

COPIOUS COMMENTS AND MEANINGFUL PUBLIC INVOLVEMENT

HOW TO CHAMPION THE PROCESS AND MANAGE TECHNOLOGY

*Kristi Ponozzo & Jen Lane, Montana
Department of Environmental Quality*

The Department of Environmental Quality often receives tens of thousands of comments on mining projects. We rely on meaningful public involvement and substantive comments to help inform our analysis and decision-making. Managing and using public comments in a sea of form letters and referendums can sometimes be challenging but, ultimately, manageable.

DEQ receives 10K public comments on Tintina mine

TOM KUGLIN tom.kuglin@helenair.com Nov 18, 2017

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MINE PERMITTING & PUBLIC INVOLVEMENT

Montana Metal Mine Reclamation Act

- Does not have public comment or public process as a part of the permit
- Montana Environmental Policy Act is the only opportunity

COMMENTS AND PUBLIC INVOLVEMENT ARE IMPORTANT TO THE PROCESS

- Voice concerns
 - Identify Issues
 - Foster understanding/support of process
- 
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IT'S MANAGEABLE

- Early Preparation and Planning
 - Is the project controversial
 - Engaged Applicant
 - Community Involvement
- 

SUBSTANTIVE COMMENT

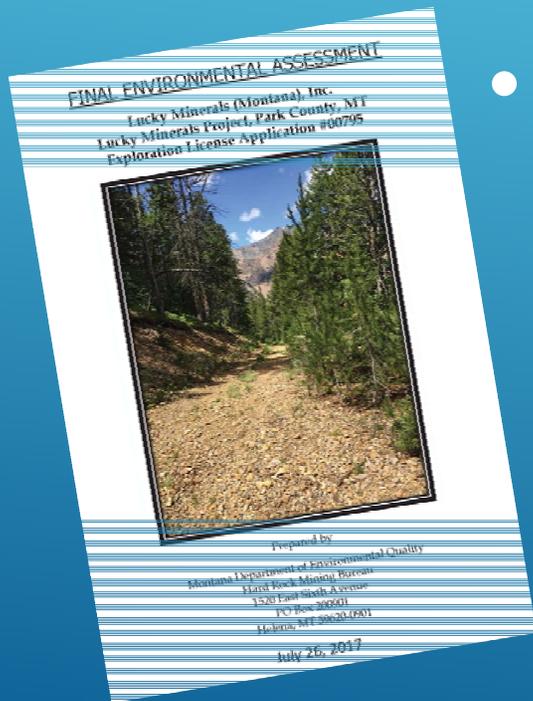


- Identifies an issue
- Addresses concern
- Not a vote

CONSULTANT-ASSISTED MEPA

- Preferred software
 - Available resources
 - Staff Availability
 - Budget
 - Experience with Multiple Agencies
 - Standardized Process
- 

PUBLIC INVOLVEMENT FOR ENVIRONMENTAL ASSESSMENTS



- Level of Public Interest
- May be similar to other projects that needed checklist EA
- Public Outcry
- Thousands of emails

PUBLIC INVOLVEMENT FOR ENVIRONMENTAL ASSESSMENTS

Public Comments on Draft EA

- Planning and Preparation
 - Determine Best Methods
 - Identify Team Responsibilities
- 

TIPS ON USEFUL COMMENTS

Useful Comments: Useful comments should focus on specific concerns with the proposed project, identify potential issues, and should include supporting reasons for the agency to consider.

