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Comments:

Comments on Alaska Roadless Rule DEIS

Please select Alternative 6; i.e., total exemption of the Tongass from the National Roadless Rule, in the FEIS and ROD. Alternatives 1 through 5 do not satisfy the purpose and need of the petition from Governor Walker requesting relief from the economic and social costs of imposition of the National Roadless Rule on the Tongass.

It is imperative for the economic and social survival of the population of Southeast Alaska that the underlying regulatory regime of the Tongass National Forest (36 CFR [para] 228) be allowed to function. Alternatives 1 through 5 retain the overarching and arbitrary decision-making authority of an unidentified decision maker(s) that here to date has denied the use of truly reasonable access to the forest as legally required under the federal mining law.

Southeast Alaska has a rich mineral endowment, and to our great benefit we enjoy the employment and business activity of two world class mining operations - Greens Creek and Kensington. We benefit from employment, purchases, and taxes paid by these operations. Direct and indirect high-paid employment of 3000 workers and their families is an incomparable component of our economy and the human environment. As the region continues to experience job and population decline in other sectors, the mining industry and its employees have repeatedly expressed our dismay with retardation of job growth and social justice due to imposition of the National Roadless Rule on the Tongass.

Each of the two operating mines disturbs less than 300 acres. Of the total 16.9 million acres of the Tongass, this is a tiny price to pay for the economic and social benefits to our population, especially considering that these areas will eventually be reclaimed.

The requirement in Alternatives 1 through 5 that a 'responsible party' must determine what is to be considered 'reasonable access', renders Alternative 6 the only alternative that does not impose an undue impediment to mining. Criteria are not laid out for this determination, and thus the decision is - at best - arbitrary. Alternatives 2 through 5 should be modified to delete any reference to such a decision as a prerequisite to full review under 36 CFR [para] 228.

Of the 57 permits issued for areas under management in inventoried roadless areas, only 30 have been issued post 2011; i.e., following elimination of the 2003 Tongass exemption from Roadless. Of those 30, most are duplicate authorizations for small scale helicopter assisted mineral exploration projects. Only one authorization for a road has ever been granted in Southeast Alaska in inventoried roadless areas when the National Roadless Rule has applied (a road in Sitka). That is, the National Roadless Rule has shut down economic development and job creation imposing undue economic and social hardship on the region as exemplified by declining population and employment. Since the clause calling for a decision by a responsible official regarding reasonable access remains in all other alternatives, Alternative 6 is the only alternative under consideration that could grant some hope for mineral development and associated jobs and social well-being.

The Forest Service should expand the discussion in all alternatives to include a description of the various steps required by law to develop a mine, and the impact of the National Roadless Rule on those legal requirements. That is, allowing only helicopter access and requiring repeated authorization for the same activity is an unduly burdensome and limiting requirement for mineral development.

Government requirements for listing a stock on public markets require a level of information that must be obtained via drilling and bulk sampling that cannot practicably be obtained with helicopter support alone.

Case in point, the majority of mining capital in North America is raised on Canadian markets, and thus, Canadian requirements should be considered. Those requirements include preparation of a National Instrument 43-101 financial statement. Certainly, the indicated level of information for resource and reserve determination, process design, baseline environmental studies, and construction design, cannot be obtained

economically or safely by helicopter. A similar level of information is required to list on U.S. public markets. Overall, it can easily take 10-15 years to obtain sufficient drill and process information to satisfy feasibility requirements at an expense in excess of \$150,000,000. This figure does not anticipate helicopter access alone. If it did, the funds required to bring a project to construction would vastly exceed that figure, cost additional time, and possibly cost lives, the net of which would likely dissuade the investment community from pursuing the project. That is, the National Roadless Rule should be evaluated for its true effect of - for all intents and purposes - stopping mineral development on the Tongass.

This is essentially saying the Forest Service does not support application of its own planning process to most of the forest; i.e., the 9.6 million acres of inventoried roadless area - or some slightly reduced subset as outlined in Alternatives 2 through 5. By adoption of Alternative 6 and only by adoption of Alternative 6 can the underlying regulatory regime (the Tongass Land Management Plan) be applied to legitimate requests for use of the Tongass forest under the principle of multiple use.

Regards, Frank Bergstrom

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