

**Regulatory Reform
Comment Summary Reports**

ACTION ITEM

DOI bureaus must submit Comment Summary Reports through their Directors to their Assistant Secretaries no later than the first of each month. Reports will provide information about comments received in the previous month, using the 25th as a cut-off date.

Comment Period	Comment Summary Reports Due to Assistant Secretary
November 26 – December 25	January 1
December 26 – January 25	February 1
January 26 – February 25	March 1
February 26 – March 25	April 1
March 26 – April 25	May 1
April 26 – May 25	June 1
May 26 – June 25	July 1
June 26 – July 25	August 1
<i>July 26 – August 25**</i>	September 1
August 26 – September 25	October 1
September 26 – October 25	November 1
October 26 – November 25	December 1

*** In 2017, this comment period is shorter and runs from August 9 – August 25 because summaries had already been created for comments received through August 8, 2017. In 2018, the normal comment period will resume as identified in the table.*

Meeting this schedule will allow the Assistant Secretaries to review the Reports before the monthly Regulatory Reform Task Force meetings that are held during the first week of each month.

Regulatory contacts at each bureau are encouraged to streamline review processes – wherever possible – within the bureau such that the Reports will be approved by the bureau’s Director in time for delivery to the Assistant Secretary by the first of each month.

INSTRUCTIONS

1. Review the comments received for your bureau in www.regulations.gov and complete the “Comment Summary Template” (see below) for each comment.

To find comments specific to your bureau, go to www.regulations.gov and:

- a) Enter this Docket No. in the “Search” box: DOI-2017-0003.*
- b) In left margin, under “Document Type” unclick all boxes except “Public Submissions” so that only “Public Submissions” is checked.*
- c) In the upper right-hand corner, in the “Sort by” drop-down, sort by “Title (A-Z)” or “Title (Z-A)”.*
- d) The documents specific to your bureau are titled with your bureau’s acronym and assigned sequential numbers for tracking.***
- e) Look for the comments received during the comment period of review (e.g. February 26 – March 25) and summarize them using the template below.*

*** If your bureau does not have any comments for the review period, you do not need to submit a Comment Summary Report for that period but please inform your Assistant Secretary that no comments were received.*

2. Compile all of the comment summaries (including all of the information in the template) into a Comment Summary Report.
3. Move the Report through your bureaus for approval by the Director in time to submit the Report to the Assistant Secretary by the first of each month (see schedule on previous page).

Note on Other DOI Bureaus and Offices:

The public can choose to specify the following DOI bureaus when submitting a comment: IA, BLM, BOEM, BOR, BSEE, NPS, OSMRE, FWS, and USGS. There is a catch-all category in www.regulations.gov that allows the public to comment on “Other Interior agencies and offices.” The Exec Sec will review comments submitted to this “Other” category and assign them to the appropriate DOI offices and bureaus on a rolling basis to be summarized and send to the Assistant Secretary for approval in accordance with these instructions.

[TEMPLATE]

COMMENT SUMMARY REPORT

Bureau:

Number of Comments Received This Period: [After you have sorted for your bureau's comments on www.regulations.gov using the instructions above, click on each comment and then click on "Show More Details" under the Document Information heading on the right side of the screen. This will reveal the date the comment was received.]

Total Number of Comments Received: [The comments are titled in www.regulations.gov using sequential numbers so the total number of comments can be easily determined.]

Comment Summaries:

[Provide this information for each comment received]

- **Commenter:** [If many comments or form letters were received on a topic, please specify that here. If the comment is from an individual, note that in the following manner: "Individual (LAST NAME, FIRST NAME)"]
 - **ID:** [This is a unique identifier assigned by www.regulations.gov and can be viewed when you click on the comment. E.g., **ID:** DOI-2017-0003-0055]
 - **RE:** [Describe the topic covered by the comment in a few words]
 - **Summary:** [Briefly explain the issues raised in the comment]
 - **Other Bureaus Addressed in Comment:** [Identify other bureaus addressed in the comment and briefly explain how they are addressed].
 - **RECOMMENDED DISPOSITION:** [Briefly explain what the bureau recommends as an appropriate action to address the comment. Examples may include – but are not limited to – the following actions:
 - consider preparing a formal response
 - consider initiating a review of the pertinent regulations
 - consider working with other affected bureaus to determine an appropriate action
 - likely no action needed – comment is too vague to warrant a response.]

Comment Summaries Needing Recommended Dispositions

Comments Received from June 22 – August 8

INSTRUCTIONS:

1. Add recommended dispositions for the comment summaries below for your bureau.
2. Include the comment summaries for your bureau in the Comment Summary Report that is due to the Assistant Secretary on September 1 .

BIA, IA, BIE

- National Federation of Independent Businesses (NFIB):
ID: DOI-2017-0003-0013
 - 25 CFR 140 (Licensed Indian Traders). Revise to reduce or eliminate the Department’s imposition in Indian Country of licensing requirements, government price controls, and government product controls. Require any person desiring to trade in Indian country to provide BIA with their Federal tax identification number, among other information, and allow BIA revocation of licenses.
 - 25 CFR 140 (Licensed Indian Traders). Recommend to Congress the repeal of the Indian Trader statutes.
 - RECOMMENDED DISPOSITION: [INSERT]
- Anonymous:
ID: DOI-2017-0003-0014
 - Review any regulations that interact or overlap with the Dept. of Education or Dept. of Health Human Services on Indian Education and health to cooperate and reorganize.
 - RECOMMENDED DISPOSITION: [INSERT]
- Office of Alaska State Senator John Coghill
ID: DOI-2017-0003-0023
RE: Taking land into trust in Alaska
 - Reconsider the practice of taking Alaska Native land into trust. The Alaska Native Claims Settlement Act (ANCSA) extinguished all aboriginal claims to Alaska land and transferred money and land to Alaska Native Corporations.
 - For political reasons, based on strained interpretations of laws prior to ANCSA, etc., the Obama Administration allowed land to be taken into trust in Alaska.