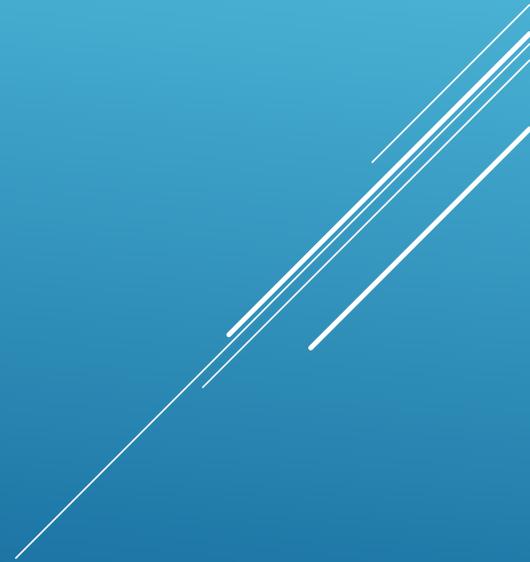
Non-Specific Comments: Non-specific comments are outside the scope of the analysis; appear as a “vote” (the MEPA process is not about voting); do not provide supporting rationale; or lack specificity to permit a meaningful response (i.e., emotional and without rationale).

NOT SO USEFUL COMMENTS

"Not in my backyard, not ever!"

"NO MINING IN YELLOWSTONE.
NEVER. NEVER. NEVER.

"I oppose the Smith River Mine.
Trout are cute and water is great!"



USEFUL COMMENTS

"Disclose and analyze the impacts of the synthetic polymers and chemicals it plans to use in its drilling fluids."

"In this dry and windy environment, construction activities that denude the soil will eventually lead to blowing dust, dirt, and debris. Please detail in the EIS the potential changes to air quality from construction activities. How will this situation be controlled?"

"I don't think its a good idea to mess around with anything close to Yellowstone. Super Volcano ring a bell? Wake up people!"

RECEIVING COMMENTS

- Methods available for receiving comments:
 - Web-based Comment Portal
 - Email
 - US Mail
 - Public Meeting
- 
- A decorative graphic consisting of several parallel white lines of varying lengths, slanted upwards from left to right, located in the bottom right corner of the slide.

WEB-BASED COMMENT PORTAL

DEQ
MONTANA

Public Comment Submittal Application

Active Comment Periods
Privacy Policy

COMMENT PERIOD DETAILS

Spring Creek Coal Mine Major Revision TR1 Scoping Meeting

Contact Info
If you have questions concerning this comment period please visit the link below for Detailed Information, or contact **Jen Lane** at 406-444-4956.

Time Frame
This Comment Period runs from **4/6/2018** to **5/8/2018** (0 days remaining).

Description
Comment period for EIS Scoping

[Click Here for Detailed Information](#)

DESIGNATED EMAIL ADDRESS

The screenshot shows an Outlook window titled "FW: Rosebud Area B AM 5 Scoping Comments - Message (HTML)". The interface includes a ribbon with various actions like Ignore, Delete, Archive, Reply, Forward, Meeting, Move to, To Manager, Rules, OneNote, Assign Policy, Mark, Categorize, Follow Up, Translate, Find, and Zoom. The email header shows it was received on Tue 5/1/2018 at 10:57 AM from western-energy-area-b-eis <western-energy-area-b-eis@eroresources.com> with the subject "FW: Rosebud Area B AM 5 Scoping Comments". The recipients listed are Lane, Jennifer and Emily Corsi. A warning message states that Outlook prevented automatic download of some pictures. An attachment is visible: "Sierra Club_MEIC_DEQ..." (486 KB). Below the attachment is a "Bing Maps" link. The body of the email contains the following text:

FYI

From: Nathaniel Shoaff [<mailto:nathaniel.shoaff@sierraclub.org>]
Sent: Monday, April 30, 2018 6:41 PM
To: western-energy-area-b-eis <western-energy-area-b-eis@eroresources.com>
Subject: Rosebud Area B AM 5 Scoping Comments

Dear DEQ:

Please find the attached MEPA scoping comments regarding the Rosebud Area B AM 5 proposed expansion, submitted on behalf of Sierra Club and MEIC.

If you have any difficulty opening the attached letter, please let me know.

Thank you.

