

## **Enclosure**

### **Responses to Congressman Grijalva's Questions of November 3, 2017**

#### **1. Did the Department consult with affected Native American tribes before issuing its recommendation?**

The U.S. Department of Agriculture has not conducted public consultations but will do so in accordance with Federal laws and regulations governing public consultation processes, should the recommendation be approved for further consideration. Withdrawals on National Forest System lands created and administered through the U.S. Department of the Interior Secretary remain in effect until the Department of the Interior's Bureau of Land Management publishes an opening order. If the recommendation were to receive further consideration, the Forest Service would conduct an environmental analysis to determine if protection is no longer needed or appropriate; public input would be part of that process, including consultation with Native American tribes. In addition, if the withdrawal were revoked and mineral exploration or development were proposed, all project-specific actions would be subject to environmental review and analysis in accordance with the National Environmental Policy Act, including Tribal consultation and public engagement.

#### **2. Did the Department review potential impacts to water resources as part of the review process?**

This recommendation did not constitute a Federal action requiring environmental review under the National Environmental Policy Act. The Executive Order called for the identification of actions that constrained and/or burdened energy development. Public Land Order 7787 withdrew public and National Forest System lands from location and entry under the Mining Law of 1872, which constrains the potential development of uranium used in the generation of nuclear energy. The Department of Agriculture acted in accordance with the Executive Order to develop its recommendations, and the Department will act in accordance with all applicable laws governing public consultation if the recommendation is approved for further consideration.

#### **3. Did the Department review impacts to outdoor recreation and tourism as part of the review?**

The recommendation for consideration did not constitute a Federal action. Should the recommendation receive further consideration, the Department would conduct all appropriate reviews in accordance with the relevant laws and regulations.

**4. The existing withdrawal is authorized pursuant to Section 204 of the Federal Land Policy and Management Act and was put in place after compliance with all other applicable laws, including the National Environmental Policy Act (NEPA). Does the Administration intend to comply with these legal requirements as well?**

The Department developed its recommendations in accordance with Executive Order 13783 and intends to comply with all applicable laws and regulations throughout this process. Further, Appendix B of the Executive Order response notes that any potential federal actions concerning the Executive Order would be done in coordination with U.S. Department of the Interior's Bureau of Land Management as our partner land management agency for the subject lands. The Department has also stated it will undertake the required environmental reviews and public disclosure under NEPA if any further action is taken concerning the Executive Order.

**5. What opportunity will members of the public have to comment on the recommendations included in the report?**

The Department anticipates further guidance from the Director of the Office of Management and Budget, who is responsible for coordination within the Executive Office of the President in consultation with the Assistant to the President for Economic Policy. With respect to any recommendation that receives further consideration, the Department will act in accordance with all applicable laws regarding public comment.