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- The initial application (Craig Tribal Association) is small, but what happens when applications start coming for larger communities and business ventures start materializing on trust land and obtain significant economic advantages from the trust status? This will lead to disparate economic consequences.
 - Failure to follow ANCSA expands the already confusing land management system in Alaska.
 - RECOMMENDED DISPOSITION: [INSERT]
- Individual (Eliot, Bruce)
ID: DOI-2017-0003-0031
RE: Tribal reservations
 - We are experiences Tribal abuse and overreach both locally and statewide in Washington.
 - The continued maintenance of the Tribal reservation system is an anachronism and failed social experiment. We are faced with the dilemma of “what is an Indian,” only 20 % reside on reservations, and those who choose to remain wards of the government are more harmed than benefitted.
 - One local Tribal leader publicly says he wants to control all of Skagit Co. and return it to pre-European settlement status.
 - County residents are taxed without representation, hundreds of county property owners are denied the right to drill wells for personal water consumption under the state-enforced “in-stream flow rule” and local farmers are denied irrigation water.
 - There are concerns as to the concept of Tribal sovereignty, the validity of treaties, and “means test” of tribes with successful casinos.
 - Where is all of SITC’s money going when they have a successful casino and enterprises but their Tribal members still live in squalor?
 - Convert Tribal reservations to Tribal corporations to level the playing field and turn reservation lands over to Tribes and nullify existing treaties. This would get the government out of the “welfare” business.
 - RECOMMENDED DISPOSITION: [INSERT]
 - Individual (Whiteley, William)
ID: DOI-2017-0003-0040
RE: Indian Reorganization Act of 1934
 - The Indian Reorganization Act of 1934 violated the Isaac Stevens Treaties and the U.S. Constitution by re-creating Tribal governments. The 1934 Act is the root of all evil in the Indian policy of this country. The only solution is to retreat to the Constitutional and treaty requirements in effect before this drastic Act was passed.
 - RECOMMENDED DISPOSITION: [INSERT]
 - Individual (Roberts, Richards)
ID: DOI-2017-0003-0041

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RE: Effect of Tribes on property value

- I own property near Indian country and a casino and in 14 years, my property value has declined almost 40% because:
 - Indian netting of walleyes on lake areas causing closure of walleye season for two years;
 - Giving Indians open seasons for taking fish and game year-round;
 - Indian and federal policy trying to establish a new reservation where one does not exist;
 - Crime, Native gang, and ongoing drug problems spilling outside the reservation;
 - Increased property taxes;
 - Tribe buying up properties and posting them “no trespassing;”
 - Tribe obtaining land into trust and removing it from local tax rolls;
 - Tribe is a major contributor to a local political party;
 - Federal policy allows the Tribe to control many of the State of Minnesota DNR decisions.
- RECOMMENDED DISPOSITION: [INSERT]

- Individual (Anonymous, Jon)

ID: DOI-2017-0003-0055

RE: Tribes

- Alleviate unnecessary burdens placed on the American people with regard to Tribal governments and stop the expansion, recognition of Tribal governments. End these old laws that financially rob the American people.
- RECOMMENDED DISPOSITION: [INSERT]

- Individual (Mant, RE)

ID: DOI-2017-0003-0056

RE: Tribes

- “I don’t know exactly how much we can profitably say about Indian politics before Europeans started displacing them, but it appears to have been one of live and let live, so arguments about possessiveness are somewhat moot to begin with.”
- RECOMMENDED DISPOSITION: [INSERT]

- Individual (Willman, Elaine)

ID: DOI-2017-0003-0057

RE: Indian Reorganization Act of 1934

- The Indian Reorganization Act (IRA) is the backbone of federal Indian policy and has been extended, expanded, and abused beyond the original intent of Congress. It is as if a mother gives the oldest son (Natives) preferential treatment because the second-born son (non-Natives) came later.

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- There is no tribal sovereignty recognized in the U.S. Constitution, but such sovereignty has acquired a power beyond States and individuals. States have continually relinquished their State authority in deference to Tribes.
 - Tribes may directly finance political parties and candidates, non-Native governments may not. Tribes' businesses are tax-exempt, non-Native businesses are taxed to the max. Tribal members can hold elected office anywhere, passing laws that apply to non-Natives but not Tribal members. Tribes have priority over most of the river and water systems because they were here first and the non-Native's needs don't matter.
 - Federal Indian policy requires perpetual debt and shame for all who came second.
 - The Federal government should recognize that all ethnic cultures in our country choose to preserve their history and traditions out of genuine love and respect for their ancestry. They do not demand or require payment from the Federal government to do so. It should no longer be the burden of every American taxpayer of many backgrounds to remain indentured servants to fund one ethnicity. We are all Americans and Indians have been citizens since 1924. We are either equal or not.
 - REPEAL THE IRA OF 1934 TO RESTORE ONE NATION UNDER GOD.
 - RECOMMENDED DISPOSITION: [INSERT]
- Individual (Conger, George)
ID: DOI-2017-0003-0058
RE: Tribes in Washington State
 - End the lack of fee simple ownership of supposed reservation land of certain Tribes in Washington State and their dependence on the Federal Government once and for all. Enact a law that gives Tribes fee simple ownership of the lands in the Elliott Bay Treaties excluding certain lands and end so-called trust benefits.
 - This would benefit Tribes and those around the “reservations” by ending Federal subsidies, eliminating differences in legal treatment of criminal and civil crimes and Indian corporations, nullifying the Grey Wolf decision of the 9th Circuit, and giving Tribal corporations and citizens exactly the same rights as all other citizens.
 - The current situation creates about five different types of “citizenship” in the areas in and around the reservations.
 - RECOMMENDED DISPOSITION: [INSERT]
- Individual (Dawson, Marlene)
ID: DOI-2017-0003-0059
RE: Tribes in Washington State
 - The Lummi Business Council (LIBC) in Washington State rejected the Indian Reorganization Act (IRA). There was no intent, per Indian Claims Commission findings, to support tribalism for this group or other Point Elliot reservations. None of the four reservations were placed into trust according to SOL Opinion M-36181.
 - The intent of the IRA was to help support tribes where they continued to exist, but none of these reservations qualify. One cannot “restore” to something that which it never was.

