and partners...We urge that additional areas be included in this withdrawal, particularly for Bi State Greater Sage-Grouse, and that all priority conservation areas be analyzed for withdrawal as an alternative in the EIS to assess its potential benefit to grouse recovery.	1
Proposed Lands with Wilderness Characteristics and important wildlife habitat that overlaps SFAs, PHMAs and IHMAs should be included in the withdrawal... In 2013, GYC conducted and submitted a citizen inventory of lands with wilderness characteristics (LWC) for the Upper Snake Field Office6. GYC identified over 130,000 acres that qualified as LWC, many of which are in or adjacent to SFAs, PHMAs and IHMAs. These areas are described below for their wilderness characteristics..... Areas not inventoried because they were not considered in the Greater Yellowstone Ecosystem (GYE), but should be included due to their importance to sage grouse and other species: The Dutch Flat area north of Mud Lake and northwest of the Camas National Wildlife Refuge (CNWR), provides important habitat to sage grouse and other species. The CNWR provides critical habitat for over 300 species of birds including trumpeter swans, long billed curlew, sage grouse, bald eagles and short eared owls. Mammals include moose, elk, deer and pronghorn.... The wilderness characteristics outlined above define many of the unique features at risk from mineral development in southeast Idaho. The proposed withdrawal would benefit these exceptional natural areas to promote wildlife habitat and provide places for solitude and primitive recreation.	1
Like many of the greater sage-grouse 2015 RMP Amendment ROD actions, the mining withdrawal in its current form is largely an illusion of conservation. It will not effectively conserve, enhance and restore greater sage-grouse populations. BLM is proposing to withdraw from mineral entry public lands areas with the least threat of mining, and/or lands that already have some degree of protection in various ways --- Wilderness, interim protections of WSA/citizen inventory areas, NCA, ACEC and others. Only a few sites with serious threats of mining are being proposed. Even worse, the withdrawal forsakes the lands with the greatest threat of mining - where vital sage-grouse populations will be quickly wiped out unless a mining withdrawal takes place - and that is areas like central Nevada. Many of these areas contained what NDOW has determined is Essential Irreplaceable Habitat, yet this was dropped from any consideration as a focal Habitat. Many of these areas face real and looming mining and other development and public lands grazing damage threats.	1
BLM must pursue the alternative of a greatly expanded land area protected under any mining withdrawal that may take place. This withdrawal must include all occupied great sage-grouse habitat, at a minimum. Even that is not likely to be sufficient, given the magnitude of threats facing sage-grouse. This proposal reinforces the fear that many conservationists have - that sage-grouse are being increasingly isolated into “zoos” with increasingly precarious population viability and vulnerability to extirpation by flawed Interior Department planning and mapping processes - including the RMP amendment plans and the slashes in habitats of higher concern that took place in those plans. See Christ et al. 2015. Many of our concerns about the ever-increasing failure of the Interior Department and BLM to provide sufficient protections to conserve, enhance and rest sage-grouse populates were laid out in a 2015 letter WLD sent to Sec. Jewell and USFWS Dan Ashe. Attached. This laid out the incremental cuts in what agencies considered to be habitats of most importance. The RMPAs shrunk this even more - from approx.16 million acres to 10 million. Since that time, matters have only become worse. In the Final ARMPA, the highest category of habitat was cut even more between the draft and the final EIS. Nevada losses are devastating, and will spell the demise of many populations/PMUs and cause large-scale range contractions. This grave omission appears to be designed to facilitate the demise of the Nevada grouse populations that may be in the way of the ravenous foreign gold mines and other development. We are also greatly concerned that further concessions to the livestock industry and mining industry will be made in foreseeable “Pilot Project” that Interior Sec. Jewell has promised NV Gov. Sandoval.	1
While the proposed 10 million acre hard rock mineral withdrawal in Sagebrush Focal Areas (SFAs) is significant, best available science indicates that all priority areas for Greater Sage-Grouse conservation (PACs), approximately 35 million acres of federal lands, should be protected from all forms of mining to ensure grouse survival and recovery...The proposed 10 million acre withdrawal falls far short of the NTT recommendation to protect priority habitat, and does not include the validity exams or buyouts for existing rights. It does not withdraw all Wyoming SFAs and the	1

Comment	Number of Commenters Providing this Comment
Lander, Miles City, and Northwest Colorado Resource Management Plans which did not establish SFAs are wrongly excluded from the proposed withdrawal, as is priority habitat for the Bi State distinct population segment...We therefore urge that the withdrawal application be revised to include all Greater Sage-Grouse PACs and also apply to locatable, salable and leasable minerals, and that the draft EIS include an alternative which analyzes the environmental benefits of mineral withdrawal from all PACs. Thank you for considering this comment. We would be interested in meeting with you to further discuss this request.	
While the proposed 10 million acre mineral withdrawal in Sagebrush Focal Areas is significant, best available science indicates that all priority areas for Greater Sage-Grouse conservation should be protected from mining to ensure sage grouse survival and recovery. I therefore urge that the draft EIS include an alternative which analyzes the environmental benefits of expanding the mineral withdrawal to include all PACs.	1
BLM should consider additional areas for mineral withdrawal beyond those identified to date. The Fish and Wildlife Service recommended that all priority sage-grouse habitat be protected and the benefits to increasing protection for additional lands should be acknowledged and considered in the range of alternatives for the environmental impact statement. Make needed adjustments to the proposed withdrawal areas to ensure that the best habitat is protected, which may require expanding the current proposal and require that any mapping errors be corrected.	1
Winter habit areas and connectivity areas that are key to the bird's ability to survive and reproduce must be included in the plan. The BLM should recognize winter habitat and connectivity areas with additional habitat designations and require meaningful protections for these areas.	1
Do not allow mining anywhere in the area and in fact expand the protections to include any adjacent area that might threaten the water shed.	1
Please expand the scope of the mineral withdrawal to include priority sage-grouse habitat.	1
Specifically, while I was the Field Manager in Dillon I attempted to work within BLM and with other interested parties to withdraw BLM lands in the Centennial Valley of Montana from mineral entry. I encourage you to add the lands in the Centennial Valley of Montana to your proposed withdrawal. These lands are even more critical as habitat for the above mentioned species as well as grayling.	1
The scope for mineral withdrawal should include priority sage-grouse habitat.	1
I think, too, that a comprehensive mining withdrawal in the Greater Yellowstone Ecosystem is a worthy commitment with many additional benefits, including water quality, other wildlife protection, and facing the challenge of protecting this region with a changing climate that will bring new pressures to bear....	1
Also, please expand the scope of the mineral withdrawal to include priority sage-grouse habitat.	1
The undersigned organizations support the proposed withdrawal of federal mineral estate proposed to protect key habitats for the greater sage grouse, and urge federal agencies to expand the withdrawal in areal extent and scope. This action is necessary to provide full protection to the most important sage grouse habitats from future impacts resulting from the conveyance of additional valid mineral development rights. The Secretary of Interior ("Secretary") should fully exercise her authority to withdraw federally-owned minerals from locatable entry, all forms of leasing, and also mineral materials sales..... The recommendations contained in these comments are fully implementable under the law and fully reasonable in their consistency with the best available science and the on-record recommendations of federal agencies, and therefore must be considered fully and in detail in the forthcoming NEPA analysis for the proposed mineral withdrawal in order to satisfy NEPA 'range of alternatives' obligations.	1
The scope of the withdrawal should be expanded to include all minerals...As discussed below, development of locatable minerals is only one, and far from the most serious, of the threats to greater sage grouse and its habitat. BLM should withdraw all priority areas for sage-grouse conservation not only from the General Mining law of 1872, but also from the general land laws governing leasable minerals, including the Mineral Leasing Act of 1920, and also cover disposal under the Materials Act of 1947....	1
Importantly, the withdrawal of federal mineral estate should be undertaken not only for minerals underlying federally-owned surface estate, but also for all federal minerals underlying state or private lands. According to the recommendations of the National Technical Team (2011:25), "Where the federal government owns the mineral estate, and the surface is non-federal ownership, apply the conservation measures applied on public lands."	1

Comment	Number of Commenters Providing this Comment
All Priority Areas for Conservation should be included in the withdrawal...The U.S. Fish and Wildlife Service’s Conservation Objectives Team identified Priority Areas for Conservation (PACs) as “highly important for long term viability of the species and should be a primary focus for our collective conservation efforts” (COT 2013)..... Because many of the priority habitats identified as PACs were excluded from Priority Habitat Management Area status in the recently completed federal planning process (as detailed in Attachment 6), we exhort the Department of Interior to include the withdrawal of all Priority Areas for Conservation from future mineral location, leasing, and withdrawal of all kinds, for the reasons set forth in these comments.	1
All USFWS-proposed ‘stronghold’ areas should be included in the withdrawal...There is no circumstance under which it is appropriate to exclude lands from the mineral withdrawal that were designated either as “stronghold” areas by the U.S. Fish and Wildlife Service or as SFAs under the BLM planning process; all of the aforementioned categories of top-concern sage grouse habitats need to be withdrawn from future mineral location and development.	1
WildEarth Guardians has undertaken a GIS-based analysis comparing the acreage of land under all ownerships falling within the “stronghold” areas to those that were designated as Sagebrush Focal Areas under the plans, and found that some 3.3 million acres of sage grouse habitats of all ownerships had been excluded from the boundaries of SFAs designated by the BLM. See Attachment 6. All of these excluded lands and minerals should also be withdrawn from future location, leasing, or sale.	1
Federal lands and minerals administered under different agencies or authorities that fall within the bounds of sage grouse “strongholds” identified by the Service should also be fully included in the proposed mineral withdrawal. These include Craters of the Moon National Monument and Preserve in Idaho, Charles M. Russell and UL Bend National Wildlife Refuges and the UL Bend Wilderness in Montana, Sheldon National Wildlife Refuge in Nevada, Hart Mountain Antelope Refuge in Oregon, and the Seedsdakee and Cokeville Meadows National Wildlife Refuges in Wyoming. Some of these lands were explicitly included in “stronghold” maps (see Attachment 3) and many were referenced by name as anchors for the protective designation as recommended by the Service in their October 27, 2014 memorandum. These lands are already managed for conservation as a primary mission, so withdrawal of the federal minerals that underlie them should be non-controversial and should assist the managing agencies in better achieving their conservation missions.	1
Additional areas of high sage grouse population concentration beyond SFAs should be included in the withdrawal...We are dismayed that many areas of predominantly federal land with high sage grouse population densities and high-quality habitat have been excluded from the current SFA designations.... All lands where strong sage-grouse populations are imminently threatened by incompatible land uses must also be included in withdrawals, including Parker Mountain in Utah; the Powder River Basin, Laramie Plains, and Jackson Hole in Wyoming; the Arapaho National Wildlife Refuge and surrounding lands in northwestern Colorado; and all sage grouse habitats in the Dakotas should receive miner withdrawals.	1
We are also concerned with the limited geographic scope of the identified SFAs, and urge you to revisit and expand these areas to ensure that adequate sage grouse protections extend to the areas necessary for sage grouse survival and recovery. For example, we recommend expanding the spatial extent of mineral withdrawals beyond SFAs to include isolated population areas at greatest risk of extirpation (e.g., southern Utah, Laramie Basin, Jackson Hole, Powder River Basin, Dakotas). Of course, protecting the most at-risk populations is essential to maintain genetic distinctness and population connectivity, and to maximize the potential for the survival of the species.	1
All occupied habitats for the Bi-State/Mono Basin and Columbia Basin Sage Grouse populations should be included in the withdrawal....Small populations are affected by loss of genetic variability, inbreeding, and predation pressure, and are at risk from random events such as extreme weather or fires. Clearly, the withdrawal of occupied and potential habitats of the Columbia Basin sage grouse population would remove a potential threat to this population’s survival.	1
Because the Lander Resource Management Plan was finalized before the U.S. Fish and Wildlife Service made its ‘stronghold’ recommendations, no Sagebrush Focal Areas were designated for elevated protection in the greater sage grouse plan amendment process, and no federal minerals in	1

Comment	Number of Commenters Providing this Comment
the Lander BLM Field Office have been proposed for withdrawal according to the agency’s published maps. USFWS-proposed “stronghold” habitats in the Lander Field Office face major threats from uranium mining and oil and gas development, as well as lesser threats from jade prospecting and mining and sand and gravel pit development. This area is the heart of the sage grouse range, and merits the strongest degree of protection from mineral development. In Wyoming, the proposed withdrawal also excludes the designated Sagebrush Focal Areas that are at the greatest risk of destruction and degradation due to hard-rock mining and other types of mineral development. Uranium mining is underway in the Greater South Pass PHMA, which also has been designated as a Sagebrush Focal Area, with mines under development.... These lands are unaccountably excluded from the proposed mineral withdrawal. Portions of the South Pass Historic Landscape,.... The Upper Green River Valley,... also is excluded from the SFA mineral withdrawals. These sensitive sage grouse habitats must all be withdrawn from future mineral entry....	
The Bi-State Distinct Population Segment of greater sage grouse occupies the Mono Basin and surrounding habitats, which are isolated from the rest of the sage grouse populations in the range. Populations ... are uniformly low, with trends that are stable or decreasing...Four of the six PMUs have populations that are in immediate threat of extirpation within the next 30 years... Sage grouse habitats in the Bi-State area face some of the most extensive threats from exurban development in the species’ range. Roads and associated habitat fragmentation are also a major threat.	1
USFWS (2013) correctly notes that hard-rock mining was extensive across much of the Bi-State area during the 1800s, and that current claims and mining activity are ongoing. For the Mount Grant PMU, the Bi-State TAC (2012: 36) pointed out, On-going mining and potential geothermal development pose relatively high risks in the Mount Grant PMU. ... The vast areal extent of existing claims, and the lack of a regulatory mechanism to reduce their number and extent, mean that this principal threat to sage grouse persistence will go unameliorated by current sage grouse protections. The pending Bi-State Forest Plan and associated BLM Carson City plan amendment are extremely weak in applying protections to hard-rock mining operations. Withdrawing all areas within identified sage grouse habitat from mineral entry is therefore necessary to address the weaknesses in current and pending sage grouse protections for this population.	1
We support a mineral withdrawal for important sage grouse habitats that is as strong, comprehensive, and geographically extensive as is necessary to guarantee the maintenance and recovery of sage grouse in the most densely occupied remaining habitats. In order to fully come into compliance with the recommendations of the BLM’s own National Technical Team (2011), the mineral withdrawal should apply to all forms of mineral location, leasing, and sales. The scope of the mineral withdrawal should not be limited to the 10 million acres proposed in the Federal Register notice, but should be expanded to include all Priority Areas for Conservation identified by COT (2013), all “stronghold” areas identified by the U.S. Fish and Wildlife Service in its memorandum to the BLM of October 27, 2014, and all Sagebrush Focal Areas designated under the federal planning effort. The withdrawal should encompass all forms of federal mineral location, leasing, and sales, and not be limited to locatable minerals only.	1
BLM must greatly expand the withdrawal area. BLM has failed to even include the lands most threatened by grazing in Nevada. BLM must expand the withdrawal to include all PPH and PGH lands and/or all occupied habitat.	1
BLM is not withdrawing Nevada BLM lands where mining threat to sage-grouse is greatest!	1
I urge you to expand the scope of the mineral withdrawal to include priority sage- grouse habitat.	1
The DRAFT EIS should include an alternative that includes all PACs within the mineral withdrawal and analyzes the additional benefits to greater sage grouse afforded by this expansion.	1
The DEIS should reinstate the BLM’s recommendation to consider withdrawing 894,060 acres from mineral entry in Wyoming	1
BLM should consider additional areas for mineral withdrawal beyond those identified to date. The Fish and Wildlife Service recommended that all priority sage-grouse habitat be protected and the benefits to increasing protection for additional lands should be acknowledged and considered in the range of alternatives for the environmental impact statement. The BLM ought to make needed adjustments to the proposed withdrawal areas to ensure that the best habitat is protected, which may require expanding the current proposal and require that any mapping errors be corrected.	1

