



December 28, 2020

Mr. Alexander H. Herrgott
Executive Director
Federal Permitting Improvement Steering Council
1800 G St. NW
Suite 2400
Washington, D.C. 20006

Re: Federal Permitting Improvement Steering Council Case 2020-001 (RIN 3121-AA01) 85 Fed. Reg. 75998 (Nov. 27, 2020)

Dear Mr. Herrgott;

The Women's Mining Coalition (WMC) appreciates the opportunity to submit comments in support of the Federal Permitting Improvement Steering Council's (FPISC or Council) proposed rule to add mining as a sector with infrastructure projects eligible for coverage under Title 41 of the Fixing America's Surface Transportation Act (FAST-41).

WMC is a grassroots organization with over 200 members nationwide. Our members work in all sectors of the mining industry, including hardrock and industrial minerals, coal, energy generation, manufacturing, transportation, and service industries. We hold annual Washington, D.C. Fly-Ins to meet with members of Congress and their staff and federal land management and regulatory agencies to discuss issues of importance to both the hardrock and coal mining sectors. Many WMC members have direct experience with the protracted federal permitting process that currently creates barriers to the timely review of proposed mineral development projects that seek to produce the minerals needed for infrastructure projects. Based on our experience, we believe adding the mining sector to FAST-41 is both appropriate and necessary.

MINING AND THE INFRASTRUCTURE SUPPLY CHAIN

FAST-41, signed into law in 2015, is intended to improve the timeliness, predictability and transparency of the federal environmental review processes for covered infrastructure projects. FAST-41 does not predetermine the outcome of any Federal decision. Current FAST-41 sectors include renewable and conventional energy production, electricity transmission, surface transportation, aviation, ports and waterways, water resource projects, broadband, pipelines, and manufacturing.

Mining stands at the beginning of the supply chain for these and nearly every other sector of our economy. The raw materials the mining industry supplies are the starting point for asphalt, concrete and steel that build our roads, bridges, tunnels and water systems. Copper, gold, silver,



silica, and rare earths provide the inputs for wiring, fiber optic cable, circuitry, computer chips, smart phone components, antimicrobial coatings for hospitals and much more. Cobalt is necessary for aircraft engines and batteries. Nickel is used in stainless steel and rechargeable batteries. Platinum group metals are necessary for electronics and laboratory equipment. These metals are also vital to various renewable technologies like solar panels, wind turbines, and electric and hybrid vehicles.

Although mining was not originally included as a covered sector, FAST-41 allows the FPISC to designate additional sectors by majority vote of Council members. The Council unanimously voted to add mining in January 2020, observing that “minerals and metals are integral to many infrastructure projects and play a vital role in reducing our reliance on foreign sources of minerals for national and economic security, including expansion of U.S. production of renewable energy in wind turbines, solar panels and energy storage batteries.”

WHY THE ACT IS NEEDED FOR PERMITTING MINES IN THE U.S.

Mining projects in the U.S. are subject to several complex permitting processes that FAST-41 was designed to facilitate. Nearly all major mining projects require development of an Environmental Impact Statement (EIS) under the National Environmental Protection Act (NEPA) and involve a maze of permitting processes by multiple federal and state agencies. While there have been recent changes to streamline NEPA, FAST-41's application to mining would allow for further inter-agency coordination and public transparency on projects, with the goal of ensuring a fair and efficient process for qualifying projects.

Why does this matter? Our nation's dependence on mineral imports continues to grow. The most recent U.S. Geological Survey Mineral Commodity Summaries indicate the U.S. is 100 percent import-reliant for 18 key mineral resources and more than 50 percent import-reliant for an additional 29, even though many of these needed minerals exist in ore deposits in the U.S. The trend line is troubling: U.S. mineral dependency is at a record-high, now double what it was 20 years ago.

That trend line is not tenable for our national security, long-term energy independence, and maintenance and expansion of critical infrastructure, including the infrastructure needed to achieve renewable energy development objectives. Supply chain risks have been exacerbated during the COVID-19 pandemic, highlighting concerns regarding global demand and competition. As global supply chains break down, a strong mining industry and the resources it provides is more critical than ever to our nation's economic and national security. (See Table 1)

AS THE UNITED STATES CHARTS A PATH FORWARD TO DEVELOP CLEAN ENERGY TECHNOLOGIES, MINING WILL BE A CRITICAL PART OF ANY POLICY'S PATH TO SUCCESS.



A recent World Bank ¹ report found that the production of minerals, such as graphite, lithium and cobalt, could increase by nearly 500% by 2050 to meet the growing demand for clean energy technologies. The report additionally estimated that “over 3 billion tons of minerals and metals will be needed to deploy wind, solar and geothermal power, as well as energy storage required for achieving a below 2°C future.” Similarly, Wood Mackenzie produced a base case for mineral demand under a 3°C pathway, forecasting copper and aluminum demand to increase by about a third by 2040, nickel by two-thirds, and cobalt and lithium by 200% and 600%, respectively. A 2 °C or lower pathway doubles those growth rates. Matching the speed and scale of this rising demand requires a permitting regime that enables the mining sector to respond to market signals. Current U.S. permitting timelines do not do so.