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- Stanley Speaks [Regional BIA Director] communicated to LIBC that Interior wanted to delete from their Tribal constitution any Interior oversight so Interior would not be held accountable for overreach by Tribal leadership. Instead, individuals and non-Indians must address the overreach. Interior’s “covering” for these Indian groups, which don’t qualify for putting lands into trust or governmental authority must be corrected.
 - I sued to address a 5% utility tax adopted by LIBC in the early 1980’s on any business on the Lummi reservation, which is rolled over to the individual rate payer. The Tribal judge ruled that he could not determine jurisdiction and that I would have to go to Federal court, but I had no intention of paying those costs. Interior must correct abuse of what are intended to be only “communities” of Indians. The treaties never intended them to have “governmental” authorities related to taxing, zoning, etc.
 - I was told that LIBC is federally recognized, but this analysis is wrong. Instead it is the acceptance of land into trust that affirms tribal governmental authority. To this end, trust lands are being created out of thin air for these groups with no valid standing.
 - Correct the record for what Indian groups qualify for the IRA. Make clear for the people residing within the historic public domain reservations and for the city and county governments that surround these Indian communities.
 - RECOMMENDED DISPOSITION: [INSERT]
- Individual (Montonye, James)
ID: DOI-2017-0003-0060
RE: Tribes in Washington State
 - There should be uniform State enforcement of fishing.
 - Tribes and their untaxed casinos provide undisclosed campaign contributions creating politicians unwilling to discuss issues related to water adjudications and fish.
 - Timeline included. Highlights are: Treaty of Point Elliott was a cession treaty in which the 22 Indian groups assigned to the four reservations ceded all rights to those reservations. In 1934, the Indian Reorganization Act (IRA) restored to “trust” some reservations. Lummis rejected the Act and the Nooksacks didn’t qualify. Generic IRA tribal constitutions were inappropriately given out to others in our region. The Indian Claims Commission established that the remaining groups were not tribes, but BIA persists in treating them as tribes.
 - Salish tribes integrate into commodity communities, meaning salmon for cash.
 - Washington Department of Fish and Wildlife should have power over all fishing, water rights, and taxation.
 - RECOMMENDED DISPOSITION: [INSERT]

BLM

- Anonymous
- ID: DOI-2017-0003-0012

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- 43 CFR part 2800 (Rights-of-Way under FLPMA). A flood-control-district official in Arizona wants the BLM to expedite lease applications for public-safety communications equipment installed on Federal lands. Commenter has had two lease applications for environmental monitoring stations pending in local BLM field office since late 2015 and was recently told it could take another 2 years to get them approved. (Doc ID: DOI-2017-0003-0012)
- RECOMMENDED DISPOSITION: [INSERT]

- Office of Alaska State Senator John Coghill
ID: DOI-2017-0003-0023
RE: 43 CFR part 1600 (Planning, Programming, Budgeting)
 - The BLM should reduce or restrict the number of, or stop expanding, Areas of Environmental Concern (ACECs) in Alaska. ACECs are de facto withdrawals that violate the Alaska National Interest Lands Conservation Act. They have a negative effect on the economic value of mineral deposits in the ACEC and in adjacent lands.
 - RECOMMENDED DISPOSITION: [INSERT]

- Individual (Keener, Jeff)
ID: DOI-2017-0003-0024
RE: 43 CFR part 3800 (Mining Claims Under the General Mining Laws)
 - Family-scale mining operations in Alaska are being wiped out by BLM regulations. Since 2009, BLM has required supplemental questionnaires to the standard Plan of Operations submittal, which are cumbersome for operators. These should be eliminated. Also, there should be a time limit, for example, 30 days for the agency to respond to an initial Plan of Operations for Small-Scale mining, 15 days to respond to an amendment to an approved Plan. The U.S. Bureau of Mines should be re-instated to help miners.
 - Reinstate the public's ability to apply for patent to mineral locations.
 - RECOMMENDED DISPOSITION: [INSERT]

- American Petroleum Institute
ID: DOI-2017-0003-0043
RE: 40 CFR part 1506 (Other requirements of NEPA; Agency responsibility), 43 CFR 3162.3-1 (Conduct of operations), 43 CFR part 3000 (Oil and gas leasing)
 - BLM should prioritize timely completion of oil and gas leasing and permit decisions and incorporate this priority into performance standards for agency staff.
 - Leases should be issued within 60 days of an accepted high bid and APDs should be issued within 30 days of submission of a complete permit application.
 - BLM should issue guidance to District Offices that says APDs should be deemed submitted within 10 days unless BLM provides clear written reasons to the lessee.
 - Once those issues are resolved, the BLM cannot raise new completeness issues.
 - Ad hoc requirements for APDs, that have no basis in regulation or law, such as asking companies to perform extra cultural, wildlife, flood plain surveys, should be reviewed to

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determine their consistency with the Secretarial Order. If these requirements are not consistent, then they should be withdrawn or terminated.

- CEQ guidelines on time limits for the NEPA process (3 months for EAs and 12 months for EISs) should be followed. Direct staff to use existing CXs unless an EA is clearly shown to be necessary. The NEPA process should tier from recent reviews of similar, nearby project where circumstances have not materially changed. BLM should use Determination of NEPA Adequacy where appropriate.
 - Secretary should review existing guidance documents to determine their consistency with the Secretarial Order.
 - RECOMMENDED DISPOSITION: [INSERT]
- Berkshire Hathaway Energy
ID: DOI-2017-0003-0044
RE: 43 CFR part 2800 (Rights-of-Way under FLPMA)
 - The BLM needs to do a better job of coordinating its environmental reviews and stipulations for power lines with other agencies to save time and avoid duplicative action.
 - BLM documents should refer to and incorporate the Avian Power Line Interaction Committee's document, "Best Management Practices for Electric Utilities in Sage-grouse Habitat." This document is updated as new information becomes available and reflects the best current science.
 - Aerial ROWs should not be required to undergo NEPA analyses. The NEPA process should be made consistent across all Field Offices in order to eliminate confusion, reduce project costs, and delays.
 - At the start of projects, the BLM should provide ROW permit holders with a staff directory and a list of key contacts to make it easier to identify staff and their roles because agency websites are not clear on this.
 - The BLM should acknowledge the feedback it receives from the public on various planning documents.
 - The BLM needs to expedite maintenance-project applications by following a standardized review schedule that's transparent to applicants and by meeting set timelines. Tribes, state, local, and other Federal agencies and stakeholders should be involved in the review process as early as possible. The BLM should not be allowed to add stipulations after initial analysis and approval has occurred. Stakeholders should not be allowed to use the NEPA process to unduly delay projects and their concerns should be based on science and not on emotion.
 - The BLM should implement a streamlined and expedited approval process for electric utility ROW project renewals. There should be a process for applicants to take their concerns to the State Director rather than be directed back to field-office managers who may not be responsive. Applicants should not be required to analyze environmental impacts on portions of their transmission-line ROWs that cross private lands. Perch discouragers are not effective and should not be required.