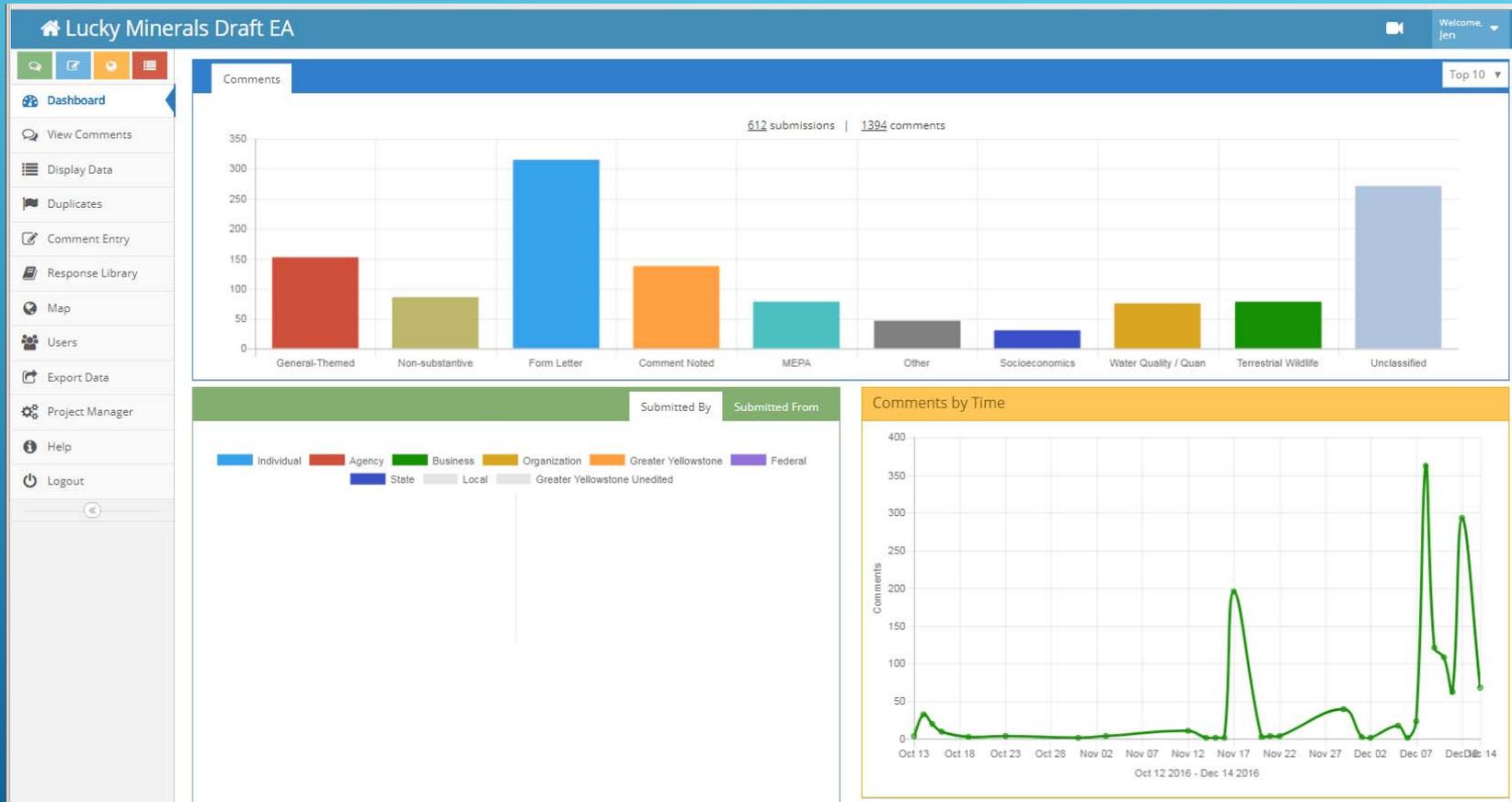
 Right-click or...

Nathaniel Shoaff
Senior Attorney
Sierra Club Environmental Law Program
2101 Webster Street, Suite 1300
Oakland, CA 94612
415.577.5610
nathaniel.shoaff@sierraclub.org

ORGANIZING COMMENTS

- Methods available for organizing comments:
 - Commercial Software
 - Forest Service: CARA
 - Manual Review: Code and Bracket
- 
- A decorative graphic consisting of several parallel white lines of varying lengths, slanted diagonally from the bottom right towards the top right, located in the lower right quadrant of the slide.

