

April 4, 2008

Dear Senators Bingaman and Domenici,

We, the undersigned organizations represent millions of hunters and anglers, fish and wildlife professionals and businesses, and others who recreate on and enjoy our public lands. For many years, Congress has considered reform of the General Mining Law of 1872.

On November 1, 2007, the House of Representatives passed HR 2262, the Hardrock Mining Reform and Restoration Act, by a strong bipartisan vote of 244 to 166. Now is the time for the Senate to take up a hardrock mining bill that will provide sensible reform and protect fish and wildlife resources on America's public lands.

We urge you to take action on modernizing the 135-year-old mining law this Congress, and we offer our assistance and support.

Public lands managed by the Bureau of Land Management (BLM) and the Forest Service harbor some of the most important fish and wildlife habitat and provide some of the finest hunting and angling opportunities in the country. For example, public lands contain well more than 50 percent of the nation's blue-ribbon trout streams and are strongholds for imperiled trout and salmon in the western United States. More than 80 percent of the most critical habitat for elk is found on lands managed by the Forest Service and the BLM, alone. Pronghorn antelope, sage grouse, mule deer, salmon and steelhead, and countless other fish and wildlife species are similarly dependent on public lands.

Mining is a legitimate use of public lands, but there are few laws more in need of an overhaul than the 1872 Mining Law. The 1872 Mining Law, signed into existence 135 years ago by President Ulysses Grant, is the most outdated natural resource law in the nation. Under the 1872 law, mining takes precedence over all other public land uses, including hunting and fishing. The Secretary of the Interior must sell public land to mining companies, often foreign-owned, for as little as \$2.50 per acre. Furthermore, mining companies pay no royalties for hard rock minerals, gold, copper and zinc that belong to all citizens. It is estimated that since the 1872 Mining Law was enacted, the U.S. government has given away more than \$245 billion of minerals through royalty-free mining and patenting.

As you consider legislative reform of the 1872 Mining Law, America's sportsmen urge you to consider the following recommendations:

- Recover a fair royalty from all minerals, present and future, taken from public lands and establish a fund for fish and wildlife habitat improvement projects associated with past mining.
- End mining's priority status on public lands.
- Ensure that resource professionals have full discretion in the planning and permitting processes to protect public lands where high fish, water and wildlife values exist.
- Allow "Good Samaritans" reclamation incentives and common-sense liability relief.
- Prohibit the patenting or sale of public lands under this law; keep public land in public hands.

- Provide for harmonious integration of state and federal wildlife habitat and population objectives in permit operating plans.

Thank you for considering our recommendations, and we look forward to working with you to ensure that mining on public lands is modernized to the benefit of fish, wildlife and water resources.

Sincerely,

Albuquerque Wildlife Federation
Brittany Club
Dona Ana County Associated Sportsmen
Ducks Unlimited
Fisheries Society
Foundation for North American Wild Sheep – New Mexico Chapter
German Shorthair Club
Las Cruces Chapter Turkey Federation
Mesilla Valley Fly Fishers
Mule Deer Foundation
New Mexico Council - Trout Unlimited
New Mexico Shooting Sports Association
New Mexico Sportsmen, Inc.
New Mexico Trout
New Mexico Wilderness Alliance
New Mexico Wildlife Federation
Organ Mountain Bowmen
Picacho Gun Club
Quail Unlimited
Rocky Mountain Elk Foundation
Southwest Consolidated Sportsmen
Truchas Chapter – Trout Unlimited
Wild Turkey Sportsmen Association
Wildlife Society – New Mexico Chapter