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- Requirements that applicants wash vehicles before they can conduct work in ROWs is burdensome and do not protect against the spread of invasive species.
- The BLM should reconsider requiring companies to install new power lines underground. Underground lines cost more, are less reliable, disturb more ground, and may not always be feasible.
- The BLM should use CXs as much as possible for power-line maintenance projects.
- RECOMMENDED DISPOSITION: [INSERT]

- Columbia Law School, Sabin Center for Climate Change Law
ID: DOI-2017-0003-0045
RE: 43 CFR subpart 3179 (Waste Prevention and Resource Conservation), 43 CFR subpart 3160 (Onshore Oil and Gas Operations: General)
 - The BLM’s existing energy regulations protect local communities and avoid environmental harm.
 - The Waste Prevention rule is necessary and provides important public benefits that significantly outweigh costs. Its benefits include mitigation of climate change, improvements in public health, increased quality of life in communities where oil and gas development occurs; additional revenues from gas sales and increased royalties; and increased employment resulting from new job creation in the gas-capture industry.
 - Retaining the hydraulic fracturing rule is essential to meeting the BLM’s statutory duty to protect Federal lands under its control. Fracking can impact drinking water resources; reduce air quality; contaminate soil from spills and leaks; result in land clearing, visual impacts, construction noise, and disturbance of archaeological and cultural resources; and create visitor safety hazards from equipment and other facilities.
 - Revising or repealing existing energy and climate-related regulations will have significant environmental impacts which requires the DOI to prepare an EIS.
 - RECOMMENDED DISPOSITION: [INSERT]

- Individual (Pendery, Bruce)
ID: DOI-2017-0003-0046
RE: 43 CFR subpart 3179 (Waste Prevention and Resource Conservation), 43 CFR subpart 3160 (Onshore Oil and Gas Operations: General)
 - These regulations should be retained in their current form and fully implemented. It took years to develop these rules and they involved massive amounts of public involvement. Abandoning these rules now would be a massive waste of public resources and time. It is shameful that you would even consider these changes and abandon these efforts now.
 - RECOMMENDED DISPOSITION: [INSERT]

- Individual (Wilmarth, David)
ID: DOI-2017-0003-0061
RE: [Unspecified]

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- The setback that restricts mining within a set distance like 200 feet from a stream often makes it impossible to mine the stream because mineable ground is in that area. When the stream is diverted to avoid the mining area, that should be enough to protect the stream and water. A setback of 20 feet would be more appropriate just to protect the diversion.
 - The existing setback costs jobs without providing any environmental benefit and eliminates side streams from being prospected for placer gold.
 - On larger waterways where boats frequent a maximum setback of 50 feet seems better and some cases 100 feet.
 - RECOMMENDED DISPOSITION: [INSERT]
- Individual (Anonymous, SRM)
ID: DOI-2017-0003-0062
RE: New Oil and Gas rules that replace Onshore Oil & Gas Orders 3, 4, and 5 at 43 CFR 3173.29 (Requirements for Site Security and Production Handling; Immediate assessments), 3174 (Measurement of Oil; Immediate assessments), 3175 (Measurement of Gas; Immediate assessments)
 - Immediate assessments have been forced into rule that are unfair, ineffective, and place unnecessary burdens on oil and gas operators.
 - 43 CFR 6163.1(b) was crafted to state that immediate assessments were to be enforced “without exception” prior to going to State Director Review – this is unreasonable, unrealistic and a waste of government personnel time and resources
 - This is unfair because it treats mom & pop operators exactly the same as a major corporation, with potentially devastating economic impact.
 - Declare the immediate assessment aspects of these rules unenforceable. With an administration that is more sensible to the struggles of business, I cannot overstate how completely unreasonable these assessments are.
 - The broad-brush approach of 43 CFR 3163.1.b “Remedies for Acts of NonCompliance” must be nullified so that the field can implement reasonable discretion.
 - RECOMMENDED DISPOSITION: [INSERT]
- Power Company of Wyoming LLC (PCW)
ID: DOI-2017-0003-0075
RE: Competitive Processes, Terms, and Conditions for Leasing Public Lands for Solar and Wind Energy Development and Technical Changes and Correction.
 - This regulation adds an additional \$47 to \$106M in costs to our project and will inhibit job creation and impose costs that exceed benefits for renewable energy developers.
 - We’ve been developing the nation’s largest renewable energy project on BLM land, the Chokecherry and Sierra Madre Wind Energy Project (CCSM Project) (see comment for details on project).
 - To date, PCW has invested over \$70M in private capital in developing and permitting the project. These costs were anticipated and included in our analysis of economic viability.

We did not, however, anticipate or forecast a new lease and fee structure from BLM for this project.

- BLM proposed the rule in September 2014 and we provided extensive comments about the economic implications and recommended grandfathering projects because they enjoyed not benefits from the regulation and should therefore bear no cost. Others raised similar comments. We also briefed OMB on our concerns in July 2016. DOI finalized the regulations in November 2016.
- The application of the rule to our project and others in development prior to the regulatory initiative inhibits job creation, imposes costs that exceed benefits, and fails to accomplish the stated policy objectives of the regulation.
- The rule requires ROW holders for wind development to pay two types of fees: (1) an acreage rental fee; and (2) a megawatt (MW) capacity fee based on the nameplate capacity approved in the ROW grant. To further complicate matters it also provides the ROW holder must choose between either a Standard Rate Adjustment or Scheduled Rate Adjustment. *See* comment for calculations on how this increases costs at least \$46 million and potentially as much as \$106 million.
- Despite providing our estimates of impacts at every stage of the input process, the BLM estimate of economic impact of the rule was only \$5 million. This low estimate did not make this rule eligible for repeal under the Congressional Review Act, but since the rule has been effective, operational solar projects in California and Nevada are also facing massive rent increase.
- PCW made significant private investments in developing this project in hopes of strengthening energy independence, creating jobs in rural areas, and making a reasonable return on our investment. Mid-stream, the rules of the game were changed by this regulation, resulting in additional unforeseen operational costs. Despite expressing our concerns, the final rule failed to grandfather our project. We urge you to reconsider how this rule is applied to projects in development and modify the rule to apply only to prospective projects. This regulation undermines the stated goal of facilitating the advancement of renewable energy on public lands.
- RECOMMENDED DISPOSITION: [INSERT]

BOEM

- Office of Alaska State Senator John Coghill
ID: DOI-2017-0003-0025
RE: The plan to develop a new national OCS leasing program
 - We recommend removing the recent Obama-era additional restriction in the Hanna Shoal area (in the Chukchi Sea). The withdrawal of that area negatively affected a number of then-existing leases, including three by Shell, seven by Repsol, and five in the immediate adjacent area that covered similar petroleum prospects. The restriction raised the costs for exploration and mitigation costs just for planning and exploration.