COMMERCIAL SOFTWARE



FOREST SERVICE CARA SYSTEM

[Forest Service Home](#) [About the Agency](#) [Contact the National Office](#)

[Go back to main project page](#)

Lucky Minerals Inc. Emigrant Project Plan of Operations for drilling activities #47041

Exploratory drilling to assess mineral presence at 9 sites on existing roads and 3 helicopter sites in Emigrant Creek area.
Total ground disturbance of approximately 0.3 acres.

First Name **Organization**

Last Name **Keyword** ✔

Show Form Letters Do Not Show Form Letters

Results Per Page:

| Download | Author Name | Organization Name | Date Submitted | Size (bytes) |
|---------------------------------|----------------------------------|-------------------|----------------|--------------|
| ▼ Scoping (Extended to 8/20/15) | | | | |
| <input type="checkbox"/> | Hons, Marianne | | 10/29/2015 | 788538 |
| <input type="checkbox"/> | Graham, Glenn | | 08/31/2015 | 3858 |
| <input type="checkbox"/> | Sinclair, Betsy | | 08/31/2015 | 757 |
| <input type="checkbox"/> | Daschbach, Brian | | 08/31/2015 | 907 |
| <input type="checkbox"/> | Burris, William | | 08/27/2015 | 240163 |
| <input type="checkbox"/> | Gee, Tim | | 08/26/2015 | 2549 |

HOW TO PRESENT COMMENTS IN EA/EIS

- Letters of Substance
 - Side by side
 - Substantive Comments
 - Table
 - Form Letters
 - General themes and responses
- 

SIDE BY SIDE RESPONSES

8.3 SUBSTANTIVE COMMENT RESPONSES SIDE-BY-SIDE

Comment from: Park County Commission

Response To: Park County Commission



December 6, 2016

Montana Department of Environmental Quality
Hard Rock Mining Bureau
1520 East Sixth Avenue
PO Box 200901
Helena, MT 59620-0901

Re: Comments Draft Environmental Assessment for Lucky Minerals Exploration License Application #00795

Thank you for the opportunity to provide comments regarding the Draft Environmental Assessment for the Lucky Minerals Project (Exploration License Application #00795) prepared by the Montana Department of Environmental Quality (DEQ).

The Park County Board of Commissioners (Commission) is responsible at the county government level for the assurance and promotion of public health and safety. Accordingly, the Commission holds authorizing responsibility for county road access and maintenance, assurance that it has existing land use regulations, and the requirement that acceptable waste management and noxious weed plans be prepared by the project applicant. While the applicant has not yet approached the Commission regarding any of these issues, the Commission will require compliance with these responsibilities as a condition of project initiation.

The Commission concurs with DEQ's selection of the Agency-Modified Alternative as the Preferred Alternative conditioning the project. The Commission agrees specifically with conditions described in the Transportation analysis (and described further under the Air Quality analysis) that all traffic (both operating equipment and shift traffic) be routed as described, thereby avoiding Chico Road and Chico Hot Springs. The Commission expects that its road maintenance agreement with the applicant will include provisions for dust control. The Commission recommends that DEQ note the requirement for obtaining a county permit for any proposed road improvements and discuss any modifications or improvements to county roads that may be required by the proposed project, along with the environmental impacts associated with such modifications or improvements. The Commission further urges that recreation access (3.8.3.2) be conserved during the project to the maximum extent consistent with the assurance of recreationist safety.

The Commission disagrees with DEQ's decision to preclude consideration of socioeconomic effects, while acknowledging that those effects may be minor and transitory. Public finance elements of direct concern to the Commission include potential increases to Park County expenditures associated with increased use of county roads and bridges in the vicinity of exploration operations, and the potential for increased demands on public safety resources and emergency services related to traffic and industrial activity associated with those operations.