Comment	Number of Commenters Providing this Comment
The Lone Willow GRSB PMU is among highest priority PMUs within the State of Nevada and harbors one of the most dense sage-grouse populations in Nevada...	1
<b>4.6.2 Recommend Alternatives: Additional Minerals: Commenters recommended other minerals/chemicals be withdrawn in addition to hardrock mining.</b>	
I urge you to consider withdrawing important lands from mining of leasable materials such as phosphate and coal and saleable materials like gravel and sand. These activities are similarly destructive to wildlife habitat and should be withdrawn.	89
In addition, I urge you to consider withdrawing important lands from mining of leasable materials such as phosphate and coal and saleable materials like gravel and sand. These activities are similarly destructive to wildlife habitat and should be withdrawn.	2
The proposed 10 million acre withdrawal falls far short of the NTT recommendation to protect priority habitat, and does not include the validity exams or buyouts for existing rights. It does not withdraw all Wyoming SFAs and the Lander, Miles City, and Northwest Colorado Resource Management Plans which did not establish SFAs are wrongly excluded from the proposed withdrawal, as is priority habitat for the Bi State distinct population segment. We therefore urge that the withdrawal application be revised to include all Greater Sage-Grouse PACs and also apply to locatable, salable and leasable minerals, and that the draft EIS include an alternative which analyzes the environmental benefits of mineral withdrawal from all PACs.	1
Thank you for the proposal to withdraw new hardrock mining claims on 3.6 million acres in Idaho in order to protect the greater sage-grouse. I believe this is an incredibly important step to protect the greater sage grouse. I would love to see the withdrawal include all the leasable minerals such as coal oil and gas. The proposal ought to include the possibility of buying out existing mining claims.	1
This withdrawal should most certainly include leasable minerals such as coal oil, gas, phosphate, sand and gravel, since without these controls the sage grouse would not thrive either.	1
Please consider the following comments in support of the mineral withdrawal proposal and consider withdrawal of all minerals within priority and important sage grouse habitat.	1
Withdrawals should not be limited to focal areas. Opportunities for future mineral development of all types on priority and important sage grouse habitat should be included. The scope of the mineral withdrawal and EIS should be expanded to include priority habitat management areas ....we encourage the Department of Interior to include the withdrawal of all Priority Areas for Conservation from future mineral location, leasing, and withdrawal from all kinds of extractive and motorized uses.	1
We encourage the BLM to not limit the withdrawal to hard rock mining, but include leasable minerals such as phosphate, which we know have equally destructive impacts as hard rock mining on sage-grouse habitat and extractable materials such as gravel and sand. In 2011, the BLM's National Technical Team (2011:24) recommended for locatable minerals in all priority habitats that the BLM "[p]ropose withdrawal from mineral entry based on risk to the sage-grouse and its habitat from conflicting locatable mineral potential and development." To the extent that the lands proposed for withdrawal represent a minority of the lands designated as PHMAs in the federal sage grouse planning process, the proposed mineral withdrawal from locatable mineral entry is inconsistent with the agency's own expert recommendations for these lands (Molvar, 2015)4.	1
The Secretary of Interior has full authority to withdraw the public lands not only from locatable mineral entry, but also from fluid mineral leasing, non-energy minerals leasing, mineral materials sales, and coal leasing. ...These sensitive habitats should therefore also be withdrawn from future non-energy mineral leasing as well. Sand and gravel pits are regulated under the auspices of mineral materials sales. Their extraction involves strip mining on a small scale and involves the surface disturbance, heavy machinery, noise, vehicle traffic, and human activity that impact greater sage grouse known to impact sage grouse distribution and habitat use and degrade sage grouse habitat quality.	1
In addition, I urge you to consider withdrawing important wildlife habitat from the mining of other leasable and salable materials.	1



Comment	Number of Commenters Providing this Comment
In addition, I urge you to consider withdrawing important lands from mining of leasable materials such as phosphate and coal and saleable materials like gravel and sand. These activities are similarly destructive to fish and wildlife habitat and should be withdrawn.	1
In addition, please consider withdrawing important lands from mining of leasable materials such as phosphate and coal and saleable materials like gravel and sand. These activities are similarly destructive to wildlife habitat.	1
In addition to hardrock minerals I urge you to also include phosphate and coal for withdrawal. In my opinion--from personal observation--the current and past phosphate mining has done tremendous damage in eastern Idaho. I believe the proposed mineral withdrawal would be a critical step in protecting a wide variety of important wildlife species--including sage grouse--and ensuring a high level of water quality.	1
I also urge you to withdraw important lands from mining of leasable materials such as phosphate and coal and saleable materials like gravel and sand. These activities are destructive to wildlife habitat and should be withdrawn.	1
It would also be worthwhile to consider withdrawal of lands from mining of leasable materials such as phosphate and coal and saleable materials like gravel and sand.	1
I also support the withdrawal of those same lands from the mining of leasable materials such as phosphate and coal, and saleable materials such as gravel and sand.	1
I urge you to consider withdrawing important lands from mining of leasable materials such as phosphate and coal and saleable materials like gravel and sand. These activities are similarly destructive to wildlife habitat and should be withdrawn.	1
These lands should not be included as areas where leasable materials such as phosphate and coal and saleable materials such as gravel and sand can occur.	1
Further, these important lands must be excluded from mining of leasable materials such as phosphate and coal, and saleable materials like gravel and sand.	1
I hope you will also withdraw important lands from mining of leasable materials such as phosphate and coal and saleable materials like gravel and sand.	1
I request that you consider withdrawing these lands from mining of phosphate, coal, gravel and sand as these activities are destructive to wildlife habitat.	1
FLPMA plainly authorizes the Secretary to withdraw public land from the operation of any or all of the “general land laws: – not only the General Mining Law but also the Mineral Leasing Act. 4 The Secretary should exercise this authority to protect these sage grouse habitats of elevated significant from all types of future mineral development; the sage grouse habitats protected from hard-rock mining will be worth nothing to the conservation and recovery of these birds if they are subsequently converted into oil and gas fields, gravel pits, or potash mines.	1
While the proposed 10 million acre hard rock mineral withdrawal in Sagebrush Focal Areas (SFAs) is significant, best available science indicates that all priority areas for Greater Sage-Grouse conservation (PACs), approximately 35 million acres of federal lands, should be protected from all forms of mining to ensure grouse survival and recovery...The proposed 10 million acre withdrawal falls far short of the NTT recommendation to protect priority habitat, and does not include the validity exams or buyouts for existing rights. It does not withdraw all Wyoming SFAs and the Lander, Miles City, and Northwest Colorado Resource Management Plans which did not establish SFAs are wrongly excluded from the proposed withdrawal, as is priority habitat for the Bi State distinct population segment...We therefore urge that the withdrawal application be revised to include all Greater Sage-Grouse PACs and also apply to locatable, salable and leasable minerals, and that the draft EIS include an alternative which analyzes the environmental benefits of mineral withdrawal from all PACs. Thank you for considering this comment. We would be interested in meeting with you to further discuss this request.	1
Oil and gas development is arguably having the greatest impact on sage grouse populations of any human-caused stressor in the Rocky Mountain region. This type of industrial development fragments and degrades sage grouse habitat and displaces sage grouse from key habitat areas, resulting	1

Comment	Number of Commenters Providing this Comment
in heavy impacts to sage-grouse populations have been documented where these stipulations have been applied .... The BLM's National Technical Team (2011:22) recommended that the agency "[c]lose priority sage-grouse habitat areas to fluid mineral leasing" under both of its recommended scenarios. Withdrawing the lands in question from future oil and gas leasing satisfies this biological imperative.	
Braun (1986) and Remington and Braun (1991) documented significant impacts from coal mine-related activities on sage grouse populations. In addition, underground coal mining comes with the necessity of ventilator fans, which typically emit levels of constant noise that exceed thresholds causing significant impacts to sage grouse. See Attachment 5. For coal development in priority habitats, the BLM's National Technical Team (2011:24) recommended, "Find unsuitable all surface mining of coal under the criteria set forth in 43 CFR 3461.5," and for underground mining, "Grant no new mining leases unless all surface disturbances (appurtenant facilities) are placed outside of the priority sage-grouse habitat area." Withdrawing the lands in question from future coal leasing protects these important sage grouse habitats from the same impacts as would be expected under locatable minerals development.	1
Non-energy leasable minerals include leases to permit mining for potash, sodium, phosphate, sulfur, and gilsonite. The BLM's National Technical Team (2011:25) made the following recommendations for management of these mineral resources in priority sage grouse habitats: Close priority habitat to non-energy leasable mineral leasing. This includes not permitting any new leases to expand an existing mine. The mining of these minerals can occur in the form of strip-mining or underground mining, just like locatable minerals, and the impacts to sage grouse and their habitats are no different as a result of the different minerals targeted for extraction. These sensitive habitats should therefore also be withdrawn from future non-energy mineral leasing as well.	1
This disappointing episode of state officials ignoring their own sage grouse protection measures in their haste to approve industrial projects that can reasonably be assumed to have major negative impacts on sage grouse populations provides one more indicator of why it is imperative to include mineral material sales (indeed, all forms of mineral development) in the withdrawal.	1
Because the Lander Resource Management Plan was finalized before the U.S. Fish and Wildlife Service made its 'stronghold' recommendations, no Sagebrush Focal Areas were designated for elevated protection in the greater sage grouse plan amendment process, and no federal minerals in the Lander BLM Field Office have been proposed for withdrawal according to the agency's published maps. USFWS-proposed "stronghold" habitats in the Lander Field Office face major threats from uranium mining and oil and gas development, as well as lesser threats from jade prospecting and mining and sand and gravel pit development. This area is the heart of the sage grouse range, and merits the strongest degree of protection from mineral development. In Wyoming, the proposed withdrawal also excludes the designated Sagebrush Focal Areas that are at the greatest risk of destruction and degradation due to hard-rock mining and other types of mineral development. Uranium mining is underway in the Greater South Pass PHMA, which also has been designated as a Sagebrush Focal Area, with mines under development.... These lands are unaccountably excluded from the proposed mineral withdrawal. Portions of the South Pass Historic Landscape,.... The Upper Green River Valley,... also is excluded from the SFA mineral withdrawals. These sensitive sage grouse habitats must all be withdrawn from future mineral entry....	1
I believe it is necessary to withdraw important lands from mining of leasable materials such as phosphate and coal and saleable materials like gravel and sand because these activities are similarly destructive to wildlife habitat.	1
Please withdraw priority sage-grass habitat from ranching, mining, fracking and other harmful industries.	1
I would also support that the withdrawal should expand all priority measures for sage-grouse, should be expanded to include leasable minerals, and include a provision for buying out and retiring existing claims.	1
We support a mineral withdrawal for important sage grouse habitats that is as strong, comprehensive, and geographically extensive as is necessary to guarantee the maintenance and recovery of sage grouse in the most densely occupied remaining habitats. In order to fully come into compliance with the recommendations of the BLM's own National Technical Team (2011), the mineral withdrawal should apply to all forms of mineral location, leasing, and sales. The scope of the mineral withdrawal should not be limited to the 10 million acres proposed in the Federal Register	1

Comment	Number of Commenters Providing this Comment
notice, but should be expanded to include all Priority Areas for Conservation identified by COT (2013), all “stronghold” areas identified by the U.S. Fish and Wildlife Service in its memorandum to the BLM of October 27, 2014, and all Sagebrush Focal Areas designated under the federal planning effort. The withdrawal should encompass all forms of federal mineral location, leasing, and sales, and not be limited to locatable minerals only.	
<b>4.6.3 Recommend Alternatives: Additional Activities: Commenters recommend additional activities, such as grazing, be withdrawn from SFAs.</b>	
BLM must also pursue the alternative of a grazing withdrawal in Focal habitat, and evaluate where else in all currently occupied sage-grouse habitats this is required to prevent cheatgrass/medusahead spread and other serious adverse and irreversible impacts of livestock grazing disturbance in sage-grouse habitats. Belsky and Gelbard 2000, Chuong et al, 2015 (new paper on livestock spread of flammable annual invasive grasses).	1
all acreage should be withdrawn from any mineral leases and all destructive forms like cattle grazing, where you are forcing ever single wild horse to its death to allow cattle grazing all over. the blm is into killing wild horses massively. i am totally opposed to any development on the below listed acreage. that includes no grazing, no mineral exploration or development. also the plain english law needs you to go back and rewrite this proposal. no 12 year old kid could understand this proposal. you have used arcane deceptive words so you need to be turned down as this being a decent proposal to the american people. are you trying to get away with something here? more criminality? i dont want geothermal or any other mineral development on these sites. i want wildlife and bird protection to be first on the list for the areas to be saved for them to live on peacefully and healthfully. i note you put them last, your murderous intents toward wildlife are duly noted.	1
The mineral withdrawal helps prevent mining impacts that are an intensive land use, but mining tends not to be very extensive (especially in this era of declining commodity and energy prices). We urge BLM to consider withdrawing public lands from other destructive uses that are more extensive across the range of the sage grouse, such as livestock grazing, in order to protect focal areas such as sagebrush, riparian, and wet meadows that are critical to sage grouse recovery. Please consider voluntary retirement of grazing permits in the scope of your proposal.	1
Wind, solar and geothermal energy, as well as the power lines to bring that energy to market, negatively affect sage-grouse habitat. Energy infrastructure must be directed away from important sage-grouse habitat. A plan that allows for the possibility of large power lines in the bird’s priority habitat and creates a “carve out” for solar and wind projects in certain portions of priority habitat does not support survival of the sage-grouse. Please eliminate this carve out for power lines, solar plants and wind turbines in priority sage-grouse habitat.	1
It is essential that BLM conduct a parallel grazing withdrawal - as grazing impacts, facilities, etc. are the most harmful impacts and greatest controllable threat to sage-grouse across the focal areas.	1
Need a grazing withdrawal for focal habitats.	1
<b>4.6.4 Recommend Alternatives: Nevada Proposal: Commenters endorsed the proposed Nevada sage-grouse habitat additions.</b>	
If the withdrawal application is approved, Nevada has developed maps that propose better boundaries that take into account existing mining operations and exploration activities that are crucial to the economy of Nevada and the nation. I directed the Department of Wildlife, Department of Conservation and Natural Resources and the Nevada Division of Minerals to work cooperatively to analyze the Sagebrush Focal Area (SFA) for its mineral potential and activity and to identify high value, priority greater sage-grouse habitat to better inform the BLM as decisions are made. As a result of this exercise by my state agencies, attached are maps whose boundaries achieve the stated goal of protecting priority habitat for the greater sage- grouse.	1
At Governor Sandoval’s direction, the Nevada Department of Wildlife (NDOW), Nevada Department of Conservation and Natural Resources (DCNR), and the Nevada Division of Minerals (NDOM) worked cooperatively to analyze the SFA region with regard to existing, active exploration claims/mineral potential and priority GRSG habitat to evaluate an Alternative Mineral Withdrawal Area that achieves greater benefits	1