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- The Hanna Shoal area is in a high petroleum potential area and restricting it increased the costs of operation. The Obama Administration did this to discourage oil and gas exploration in the Arctic (a consistent fundraising promise by Democrat candidates in the lower 48).
- Effectively manage responsible energy production with ocean stewardship. The efforts to redo the OCS leasing plan under EO 13795 and SO 3350 is a positive step in the right direction.
- RECOMMENDED DISPOSITION: [INSERT]

BOR

- Western Urban Water Coalition (WUWC)
ID: DOI-2017-0003-0064
 - *See* WUWC’s comments under FWS, below.
 - RECOMMENDED DISPOSITION: [INSERT]

FWS

- Anonymous
ID: DOI-2017-0003-0015
 - FWS employees using heavy-handed tactics to interfere with local projects citing possible federal violations with no proof.
 - RECOMMENDED DISPOSITION: [INSERT]
- Anonymous
ID: DOI-2017-0003-0016
 - Failure of certain offices and individuals within FWS to respond to FOIA requests.
 - RECOMMENDED DISPOSITION: [INSERT]
- Anonymous
ID: DOI-2017-0003-0017
 - Review rules allowing FWS employees to serve on the board of directors for not-for-profit environmental agencies. In one case, an employee is serving on the board of a land trust that purchased parcels of land that was then used to influence projects the FWS was a party to.
 - RECOMMENDED DISPOSITION: [INSERT]
- Anonymous
ID: DOI-2017-0003-0018

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- Prohibit FWS employees from accepting compensatory mitigation payments and directing them to organizations on which they serve on the board of directors (cites example of FWS employee brokering dollars from a FWS compensatory mitigation payment project with a developer then funneling those dollars to an organization in which he serves on the board).
- RECOMMENDED DISPOSITION: [INSERT]
- American Falconry Conservancy
ID: DOI-2017-0003-0019
 - Request the elimination of FWS regulatory oversight regarding any and all activities with the personal use, in contrast to harvest, of birds of prey (raptors), because States have adopted regulatory provisions for the protection of wild raptors, so Federal involvement is redundant and costly. Specific Federal provisions that should be eliminated include:
 - Allowing FWS to inspect to ensure birds are being treated humanely
 - Requirement to submit a Migratory Bird Acquisition and Disposition Report (Form 3-186A) to FWS for any wild take or transfer of raptors
 - Inclusion of hybrid falcons scope of requirements
 - Continued management of the formerly threatened peregrine falcons as threatened, rather than allowing a harvest of 5%
 - The prohibition on acquiring golden eagles in livestock depredation situations.
 - Interpretation of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) in a manner more restrictive than other nations.
 - Inclusion of raptors in the Wild Bird Conservation Act
 - Raptor propagation, abatement, education regulations, all of which should be left to States to regulate.
 - RECOMMENDED DISPOSITION: [INSERT]
- Anonymous
ID: DOI-2017-0003-0020
 - FWS’s protection of foreign species with no funding or expertise just duplicates foreign government’s CITES rules. It is impossible to sell captive-bred listed species from one state to another without a massive permitting process; this inhibits legal breeding of wildlife. The ESA should apply only to native species. Animal rights groups petition for listing a species knowing FWS cannot meet the legal deadlines and then sue FWS to earn money for themselves.
 - RECOMMENDED DISPOSITION: [INSERT]
- Office of Alaska State Senator John Coghill
ID: DOI-2017-0003-0027
RE: Management of Alaska public lands and wildlife
 - Alaska wants to manage their own public lands and wildlife.

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- State of Alaska was blocked in their efforts to manage game and predator populations by FWS "biological diversity" program. The State feels this is causing declines in animal populations, not protecting them. The State wants to be allowed to manage their own wildlife.
- RECOMMENDED DISPOSITION: [INSERT]

- Individual (Jordan, R)
ID: DOI-2017-0003-0028
RE: FWS regulation of exotic pets
 - FWS has made owning a parrot “bureaucratic red tape and potential arrest.”
 - Noon-profits habitually sue the Service over exotic animals causing FWS to spend resources defending those lawsuits.
 - Permit to sell exotic species of parrot that was born in the U.S. can take two years and requires showing benefit to wild species in a third-world country.
 - The agenda now is to attack U.S. pet owners and their rights.
 - Get control of the Endangered Species Act and the Wild Bird Conservation Act now.
 - RECOMMENDED DISPOSITION: [INSERT]

- Individual (Ingram, James)
ID: DOI-2017-0003-0029
RE: Regulation of falconry
 - 262 regulations can be eliminated from the Falconry Standards.
 - Every State that allows falconry has adopted more restrictive regulations, so the Federal regulations are redundant.
 - FWS does not have authority to determine the use and care of raptors in falconry; it is only responsible for evaluation of raptor populations for safe harvest of wild raptors and sale and commerce of raptors. Birds born in captivity are private property.
 - No similar regulations apply to other species, such as someone who has captive bred a Mallard duck.
 - The regulations require States to conduct warrantless searches.
 - The FWS study showed falconers have zero impact on raptor populations, the peregrine falcon population has exploded, yet FWS severely limits the number of birds that can be taken. Remove the restrictions.
 - FWS has disallowed the practice of legally harvesting golden eagles, even though Congress allows for it in the Eagle Act. This is unnecessary regulation.
 - RECOMMENDED DISPOSITION: [INSERT]

- Individual (Rush, Barbara)
ID: DOI-2017-0003-0036
RE: Regulation of oil and gas at Hagerman National Wildlife Refuge
 - Continue to regulate oil and gas leases and practices at Hagerman National Wildlife Refuge.

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- RECOMMENDED DISPOSITION: [INSERT]

- Individual (Mason, George)
ID: DOI-2017-0003-0037
RE: “Management of Non-Federal Oil and Gas Rights” (81 FR 83008) as it relates to Hagerman National Wildlife Refuge
 - Do not alter or repeal “Management of Non-Federal Oil and Gas Rights” (81 FR 83008) as it relates to Hagerman National Wildlife Refuge.
 - The refuge provides habitat for many species and is a prime recreational mecca for the Northern Texas region.
 - For years, the refuge has enjoyed a partnership with the oil company that maintains the drilling and storage facilities there.
 - RECOMMENDED DISPOSITION: [INSERT]

- Individual (Hill, Carl)
ID: DOI-2017-0003-0038
RE: [unspecified]
 - Unless oil and gas companies are held to strong regulations, they will have little respect for anything but their wallets.
 - Attached picture of rusting pipeline.
 - RECOMMENDED DISPOSITION: [INSERT]

- Individual (John, Mike)
ID: DOI-2017-0003-0048
RE: [unspecified]
 - Cooperate with local communities when establishing parks.
 - FWS establishes parks without adequate funding, expecting the locals to pick up the slack. This makes it hard for farmers trying to make a living off the land.
 - RECOMMENDED DISPOSITION: [INSERT]