414 East Callender Street | Livingston, Montana 59047 | t: 406.732.4106 | f: 406.222.4160 | www.parkcounty.org

A-1

OFFICIAL RECORD

A-1-1

A-1-2

A-1-3

A-1-1
DEQ understands that jurisdiction over the road that would be used to access the St. Julian Claim Block is disputed. DEQ, however, has no adjudicatory authority. Thus, DEQ has no basis for taking a position as to whether Lucky Minerals needs to obtain any authorization from Park County to use the access road.

A-1-2
The EA identifies in Sections 3.10.3.2 that Lucky Minerals may have to enter into a road access agreements with Park County and/or the CGNF to address use and maintenance of the access roads. Section 2.3.1 of the EA states, "There may be localized disturbances on Emigrant Creek Road and Forest Service 3272, the proposed access route to the St. Julian Claim Block, to facilitate mobilization of equipment and to improve safety." Additional dust control measures on County roads would be required under Park County's road maintenance agreement (See Section 3.11.3.2).

During mobilization and demobilization activities to the St. Julian Claim Block, Lucky Minerals would be required to use flaggers and/or pilot cars when large equipment is being moved along Emigrant Creek Road to minimize conflict with recreational users.

A-1-3
DEQ is required to evaluate the environmental impacts, including cumulative and secondary impacts, on the human population in the area to be affected by the proposed action. The term "environmental impact" should be read as including a requirement of a reasonably close causal relationship between a change in the physical

TABLE RESPONSES

| Topic | Code and Issue | Document ID | Page Number | Comment |
|---------------------------------|---|--|-------------|--|
| 3300 Climate and Climate Change | 3302 Comment about analysis area | 226 | 1 | I would like to know why the DEQ is not looking at the area of climate change in relation to this proposed Rosebud Mine Expansion? Why is the DEQ not considering the greenhouse gases that will contribute to this world wide problem? |
| | | Response: Detailed discussions of greenhouse gas emissions and climate change in relation to the proposed Rosebud Mine Expansion are provided in Section 4.4 and Section 5.3.3. | | |
| | 3303 Comment about baseline data | 213 | 1 | The Colstrip plant is one of the largest sources of greenhouse gasses in the nation, releasing approximately 15 million tons of carbon dioxide into the air each year. |
| | | 218 | | The Colstrip plant is one of the largest sources of greenhouse gasses in the nation, releasing approximately 15 million tons of carbon dioxide into the air each year. |
| | | Response: A discussion of greenhouse gas emissions from the Colstrip plant is provided in Affected Environment Section 3.4.2.5. | | |
| | 3304 Comment about affected environment | 16 | 10 | The Colstrip plant alone emits 14,281,357 metric tons of carbon dioxide, followed by 69,182 metric tons of nitrous oxide (N2O) and 39,897 metric tons of methane (CH4) per year. Colstrip makes up 85.5% of pollution in the state of Montana. Acid rain is caused when sulfur and nitrogen oxides mix with atmospheric water, resulting in acidic rain falling to earth. With such high pollution in Colstrip, this is a major concern. However, acid rain is actually unlikely due to the low sulfur content of Powder River Basin coal. |
| | | 16 | 12 | Research has shown that Colstrip is the 3rd largest producer of CO2 emissions in the U.S., at 16 million metric tons of greenhouse gases annually. |
| | | 224 | 1 | Into the new millennium, Colstrip is one of the largest sources of Carbon air pollution in the United States, pumping fifteen million tons of CO2 into the atmosphere each year. |
| | | Response: A detailed discussion of greenhouse gas emissions from Colstrip Power Plant is provided in Section 3.4.2.5. | | |

GENERAL-THEMED RESPONSES

8.2 GENERAL-THEMED COMMENT RESPONSES

8.2.1 INTRODUCTION TO GENERAL RESPONSES

Many comments on the Draft EA raised similar issues and concerns. DEQ grouped comments by major topic and provided general responses to those topics. This part of the document presents these responses. If an individual comment is grouped with one (or more) of these major topics, the response to that comment in Part 2 directs the reader to the relevant general response topics in this section.