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for GRSG by exchanging high value habitat for areas with high mineral potential and existing claims. Areas with high mineral potential were assessed and mapped by the Nevada Bureau of Mines and Geology (NBMG). Assessments were based on the evaluation of existing data sources including known mining districts, Plans of Operation, Notices of Intent, information from the BLM LR2000, and permitting data from NBMG Annual Nevada Mineral Industry reports. Areas with high mineral potential were further evaluated for proximity to active GRSG leks and habitat and fitted to avoid and minimize impacts to GRSG and avoid or minimize potential for habitat fragmentation. Areas within the SFA characterized as high mineral potential are shown in Attachment A. Existing GRSG populations and habitat quality within and adjacent to the SFA were reviewed by NDOW to identify areas of lower quality habitat and importance to GRSG where mineral withdrawal would not significantly benefit existing populations. NDOW also identified GRSG populations adjacent to the SFA that would greatly benefit multiple populations of GRSG if they were exchanged for areas that had existing mining claims in the SFA. . Areas proposed to be exchanged from the SFA because of lack of habitat and areas proposed to be included in the mineral withdrawal area based on the benefit to GRSG are shown in Attachment B Collaborative analysis of these two assessments results in an Alternative Mineral Withdrawal Area that must be analyzed as an EIS alternative. The alternative area does not change the SFA boundaries, only the mineral withdrawal area for purposes of minimizing conflict, protecting mineral exploration of known mineral importance, and providing enhanced benefits to GRSG by protecting more leks. Some of the effects the Alternative Mineral Withdrawal Area are described in Table 1.	
Table 1. A comparison of the effects of the BLM Mineral Withdrawal Area and the Alternative Withdrawal Area in Nevada.	1
The Mineral Withdrawal EIS must analyze the Alternative Mineral Withdrawal Area prepared jointly by NDOW and NDOM that minimizes conflicts with existing claims and results in measurable net benefit to GRSG by protecting more important habitat, leks, and populations.	1
The dual importance of these resources to the State of Nevada and to the nation has led to consensus opinion that the area should be carefully managed in a collaborative manner between the Federal and State governments. Nevada strongly recommends that approximately 82,250 acres be designated as the Lone Willow Pilot Project which will be excluded from the BLM Mineral Withdrawal Area and managed as a special experimental stewardship project as allowed under the Public Rangelands Improvement Act or similar existing authority. The purpose of the pilot project is to cooperatively manage the mineral and wildlife resources on a case-by-case, site-scale basis that will incorporate valuable mitigation strategies and requirements using the State Conservation Credit System and incorporating a strong local rehabilitation/reclamation component with research opportunities. The Lone Willow Pilot Project will be managed by a collaborative management group of professional geologists, wildlife biologists, range ecologists, and reclamation specialists based on local scientific findings. The Management Group will define and operate under a suite of guidelines which will be approved by the BLM, NDOW, and NDOM....	1
<b>4.6.5 Recommend Alternatives: Decrease Boundaries: Commenters recommended exclusion of specific mining claims or areas of high mineral potential or state other reasons why the proposed action boundaries should be decreased.</b>	
The EIS should include an alternative that reduces and re-configures the withdrawal areas to preferentially withdraw PHMA with unfavorable geology for the discovery and development of mineral deposits. Lands that are covered with thick deposits of volcanic rocks or Quaternary alluvium would be two examples of geologic settings that typically are not priority targets for mineral exploration because of the technical difficulties and economic constraints associated with exploring for buried mineral deposits that if present would be too deep to be feasible to explore and develop.	2
...the BLM should exclude existing mineral operations and mining claims from the boundaries of SFAs, and consequently from the withdrawal....AEMA supports the Kings Valley Lithium Project and the Buckskin-National Project, and requests that these projects, and other similarly situated projects, regardless of the type of hardrock mineral being mined, be excluded from the proposed withdrawal and the boundaries of the SFAs be adjusted.	2

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Recognizing the inequity, loss of significant minerals, investment and value, and the inconsistency in proposing withdrawal of claims within an existing Plan of Operations granted by the agency, the USFS is recommending to the BLM that WEX's claims be excluded from the proposed withdrawal. WEX makes the same request and respectfully submits the exclusion of its claims identified on the map attached hereto as Exhibit 1 (which are on the edge of the proposed withdrawal boundary) should occur immediately. The claims comprise only 7,000 out of the 2.8 million acres proposed for withdrawal in Nevada, are on the edge of the withdrawal boundary, and are the site of more than 25 years of exploration work completed by world class exploration professionals that has culminated in a major potential gold deposit for the local, State and Nation's benefit.	1
WEX believes the inclusion of its claims within the withdrawal is in error, unlawful and requires immediate correction to avoid further substantial and potentially irreparable damage from the unreasonable interference with WEX's investment backed expectations, continued activities under its Plans of Operations, and development of Doby George and Wood Gulch, including Gravel Creek. Depriving WEX of its reasonable investment-backed expectations in its mining claims and its existing Plans of Operations means the loss of not only the \$37.7 million invested in exploration but also the taking of WEX's assets that could be sold based on an estimated potential to generate gross revenue of approximately \$3 billion. Excluding WEX's claims from the withdrawal to allow for their ongoing development and continued mitigation still will require significant mitigation and would balance the preservation of WEX's interests, the economic interests of the local and State communities, the Nation's need for minerals with the desired conservation of Greater Sagegrouse and their habitat.	1
The EIS must fully discuss and analyze other alternatives to the proposed withdrawals including social, environmental and economic impacts, including the impacts to local communities, mining claimants.....The BLM should consider an alternative that excludes existing mining operations and active mining claims from the proposed withdrawal.	1
I suggest that at the very least companies be allowed a one mile area of interest around the existing claims so that if they do find something near the boundary, they could stake claims up to the area of interest.	1
Another alternative should carve out existing exploration and mining operations from this proposal.	1
Based on the parcel's size both regarding patented and unpatented mining claims (small); the proximity to the boundary of Sagebrush Focal Area (SFA)(according to the CLAIM MAP, the SFA boundary is on the order of 1000 feet from the Claim Group); the total dollar amount expended to date on various drilling programs, geologic mapping, claim filings, Bureau of Land Management Fees etc. (in excess of USD 2,000,000 in today's dollars); and the Project Area's proximity to a designated County Road (County Route 748), as shown on the Bureau of Land Management's own Map; the current owners request that at least one of the alternatives to be considered on the United States Forest Service administered lands in the immediate Project Area is the non-withdrawal of the area (i.e., at least Sections 11, 12, 13, 14, 23 and 24, Town 44 North Range 57 East, Mt. Diablo Meridian).	1
In addition to my outright objection of the withdrawl area as a whole, I have particular concern over the proposed for withdrawal which includes the Montana Mountains of extreme north-central Nevada, near Orovada. ...In addition to making it clear that I oppose the withdraw completely, I am also writing to you to express our support for the Western Lithium Kings Valley Lithium Project and to request that the SFA boundary be modified and moved to the east to exclude this known lithium deposit. ...All alternatives analyzed in the upcoming BLM EIS should show an adjusted SFA boundary which excludes the Western Lithium Kings Valley Lithium Project (Stages 1-5) to eliminate any conflicts with this known valuable strategic and critical mineral.	1
Please be advised that I am a mineral claim holder in T23S, R23E Willamette Meridian, Lake County, Oregon and that I oppose any mineral withdrawals which may be contemplated within 10 miles of my claims and/or any new designations or restrictions contemplated which might impede development of my claims.	1
The attached map shows Carlin Gold US's claims in the southern Cortez Mountains, Eureka County, Nevada. This is our Cortez Summit Project, and we have held these claims for 8 years by paying the BLM annual claim maintenance fees and filing annual intent-to-hold fees with Eureka	1

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County. The claims fall within your designated Priority Habitat Management Area (PHMA) in the above-referenced report. We have two active permits with posted reclamation bonds under the 3809 notice-level regulations. These regulations contain provisions to address greater Sage-grouse habitat. We have conducted drilling and are making plans to continue exploration work on the project. The area is within the Cortez Mining district, one of the most active gold-mining and gold exploration areas in the world, let alone Nevada. The mineral exploration potential in this area, particularly for “Carlin-Type” sedimentary rock-hosted gold deposits, has proven to be excellent. The fact that there are so many active claims in the area, being held at considerable expense through claim maintenance fees to the BLM, is a strong testimony to the mineral potential of the area. Notwithstanding the recent PHMA designation applied to this area, it is our hope that the BLM will continue to take these outstanding mineral resource characteristics into consideration as they administer these lands under the “multiple use” guidelines provided by the Federal Land Policy and Management Act of 1976.	
The BLM must exclude areas with known mines and mineral prospects as documented by the Idaho Geological Survey's minerals database and mining property compilations. As part of this analysis, the BLM should disclose, prior to finalizing the EIS, existing VERs, and a particularized definition of what a VER entails, including a step-by-step analysis for obtaining a VER.	1
I think is ridiculous to take away the right for small time recreational miners to placer mine. This country was built on gold mining. To take it away for American Citizens would be ashame. If you want to save the grouse manage them correctly. If hard rock mining is a problem just deal with that and not take away small time dredging and highbanking rights.	1
Although serious questions remain over the legitimacy of the entire SFA, it appears that at least in this specific portion of the SFA, important questions exist regarding statutory multiple use mandates under FLPMA, possible violations of NEPA, actual qualification for the purposes of the SFA, and administration of the proposed withdrawal. Therefore, I must appeal to you to abandon this spurious portion of the SFA. This abandonment would not impact the integrity or possible merit of the SFA proposed withdrawal, and would bring the SFA in closer compliance with its' intent as well as the letter of administrative code and Federal law.	1
In addition, we should comment that in T44N-R52E the White Canyon area where our project is situated may not be suitable sage hen habitat – there are cliffs for raptors; bare rocky ridgelines; conifers and hardwoods. Why would you withdraw this area for support of sage hen populations?	1
There is abundant known mineral value and mineral potential in the Sagebrush Focal Areas proposed for withdrawal...It is our hope that DOI considers the hasty work to be preliminary, and intends the SFA boundaries to be adjusted.	1
A Biological Evaluation (BE) prepared as part of Plan of Operations studies, titled “Buckskin Minerals Exploration Biological Evaluation and Specialist Report,” was prepared by Kyra Iris Walton Reid, Northeast Zone Supervisory Wildlife Biologist for the USFS, July 2012. b. Figure 4 in these comments is a copy of “Figure 2. Sage-Grouse Habitat” from that BE. This map shows that Preliminary Priority Habitat (PPH) covers only a portion of the mountain. Figure 4A is the same map as Figure 3A, but includes an accurately geo-registered “Figure 2. Sage-Grouse Habitat” as an underlying layer...These maps clearly show the BE conducted a more detailed, project-scale determination of sage grouse habitat. PPH on that map excludes the large areas of the mountain that are covered by mountain mahogany and buckbrush, have Limber Pine, or are significantly disturbed due to historic mining, all of which make these areas unsuitable for habitat.....Had the data in the BE been used when determining the SFAs, Buckskin Mountain would surely not have been included in an SFA, or considered as a whole to be in the Priority Habitat Management Area (PHMA).	1
To provide minimal assurance to claimants currently owning mining claims on the SFA, the SFA boundaries must immediately be adjusted back (a buffer zone) at least four miles in every direction from each and every claim, claim block and patented parcel.... Additionally, access to these properties, by land and by air, must not be restricted in any way.	1
Considering the above discussion and that our project area is on the edge of an SFA, we ask that a “no withdrawal alternative” be accepted for this project area...	1