- Anonymous
ID: DOI-2017-0003-0049
RE: FWS employee
 - A group of landowners opposing major transmission/infrastructure project in Nebraska met and a FWS employee attended on taxpayer dollars
 - A Facebook post for the opposition group stated that FWS is key to stopping the infrastructure project and stated that the FWS employee would be present to answer questions
 - Control employees and keep them from taking sides.
 - RECOMMENDED DISPOSITION: [INSERT]

- Columbia Law School, Sabin Center for Climate Change Law

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ID: DOI-2017-0003-0050

RE: *NPS and FWS rule identified in SO 3349*

- Existing regulations addressing energy development on Federal land have important benefits, including those identified in SO 3349
 - The NPS Rule, and FWS Rule, establish important environmental safeguards and will not have significant economic impacts
 - *See comment summary under BLM for comments on BLM rules.*
- DOI regulations are needed to address the program of global climate change
- DOI must consider the environmental impacts of regulatory changes
- Includes as attachments:
 - 30-page document "Veyrier - Job Creation in the Emerging Methane Leak Detection and Repair Industry - 2017"
 - GAO Publication - National Wildlife Refuges – 2010
 - GAO Publication - Federal Oil and Gas Leases – 2010
 - 83-page document "Stokes - The Emerging U.S. Methane Mitigation Industry - 2014"
- RECOMMENDED DISPOSITION: [INSERT]

- Anonymous

ID: DOI-2017-0003-0051

RE: *[unspecified]*

- End “WOTUS” [Waters of the United States]
- RECOMMENDED DISPOSITION: [INSERT]

- Western Urban Water Coalition

ID: DOI-2017-0003-0073

RE: *ESA, Mitigation, NEPA, etc.*

- Streamline and work collaboratively with western water supply agencies to ensure these agencies can meet water supply needs and water quality requirements.
- Tax Exemption for Water Conservation Rebates
 - Water supply and management utilities and companies create the incentive for customers to conserve by providing rebates to lower the cost to the consumer for water-saving measures and equipment purchases, but IRS has determined they are taxable. Encourage Treasury Department to exempt water conservation rebates provided to customers from the definition of income for federal tax purposes, based on the connection between energy and water conservation.
- Comprehensive Reimbursement Agreements
 - Develop comprehensive and uniform guidance that encourages the use of reimbursement agreements through which applicants can pay for permit processing costs. Such agreements must ensure the objectivity of the reviews and agency actions made pursuant to reimbursement programs.
- Endangered Species Act Reform

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- Increase use of procedures and mechanisms that allow applicants to provide financial and in-kind assistance to cover the costs of ESA reviews.
- Reopen the HCP Handbook, issued December 21, 2016, for public review and, pending review, reinstate the previous HCP Handbook.
- Reopen regulations defining adverse modification of critical habitat and establishing the procedures for designating critical habitat and exclusions. The rules are too stringent in their treatment of habitat in areas “unoccupied at the time of listing” and in determining what is “essential to the conservation of the species.” The policy for exclusion from critical habitat does not provide sufficient flexibility for areas subject to conservation plans developed under other laws.
- Develop policy guidance to define how exclusions from critical habitat will be made based on economic impacts of designation on regulatory entities, rather than following an ad-hoc process.
- Develop regulations to define the meaning of ESA’s “best available science” test.
- Develop guidance and revise regulations to give nonfederal designated representatives a greater consultative role in formal consultation
- Mitigation Policies
 - Review each bureau’s mitigation policies to eliminate the requirement that mitigation provide a “net environmental benefit” not only for projects supporting energy independence, but also for water infrastructure and wildfire treatment projects.
- National Environmental Policy Act Reform
 - Revise NEPA regulations and handbooks to require: (1) development of an interagency coordination plan whenever more than one agency is involved in permitting, so there is simultaneous preparation and review of NEPA; (2) a 30-day deadline for agency review of submitted NEPA studies; (3) that administrative appeals of NEPA issues can be brought only by parties who participated in the NEPA administrative process and raised the issue; (4) use the regulation that provides EAs need only analyze the proposed action and may proceed without considering additional alternatives when there are no unresolved conflicts concerning alternative uses of available resources; (5) expand CATEX’s to exempt larger acreages for wildfire prevention treatments and rehabilitation of burden areas.
- Maximum Utilization of Existing Facilities
 - Examine and revise its standards and directives on project expansion, use of excess capacity, water sharing, use of storage and conveyance facilities for non-project water, places of use, and fair value pricing.
- RECOMMENDED DISPOSITION: [INSERT]
- Individual (Neria, Meredith)
ID: DOI-2017-0003-0053

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RE: 2016 rule on Management of Non-Federal Oil and Gas Rights

- Do not want the updated rules from 2016 to be undone.
 - We need our public lands to be protected even as they are used by the oil and gas industry.
 - The oil and gas industry should be responsible for proper care and thorough cleanUp of public lands, including refuge lands.
 - Consider the long-term effect of allowing the oil and gas industry, which has a poor track record of allowing pollution and not cleaning up thoroughly,
 - Do not allow the dismantling of Management of Non-Federal Oil and Gas Rights.
 - RECOMMENDED DISPOSITION: [INSERT]
- Individual (John, Mike)
ID: DOI-2017-0003-0054
RE: [unspecified]
 - “t” [apparent typo]
 - RECOMMENDED DISPOSITION: [INSERT]

NPS

- Anonymous
ID: DOI-2017-0003-0021
 - It is shortsighted to rescind regulations that would permanently harm NPS lands for the purpose of creating jobs in dying industries. NPS lands should be left untouched for the benefit and ownership of future generations. States should not be given ownership or control of NPS lands. The Department should better understand the value of tourism.
 - RECOMMENDED DISPOSITION: [INSERT]
- Office of Alaska State Senator John Coghill
ID: DOI-2017-0003-0026
RE: Alaska Predator Rule
 - Rescind the November 23, 2015 prohibition of harvesting certain predator species in Alaska’s national preserves immediately. The rule provided that NPS would not adopt the State’s wildlife management actions in Alaska’s national preserves. This was Federal overreach, invited a lawsuit from the State, and should have been avoided.
 - The State has primary responsibility for wildlife management in Alaska. Federal disagreements about State population control methods on preserve lands should not mean that NPS usurps legal authority to manage wildlife. The Alaska Constitution grants the State primary responsibility to manage wildlife. The Alaska National Interest Lands Conservation Act (ANILCA) authorizes hunting regulations that NPS preempted.
 - Publish a new rule that reverses the Obama Administration direction and restores primary State management authority. The pending lawsuit can be dismissed and parties can return to the status quo envisioned at statehood.

