



Vigil, Eileen <evigil@blm.gov>

Fwd: FOIA Request Form from IBM address

FOIA, BLM_WO <blm_wo_foia@blm.gov>
To: BLM_NM FOIA <blm_nm_foia@blm.gov>

Tue, Apr 5, 2016 at 7:10 AM

Good morning,

This request should go to your office. Please let me know if this is in error.

Thanks, Wendy Schumacher



Washington Office FOIA Coordinators
Bureau of Land Management
Phone: 202-912-7650
Fax: 202-245-0027
BLM_WO_FOIA@blm.gov

----- Forwarded message -----
From: **FOIA Request Form** <FOIAForm@opengov.ibmcloud.com>
Date: Tue, Apr 5, 2016 at 9:09 AM
Subject: FOIA Request Form from IBM address
To: wo_foia@blm.gov

Submitted on Tuesday, April 5, 2016 - 9:09am

FOIA NM 2016-036
FOIA BLM 2016-0475

Submitted by anonymous user: [10.156.8.131]

Submitted values are:

Your Name: Robert Barnes

Street Address: Ex 6

City: Ex 6

State or Country: Ex

Zip or Postal Code: Ex 6

Address Type: Home



Daytime Phone Number: Ex 6

Fax Number: na

Your Email Address: rabarnes@blackrange.org

Your Organization: The Black Range Rag, www.blackrange.org

Are you filing the request on behalf of another party? No

If so, who are you filing the request on behalf of?

Contact Information Certification: I certify that the above statement(s) concerning who I am filing the request on behalf of are true and correct to the best of my knowledge and belief. If I want to receive greater access to records about a person I represent, I will submit proof that the person consents to the release of the records to me, as discussed in 43 C.F.R. § 2.9.

Bureau/Office: Bureau of Land Management (BLM)

Relevant park, refuge, site or other location: Las Cruces District Office 1800 Marquess Street Las Cruces, NM 88005-3370

Request Description: I am requesting copies of all responses and comments to the "Copper Flat Copper Mine Draft Environmental Impact Statement". The comment period closed on April 4, 2016. Most responses/comments were provided to BLM electronically and I would like to receive copies of all of those comments electronically. If some comments were provided only in hard-copy I would prefer to receive electronic versions of those as well. If duplicate versions were submitted in electronic and hard-copy formats it is not necessary to provide a copy of the hard-copy submittal.

Desired Format of Disclosure: Electronic format via email

Select the applicable reason why you are requesting expedited processing: There is an urgency to inform the public concerning actual or alleged Federal government activity and the request is made by a person primarily engaged in disseminating information.

Expedited Processing Justification: There have been significant allegations that the BLM Las Cruces Office ignored substantive input from private citizens in the scoping process of the NEPA proceedings. To assure that the credibility of the BLM is maintained in this matter it is imperative that the public know the comments that were made.

Expedited Processing Certification: I certify that the above statement(s) concerning expedited processing are true and correct to the best of my knowledge and belief.

Please select the appropriate statement: I am requesting a waiver or reduction of fees.

I agree to pay fees up to this particular amount: I will pay all fees associated with this request up to \$500. I should be informed of any additional costs so that I can make a determination about payment.

In order to assist you in determining my requester category to assess fees, you should know that I am: a representative of the news media and this request is made as part of a news gathering effort and not for commercial use

News Media/Educational or Noncommercial Scientific Institution Affiliation: The Black Range Rag, www.blackrange.org, a not-for-revenue website dedicated to the natural history and human culture of the Black Range, New Mexico.

Check the boxes to the right to confirm that you meet the Department's fee waiver criteria:

- Disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the Government.

- Disclosure of the information is not primarily in my commercial interest.

Detailed Fee Waiver Justification:

43 C.F.R. 2.48 (a) (1) : The requested records are the comments from individuals and various entities about a proceeding that BLM is engaged in - namely the subject DEIS.

43 C.F.R. 2.48 (a) (2) (i) : These comments must be considered by the BLM in determining the contents of, and decision in, its Final Environmental Impact Statement.

43 C.F.R. 2.48 (a) (2) (ii) : These comments must be considered by the BLM in determining the contents of, and decision in, its Final Environmental Impact Statement.

43 C.F.R. 2.48 (a) (2) (iii) : In the present proceedings and in records of the past there have been substantive allegations that the BLM has failed to consider public comment to the extent required by law and in many cases litigation has followed as members of the public, and stakeholders generally, have attempted to prove and rectify that fact. Publication of the comments made will inform the public about the nature and scope of comments and reduce the likelihood of litigation as a result of erroneous assumptions.

43 C.F.R. 2.48 (a) (2) (iv) : My name is Robert Barnes, I am the editor of "The Black Range Rag", www.blackrange.org, a not-for-revenue website dedicated to the natural and human history of the Black Range. The decisions of the BLM in this matter are of substantial interest to the people of the Black Range and the readers of The Black Range Rag. I intend to publish all of the comments on "The Free Range" blog of The Black Range Rag. Blog posts which are specifically for the purpose of publishing the comments will not contained an assessment about the comments - although other blog posts may.

43 C.F.R. 2.48 (a) (2) (v): The material received as part of this request will be published in the blog referenced above as quickly as possible. Typical readership of this site is roughly 1,300 a month although it the number of readers increases substantially when material like that described here is published.

43 C.F.R. 2.48 (a) (3) : The publication process will make this information available to a significant number of individuals - many of whom may have submitted similar requests. As such, it is anticipated that the publication of this material will reduce the workload of the BLM office in Las Cruces without diminishing the quality of their public service.

43 C.F.R. 2.48 (a) (3) (i): The information being requested is new in that it has not been released to the public, by BLM, at any prior time.

43 C.F.R. 2.48 (a) (3) (ii): The information has not been previously released by BLM.

43 C.F.R. 2.48 (a) (3) (iii): Disclosure of this public information and the publication of it, as described above, will enable the public to make informed assessments about how they think BLM has performed its legal mandate and should reduce future litigation.

43 C.F.R. 2.48 (a) (3) (iv): The BLM does not make such information easily and readily available. When it does, members of the public must accrue travel expenses and reproduction expenses. Not only will the publication of this material, in one place, reduce the workload of the BLM staff it will reduce the expenses members of the public must incur in their role of protecting the public interest.

43 C.F.R. 2.48 (a) (4): The subject information is not readily available. Making it available will enable informed public decision making.

43 C.F.R. 2.48 (b): I have no commercial interest in the outcome of the BLM decision making process or in mining ventures generally.

The results of this submission may be viewed at:

<https://www.doi.gov/node/11498/submission/2935>