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<p>"No Withdrawal" Version 2: This alternative is shown on Figures 2C and 3C and excludes approximately 1480 acres from the withdrawal area and SFA. The acreage total includes only those portions of Sections 11 and 14 that are currently within the SFA. i. Advantages of this proposed alternative are that it excludes from the withdrawal area and SFA the possible continuation of the Bell Vein north of the existing BKS KN claims, and possible continuation of concealed mineralization south of the existing claims..... Advantages of "No Withdrawal" of Project Area Alternatives. a. The significant expenditures necessary for exploration, development, and potential mining activity for currently unknown mineral deposits are very important to the economic health and growth in rural areas. With a "No Withdrawal" determination, all of these potential economic benefits to numerous Nevada communities and counties, especially Humboldt County, McDermitt, Orovada, and Winnemucca, will be preserved. b. Tax revenue to the State of Nevada will be significant during the exploration and development phases, but especially so in the event of a minable discovery. c. Volcanic Gold and Paragon will have the potential to be rewarded for the significant time and expenses they have invested to maintain and advance the project, all of which is currently at risk.</p>	1
<p>We ask that the "No Withdrawal" Version 1 alternative described in paragraph "11.b" above be granted for our project and the BKS KN lode mining claims.</p>	1
<p>The EIS must evaluate alternatives for minimizing and mitigating the impacts of putting the identified and future mineral resources in these known mining districts off limits for up to 20 years, thereby reducing the Nation's domestic mineral supply.</p>	1
<p>Both NEPA and FLPMA Section 204(c)(2)(6) require a substantive analysis of alternatives to the proposed withdrawal. In order to satisfy these requirements, the EIS must analyze in detail feasible alternatives to withdrawing these lands. The alternatives to be analyzed should include substituting mitigation for some or all of the withdrawal, reducing the size of the withdrawal, and changing the location for the withdrawal to minimize impacts to mineral resources.</p>	1
<p>Eliminate all claims that paid the 2016 claims maintenance fee from the withdrawal. The Nevada Division of Minerals ("NDOM") has documented that 3,762 unpatented lode, placer, and tunnel claims, and millsites ("mining claims") are located within the boundaries of the proposed Nevada mineral withdrawal areas..... Eliminating these claims from the mineral withdrawal would be a significant way to solve some of the more egregious problems stemming from the proposed withdrawal including the substantial inequities that the current withdrawal proposal imposes on claimants in all of the western states who have paid the 2016 claims maintenance in good faith in reliance upon their rights under the Mining Law. This is particularly true for claims located in well-documented mining districts that never should have been included in the proposed mineral withdrawal in the first place. BLM's failure to consider the mineral potential of these areas in the Final EIS violated NEPA and FLPMA and created potential claims for takings for interference with reasonable investment backed expectations of these claim holders. Claimants in these areas made investments with the reasonable expectation that BLM would comply with established procedures in developing the NVLMP (and the EIS documents prepared for the other western states), which should have included an evaluation of mineral potential and the impacts resulting from the proposed withdrawal. The unlawful procedures by which BLM identified the proposed withdrawal areas violate claimants' due process rights and subject the federal government to takings claims and liability for related compensatory damages. In Nevada, removing the claims from the proposed withdrawal would be a minor reduction in the size of the withdrawal.....A 2.7 percent reduction in the size of the proposed Nevada mineral withdrawal to eliminate the extremely adverse direct, indirect, and cumulative impacts to the claim owners and communities located near these claims is a reasonable alternative that must be considered in the EIS. A similar analysis must be performed for the other western states with proposed mineral withdrawals. <a href="http://minerals.nv.gov/uploadedFiles/mineralsnvgov/content/News/Assessme...">http://minerals.nv.gov/uploadedFiles/mineralsnvgov/content/News/Assessme...</a></p>	1
<p>In addition to eliminating all claims that have paid the claims maintenance fee, BLM should also eliminate lands within the boundaries of authorized permits (e.g., Plans of Operation and Notices of Intent) from the mineral withdrawal. The rationale for eliminating these authorized project activities from the withdrawal is identical to that for mining claims but also includes the property rights associated with the permits themselves as acknowledged by the BLM and USFS. The operators of these Plans of Operation and Notices of Intent submitted these operating</p>	1



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permits to BLM and USFS in reliance on their rights under the Mining Law and BLM's and USFS' administration of the Mining Law pursuant to BLM's 43 CFR 3809 surface management regulations and USFS' 36 CFR Part 228A regulations for mineral projects in national forests. Because BLM and USFS have acknowledged these permits are "Valid Existing Rights" yet, at the same time, included those VERs within the segregation, the agencies have interfered with the permittees use of their permits and, in some instances, rendered those permits valueless. As a matter of equity and constitutional law, these areas should be excluded from the withdrawal.	
Eliminate all Documented Mineral Deposits and Mining Districts from the Withdrawal...FLPMA Section 204(C)(2)(12) requires BLM to prepare a substantive and quantitative analysis of the present and future mineral potential of the proposed withdrawal areas, including an analysis of the present and potential market demands for the minerals that would be placed off-limits to development. The mineral potential reports must evaluate the site-specific data for most or all of the mineral deposits within the proposed withdrawal area that would be needed to satisfy the NEPA hard look requirements and the FLPMA Section 204(C)(2)(12) analysis requirements. Withdrawing areas with known mineral potential would not be consistent with the declaration of policy in Section 102(a) of FLPMA, which establishes Congressional intent that: "(12) the public lands be managed in a manner which recognizes the Nation's need for domestic sources of minerals, food, timber, and fiber from the public lands including the implementation of the Mining and Minerals Policy Act of 1970 (84 Stat. 1876, U.S.C. 30 21a) as it pertains to the public lands." BLM's proposed 10-million acre mineral withdrawal violates this mandate because it sweeps in numerous known mineral deposits and important mineral districts. It is unlawful and not in the Nation's interest for BLM to withdraw lands with known mineralized areas that need further evaluation to quantify their mineral potential.... Consequently, BLM must not withdraw any areas of known mineral potential because they will not be fully evaluated – the segregation and withdrawal will prevent the necessary evaluation and prohibit future development. The final boundaries for the withdrawal must comply with the FLPMA Section 102(a)(12) mandate that the Nation's public lands be managed in a manner that recognizes the country's needs for domestic sources of minerals. Moreover, FLPMA Section 103(c) demands a balanced approach to managing the Nation's public lands that: "... best meet[s] the present and future needs of the American people" [and achieves] "a combination of balanced and diverse resource uses that takes into account the long-term needs of future generations for renewable and nonrenewable resources, including, but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic, scientific and historical values." These FLPMA directives require BLM to reconfigure the boundaries for the mineral final withdrawal to exclude areas with known mineral potential. This approach is especially warranted because BLM does not have sufficient time or budget to systematically and thoroughly examine the untapped mineral potential in these known mining districts. Including these mining districts in the withdrawal area would violate FLPMA.	1
In addition to Alternatives B(i – iv), BLM should further minimize the adverse impacts of the proposed mineral withdrawals by preferentially locating the withdrawals in areas that are already functionally off-limits to exploration and mining. BLM should conduct a GIS mapping exercise to identify Priority Habitat Management Areas (PHMA) in areas of low mineral potential that are co-located with areas that are already unavailable for mineral exploration and development such as Wilderness Study Areas ("WSA") or Areas of Critical Environmental Concern ("ACEC"). Reconfiguring the mineral withdrawal boundaries to WSAs that are co-located with PHMA and lands with low mineral potential would be a viable alternative for mitigating some of the impacts of the withdrawal and would reduce the impacts of the withdrawal on individuals, companies, and state and local governments. It also would avoid placing known mining districts off-limits for 20 years.	1
Restrict the Mineral Withdrawal to PHMA...Non-PHMA lands should be excluded from the withdrawal area in addition to the exclusions discussed above.	1
In light of the inappropriate size of and locations for the 10 million acre withdrawal nationwide and the 2.8 million acre in Nevada, BLM must give careful consideration to the alternatives discussed herein to reduce the size of the withdrawal and to minimize the impact of the withdrawal on claimants, companies, local and state government, and the Nation as required by NEPA and FLPMA.	1

Comment	Number of Commenters Providing this Comment
.....based on the current maps supplied by the BLM of the proposed SFA's in northern Nevada, the following comments are made: Substantive Comment 1. Based on information from the above federal and state agencies, several Mining District and current mineral occurrences, resources and deposits have been identified and documented, as well as potential future mineral resource areas within the FSA's in north Nevada. These current and future potential mineral occurrences, deposits and resources areas Should Not Be Withdrawn from Mineral Entry. These lands hold potential for critical minerals that are needed for National interest to not be reliant on foreign sources, as well as creating jobs and revenues for the State of Nevada.	1
Recent initiatives to protect threatened sagebrush habitat across the western US are a good step forward but should include exemptions for mineral exploration and mining. Mineral exploration and hardrock mining impact less than 0.1% of the 173 million acre sagegrouse habitat, a pittance compared to regions impacted by wildfire and livestock grazing, which are estimated to constitute 85% of the threatened habitat. Many studies have linked wildfire to invasive cheat grass, which in turn is associated with over grazing. To put this in perspective, the impacts from mining and mineral exploration to sage grouse habitat could be readily offset if each of us ate just 0.5% less beef.	1
Most importantly, however, is that these agreements tout the benefit of project owners funding mitigation and conservation while greatly reducing the ability of the State Conservation Credit program to be implemented in the most important areas using the most important potential funders. If the only area in the COT Report with a widespread threat of mining in Nevada is outside of the SFA, then it is insufficient to conclude that that some areas labeled as having a "localized" threat of mining should be subject to a widespread withdrawal lasting twenty plus years. Therefore, the COT Report does not support a need for widespread withdrawal above and beyond the many measures being implemented in the Northern or Western Great Basin Priority Areas.	1
Use the 2015 USGS/State of Nevada Habitat Map. In December 2015, the Nevada Sagebrush Ecosystem Council ("SEC") adopted an updated version of the USGS Nevada GSG habitat map. The distribution of PHMA in northern Nevada differs somewhat compared to the 2014 GSG habitat map that was used to develop the NVLMP and to show the SFA. The designation of habitat areas being considered for withdrawal must be based on the 2015 map. It appears that some of the proposed withdrawal areas – especially areas in Elko County – are not within PHMA on the 2015 habitat map. The EIS must use the 2015 map. Consequently, BLM must re-draw the proposed withdrawal boundaries on the basis of the 2015 map, re-notice the withdrawal and offer the public another opportunity to assess and comment upon the scoping of the EIS based upon the updated boundaries.	1
Factual Information and Maps Showing Lands that should be Preserved and Remained Open for Current and Future Mineral Exploration and Mining and not Withdrawn from Mineral Entry...Within the FSA areas in northern Nevada of the proposed withdrawal from mineral entry by the BLM, after extensive research I was able to compile various current and potential future mineral inventory data that suggests several regions and areas should not be withdrawn from Critical Minerals, Base and Precious Metals and Industrial Minerals exploration and mining. Please review and incorporate the attached six maps covering SFA lands in Washoe, Humboldt and Elko counties...that show and describe the various mining districts, exploration activities..., geologic technical reports...and exploration and development work and known and potential mineral occurrences...	1
My recommendations mirror those of Don Buford and the crew at Dust Devil: 1. Set aside two million acres for Sage Grouse habitat in areas where there are no mines currently operating or that have minerals or oil/gas that are necessary for the economies of local communities, states, or the country. This area should be where Sage Grouse currently reside but may be threatened by disappearing habitat. 2. Utilize cattle to graze off cheatgrass in the very late fall and very early spring before the native perennials begin to emerge. 3. Utilize Pseudomonas plurescens bacteria to destroy the root systems on cheatgrass. It will not affect the bunch grasses, sage brush or forbs. 4. Use Plateau herbicide or other herbicides that do not harm bunch grasses, forbs or sage brush. Use of a short toxicity pre-emergent herbicide administered just before cheatgrass emerges would have a very favorable effect on the habitat..... 6. Allow mining in the areas where there is little or no Sage Grouse residing because of lack of suitable habitat. When reclaimed, these areas should be planted with native bunch grasses, forbes and sage brush. Miners doing reclamation should be	1

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encouraged to make sure there is sufficient top soil and allowed to use a water holding additive such as mulch or silica gel that will help new perennials grow. Many of the mining areas have no sage brush because of wild fire. The rock is so close to the surface that only cheatgrass can survive for many years. The mining process creates what we call fines that can be put over the rock to provide something in which plants can grow. These fines are mineral rich but lack nitrogen so a nitrogen based fertilizer should be used. The addition of native legume seed will fix nitrogen into the soil. The mining process also allows for increased habitat for burrowing animals such as sage rats, kangaroo rats, jackrabbits, mice and lizards. This provides more prey for coyotes, hawks, owls and eagles who might otherwise have a Sage Grouse dinner.	
Revise the footprint to accurately reflect SG habitat. In the roughly 60,000 acres in Northern Washoe county that we are intimately familiar with, more than 25% of what is proposed by BLM as SG habitat is steep, densely forested juniper stands...not SG habitat. Which makes the proposal look even more like the land grab it is rather than what you suggest it is, something to help SG. We would be happy to pencil these obvious non-SG areas out for you, if you're serious.	1
In addition, we should comment that in T44N-R52E the White Canyon area where our project is situated may not be suitable sage hen habitat – there are cliffs for raptors; bare rocky ridgelines; conifers and hardwoods. Why would you withdraw this area for support of sage hen populations?	1
In summary, we urge that you remove T44N-R52E MDBD from the withdrawal. It hosts historic mining districts containing valid existing mining claims, both patented and unpatented. Its characterization as containing sage hen habitat appears to be incorrect, at least in part.	1
BLM should consider alternatives to the proposed withdrawal that exclude from withdrawal areas identified as having high mineral potential (favorable or prospective).	1
BLM should clarify that, under its proposed withdrawal , currently maintained unpatented mining claims, mill sites, and tunnel sites would be protected as valid existing rights. However, if BLM fails to provide such clarification, it should include in the EIS an alternative whereby these currently maintained claims would expressly be protected as valid existing rights.	1
Due to 1872 Mining Laws I believe South Pass Atlantic City should be withdrawn from this area.	1
Pilot Gold should be excluded from the withdrawal...A reasonable alternative that, as discussed above, could lead to greater protection of GSG habitat, would be to allow Pilot Gold and similarly situated active projects to continue activities subject to the significant restrictions and mitigation requirements imposed on lands identified within PHMA.	1
Adjust SFA Withdrawal Boundaries to Exclude Existing Projects and Mining Claims...The previous comments argue for an adjustment of the SFA boundaries to accommodate existing mining and exploration projects. Unpatented mining claims should be part of this accommodation and should be removed from the proposed withdrawal.	1
Alternative Sizes and Areas for the Withdrawal	1
Please find attached a comment letter and brief technical report on our Lost Cabin mineral exploration project located in Lake county Oregon.... I have recommended in my cover letter that the entire area of alteration and mineralization be removed from the segregation so that productive mineral exploration can be done in this important mineral system.	1
Greater consideration should be given to the smallest possible land package to be withdrawn, that has little or no mineral potential. All land withdrawals should be deferred until such time as the land management plans have been implemented and monitored for the effectiveness of mitigation and the need to protect and improve sage grouse habitat...it is believed this large land tract is unnecessary to protect the greater sage grouse and its habitat and clearly is not appropriate without first allowing the land management plans to be implemented and evaluated for effectiveness.	1
La Cuesta International, Inc. (LCI), 1805 Wedgemere Road, El Cajon, CA 92020, (619) 668-9272, owns 48 mining claims in the Lost Cabin (aka, Windy Hollow, Coyote Hills, Miners Draw) Mining District, Lake County, Oregon. The claims are located within Oregon Management Zone 5....LCI's immediate concern is getting the necessary permits to drill test the exploration targets identified by LCI on our pre-segregation claims.	1