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- RECOMMENDED DISPOSITION: [INSERT]

- Anonymous
ID: DOI-2017-0003-0032
RE: [unspecified]
 - Parks should be preserved for Americans’ love of nature and the awe and retreat these treasures provide. No drilling permits should be allowed on park land. They have been set aside for people’s enjoyment, not company profits.
 - RECOMMENDED DISPOSITION: [INSERT]

- Individual (Arthur, Elizabeth)
ID: DOI-2017-0003-0033
RE: 9B Regulations
 - The General Provisions and Non-Federal Oil and Gas Rights were much needed and conscientiously implemented through a responsible process that adhered to legal requirements and larger principles. It is short-sighted and misguided to revert back to the 1978 policy, which did not address horizontal drilling and hydraulic fracturing.
 - Reconsider this deregulatory stampede and evaluate our energy infrastructure needs in a more measured light.
 - The 9B regulations contain important advances: there is value in ensuring land reclamation without taxpayer obligation and it is unjustifiable to have non-compliant, grandfathered wells continue to operate without improvement. Our NPS system must be cared for rather than extracted at a huge cost to all of us.
 - RECOMMENDED DISPOSITION: [INSERT]

- Individual (Waring, Bonnie)
ID: DOI-2017-0003-0034
RE: Regulations identified for review [unspecified]
 - I am a practicing biologist with a PhD in ecology and I focus on terrestrial carbon cycle and impacts of climate change. The regulatory reform is an attempt to roll back environmental protections to subsidize the oil and gas industry. My objections are grounded in my scientific training.
 - Many of the supposedly onerous regulations targeted restrict mining and oil/gas extraction. Extracting and burning fossil fuels contribute to the most serious issue facing the global community today: climate change. To stay below the “safe” warming limit of 2 degrees C, the global community can only emit 500 gigatons of CO2 equivalent. We’ve released more than half this amount just since 2000. Increasing America’s reliance on fossil fuels is disastrous for everyone, especially at the cost of leading in renewable energy technology.
 - Many of the regulations are aimed at protecting populations of species in decline. Are they “onerous” if they interfere with resource exploitation? This cannot be answered without assessing the value of intact, biodiverse ecosystems and their services. Our best

estimates determine that the value far exceeds global GDP. Nowhere is this mentioned in the regulatory reform. The only language on “valuation” refers to oil and gas royalties, which clearly indicates the motivations.

- The proposed rule is vague, which would create difficulties. How are “regulatory costs that exceed benefits” to be quantified? Are the long-term economic consequences of oil/gas exploration on public lands accounted for, or only the short-term benefits of resource extraction? Can the normal duties of BLM/NPS/FWS be accused of “inhibiting job creation”? This creates a loophole that imperils all of America’s treasured and wild ecosystems.
 - Addressing outdated or inconsistent regulations is important but should never come at the cost of Interior’s core mission: to protect our tremendous wealth of natural resources for future generations of Americans.
 - RECOMMENDED DISPOSITION: [INSERT]
- Alaska Falconers Association (AFA)
ID: DOI-2017-0003-0065
Re: Alaska Subsistence Collections Rule, 36 CFR 13

- Eliminate the section of the Alaska Subsistence Collections Rule, 36 CFR 13, that specifically addresses the prohibition on the take of live raptors from the wild in ANILCA established preserves in Alaska.
- Falconry is an ancient art, family endeavor, and lifetime commitment to the raptor. It is important to be able to responsibly acquire wild raptors from our federal public lands to continue this passion and pass it on to future generations. Taking raptors from the wild is the backbone of the art and practice of falconry.
- Federal and State governments recognize falconry as an age-old form of hunting and have implemented regulations that allow falconry to flourish and mandate an apprenticeship process prior to licensing.
- The prohibition in the Alaska Subsistence Collections Rule on the take of wild raptors from ANILCA-established NPS preserve units in Alaska makes this responsible use of public lands illegal.
- The prohibition is in direct conflict with State and Federal regulations that allow that use and conflicts with the authority granted to the State to manage species on ANILCA-established preserve units.
 - The State of Alaska manages the take of raptors, which are a non-subsistence species, on NPS ANILCA-established preserves.
 - DOI allows the take of raptors from the wild under 50 CFR 21.29.
- Set aside the section of the Alaska Subsistence Collections Rule that prohibits the acquisition of live raptors by licensed falconers from ANILCA-established preserve units in Alaska for the legal practice of falconry. This rule as it applies to the take of live raptors for falconry purposes eliminates a use of public lands by the public in direct conflict with current regulations that allow that use.

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- There was no outreach to the Alaska falconry community affected by the prohibition and the comment period on the rule went under the radar because the prohibition was hidden in the body of the multiple page subsistence text. NPS did not reach out to Alaska falconers regarding this prohibition.
- RECOMMENDED DISPOSITION: [INSERT]
- Coalition to Protect America’s National Parks
ID: DOI-2017-0003-0066
RE: 9B Regulations
 - The revisions published as final in November 2016 to 36 CFR Part 9, Subpart B (“9B regulations”) governing the exercise of non-federal oil and gas rights in NPS units outside Alaska.
 - NPS’s statutory purpose is to promote and regulate use of the National Park System “to conserve the scenery, natural and historic objects, and wild life in the System units and to provide for the enjoyment of the scenery, natural and historic objects, and wild life in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.” 54 U.S.C. 100101 et seq. This is known as NPS’s “conservation mandate”.
 - Of the 417 NPS units, there are currently 12 parks with a combined total of 534 non-federal oil and gas operations, and up to 30 other parks with the potential for future operations.
 - The 9B regulations were originally put in place in 1978 but grandfathered existing operations. As of 2016, few of the operations expired so they were never subject to the regulations – essentially exempting 45% of the oil and gas operations occurring in parks today. The 1978 regulations also exempted operations not requiring access through federal property, which accounts for another 15% of operations. This left 60% of oil and gas operations occurring on park lands unregulated that often did not follow best management practices and caused unacceptable impacts to park resources and values including surface water quality degradation, soil and ground water contamination, air quality degradation, etc. (see list in comment for specifics and complete list and descriptions of examples that could be addressed through simple mitigation).
 - Another shortcoming of the 1978 regulations was its outdated bonding limit of \$200k per operator per park, regardless of the actual cost of reclamation or how many sites the operator had within a park. (See comment for example of insufficiency).
 - The 2016 revision was much needed and long overdue and included many important improvements: (1) Eliminating exemptions for grandfathered operations and operations not requiring access across federal property; and (2) Eliminating the inadequate limit on bonding by making the bond amount equal to the estimated cost of reclamation for each operation. (See comment for list of other improvements).
 - Main goals of EO 1377 is to identify regulations for repeal, replacement, or modification considering those that eliminate jobs, are outdated, etc. With regard to the 9B regulations:

