

Dear Senate Energy and Natural Resources Committee,

As former Directors of Western State Wildlife Agencies, we the undersigned believe that sensible and meaningful reform of the 1872 Mining Law is long overdue. Our primary concern for amending the law is to provide for the reclamation, restoration, and enhancement of fish and wildlife habitat and to prevent future degradation of significantly important fish and wildlife habitats.

While we recognize that present day “hard rock” mining operations generally do a better job of considering wildlife habitat needs and the reclamation of mined lands than has been the case in past years, we are aware that there have been, and continue to be significant impacts to fish and wildlife from hard rock mining. We believe that fish and wildlife habitat is the single resource most directly impacted by mining. We further recognize that substantial areas of western public lands and waters are in need of reclamation and restoration from past mining activities.

With this background and our serious concern for the future of fish and wildlife resources on western public lands, we strongly support that the following provisions be included in reform of the Mining Law of 1872:

1. That a royalty be levied on minerals extracted from public lands and that the amount of that royalty be determined by Congress, provided that such funding is sufficient to meet wildlife restoration and enhancement needs. We further support a provision in the law for a portion of the monies collected to be allocated to the state wildlife agencies to be used for mining-related fish and wildlife restoration and enhancement.
2. Under this law, prohibit the patenting or sale of public lands, thereby keeping public lands public.
3. Give public land managers discretion to permit mining only where appropriate in balance with other public land values and in accordance with the doctrine of multiple use. This should be accomplished through the identification of lands unsuitable for mining by using the public land use planning process. In addition, for mines which have not been included in the land use planning process, but which are anticipated to have a significant negative impact to critical fish and wildlife habitat, there should be a process to appeal decisions on such mines to the respective Secretaries of the Interior or Agriculture Departments.
4. Provide “Good Samaritans”, who have no connection to the abandoned mine waste or interest in re-mining it for profit, reclamation incentives and common-sense liability relief.

We urge Congress to give full and careful consideration to the above listed provisions in reform on the General Mining Law of 1872.

Signed by Former Directors:

Alaska	Wayne Regelin, Alaska Fish & Game Department, 1994-2006
Alaska	Ron Somerville, Alaska Fish & Game Department, 1990- 1994
Arizona	Duane Stroufe, Arizona Game & Fish Department, 1988-2008

Arizona	Bud Bristow, Arizona Game & Fish Department, 1981-1987
California	Ryan Brodderick, California Fish & Game Department, 2004-2007
Colorado	Bruce McClosky, Colorado Division of Wildlife, 2004-2007
Colorado	John Mumma, Colorado Division of Wildlife, 1995-2000
Colorado	Perry Olson, Colorado Division of Wildlife, 1989-1995
Colorado	Jim Ruch, Colorado Division of Wildlife, 1985-1989
Idaho	Steve Huffaker, Idaho Fish & Game Department, 2001-2006
Idaho	Jerry Conley, Idaho Fish & Game Department, 1980-1996
Idaho	Joseph Greenley, Idaho Fish & Game Department, 1971-1980
Montana	Pat Graham, Montana Department of Fish, Wildlife, and Parks, 1993-2001
Montana	Jim Flynn, Montana Department of Fish, Wildlife, and Parks, 1981-1988
Nevada	Terry Crawforth, Nevada Department of Wildlife, 1998-2006
Nevada	William Molini, Nevada Department of Wildlife, 1982-1998
Nevada	Joseph Greenley, Nevada Department of Wildlife, 1980-1982
New Mexico	Larry Bell, New Mexico Game & Fish Department, 2000-2006
New Mexico	Jerry Maracchini, New Mexico Game & Fish Department, 1994-2000
New Mexico	Bill Montaya, New Mexico Game & Fish Department, 1988-1994
New Mexico	Harold Olson, New Mexico Game & Fish Department, 1978-1988
Oregon	James Greer, Oregon Fish & Wildlife Department, 1997-2001
Oregon	Rudolph Rosen, Oregon Fish & Wildlife Department, 1994-1997
South Dakota	John Cooper, South Dakota Game, Fish, & Parks Department 1995-2007
Utah	John Kimball, Utah Division of Wildlife Resources, 1996-2002
Utah	Bob Valentine, Utah Division of Wildlife Resources, 1993-1996
Utah	Bill Geer, Utah Division of Wildlife Resources, 1984-1989
Washington	Frank Lockard, Washington Department of Wildlife, 1980-1986
Wyoming	John Baughman, Wyoming Game & Fish Department, 1996-2002