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The total initial disturbance proposed in the Notice is less than two acres. However, it is important to point out, and we want to make the BLM and DOI aware, that the gold, silver, copper, lead and zinc mineral potential at Lost Cabin covers a much larger area than covered by our existing claims. The entire altered and mineralized area should be removed from the mineral entry segregation (withdrawal). It is strongly recommended that all of Sections 9, 10, 11, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, and 28, T35S, R23E, Willamette Meridian, be removed from the mineral entry segregation and returned to multiple use status so that productive mineral exploration and potential discovery can be done in the future.	
Based on our experience as Economic Geologists and the work that we have completed to date, Lost Cabin has excellent potential for economic discovery. It is recommended that all of Sections 9, 10, 11, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, and 28, T35S, R23E, Willamette Meridian be removed from the mineral entry segregation and returned to multiple use status.	1
...the EIS must contain a reasonable range of alternatives, including the no action alternative. AEMA and MSLF recommend two additional alternatives: (a) an alternative that would withdraw considerably less acres and/or for less time; and (b) an alternative that would exclude existing mining operations with patented and/or unpatented mining claims from the proposed withdrawal.	1
The broad area being proposed for withdrawal covers a very broad range of landscape conditions. Since some of these landscape features are unsuitable for sage grouse in any season (e.g. deep drainages, forest patches) these areas should be excluded. In addition, sage-grouse are known to select against juniper. Since a significant portion of the SFA's in Oregon are represented by these landscape features, an alternative should be drafted that excludes these landscape features.	1
We currently have 10 claims -- 200 ac. We would like an exemption to disturb up to 25 ac /or to mine this amount/ and then reclaim it to original -- then move operations -- so that at any time -- only a small area is disturbed - 2-3 men 1-2 pieces of equipment. Any birds would be able to fly - or walk around us. Besides the area includes a creek and is mostly trees, a place sage grouse would not stay or habitate.	1
All alternatives analyzed in the EIS should exclude known Lithium depositions from the SFA boundary. Lithium is a critical & strategic mineral to the nation and should be recognized in the EIS. Strategic and critical minerals should be exempt from SFA restrictions.	1
<p>Alternatives analyzed in this EIS must be a reasonable range of alternatives to the proposed action including the no action alternative. The Mountain City, Ruby Mountains, and Jarbidge Ranger Districts would like the BLM to consider the following alternatives in the upcoming analysis on Forest Service administered lands:</p> <p>Withdraw all the proposed lands to protect sage grouse habitat except for four project areas on the perimeter of the SFA in Nevada. These projects include the Buckskin National Exploration Project, Quantum Jarbidge Exploration Project, Island Mountain Exploration Project and Wood Gulch Exploration Project. The areas not to be withdrawn are partly or wholly within the SFA are the following:</p> <p>Buckskin National Exploration Project (map enclosed) T45N, R39E, SW 1/4 SW 1/4 Sec. 1, SE 1/4 SW 1/4 Sec 2, S 1/2 SE 1/4 Sec 2, Sec 11, W 1/2 W 1/2 Sec 12, W 1/2 W 1/2 Sec 13, Sec 14, Sec 23 MDB&amp;M. Quantum Jarbidge Exploration Project T46N R58E Sec 15, 16, 17, N1/2 Sec 21, and N1/2 Sec 22 MDB&amp;M Island Mountain Exploration Project T44N R55E S1/2 Sec 1, S 1/2 Sec 2, Sec 11, and Sec 12 Wood Gulch Exploration Project (map enclosed) T44N, R53E S 1/2 Sec 1, S 1/2 Sec 2, E 1/2 Sec 11, Sec 12 - 14, N 1/2 Sec 15, Sec 23-26, Sec 35, Sec 36, T44N, R54E Sec 7, W 1/2 Sec 18, W 1/2 Sec 19, W 1/2 Sec 30, W 1/2 Sec 31 MDB&amp;M. This alternative should be considered for analysis for the following reasons:</p> <ol style="list-style-type: none"> <li>1. They are the areas of very highest mineral potential.</li> <li>2. Each project has been explored with drilling by various mining companies and millions of dollars has been spent to date on each project.</li> <li>3. The current operators of the plans of operation under 36 CFR 228 Subpart A have committed significant funds, time, and effort to target the highest potential areas for further exploration.</li> <li>4. By virtue of being an exploration project and not a mine these projects may not likely have valid existing rights.</li> <li>5. These projects are on the perimeter of the SFA and if developed in the future would not likely cause connectivity issues in sage grouse populations.</li> </ol>	1

Comment	Number of Commenters Providing this Comment
6. The area is very limited.	
<p>A second alternative could be the following:  Withdraw only lands in the Nevada-Idaho border proposal that are covered with basalt flows which cover a vast area, likely 75% of the total area.  1. This area has the lowest mineral potential since the un-mineralized basalts cover potential mineralized rocks and are difficult to explore.  2. This area has very good sage grouse habitat and valuable locatable minerals are difficult to detect below the basalt and are expensive to explore and develop.</p>	1
<p>A third alternative could be all areas of high mineral potential which include the areas in Alternative 1 described above especially if they contain mineral potential for REE, PGE, precious or base metals.</p>	1
<b>4.6.6 Recommend Alternatives: Adaptive Management: Commenters suggested an adaptive management approach.</b>	
<p>Considering the economic damage that can be done by the proposed restrictions and withdrawals, compared with the preliminary success of the local efforts, NO new restrictions or withdrawals should be done for at least 5 years to see what effect the local conservation efforts will produce.</p>	1
<p>Protection of intact sagebrush communities and ecological sites may require various phases with little to no sagebrush, allowing sagebrush to reestablish in an appropriate time period. This type of management or vegetation treatment sustains the long-term maintenance of intact sagebrush communities....Prohibiting the conservation efforts of operators though mineral withdrawals reduces the ability to conduct these active management approaches, further jeopardizing sage grouse habitat.</p>	1
<p>Page 60 of the report goes on to say that “no mining activities are likely to result in loss of these important areas for conservation, but we recognize that economic changes or technological advances may increase the risk of development in the future. Therefore, the long-term protection of the sage-grouse habitat in the SFAs from locatable mineral development will ensure that these important populations are conserved in the future.” However, on the same page, there is considerable discussion regarding stipulations designed to protect sage- grouse including caps on habitat disturbance. Additionally, there is significant discussion on the significance of adaptive management to continue BMPs with changing conditions. We believe that using the adaptive management and mitigation discussed within the report in conjunction with the federal regulations pertaining to the land in question, mineral activities can continue with proper oversight and planning. Interestingly, the presence of one (or more) species listed on the Endangered and Threatened Species List does not preclude other mining operations and condemn the locatable minerals to a withdrawal. Thorough and careful analysis of the proposed action by the surface management agency in coordination with consultation with the USFWS can and should been completed to allow for continued mineral exploration and mining as the project-based review supports. The incredible scope of this proposed withdrawal for a species that has been deemed “not warranted” on the list seems exceedingly hasty. The overall trends suggest the populations are rebounding already without the use of a withdrawal. While we do support habitat conservation and responsible exploration and mining, we can’t support the overreaching and detrimental effect this withdrawal will have on exploration and mining in the U.S. We believe that responsible development of exploration and mining activities fostered by the surface management agencies and mitigated as necessary is the key to continuing the development of economic mineral deposits while maintaining sound biological communities.</p>	1
<p>The EIS must coordinate SFA boundaries and mineral withdrawals recognizing the ongoing needs of state and local governments for continued use and expanded needs for aggregates suitable for roads construction and maintenance. Humboldt County supports an EIS preferred alternative whereby withdrawals occur only upon adaptive management protocols following ground truthing on an individual project basis. The SFA boundaries could be used a basis for further review for withdrawal. This alternative might also incorporate the state conservation credit system within SFA's. In the cases where a comprehensive review has suggested habitat conflict exists, the credit system could be used as mitigation. In those cases where conservation credit or mitigation is not offered and credits do not exist, withdrawal would be warranted. In addition, all alternatives analysis within the EIS shall fully recognize the Humboldt County Master Plan and the management provisions identified within recommendations offered by the Nevada Sage Brush Ecosystem Council</p>	1

Comment	Number of Commenters Providing this Comment
Instead of closing all future mining activities, how about we limit what kind of mining can be done? Let's limit what tools can be used. For example, No Industrial Equipment. No Tractors. No Jackhammers. NO EXPLOSIVES.	1
The impact of the withdrawal 10 million acres of land in the west for sage grouse habitat will be devastating to the mining industry as a whole and to the individual owners of undeveloped mining claims.....So in order to protect less than one percent of sage grouse habitat, the BLM is proposing to devastate and industry and the economic foundation of vast areas of the Western US. Here is a solution. Why not allow existing mining claimowners to retain all of their historical rights and allow new mining claims within the identified habitat areas until such land claims exceed five percent of the habitat. Should that happen, then the BLM can begin to monitor the impact of mining and put reasonable restrictions in place. Based on 40 year of working in the mining industry, my guess is that a 5 percent limit would never be approached.	1
My suggestion is that instead of making the relationship the BLM has with locals even more contentious than it already is, instead work on land practices that will have a positive impact on the two major contributors to shrub steppe habitat degradation. Tighten the controls on cattle grazing and continue research on how to fight cheat grass. The recent research that has been don on the introduction of cheat grass specific fungus is a step in the right direction. Also active fire suppression is needed to preserve what sagebrush habitat remains.	1
As the past has shown us, new technologies and understandings make possible things that were once considered unlikely or unattainable. With this in mind, new insights into sage grouse biology combined with the invention of new mining techniques may create opportunities for sage grouse and mining to exist together. However, if public lands remain withdrawn, the opportunities to mine these lands through the application of new discoveries will be unnecessarily lost. Sweetwater County believes that the BLM should consider establishing timelines for reviewing and releasing withdrawals if new information and technology provide justification to do so. This would protect sage grouse and allow for mining if new techniques could be shown to be compatible with sage grouse populations.	1
Scoping should include the question of whether a revision to the prior EIS is possible to better improve the viability of the Greater Sage Grouse and decrease the economic and social effects on the rural populations and governments of the affected western states. The checker-boarded nature of the various habitat designations and complex management actions is likely to prove an unmanageable mess for the BLM and an expensive morass for taxpayers. Could land exchanges with the states be used to retain future development options for areas of high mineral potential under state control, while keeping areas of lower mineral potential SFAs in the BLM managed portfolio for the sage grouse?	1
Suggested Alternative. NACO suggests that the BLM evaluate an alternative to the Proposed Action that adopts a Modified Proposed Action whereby withdrawals would occur only upon adaptive management and ground-trothing on a project by project basis. The SFA boundaries could be used as trigger for consultation for an on the ground proposal which would warrant review for withdrawal. This Alternative might also incorporate the State Conservation Credit system within the SFAs. This way, the Conservation Credit system is an option for project proponents and funding will become available to support on-the-ground conservation projects as defined by the Sagebrush Ecosystem Council and associated Nevada State Planners. If no credits exist, then a withdrawal would be warranted for that area. As defined by the ARMPA at 5-1, "Adaptive management" is "A type of natural resource management in which decisions are made as part of an ongoing science-based process. Adaptive management involves testing, monitoring, and evaluating applied strategies and incorporating new knowledge into management approaches that are based on scientific findings and the needs of society. Results are used to modify management policy, strategies, and practices." Request 11-B-2: That the Agencies adopt at a minimum NACO's Modified Alternative and reconsider as the agency's Preferred Alternative.	1
It is my belief that by working together and using real science and using the products that are available will allow the Sage Grouse and the other species in that umbrella group to thrive. If by setting aside two million acres and using it as a trial area and putting a lot of effort into it we can learn what it takes to restore habitat that will save these species. Setting aside ten million acres and hoping for the best is not a viable solution. The entire economy of our country is in jeopardy and there is little money available to put into this project so putting more money and effort into a smaller area makes sense. Enlisting the aid of environmental groups, cattlemen, recreationists and miners and using cattle and mining as an aid to	1

Comment	Number of Commenters Providing this Comment
improving habitat will allow the economy to remain stable and save the threatened species in the high desert. I reside in Washington State, which has also seen Sage Grouse population decline. Loss of habitat has been created by many factors, but the encroachment of human settlements is a major factor. Habitat around Ephrata, for example, has been subdivided, sold, cleared and built upon. Yet owners with 20+ acres can add their land to the forest reserve and pledge to conserve the natural habitat. Ranchers in parts of central and eastern Washington may be eligible to receive financial assistance to help protect sage grouse habitat and improve range conditions for their livestock. Similar programs can be implemented in other states, such as Oregon, to preserve and expand Greater Sage Grouse habitat, while minimizing the impact on local economies.	
The withdrawal of lands for locatable mineral location and entry is without merit. The BLM must prioritize consistency with Wyoming's strategy. This unnecessary proposal has a chilling effect on the partnerships that Wyoming has developed. I oppose the withdrawal - Wyoming has an adequate regulatory mechanism to manage locatable mineral development. Commenter attaches previous letters of comments they made on the draft land use plan amendments and alternatives within the DEIS and that support adaptive management.	1
I also propose that if there is a withdrawal, it should only be for a five year period during which time the greater sage-grouse populations are intensively monitored to evaluate the efficacy of the withdrawal treatment on habitat and population threats.	1
There is an area in the SFA identified for withdrawal that has outstanding greater sage- grouse habitat and is also a world class lithium deposit, where there are hundreds of claims and a robust exploration operation underway. This area needs to be able to provide the lithium needed to continue our goal of clean energy as well as protect some of the best sagebrush habitat for the greater sage-grouse. It is also an area that was badly burned by the Holloway Fire and is in desperate need of rehabilitation. We propose using this area as a pilot project in order to demonstrate an alternative, adaptive management approach that constrains mineral exploration while avoiding the loss of critical sage-grouse habitat and rehabilitating a wildfire burn area. We believe this can be done with cooperation between agencies, state and federal, and the private company working to develop a management plan that achieves all the stated goals.	1
The ARMPA requires that conservation actions be implemented in accordance with the principles of adaptive management. The EIS must analyze a shorter withdrawal interval to allow for adaptive management processes to occur. If the BLM is compelled to follow through with mineral withdrawal at any level, Nevada recommends a five-year withdrawal period, during which time the GRSG populations are intensively monitored, at the expense of the Department of Interior, to evaluate the efficacy of the withdrawal treatment in terms of ameliorating population and habitat threats. Management actions can subsequently be modified if needed to achieve desired results, and the adaptive management process continued.	1
It makes sense to me that the withdrawal is specific to specific types of mining. Are there ways to mitigate some types of mining impact? Size of mine/type of mine/time of year? I hope you will be site specific.	1
The dual importance of these resources to the State of Nevada and to the nation has led to consensus opinion that the area should be carefully managed in a collaborative manner between the Federal and State governments. Nevada strongly recommends that approximately 82,250 acres be designated as the Lone Willow Pilot Project which will be excluded from the BLM Mineral Withdrawal Area and managed as a special experimental stewardship project as allowed under the Public Rangelands Improvement Act or similar existing authority. The purpose of the pilot project is to cooperatively manage the mineral and wildlife resources on a case-by-case, site-scale basis that will incorporate valuable mitigation strategies and requirements using the State Conservation Credit System and incorporating a strong local rehabilitation/reclamation component with research opportunities. The Lone Willow Pilot Project will be managed by a collaborative management group of professional geologists, wildlife biologists, range ecologists, and reclamation specialists based on local scientific findings. The Management Group will define and operate under a suite of guidelines which will be approved by the BLM, NDOW, and NDOM....	1
<b>4.6.7 Recommend Alternatives: Limited Mining Activity: Commenters advocated allowing some mining activity, such as staking and exploration, within the SFAs.</b>	