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- The 2016 regulations do not impose a significant economic impact to an operator conducting oil and gas activities in parks and are unlikely to eliminate oil and gas jobs or inhibit job creation. The potential for new oil and gas jobs creation in parks is insignificant compared to the number of jobs supported by park visitor spending (see comment for statistics). By ensuring safe and clean oil and gas development the 9B update supports this visitor economy.
 - The 2016 replaced the outdated 1978 regulations and are necessary and effective.
 - The 2016 updates do not impose a significant economic impact in parks (see comment for discussion). The improved visitor experience opportunities directly benefit and support local economies.
 - The 2016 updates eliminated a serious inconsistency in the administration of operations by eliminating the outdated exemptions so that ALL operations are managed consistently. The updates were made through a fully transparent process.
 - The 2016 updates do not derive from directives that have been subsequently rescinded or modified; rather, the updates derived from NPS’s Organic Act.
 - The “two-for-one” reduction is an attention-grabbing soundbite but arbitrary and capricious. The extensive experience of our members in promulgating NPS regulations over the past 40+ years is that there is no practical or simplistic way to reasonably identify the overall number of regulations that are necessary and appropriate for effective management because of the ever-changing number and variety of activities in parks. The number of regulations needed at any time is a moving target that must be guided by the legal and policy foundations of NPS. This is not compatible with an arbitrary “two-for-one” reduction goal.
 - The 9B updates in 2016 were necessary to (1) strengthen the NPS’s ability to fulfill its mission to protect park resources and visitor values; (2) provide equitable financial compensation and surety to protect the public’s resources and taxpayer dollars, and (3) create and improve efficiencies in the regulatory requirements.
 - NPS has a legal duty to manage oil and gas developing in NPS in a manner that is consistent with the NPS Organic Act and related management policies. The 2016 revision was necessary and full consistent. We strongly oppose any move by the Department to change or repeal the 2016 9B regulations.
 - RECOMMENDED DISPOSITION: [INSERT]
- The Wilderness Society, Western Environmental Law Center, National Parks Conservation Association, Center for American Progress, National Audubon Society, Natural Resources Defense Council, Earthjustice
ID: DOI-2017-0003-0067
RE: Regulations under review [Unspecified]
 - The public has not been afforded an opportunity to comment on expansion of energy development on public lands or agency structures or other EOs or SOs.

Decisions are being made without public involvement that will upend decades of public work to balance the many uses of public lands and waters.

- We have grave concern that any decision to rescind or revise regulations, policies, or other actions not result in degradation of our lands, waters, air, or natural heritage. DOI and USDA orders create a framework for energy development as the “dominant” use of public lands. We are gravely concerned that this fundamentally inconsistent with the missions of BLM, NPS, FWS, and USFS.
- We object to the premise that there is a need to “alleviate unnecessary regulatory burdens.” Instead, guidance and direction benefits the American people, saving lives, protecting clean air and water, conserving resources, all while allowing economic growth.
- Ensure the public can provide meaningful input into management of public lands.
- We encourage the Secretaries of Interior and Agriculture to discuss these vital issues.
- None of the legal mandates authorize DOI or USDA to establish energy development as the dominant use of public lands – it is either an allowable use to be balanced or is subservient to protection of resources. Any action that enshrines energy development as the dominant use of public lands is invalid.
- Land Management Agencies with Multiple-Use Mandates – BLM & USFS
 - Federal courts have consistently rejected efforts to elevate energy development over other public uses of lands and doing so would violate FLPMA and NFMA.
- Land Management Agencies with Conservation/Preservation Mandates – NPS & FWS
 - Encouraging development is not part of NPS or FWS mission. Federal courts ruled that decisions that fail to promote conservation for NPS lands and activities that are not compatible with conservation of National Wildlife Refuges cannot be upheld.
- NEPA & NHPA Overlays – All Land Management Agencies
 - NEPA requires agencies to attain the widest range of beneficial uses of the environment without degradation, and the orders establishing energy development as the dominant use of public lands flouts NEPA requirements. Similarly, NHPA requires agencies to respect cultural resources and follow certain processes. The orders risk endangering invaluable cultural resources and undermining NHPA obligations, which must be addressed prior to approving energy development.
- Congress directed DOI to implement management to further the public interest, not just the economic interest of extractive industries. It is inappropriate to tailor regulations, policies, guidance and decisions to the exclusive benefit of energy

development. Take heed of your legal mandates to balance uses and, in many cases, prioritize conservation, recreation, and other pursuits.

RECOMMENDED DISPOSITION: [INSERT]

OSMRE

- Individual (Sandmeier, Michael)

ID: DOI-2017-0003-0035

RE: [Unspecified]

- As a citizen of Colorado, I would like to see regulatory reform between the Colorado Division of Reclamation Mining and Safety (DRMS) and OSMRE. I am opposed to local boards having broad authority over Federal public lands and small-scale prospectors and miners. Requiring permits for prospecting or mining on Federal public lands is an affront to Federal mining rights of the public.
- DRMS authority should be limited to reclamation, not requiring permission of citizens to use their own land for which they pay taxes. That should be the job of OSMRE and not a seven-person State board.
- RECOMMENDED DISPOSITION: [INSERT]

USGS

- The Wilderness Society, Western Environmental Law Center, National Parks Conservation Association, Center for American Progress, National Audubon Society, Natural Resources Defense Council, Earthjustice

ID: DOI-2017-0003-0070

RE: Regulations under review [Unspecified]

- The public has not been afforded an opportunity to comment on expansion of energy development on public lands or agency structures or other EOs or SOs. Decisions are being made without public involvement that will upend decades of public work to balance the many uses of public lands and waters.
- We have grave concern that any decision to rescind or revise regulations, policies, or other actions not result in degradation of our lands, waters, air, or natural heritage. DOI and USDA orders create a framework for energy development as the “dominant” use of public lands. We are gravely concerned that this fundamentally inconsistent with the missions of BLM, NPS, FWS, and USFS.
- We object to the premise that there is a need to “alleviate unnecessary regulatory burdens.” Instead, guidance and direction benefits the American people, saving lives, protecting clean air and water, conserving resources, all while allowing economic growth.

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RECOMMENDED DISPOSITION: [INSERT]

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