The General Responses categories, arranged alphabetically for the convenience of the reader, are:

- Bonding
- Historic Mining
- MEPA
 - Further Environmental Analysis/EIS
 - Future Exploration and Mining Actions
 - Cumulative Impacts
 - Level of Public Interest
- Proposed Action and Public Lands
- Mineral Withdrawal
- Regulatory Authority
- Socioeconomics
- Traffic
- Volcanic and Geothermal
- Water Quality
- Water Rights
- Wildlife

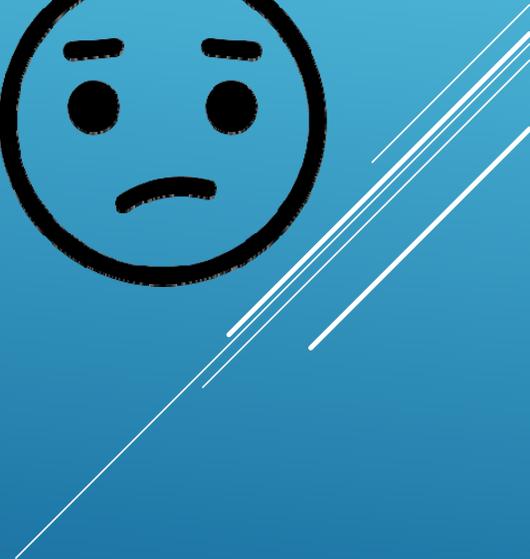
FORM LETTER CAMPAIGNS



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1,000

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WORK WITH INTERESTED PARTIES

| First_Name | Last_Name | Street | City | State | ZIP | E-Mail |
|--------------|---------------|--------------------------|-------------------|-------|------------|------------------------------|
| Olga | Abella | 12129 N 675th St | Robinson | IL | 62454-4227 | olgafox@hotmail.com |
| Thomas | Aber | 5507 Central St | Kansas City | MO | 64113-1205 | tbzaber@sbcglobal.net |
| Kenneth | Able | 535-000 Little Valley Rd | Mcarthur | CA | 96056-7633 | kennethpable@gmail.com |
| Mary | Able | 535-000 Little Valley Rd | Mcarthur | CA | 96056-7633 | zdogbob@gmail.com |
| June | Abner | 4041 Ibis St Apt 411 | San Diego | CA | 92103-6802 | j.abner@att.net |
| Ira | Abrams | 5441 S Kenwood Ave | Chicago | IL | 60615-5484 | iraabrams@att.net |
| kaye | abramson | PO Box 1013 | Clinton | OK | 73601-1013 | kaye.abramson@sosu.edu |
| Robin | Adair | 111 Hayward St | Hopkinton | MA | 01748-2747 | nurseadair@comcast.net |
| Carol | Adams | 2902 Village Rd | Langhorne | PA | 19047-8123 | cfadams320@aol.com |
| Jean | Adams | 4807 Cherokee Rd NE | Albuquerque | NM | 87110-1806 | whitespur26@gmail.com |
| Miriam | Adams | 13200 Buckskin Rd NE | Albuquerque | NM | 87111-8223 | madams12@earthlink.net |
| Gladstone | Adams III | 2176 Patterson Rd | Marietta | NY | 13110-9736 | adamsbishop972@gmail.com |
| Barry Eshkol | Adelman | 7825 101st Ave | Vero Beach | FL | 32967-4346 | snortar@yahoo.com |
| Steve | Aderhold | PO Box 1135 | Fallbrook | CA | 92088-1135 | sladerhold@gmail.com |
| John | Adornato III | 1550 NE 43rd St | Oakland Park | FL | 33334-5536 | john_adornato@yahoo.com |
| Willy | Aenlle | 573 Alameda St | Altadena | CA | 91001-3055 | willyaenlle@yahoo.com |
| Rod | Aguirre | 2079 Ascot Dr Unit 236 | Moraga | CA | 94556-2228 | rocaluma@yahoo.com |
| Donna & John | Aha | 8517 SE 17th Ave Apt 327 | Portland | OR | 97202-7381 | johnaha@aracnet.com |
| Karin | Ahlf | 181 Merrill Pl # A | Costa Mesa | CA | 92627-1717 | kwahlf@sbcglobal.net |
| Ken | Aho | 492 Franklin Ave | Pocatello | ID | 83201-3845 | kenaho1@gmail.com |
| bernardo | alayza mujica | 133 durand ave | surquillo | IA | 51111 | beralmu@hotmail.com |
| Dawn | Albanese | 156 Basswood Dr | Elk Grove Village | IL | 60007-1718 | dawnie_angel@hotmail.com |
| Rafael | Albarran | 4924 141st St | Crestwood | IL | 60445-2104 | rafaelalbarran1978@yahoo.com |
| Tony | Alberico | 6226 Poplar Bch | Romulus | NY | 14541-9524 | nofunctionart@yahoo.com |
| thomas | aldrige | 296 S 13th St | San Jose | CA | 95112-2143 | thomasaldrige95112@yahoo.com |
| Garry | Alexander | 25 Gum Springs Rd | Dallas | GA | 30132-8464 | m_a_limousine@bellsouth.net |
| kathryn | alexandra | 4311 Ginnett Rd | Anacortes | WA | 98221-8581 | kalexandra@comcast.net |
| B | Allen | PO Box 2404 | Tuscaloosa | AL | 35403-2404 | booksanon@gmail.com |
| Daniel | Allen | 117 Rustwood St | Lufkin | TX | 75904-3588 | dallen072859@gmail.com |
| Pati | Allen | 12556 W 8th Pl | Golden | CO | 80401-4289 | patiallen4@gmail.com |
| Barbara | Allen | 4816 Petersburg Rd | Knoxville | TN | 37921-3007 | allen745139@bellsouth.net |
| Richard | Alloway | 11814 Basile Rd | Philadelphia | PA | 19154-2523 | rmalloway@comcast.net |