Comment	Number of Commenters Providing this Comment
I would like the implementation plans to address the conditions under which mineral claims can be filed in a sage grouse management area and mitigations that would have to be in place for exploration or mining activities....I also request that the staking of mineral claims under the 1872 Mining Law be allowed with regulations covering mechanized extraction and exploration within the sage grouse management areas.	6
I would like the implementation plans to address the conditions under which mineral claims can be filed in a sage grouse management area and mitigations that would have to be in place for exploration or mining activities..... I also request that the staking of mineral claims under the 1872 Mining Law be allowed with regulations covering mechanized extraction and exploration within the sage grouse management areas.	1
My preference, however, would be that companies are allowed to stake claims but that additional risk mitigation would be enforced to insure that the sage grouse habitats are protected, but that if the company can show, by appropriate biological survey that the areas are not a prime habitat that the restrictions would not apply.	1
The Northwest Federation of Mineralogical Societies would like the implementation plans to address the conditions under which mineral claims can be filed in a sage grouse management area and mitigations that would have to be in place for exploration or mining activities. Therefore, the NFMS requests the administrator to include language in the implementation plans for sage grouse management areas to allow for the collection of rocks and minerals using hand tools as a recognized recreational activity. In addition, the NFMS requests that the staking of mineral claims under the 1872 Mining Law be allowed with regulations covering mechanized extraction and exploration within the sage grouse management areas.	1
I would like the implementation plans to address the conditions under which mineral claims can be filed in a sage grouse management area and mitigations that would have to be in place for exploration or mining activities....I request the administrator to include language in the implementation plans for sage grouse management areas to allow for the collection of rocks and minerals using hand tools as a recognized recreational activity. I also request that the staking of mineral claims under the 1872 Mining Law be allowed with regulations covering mechanized extraction and exploration within the sage grouse management areas.	1
The Mount Baker Rock and Gem Club would like the implementation plans to address the conditions under which mineral claims can be filed in a sage grouse management area and mitigations that would have to be in place for exploration or mining activities. Therefore, the MBRG requests the administrator to include language in the implementation plans for sage grouse management areas to allow for the collection of rocks and minerals using hand tools as a recognized recreational activity. In addition, the MBRG requests that the staking of mineral claims under the 1872 Mining Law be allowed with regulations covering mechanized extraction and exploration within the sage grouse management areas.	1
The NFMS would like the implementation plans to address the conditions under which mineral claims can be filed in a sage grouse management area and mitigations that would have to be in place for exploration or mining activities.	1
I would like the implementation plans to address the conditions under which mineral claims can be filed in a sage grouse management area and mitigations that would have to be in place for exploration or mining activities. Therefore I request the administrator to include language in the implementation plans for sage grouse management areas to allow for the collection of rocks and minerals using hand tools as a recognized recreational activity. In addition, I also request that the staking of mineral claims under the 1872 Mining Law be allowed with regulations covering mechanized extraction and exploration within the sage grouse management areas.	1
Instead of a full withdraw of locatable minerals, a viable alternative could be to withdraw sections pending sage grouse evaluation. If anyone wants to stake new claims in the withdrawn section, the claims would not be valid until the evaluation is complete. Then, following the current NEPA requirements, critical habitat can either be avoided or mitigated.	1

Comment	Number of Commenters Providing this Comment
<b>4.7.1 Cumulative Effects: Commenters made statements about cumulative effects. Some stated negative impacts from mining could be long term and cumulative. Some stated the EIS must address adverse cumulative effects of disturbances in withdrawn lands and other occupied sage-grouse habitat. Some talked about effects of other uses that threaten these lands and identify some of those actions for inclusion in the analysis. Some stated cumulative impacts are significant. Some expressed the importance of understanding the program-wide level cumulative effects before making a decision. Some stated that the withdrawal in combination with other restrictions (such as wilderness) cumulatively effect the multiple use mandate and the analysis should include cumulative impacts of creating additional acreage of special category lands.</b>	
Impacts from mining surface-disturbing activities, noise, light and necessary infrastructure (roads, powerlines, fences, reservoirs) are long-term, often permanent. The result is habitat fragmentation and/or outright loss, perching advantages given to predators, loss of SG travel corridors and wildlife migratory routes, loss of leks and brood-rearing areas. Coupled with numerous mining sites, particularly highly mineralized areas such as the Carlin Trend, the cumulative impacts are significant.	1
We have inadequate data on the effects of hardrock mining on water quality and quantity. A temporary withdraw will allow time for studies that may yield this essential information. Water from seeps, springs, creeks and their associated riparian areas are critical to SG during nesting and brood-rearing. Again, negative impacts from mining could be long term and cumulative.	1
The EIS must candidly address all serious adverse direct, indirect and cumulative effects of the serious disturbances that are already taking place in and surrounding the withdrawn lands, as well as all other occupied sage-grouse habitats. This is made even more vital - since new mining proposals would now be shifted into and differentially impact these areas. The areas where impacts will be shifted onto may be vital for rare aquatic species, and rare terrestrial biota, including many sensitive and important species or other important uses of public lands. The full serious adverse footprint of BLN's planned massive pinyon-juniper deforestation (7 million acres) and habitat fragmenting and weed and fire-promoting fuelbreaks (10,000 linear miles) must also be assessed. At the top of this list is near-ubiquitous public lands livestock grazing disturbance. This promotes flammable invasive weeds, dooming native ecosystems and species habitat, and marring recreational, aesthetic and other use and enjoyment. Plus, all existing mine claims and other disturbance would continue even within withdrawn areas, and across public lands.	1
WHAT are the impacts of these "valid existing rights" and other uses that threaten these lands/ Please include livestock grazing disturbance, facilities, roading, oil and gas leases and development, agency vegetation treatments and fuelbreaks (fragment habitats, create ideal sites for weed invasion, often increase frequent fire risk, etc). Please make sure to include all existing and foreseeable land "treatments" and rules projects. This includes livestock forage crested wheat or other seedings, and all agency projects for all periods of time. Please also identify all lands identified for restoration following wildfires over the past 30 years, and provide updated information on how these lands compare to the focal habitat. We are greatly concerned that BLM's continuing failed fire rehab policies under the ARMPA cost the taxpayers enormous sums. But they do not provide for successful restoration. A case in point is the \$67 million dollar Soda fire.	1
Valid, pre-existing claims: Neither the segregation (for up to 2 yrs) nor any subsequent withdrawal would prohibit ongoing or future mining exploration or extraction operations on valid pre-existing claims. Neither the segregation nor the proposed withdrawal would prohibit any other authorized use on these lands. Under FLPMA, the Secretary can withdraw these lands for a max. of 20 yrs, and may extend the period in the future. These claims, oil and gas, renewable energy, livestock facilities and other infrastructure must be fully assessed, mapped and impacts examined.	1
Oregon enjoys an abundance of wilderness, and other special category lands that together cumulatively restrict the BLM mandate to manage for multiple uses of the public land. Neither the Sage Grouse EIS process or the proposed land withdrawal EIS process contain a discussion or analysis of the cumulative impacts of creating an additional 2 million acres of special category land, further restricting the wide range of historic and traditional multiple uses of the Federal public lands. The mandate for multiple use management of the public lands is not consistent with setting aside large swaths of the West for the use of special interests or unwarranted protection of select species.	1

Comment	Number of Commenters Providing this Comment
Because my office and the Board of Land Commissioners are charged with managing the trust assets for the short- and long-term return to the beneficiaries, our paramount concern revolves around the cumulative effect of the proposed withdrawal in addition to the management actions/restrictions applied for big game crucial and winter range and sage grouse core areas on state trust lands. The collective effect of these restrictions will, more times than not, make it extremely difficult to responsibly manage State trust lands for income generation for our beneficiaries, which we are obligated to do as trustees of this land. .... As is evident in most federal plans, the ability to manage state trust lands for optimum income producing purposes will yet again be restricted, confined and subsequently diminished by virtue of the juxtaposition of state trust land relative to the ownership patterns of federal lands. Accordingly, restrictions of this kind cause us and our beneficiaries great concern.	1
It would also be inappropriate to try to minimize the Programmatic-level analysis of cumulative impacts by trying to shift those impact analyses to subsequent Regional or Forest-level NEPA analyses of grouse-related, local or regional project proposals; that would clearly lead to segmentation that is inappropriate under Federal CEQ NEPA regulations.	1
As to the process of preparing a Draft Programmatic EIS of the impacts of the proposed unilateral Agency withdrawal action, I request that formal comment/input be solicited from the National Mining Association, the Northwest Federation of Mineralogical Societies (NWFS) and the parent American Federation of Mineralogical Societies (AFMS) (concerning the impact on their associated organizations' rockhounding activities) during conduct of each of DOI's and USDA's "mineral potential" analyses and the Agencies' development of recreational use data pertaining to the designated management areas. Affected Western-State-level Chambers of Commerce, the National Mining Association, and local Governmental agency organizational inputs on the economic impacts of both the blanket mining claim and entry "withdrawal" proposal (for 20 years -- and more at the discretion of one Federal Agency Director) and the restrictions proposed to be placed on mining-claim location, access/entry, exploration, development, and operation (as well as casual-use rockhounding) should be included in the Programmatic EIS impact analysis. Similarly, analysis of future Cumulative Impacts that would result from the unprecedented Mining Act abrogation represented by this level of withdrawals being proposed via the Programmatic EIS will be extremely important to the Nation and must therefore be extremely well-done in view of the requirements of the Council on Environmental Quality (CEQ) June 24, 2005 guidelines that call for Federal Agency analyses of cumulative impacts to include the effects of past actions ( <a href="http://energy.gov/sites/prod/files/nepapub/nepa_documents/RedDont/G-CEQ-...">http://energy.gov/sites/prod/files/nepapub/nepa_documents/RedDont/G-CEQ-...</a> ), so that the Program-wide-level of differential cumulative effects are understood before a decision is made.	1
<b>4.8.1 Consultation and Coordination: Other Agencies: Commenters made statements about coordinating with other agencies and/or states, counties, or tribes. Some stated they need to work together for a balanced approach of conservation of the species that also protect local economies. Some identified the need to work together to identify areas that do not include areas of great mineral potential or to develop plans that will actually protect the greater sage-grouse or to modify the proposed withdrawal so that it's compatible with state interests. Some stated that local land managers need to be involved in the process and/or they should coordinate with local plans. Some stated coordination is needed to conduct the analysis or to analyze the current status of mineral and resource inventories and potential. Some made statements about past cooperation efforts and/or stated they want meaningful cooperation.</b>	
NAR supports the approach the Department of Interior (DOI) has taken to enable the non-listing of the GSG as an endangered species and applauds the Department for recognizing the extensive cooperative actions taken by the private sector, non-governmental organizations and state and local governments to preserve habitat and keep the species off the endangered list.	1
NAR requests that the BLM and the DOI halt this misguided withdrawal and work with other federal agencies and impacted Western states, using the best available science, to develop comprehensive land use plans that will actually protect the Greater Sage-Grouse, while also protecting adjacent communities that depend on the public lands for economic survival.	1
I encourage the BLM to "coordinate" with the local Phillips County Government's Resource use plan as it puts together the EIS on the withdrawal of mining and mineral exploration in Phillips County Montana.	1

Comment	Number of Commenters Providing this Comment
<p>Coordination and cooperation between local government and federal agencies is based on the premise that concerns and expertise are best conveyed, and decisions made more robust, when multi-jurisdictional entities engage in dialogue. It was the mutual embrace of that 'premise between Wyoming' scounties and Department of Interior agencies that contributed to the historic conclusion this past September to not list the Greater Sage-grouse. For a moment policymakers across jurisdictions took a well-earned victory lap-together. Unfortunately, Interior's intent to move forward with a proposal to withdraw from mineral entry over a quarter million acres in southwest Wyoming is a dramatic departure from our previous cooperation. While Interior is quick to point out the proposed withdrawal should not come as a surprise, the facts establish the contrary. Opportunity for public comment on the Draft Environmental Impact Statement concluded in March 2014. Yet the Fish and Wildlife Service (PWS) Memorandum introducing Greater Sage grouse Focal Areas (SFAs), on which the withdrawal recommendation depends, was released in October 2014-seven months after the opportunity for public comment closed. There was no reopening of the public comment period. No outreach meetings were held. And there was no indication that SFAs would influence a well-developed and nearly concluded analysis.</p>	1
<p>The counties, as cooperating agencies, were afforded a two-week "administrative review" period that ran afoul of expectations that meaningful dialogue between the Bureau of Land Management (BLM) and Wyoming counties, established in the long years of work on the Greater Sage-grouse issue, would continue. Instead, counties were asked to review over two thousand pages in the forthcoming FEIS and the Proposed Land Use Plan Amendment; over one thousand pages of public comments and associated responses (again, none of which touched upon locatable mineral withdrawal because the public never had that opportunity); as well as review pages of cross referenced figures and cross referenced maps. For local governments with limited or no staff an administrative review of this magnitude is difficult at the best of times. This request occurred when Wyoming's counties are deep in budget sessions and a great number of Commissioners must tend to farm and ranch operations. Wyoming's state SLM staff were fully aware of counties' temporal and capacity constraints, yet the SLM insisted on this unreasonable expectation. As a result, counties had little opportunity to sufficiently weigh Interior's insertion of the recommendations advanced by the FWS. The BLM's disregard of its local cooperating agencies in this matter was an affront to established precedent and has harmed the relational dynamic between Wyoming's counties and the BLM. As we direct our attention to implementing the strategies in the decision documents, we are being asked to trust the agencies yet again. Wyoming's counties will be taking a good hard look before leaping.</p>	1
<p>In the event that the BLM decides it has the authority to move forward with an EIS to analyze and disclose the effects of the proposed withdrawal, I worked with the Idaho Geological Survey, the Idaho Department of Fish and Game, the Idaho Department of Environmental Quality, and the Idaho Department of Lands to determine what additional analyses BLM must conduct before reaching a final decision on the proposed withdrawal....The BLM must collaborate with the Idaho Department of Fish and Game to conduct the necessary analysis to determine whether the withdrawal is necessary to meet its purpose regarding the long-term persistence of sage-grouse and its habitat.</p>	1
<p>The BLM must collaborate with the Idaho Department of Lands to determine whether there are adequate regulatory mechanisms in place in Idaho to accomplish its goal without the proposed withdrawal. If BLM determines there is a not an adequate regulatory mechanism in place, it must disclose what additional surety is necessary to accomplish its purpose and meet the need. The BLM must collaborate with the United States Geological Survey, as well as the Idaho Geological Survey, to analyze the current status of mineral and resource inventories and potential in Idaho.</p>	1
<p>In closing, the excessive and overreaching application, without meaningful modifications, will unduly harm the economic vitality of ID and ultimately fail to achieve the purported goal of protecting sage-grouse and its habitat. At a minimum, BLM must work with ID as it moves through the EIS process to justify its position and modify the proposed withdrawal so that it can be compatible with the future direction of this great state.</p>	1
<p>I just wanted to weigh in with my support for BLM's consideration to withdraw lands in Idaho from hardrock mining claims. Although it is unfortunate that the State of Idaho wasn't part of that discussion, I don't believe it substantially changes what we are working on here in most of Idaho's sage grouse range. As a permittee in the Challis Field Office (where most of our permits are within core habitat), I encourage the BLM to continue to try and engage the state on what is going to occur on the ground, despite the state's litigation efforts.</p>	1

