

October 12, 2007

Honorable Nick J. Rahall  
United States House of Representatives  
2307 Rayburn House Office Building  
Washington, D.C. 20515

Honorable Jim Costa  
United States House of Representatives  
1314 Longworth House Office Building  
Washington, D.C. 20515

Dear Congressmen Rahall and Costa:

Outdoor Alliance, a coalition of six national, member-based organizations devoted to conservation and stewardship of our nation's public lands and waters through responsible human-powered outdoor recreation, writes this letter in support of the Hardrock Mining and Reclamation Act of 2007 and to comment on the revised draft bill circulated this week.

The intersection between mining activity and human-powered outdoor recreation pursuits is significant. Indeed, many western epicenters for human-powered outdoor recreation, such as Moab, Utah and the Alpine Loop area of Colorado (that also generate millions of recreation and tourism dollars) happen to be epicenters of the explosion of new mining claims.

Representing the interests of millions Americans who hike, paddle, climb, mountain bike, ski and snowshoe on our nations public lands and waters, our support for your efforts is premised on three fundamental aspects of the original bill: (1) reforming the patenting system; (2) protection of special places; and (3) environmental protection standards that explicitly recognize the value of our public lands beyond what can be extracted by mining interests.

### *Reforming the Patenting System*

The human-powered outdoor recreation community can certainly relate to "staking a claim" and developing a sense of "ownership" for a special corner of public land. This is evident in climbers naming the first ascent of peaks or escarpments, in paddlers naming successfully navigated river rapids and the thousands and thousands volunteer of hours that the hiking and mountain bike communities spend caring for trails throughout the nation.

The possibility that by engaging in any of our pursuits we would then be entitled under federal statute to purchase these cherished public resources for a nominal fee strikes us as absurd. The mining community's entitlement to purchase public lands, regardless of the multitude of other uses and users of public land, is simply unfair and must end. We appreciate that this fundamental reform aspect remains in the current version of the bill.

### *Protection of Special Places*

Metal plays a significant role in much of the outdoor equipment that we use to explore public lands (e.g., mountain climbing equipment, ski edges, mountain bike frames and hiking poles), and we recognize that metal and mining continue to be a necessary part of living in a modern society. However, given the massive ecological footprint of modern mining, the human-powered outdoor recreation community believes that *some* public lands and waters should be systematically withdrawn from future mineral development. The current version of the bill effectively pursues this objective by



protecting (subject to existing rights) lands recommended for wilderness designation, wilderness study areas, national monuments, wild and scenic rivers (and those under study for inclusion in the system), as well as inventoried roadless areas.

Though these special lands are entitled to protection for their own sake, they are also rather important to the human-powered outdoor recreation community, particularly roadless areas in the Forest System that tend to be more easily accessible to more Americans and also support the full range of human-powered outdoor recreation pursuits.

#### *Environmental Protection Standards*

For the last 135 years, hardrock mining activities on federal land have enjoyed a charmed existence. Under the current law, mining is seen as the “best use” of federal lands. Further, even though hardrock mining is subject to a number of federal environmental protection statutes, mining also enjoys a number of exceptions to these requirements. The “Environmental Protection Standards” language in the original bill would have gone a long way in fixing this longstanding imbalance. The current language is simply inadequate.

The bill’s original language required that mining activities be conducted in a way that protects the environment, public health, and public safety from undue degradation; this is just plain common sense. The original provisions that require mining activities to be conducted in a manner that recognizes the other aspects of public lands, including recreation, wildlife habitat and water supply are wholly consistent with twenty-first century American values that put a premium on public lands that contain natural landscapes and intact ecosystems for the health and welfare of current and future Americans.

Our community strives to put its use and enjoyment of public lands into the greater context. Aside from working with federal land managers and following federal rules designed to conserve and protect public lands, we create and follow our own rules (from clean climbing to the “leave no trace” ethic) to make sure our activities can coexist with other uses. An effort to require the mining community to similarly put their use of public lands into the greater context is only fair, and long overdue.

Please replace the Environmental Protection Standards language in the current bill with the language from the original bill.

Best regards,



Adam Cramer  
Outdoor Alliance General Counsel and Policy Architect

cc: Honorable Members of the House Natural Resources Committee

Mark Singleton, *Executive Director, American Whitewater*  
Gregory Miller, *President, American Hiking Society*  
Mark Menlove, *Executive Director, Winter Wildlands Alliance*  
Michael Van Abel, *Executive Director, International Mountain Bicycling Association*  
Brady Robinson, *Executive Director, Access Fund*  
Paul Sanford, *Executive Director, American Canoe Association*