

PUBLIC SUBMISSION

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Docket: MSHA-2014-0031

Exposure of Underground Miners to Diesel Exhaust

Comment On: MSHA-2014-0031-0076

Exposure of Underground Miners to Diesel Exhaust: Request for Information; Reopening of Rulemaking Record; Extension of Comment Period

Document: MSHA-2014-0031-0093

Comment from anonymous anonymous, NA

Submitter Information

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Organization: NA

General Comment

Statutory tools are necessary to reduce excessive regulatory burdens that make infrastructure projects all but impossible in this country. Concerns about the appearance of significant influence from special interest and environmental groups in the past Obama administration. Congress needs to provides a strong foundation upon which America can build in the fight of special interest groups. GREATEST PROBLEM AMERICA FACES TODAY IN AMERICA ARE ENVIRONMENTALISTS, USING THE Endangered Species Act (ESA) with the Equal Access to Justice Act (EAJA) TO STOP BUSINESS AND HUMANS FROM USING THE RESOURCES ,by exert more control disguised as helping animals and the environment . Rep. Doc Hastings (WA-04), Co-Chair Rep. Cynthia Lummis (WY Co-Chair Rep. Mark Amodei (NV) Rep. Rob Bishop (UT-01) Rep. Doug Collins (GA-09) Rep. Andy Harris (MD-01) Rep. Bill Huizenga (MI-02) Rep. James Lankford (OK-05) Rep. Blaine Luetkemeyer (MO-03) Rep. Randy Neugebauer (TX-19) Rep. Steve Southerland (FL-02) Rep. Glenn Thompson (PA-05) Rep. David Valadao (CA-21) of the House of Representatives formed the Endangered Species Act (ESA) Working Group in May 2013 to examine a variety of questions related to ESA implementation. Example, CALIFORNA 1998 construction of an elementary school in San Diego was delayed by ESA litigation and FWS mitigation requirements to protect a two-inch shrimp. Construction is finally slated to go forward as a result of an agreement by the school district to spend \$5 million in ESA mitigation expenses, all of which will be passed on to local citizens, EXAMPLE TEXAS Department of Transportation has been forced to completely redesign the highway project design and submit it for federal approval. A spider halted

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completion of an \$11 million water pipeline project. EXAMPLE MONTANA, a mining project has been told by the FWS that it will need to pay for contractors to help them complete a biological opinion related to grizzly bears, without any assurance the project will be approved. EXAMPLE UTAH, A rural electric cooperative in Utah was determined that two acres of Utah Prairie Dog habitat were within a 350-foot buffer of the project's right-of-way. This resulted in a nine-month delay Current implementation of ESA does not clearly identify what is needed to recover and delist species, resulting in a lack of incentives, for state and private conservation, costly mandates, and wasted resources even in light of increased federal funding. ESA punishes private property owners and water rights holders and fails to properly account for huge economic and regulatory burdens that also hinder species conservation. The ESA also advances the agendas of groups seeking land and water acquisition and control. Working Group Conclusion: The ESA promotes a lack of data transparency and science guiding ESA-related decisions, and there are conflicts of interest and bias in "peer review" of federal ESA decisions. ESA is increasingly becoming a tool for litigation and taxpayer-funded attorneys' fees. The Obama Administration's use of closed-door settlements undermines transparency and involvement of affected stakeholders and drives arbitrary mandates and deadlines that do little to recover species. In 2012, the Department of Justice (DOJ) provided the House Committee on Natural Resources case information on 613 total cases. ESA shuts out states, tribes, local governments, and private landowners not only in key ESA decisions but in actual conservation activities to preserve and recover species. Congress passing the Improper Payments Information Act of 2002 (IPIA). This act, as amended, requires, among other things, that all agencies annually identify and review programs and activities that may be susceptible to significant improper payments.