Comment	Number of Commenters Providing this Comment
Thank you for the opportunity to work with the BLM on a balanced approach of conservation of the species.	1
We appreciate this opportunity to comment and look forward to working closely with Bureau of Land Management throughout the impending Environmental Impact Statement process.	1
For a State like Nevada with a vibrant economic and cultural interest in mining and agriculture, the withdrawal of public lands from mineral entry and associated land management restrictions will prove impactful, perhaps changing forever Nevadans ways of life. It is important now, more than ever, that the BLM and United States Forest Service ("USFS") (together, "Agencies") work closely with local government to ensure the protection of the Greater Sage Grouse is balanced with the need to protect Nevada's citizens; and perhaps discover that the two are not mutually exclusive.	1
As an inter-governmental association for Nevada's county governments, the Nevada Association of Counties ("NACO") greatly appreciates the opportunity to provide comments for the Proposed Withdrawal Application and scoping comments on the Environmental Impact Statement ("EIS")1 .... The areas described in Nevada contain approximately 2,797,399 acres across Elko, Humboldt, and Washoe Counties.... 1 These comments are made in good faith with the aim to provide collaborative, thoughtful and substantive information to help inform decision-making on this important issue. NACO remains concerned about the underlying information, or lack thereof, used to support the conclusion that this withdrawal should occur. Instead, NACO understands that because the withdrawal process has begun it is important to provide input and ensure that the withdrawal process proceed properly. These comments may not be used to the extent that they conflict within the context of the lawsuit regarding the underlying ARMPA. It is in NACO, and Nevada's Counties' interest that the State Plan developed by the Sagebrush Ecosystem Program be implemented without interference. 2 All materials cited herein, the majority of which are readily available online, are incorporated in full by reference. NACO has included a Memo that is not available online as Attachment A to this comment letter.	1
The BLM should consult with the State of Nevada, Commission on Mineral Resources Nevada Division of Minerals and the US Geological Survey. It would be helpful to preliminarily review and reference the materials provided on the Division of Minerals website to provide this information, at <a href="http://minerals.nv.gov/home/features/Mineral,GeothermalandOilGasPotentialMapsofSagebrushFocalAreas-6/24/2015/">http://minerals.nv.gov/home/features/Mineral, Geothermal and Oil Gas Potential Maps of Sagebrush Focal Areas - 6/24/2015/</a> .	1
Request I-B-4: To look to alternative options to a withdrawal, specifically to provide at least enough time to ensure the complete implementation of the State Plan. This might mean entering into a Coordinated Agreement and MOU to work with the State to implement the Conservation Credit Program. The Bi-State Action Plan is a prime example for how local, State, and federal Agencies can work together.	1
If the Agencies still feel the State cannot adequately protect against the threat of mining, then we would ask that the BLM work with the State to identify alternative areas that might be better suited for withdrawals that do not include areas of great mineral potential.	1
On March 25, 2015, the FWS and BLM entered into the "Barrick Nevada Sage-Grouse Enabling Agreement" across 250,000 acres of private lands within the Southern Great Basin management area. This Agreement cites to 43 CFR part 3809 regulations for authority. Therefore it would qualify as a cooperative agreement ....With language nearly mirroring that found within the Barrick Enabling Agreement, the Newmont Mining Corporation...then it logically follows that cooperative agreements would adequately provide for the proposed use to protect the Greater Sage-Grouse. The adoption of the Barrick Enabling Agreement and Newmont Agreement only proves that the BLM could enter into a Cooperating Agreement to implement the State Plan and Conservation Credit System. The Agreement also shows that a credit system is a preferred approach with supporting funding and conservation efforts.... Entering into a Cooperating Agreement to implement the State Plan is preferred over entering into Cooperative Agreements with individual private entities on a piecemeal basis. These entities provide substantial funding and partnerships across the most important habitat that would support the success of the State Plan. Instead, they now potentially reduce the effectiveness of the Conservation Credit System and further stratify what should be a collaborative conservation effort. Such an Agreement would greatly enhance the mitigation bank and credit program developed by the State. Request I-A-C: To enter into a Cooperating Agreement with the State of Nevada to implement the State Conservation Credit System similar to what was provided for the Barrick Gold and Newmont Mining Corporations.	1

Comment	Number of Commenters Providing this Comment
<p>Coordination with State and Local Governments. Counties have land use planning and police powers, including an obligation to maintain transportation system and provide emergency services. It is this fact that drives the FLPMA directive that the BLM work closely with local and State governments to ensure consistency and implementation of planning efforts. Thus, it is very important that land management decisions be integrated with County planning efforts.... If the BLM determines that provisions of land use plans are not "consistent with the laws governing the administration of public lands," then NACO asks for a description of the differences and an explanation for why these differences or inconsistencies should not be resolved for the land use plans in the three counties where the SFA are located (e.g., Elko, Humboldt, and Washoe Counties). Elko County Land Use Plans.... Humboldt County Land Use Plans... Washoe County Land Use Plans....Request 11-B-5: NACO requests that the BLM pay special attention to local and State conservation and land use plans and laws, and to highlight and explain inconsistencies with those plans. It will be important to analyze the economic impacts to counties as a result of these inconsistencies.</p>	1
<p>The federal agencies should also undertake consultation with tribal nations to determine whether they would like to see reservation lands to be withdrawn from mineral availability as part of this mineral withdrawal. Reservations that appear to qualify as Sagebrush Focal Areas but for their land ownership and management status as reservations might include all or portions of the Duck Valley, Fort McDermitt, Wind River, and Fort Belknap reservations. If tribal authorities are favorably inclined toward such a withdrawal, it should be included as part of this sage grouse conservation package.</p>	1
<p>Finally, throughout the planning process for the conservation strategy, the State of Wyoming received consistent and continuance assurance that its conservation plan would be the controlling strategy. It now appears these assurances were not given in fidelity to our partnership in conservation.</p>	1
<p>A further concern is proper notification of the proposed withdrawal. We were not notified of this proposal...we feel any withdrawal of this magnitude, or any magnitude, should be communicated properly to the Fremont County Commissioners...If you feel that our objections are misguided, we would be glad to discuss further, through coordination and cooperation, a proper protective strategy that is not redundant or duplicative.</p>	1
<p>As Elko County currently maintains an energetic economic and cultural interest in mining/exploration, agriculture, oil/gas, renewable energy and recreation, the proposed application of withdrawal of public lands from mineral entry and associated land management restrictions will prove impactful, forever changing Elko County's cultural and economic sustainability. It is imperative that the Bureau of Land Management ("BLM") and United States Forest Service ("USFS") work closely with the State of Nevada and Elko County to ensure the proposed protection of the Greater Sage-Grouse is equalized with the priority to protect regional and Elko County culture, economics and citizens.</p>	1
<p>NACO respectfully requests that the BLM call upon its local and State partners for meaningful participation and staff support to assist with the above outlined analyses. As the BLM is aware, agency cooperation is key to a successful NEPA process, especially as it relates to State and local governments.<sup>93</sup> Federal agencies are required to invite the participation of impacted states and governmental entities and provide them with an opportunity for participation in preparing an environmental impact statement.<sup>94</sup> The BLM, as the lead agency, must request the participation of each cooperating agency at the earliest possible time, use the proposals of cooperating agencies, and meet with cooperating agencies by request.<sup>95</sup> When a federal agency is required to invite the participation of other governmental entities and allocate responsibilities to those governmental entities, that participation and delegation of duty must be meaningful.<sup>96</sup> All three of the impacted counties, as well as surrounding counties and State Departments have staff and invaluable local information that will help to ensure a thoroughly deliberated planning document. The BLM may request that an agency provide staff support to enhance the BLM's interdisciplinary capability, and to request information and portions of the environmental impact statement for development.<sup>97</sup> NACO urges the BLM to do so, and if would be happy to assist with obtaining county-specific information upon request.</p>	1

Comment	Number of Commenters Providing this Comment
<p>Hamey County actively participated in the U.S. Fish and Wildlife Service's status review of the sage-grouse; the Bureau of Land Management's revisions to the resource management plans; the State of Oregon's adoption of Goal 5 resource protection for sage-grouse habitat; and, has incorporated land use restrictions into its Comprehensive Plan to address sage-grouse risks. The County is the local land use planning authority for Hamey County and has adopted land use plans and policies that effectively manage development within the sagebrush habitat within the County. In the development of the withdrawal, Hamey County requests that the Secretary early on make direct contact with Hamey County Judge Steve Grasty to ensure that the Federal Land Policy and Management Act's (43 U.S.C. §1712) ("FLPMA") consistency, coordination and consultation processes are implemented early and seamlessly....In addition to coordinating with Hamey County relative to land use planning and management, the Secretary is also to assure that her land use plans are consistent with the Hamey County plan to the maximum extent she finds consistent with Federal law and the purposes of FLPMA (43 U.S.C. §1 712(c)(9)). 1 To the extent the mineral withdrawal will impact lands wherein the surface estate is owned or managed by another federal entity (e.g. Forest Service), the BLM will need to fulfill the Forest Service's independent duties relative to local plans and policies.</p>	1
<p>Separate and independent of the land use consistency and coordination requirements, Congress also specifically mandated within FLPMA that with respect to a mineral withdrawal the Secretary was to consult with the local government bodies and to provide a statement of such consultation to both Houses of Congress and the respective committees (43 U.S.C. §1714(c)(1) &amp; (2)). Congress provided that: "(c)(2)(7) a statement of the consultation which has been or will be had with other Federal departments and agencies, with regional, State, and local government bodies, and with other appropriate individuals and groups; ... " (emphasis added). The statement provided to the respective committees is to indicate: "the effect of the proposed uses, if any, on State and local government interests and the regional economy." (43 U.S.C. §1714(c)(2)(8)). (emphasis added).</p>	1
<p>In conclusion, in the development of the Environmental Impact Statement for the SFA withdrawal, the Harney County Court requests that the Secretary early on make direct contact with Harney County Judge Steve Grasty to ensure that the Federal Land Policy and Management Act's consistency, coordination and consultation processes are implemented early and seamlessly. Given the large extent of the region being proposed for withdrawal the potential for significant impacts to the local and regional economy is very high. It is fundamental that an in-depth mineral review and economic analysis be included within the draft for public review and comment.</p>	1
<p>It's better to pursue a collaborative statewide process bring federal (BLM, USFS, USFWS), State (NDEP, NFG, other), mining &amp; exploration industries, farmers, ranchers, O&amp;G together (use the ID model) to focus on habitat rehab. A 20-year withdrawal doesn't address the issue of habitat loss; creates uncertainty &amp; responding decreased funding of exploration (R&amp;D) (this is an immediate impact, measurable); &amp; creates a national security issue by locking out mineral development on huge swath of lands, thereby forcing us to seek the minerals we need as a nation from foreign sources.</p>	1
<p><b>4.8.2 Consultation and Coordination: Local Groups: Commenters made statements about cooperation with locals and/or local groups, such as mining claimants, mining groups, the ranching community, and local landowners. Some stated stakeholders should be involved in the process or stakeholder collaboration is needed. Some stated the BLM needs to directly notify active mining claimants within the affected areas or they should work with mining operators to conserve sage grouse and habitat. Some stated that local people are good sources of information. Some stated they need to work together to protect sage-grouse habitat and allow for mining to continue.</b></p>	
<p>It has been widely reported in the west that the Federal government basically ignored all efforts and proposals by the states and local entities for solutions other than the proposed land withdrawals and related restrictions. From the publicly reported preliminary data, it is apparent that the local solutions are having a positive effect.</p>	1
<p>The people who use these lands are the best source of information your agencies will have about what is on the land and where. We can help direct field agencies to where the best possible locations are to collect data from what we have observed. We will work with all agencies on how to best manage the land and help minimize any effect on the local habitat.</p>	1