The U.S. mining industry stands ready to supply the minerals that are indispensable to building our infrastructure, make conventional and renewable energy possible, and contribute to our nation’s economic and national security. The mining industry is well-positioned to create thousands of jobs that typically pay well above the median for the communities in which they operate or would be located. In fact, mining jobs typically pay more than twice the average wage in many states.

The economic impact of the mining industry ripples out far and wide: to employees, mine suppliers, local economies and the downstream domestic industries that use our mineral products. That’s not to mention the tax revenues generated for local, state and federal governments as a result of this economic activity. Few industries pack such an economic punch.

Many potential mining projects are already in the permitting pipeline and are “shovel ready” or could be within a relatively short time. However, lengthy federal permitting timeframes are currently delaying or even preventing these projects from being built. FAST-41 is an appropriate vehicle for addressing the inefficient permitting processes that hinder our ability to respond to today’s need for the minerals and metals that serve as the beginning of the supply chain for infrastructure projects, medical applications, solar and wind technology, and defense.

Including mining projects within the scope of FAST-41 will facilitate more efficient permitting processes while maintaining the high level of environmental protections that our environmental laws and regulations demand. This will create higher confidence in domestic mineral investments, ultimately reducing our reliance on foreign sources for the low-carbon energy technologies minerals shown in Table 1, and stimulating domestic mineral exploration and production.

¹ “Minerals for Climate Action: The Mineral Intensity of the Clean Energy Transition,” <http://pubdocs.worldbank.org/en/961711588875536384/Minerals-for-Climate-Action-The-Mineral-Intensity-of-the-Clean-Energy-Transition.pdf>



For all the foregoing reasons, WMC strongly urges the FPISC to oppose any extensions of the comment deadline and to quickly finalize the rule.

Sincerely,

Women's Mining Coalition

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Sara Thorne
WMC President

A handwritten signature in black ink, appearing to read "Emily Arthun", is written in a cursive style.

Emily Arthun
WMC Coordinator

A handwritten signature in black ink, appearing to read "Julie Padilla", is written in a cursive style.

Julie Padilla
WMC Board Member



Table 1. The May 2020 World Bank Group report, “Minerals for Climate Action: The Mineral Intensity of the Clean Energy Transition,” identifies the 17 minerals shown below that are essential to low-carbon energy technologies. According to the U.S. Geological Survey, in 2019, the U.S. relied on imports for all of these minerals.

	Wind	Solar photovoltaic	Concentrated solar power	Hydro	Geothermal	Energy Storage	Nuclear	Coal	Gas	Carbon capture and storage	Import Reliance	Exporting Countries
Aluminum*	■	■	■	■	■	■	■	■	■	■	> 75%	Jamaica, Brazil, Guinea, Guyana
Chromium	■	■	■	■	■	■	■	■	■	■	72%	Norway, Japan, China, Canada
Cobalt	■	■	■	■	■	■	■	■	■	■	78%	South Africa, Kazakhstan, Russia
Copper	■	■	■	■	■	■	■	■	■	■	35%	Chile, Canada, Mexico
Graphite	■	■	■	■	■	■	■	■	■	■	100%	China, Mexico, Canada, India
Indium	■	■	■	■	■	■	■	■	■	■	100%	China, Canada, Republic of Korea, Taiwan
Iron Ore	■	■	■	■	■	■	■	■	■	■	21%	Canada, Brazil, Republic of Korea
Lead	■	■	■	■	■	■	■	■	■	■	30%	Canada, Mexico, Republic of Korea, India
Lithium	■	■	■	■	■	■	■	■	■	■	>25%	Argentina, Chile, China
Manganese	■	■	■	■	■	■	■	■	■	■	100%	South Africa, Gabon, Australia, Georgia
Molybdenum	■	■	■	■	■	■	■	■	■	■	<20%	Peru, Chile, Canada, Mexico
Rare Earths**	■	■	■	■	■	■	■	■	■	■	100%	China, Estonia, Japan, Malaysia
Nickel	■	■	■	■	■	■	■	■	■	■	47%	Canada, Norway, Australia, Finland
Silver	■	■	■	■	■	■	■	■	■	■	68%	Mexico, Canada, Peru, Poland
Titanium	■	■	■	■	■	■	■	■	■	■	86%	Japan, Kazaksran, Ukraine, China, Russia
Vanadium	■	■	■	■	■	■	■	■	■	■	94%	Austria, Canada, Russia, Republic of Korea
Zinc	■	■	■	■	■	■	■	■	■	■	87%	Canada, Mexico, Australia, Peru
Total	10	8	2	8	6	11	11	9	8	6		
* Bauxite, ** Neodymium												

Sources for table: <https://doi.org/10.3133/mcs202> and <http://pubdocs.worldbank.org/en/961711588875536384/Minerals-for-Climate-Action-The-Mineral-Intensity-of-the-Clean-Energy-Transition.pdf>