Greater Yellowstone Coalition Campaign Letter

Nov 16, 2016

Jen Lane
P.O. Box 200901
Helena, MT 59601

Subject: Tell Montana: Don't mine Yellowstone!

Dear Jen Lane,

Lucky Minerals' plan to explore for gold in Emigrant Gulch is full of flaws and oversights. I strongly urge the Department of Environmental Quality (DEQ) to consider further environmental analysis, so that any and all potentially significant environmental impacts are disclosed to the public and properly analyzed.

Today's mining industry is held to much higher standards than it was even 50 years ago. We cannot allow sloppy inaccuracies to put our land, water and economy at risk.

I am deeply concerned about how our public lands will be affected by gold exploration. Lucky Minerals' proposal simply doesn't have enough details or even basic information, and their primary map isn't accurate. This is unacceptable. DEQ must deny their application until Lucky Minerals can produce adequate and accurate information.

I ask the DEQ to consider the impacts of increased industrial traffic in Emigrant Gulch, and to analyze how gold exploration will affect our public access across both US Forest Service and private lands. DEQ must also consider the socioeconomic impacts gold exploration will have on the vibrant and resilient tourism and recreation economy of Park County.

Finally, I ask DEQ to evaluate the impacts to water quality and quantity since exploration will take place near Emigrant Creek, a tributary of the Yellowstone River. We cannot risk the clean water that fuels Park County and the Paradise Valley.

GOVERNMENT INVOLVEMENT ASAP

- State
 - FWP
 - DNRC
- Federal
 - Forest Service
 - BLM
 - OSMRE
- Local
 - City Governments
 - County Governments
 - Conservation Districts
- Tribes



WHAT CAN THE APPLICANT DO TO HELP THE PROCESS?

- Engaged, Good Neighbors
 - Submitting comments on the draft
 - Be Thoughtful and Diplomatic
 - When responding to public comments
 - Be Thoughtful and Diplomatic
- 

QUESTIONS