Comment	Number of Commenters Providing this Comment
The BLM needs to directly notify active mining claimants within the affected areas and provide adequate time for these stakeholders, those most affected by the proposed actions, to review the issue and documentation and provide comments to the agency.	1
Our members will work closely with state and federal regulatory agencies to protect sage grouse in accordance with the new sage grouse habitat conservation strategy in all future activities.	1
The best way to provide for protection of the sage grouse, while simultaneously allowing continued economic development, is for BLM to develop conservation measures in cooperation with the regulated community that include a strong but pragmatic mitigation program.	1
NMA recommends that DOI work with mining operators to conserve sage grouse and habitat as opposed to pursuing a mineral withdrawal that is counterproductive for sagebrush communities.	1
AMA recommends that DOI work with mining operators to conserve sage grouse and habitat as opposed to pursuing a mineral withdrawal that is counterproductive for sage-brush communities as well as human communities that rely on the family wage jobs supplied by the mining industry.	1
Why were the RAC members who represent Mining and Energy not consulted? Is this not an unprecedented example of why these positions were created? Seriously, if you respond to no other question or comment I have, please answer this one!	1
I have been in mineral development working in Nevada for over 35 years, and I have never seen a process such as this advanced with so little collaboration with all stakeholders as I have witnessed with this withdrawal process. Since 1980, I have worked in a collaborative process addressing project development needs and concerns that included Federal and state agencies, NGOs, communities, ranching, and other industries. This withdrawal process disregarded collaboration and equal participation by all stakeholders, which resulted in skewed data gathering and resulted recommendations -- the 10 Million acre withdrawal.	1
I would hope the ranching community will stand in support of this effort as it enhances the collaborative work the federal government has achieved through partnerships with folks who work the land. This is true leadership.	1
Well-designed reclamation of public lands impacted by mining can ultimately lead to higher value habitat than if the same lands were left unmanaged...During mine reclamation, operators routinely restore such low-value habitats into prime potential sage grouse habitat...when coupled with appropriate reclamation requirements, mining activity on public lands can play an important role in restoring sage grouse and other species to long-term viability...When lands are withdrawn, mining companies that provide these valuable contributions are removed from the conservation effort and reclamation benefits are lost...Prohibiting the conservation efforts of mine operators though mineral withdrawals reduces the ability to conduct these active management approaches, further jeopardizing sage grouse habitat.	1
On March 25, 2015, the FWS and BLM entered into the "Barrick Nevada Sage-Grouse Enabling Agreement" across 250,000 acres of private lands within the Southern Great Basin management area. This Agreement cites to 43 CFR part 3809 regulations for authority. Therefore it would qualify as a cooperative agreement ....With language nearly mirroring that found within the Barrick Enabling Agreement, the Newmont Mining Corporation...then it logically follows that cooperative agreements would adequately provide for the proposed use to protect the Greater Sage-Grouse. The adoption of the Barrick Enabling Agreement and Newmont Agreement only proves that the BLM could enter into a Cooperating Agreement to implement the State Plan and Conservation Credit System. The Agreement also shows that a credit system is a preferred approach with supporting funding and conservation efforts.... Entering into a Cooperating Agreement to implement the State Plan is preferred over entering into Cooperative Agreements with individual private entities on a piecemeal basis. These entities provide substantial funding and partnerships across the most important habitat that would support the success of the State Plan. Instead, they now potentially reduce the effectiveness of the Conservation Credit System and further stratify what should be a collaborative conservation effort. Such an Agreement would greatly enhance the mitigation bank and credit program developed by the State. Request I-A-C: To enter into a Cooperating Agreement with the State of Nevada to implement the State Conservation Credit System similar to what was provided for the Barrick Gold and Newmont Mining Corporations.	1

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The State of Montana, by its actions and deeds, has demonstrated its full commitment to protecting sage grouse and we are rightly proud of our work, and the work of our partners. Protecting sage grouse in Montana depends, first and foremost, on the cooperation of private landowners, and their faith that we are asking them to step up and do the things that are necessary to succeed. The proposed mineral withdrawal undermines this good work, as it is seen by many in Montana as a blatant effort by the federal government to overreach.	1
Conscientious and scientifically directed stewardship of the land is critical to successfully operating on this public land..... Consequently we are deeply invested in any actions the BLM might pursue as a result of their public land management practices. Therefore we would request that the BLM, in their consideration of the mining rights withdrawal and EIS scoping, give significantly more weight to the comments of citizens like ourselves, who live on and help manage the range, as opposed to the multiple directives you are sure to receive from those parties who have never set foot on the range, have no intention of ever doing so, but pursue a political agenda unfortunately driven by ignorance and ideology, rather than science.	1
As to the process of preparing a Draft Programmatic EIS of the impacts of the proposed unilateral Agency withdrawal action, I request that formal comment/input be solicited from the National Mining Association, the Northwest Federation of Mineralogical Societies (NWFS) and the parent American Federation of Mineralogical Societies (AFMS) (concerning the impact on their associated organizations' rockhounding activities) during conduct of each of DOI's and USDA's "mineral potential" analyses and the Agencies' development of recreational use data pertaining to the designated management areas. Affected Western-State-level Chambers of Commerce, the National Mining Association, and local Governmental agency organizational inputs on the economic impacts of both the blanket mining claim and entry "withdrawal" proposal (for 20 years -- and more at the discretion of one Federal Agency Director) and the restrictions proposed to be placed on mining-claim location, access/entry, exploration, development, and operation (as well as casual-use rockhounding) should be included in the Programmatic EIS impact analysis. Similarly, analysis of future Cumulative Impacts that would result from the unprecedented Mining Act abrogation represented by this level of withdrawals being proposed via the Programmatic EIS will be extremely important to the Nation and must therefore be extremely well-done in view of the requirements of the Council on Environmental Quality (CEQ) June 24, 2005 guidelines that call for Federal Agency analyses of cumulative impacts to include the effects of past actions ( <a href="http://energy.gov/sites/prod/files/nepapub/nepa_documents/RedDont/G-CEQ-...">http://energy.gov/sites/prod/files/nepapub/nepa_documents/RedDont/G-CEQ-...</a> ), so that the Program-wide-level of differential cumulative effects are understood before a decision is made.	1
<b>4.8.3 Consultation and Coordination: Cooperating Agency Request: Commenters request cooperating agency status. They state they welcome the opportunity to participate as a cooperating agency in order to participate in development of the EIS. Some state they can provide cooperative assistance and/or provide local input and expertise.</b>	
We believe the four directly affected counties-Fremont, Sweetwater, Sublette, and Lincoln -can not only offer assistance to the BLM as it identifies and analyzes the potential impacts, but they can also provide cooperative assistance in the proposed withdrawal areas as promulgated in 43 CFR §§ 1508.5 and I 508.26(defining "Cooperating Agency" Md "Special expertise" respectively). For example, the counties can provide input regarding county land use in the planning area, as well as provide input regarding the unique custom, cultural, and socioeconomic attributes in the planning area. Additionally, the county can provide expertise related to the health, safety, and welfare of its citizens (e.g., facilitating effective emergency response, fire mitigation strategies and cost-share/liability concerns). The four counties are prepared to assist in the manner prescribed in current Council of Environmental Quality (CEQ) regulations, including: participating in the NEPA process at the earliest possible time; participating during the scoping process; assuming responsibility for providing context and analysis for those areas of designated special expertise during the EIS process; making staff available at the agencies' request; and undertaking these efforts using county funds. Please know that despite our disappointment regarding agency outreach and our strong belief that withdrawal from locatable-mineral entry is unnecessary, we remain committed to working with you to address county concerns in southwest Wyoming. To that end, attached to this letter are Cooperating Agency requests by the four counties directly affected by this proposed action. Each is uniquely equipped to provide expertise and perspective that will assist the BLM in	1

Comment	Number of Commenters Providing this Comment
the decision--making process. We request your favorable consideration of the four counties' Cooperating Agency requests, and expect a return to the BLM's previous commitment to dialogue and cooperation with Wyoming's counties.	
...Fremont County welcomes the opportunity to participate as a cooperating agency. We hope this formal request will be met with appreciation by you that we are willing and able to provide the assistance required by the BLM as it considers potential impacts and relevant issues associated with the Proposal. As county commissioners charged with working on myriad issues affecting a broad and sometimes competing constituency, we understand that making balanced policy decisions begins with candid dialogue about the issues we collectively face.	1
...Sweetwater County welcomes the opportunity to participate as a cooperating agency. We hope this formal request will be met with appreciation by you that we are willing and able to provide the assistance required by the BLM as it considers potential impacts and relevant issues associated with the Proposal. As county commissioners charged with working on myriad issues affecting a broad and sometimes competing constituency, we understand that making balanced policy decisions begins with candid dialogue about the issues we collectively face.	1
...Sublette County welcomes the opportunity to participate as a cooperating agency. We hope this formal request will be met with appreciation by you that we are willing and able to provide the assistance required by the BLM as it considers potential impacts and relevant issues associated with the Proposal. As county commissioners charged with working on myriad issues affecting a broad and sometimes competing constituency, we understand that making balanced policy decisions begins with candid dialogue about the issues we collectively face.	1
...Lincoln County welcomes the opportunity to participate as a cooperating agency. We hope this formal request will be met with appreciation by you that we are willing and able to provide the assistance required by the BLM as it considers potential impacts and relevant issues associated with the Proposal. As county commissioners charged with working on myriad issues affecting a broad and sometimes competing constituency, we understand that making balanced policy decisions begins with candid dialogue about the issues we collectively face.	1
The State of Utah appreciates the opportunity to provide scoping comments on the proposed withdrawal from mineral entry in the Sagebrush Focal Areas Environmental Impact Statement and, respectfully, requests Cooperating Agency status in order to participate in the development of this environmental analysis.	1
NACO recommends that the BLM ensure that the NDOM become a Cooperating Agency, and that both NDOM and the Nevada Bureau of Mines and Geology assist with this analysis. For Valid Existing Rights, NDOM counts a total of 3,762 claims in the mineral withdrawal area. <sup>82</sup> The BLM should list what it believes are the existing, valid, pre-existing claims. This includes locatable minerals, leasable minerals, and salable minerals. should be respected and listed to assist with public notice and understanding of the impacts. NDOM also developed a "Distribution and Density of Unpatented Claims in Nevada 2016 Assessment Year as of 10/16/2015". This assessment and the supporting data should be used to analyze existing and potential mineral deposits found within the SFA boundaries. To begin, please also refer to the "Mineral, Geothermal and Oil & Gas Potential Maps of Sagebrush Focal Areas, 6/24/2015. These studies should only be used as a starting point for working with the Nevada Bureau of Minerals. Any conclusions must be supported by studies and data.	1
Like the mineral resource analysis, the Sagebrush Ecosystem Council and Technical Team should be invited to be a Cooperating Agency. The analysis of impacts to fish and wildlife resources should be performed with the State program. NACO supports any analysis provided by the Nevada Sagebrush Ecosystem Programs.	1
At a regularly scheduled meeting held December 2, 2015 the Elko County Board of Commissioners unanimously voted to become a cooperating/coordinating agency concerning the Notice of Proposed withdrawal; Sagebrush Focal Areas; Idaho, Montana, Nevada, Oregon, Utah, and Wyoming and the Notice of Intent to Prepare an Environmental Impact Statement. Elko County has since properly and officially requested that the BLM engage and recognize Elko County, Nevada as a cooperating/coordinating agency in the NEPA process and offers the following comments, statements recommendations and alternatives.	1

<p style="text-align: center;"><b>Comment</b></p>	<p style="text-align: center;"><b>Number of Commenters Providing this Comment</b></p>
<p>Nye County respectfully requests to become a Cooperating Agency (CA) for Greater Sage Grouse land use planning decisions in Nevada. and for the Proposed Withdrawal within Sagebrush Focal Areas. Nye County is a local government that may serve as a CA either under jurisdiction by law or special expertise. 40 CFR 1508.5 (CEQ); 40 CFR 1501.6 and 1508.5; 40 CFR 1508.26; A Desk Guide to Cooperating Agency Relationship and Coordination with Intergovernmental Partners. Bureau of Land Management, pg. 8 2012)(BLM Desk Guide)....analysis and documentation. 40 CFR 1501.6; 43 CFR 46.230...Thus, Nye County would be happy to assist with any and all of the following:</p> <ul style="list-style-type: none"> <li>• Identify relevant local and regional organizations and interest groups</li> <li>• Sponsor public forums in conjunction with the lead agency</li> <li>• Identify coordination needs associated with local land use plans, policies, and controls</li> <li>• Participate in the development of the preparation plan, such as identifying data and inventory needs as well as anticipated management issues and concerns</li> <li>• Collaborate in assessing scoping comments</li> <li>• Suggest goals and objectives for potential alternatives</li> <li>• Identify connected, similar, and cumulative actions</li> <li>• Suggest concerns, needs, and resource use, development and protection opportunities for consideration in the preparation of a resource management plan</li> <li>• Provide advice on proposed planning criteria</li> <li>• Identify legal requirements that shape Federal and local policies and responsibilities</li> <li>• Identify data needs and provide data, information collection, and technical analyses</li> <li>• Help provide adequate information for evaluating the physical, biological, social. and economic effects of each proposed planning alternative</li> <li>• Suggest models and methods for impact analyses</li> <li>• Develop and review direct, indirect, and cumulative effects analysis considered in both short- and long-term perspectives, at various geographic scales</li> <li>• Suggest mitigation measures for adverse effects</li> <li>• Arrange for resource, environmental, social, economic and institutional data and information to be collected, or assembled if already available</li> <li>• Identify management opportunities to respond to the gathered data and the planning issues</li> <li>• Suggest land allocations or management actions to resolve issues</li> <li>• Collaborate with the BLM's AO in evaluating alternatives</li> <li>• Review comments within CA's expertise and assist the BLM in preparing responses</li> <li>• Review the preliminary (internal) draft of the proposed Petition for Withdrawal and Environmental Impact Statement</li> <li>• Work with the BLM and private partners to develop monitoring strategies and participate in assessing the effectiveness of plan implementation</li> </ul> <p>Should you decide to grant this request, Nye County is happy to help assist entering into a written agreement to establish cooperating agency status in the planning and NEPA processes so that we may work together under the terms of the agreement. 43 CFR 46.225(d),(e). We may choose to designate a representative or alternate representative to ensure coordination during the planning or NEPA process. If you find it is inappropriate to extend an invitation, we look forward to hearing your response and reasons in the EIS. 40 CFR 1501.6(c).</p>	<p style="text-align: center;">1</p>

<p><b>Comment</b></p>	<p><b>Number of Commenters Providing this Comment</b></p>
<p>NACO respectfully requests that the BLM call upon its local and State partners for meaningful participation and staff support to assist with the above outlined analyses. As the BLM is aware, agency cooperation is key to a successful NEPA process, especially as it relates to State and local governments.<sup>93</sup> Federal agencies are required to invite the participation of impacted states and governmental entities and provide them with an opportunity for participation in preparing an environmental impact statement.<sup>94</sup> The BLM, as the lead agency, must request the participation of each cooperating agency at the earliest possible time, use the proposals of cooperating agencies, and meet with cooperating agencies by request.<sup>95</sup> When a federal agency is required to invite the participation of other governmental entities and allocate responsibilities to those governmental entities, that participation and delegation of duty must be meaningful.<sup>96</sup> All three of the impacted counties, as well as surrounding counties and State Departments have staff and invaluable local information that will help to ensure a thoroughly deliberated planning document. The BLM may request that an agency provide staff support to enhance the BLM's interdisciplinary capability, and to request information and portions of the environmental impact statement for development.<sup>97</sup> NACO urges the BLM to do so, and if would be happy to assist with obtaining county-specific information upon request.</p>	<p>1</p>