

December 9, 2010

The Honorable Harry Reid
Senate Majority Leader
U.S. Senate

The Honorable Jeff Bingaman
Chairman, Senate Energy and Natural
Resources Committee
U.S. Senate

The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives

The Honorable Steny Hoyer
Majority Leader
U.S. House of Representatives

Dear Senator Reid, Senator Bingaman, Congresswoman Pelosi, and Congressman Hoyer,

It has come to our attention that Senator Reid is circulating a draft omnibus public lands bill that he would like to see enacted into law yet this Congress. The draft includes a “poison pill” that threatens to derail an otherwise supportable bill. This poison pill is the Oak Flat land exchange (the version of S 409 that was reported out of the Senate Energy & Natural Resources Committee).

Since there is so little time left in this session, it seems to us that any public lands omnibus package remain as clean as possible of objectionable language.

The Oak Flat land exchange is an extremely controversial piece of legislation that would turn over more than 2,400 acres of public land to foreign mining companies and would allow them to avoid the normal process of mine permitting that every other mine on public lands has undergone for the past 38 years.

The land that would be privatized includes the Oak Flat Campground which was withdrawn from mining by President Eisenhower. The Campground and the surrounding acreage containing Gaan Canyon, Apache Leap, and Queen Creek Canyon is critical for the religious freedom of Native American Tribes, is ecologically unique, and is important for many recreational uses. Water is perennial in this desert oasis and a mine would not only drain the water table but pollute what remains.

For these and many other reasons, there is substantial opposition to the land exchange by citizens from all walks of life.

The mining company’s most optimistic projections show that the mine could not be built for a least a decade and admit that the technology for mining the complicated ore body does not now even currently exist.

Given the long lead time and the many issues that are still to be discussed, not the least of which is treaty and trust responsibilities of the US Government to Native American Tribes, there is no reason to hide this bill within a larger package of public land bills. The prudent and fair thing to do is to move ahead with a clean omnibus package and allow for the US Government’s commitments to religious freedom, treaty and trust obligations and to the environment to be fulfilled before debating this controversial proposal in an open, full, and transparent process.

For these reasons, we urge you to ensure that the Oak Flat land exchange is not included in any lands package, including the Omnibus Public Land Management Act of 2010. We appreciate your efforts to protect this special place. Please contact me if you have any questions about this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Roger Featherstone", with a long, sweeping horizontal stroke extending to the right.

Roger Featherstone
Director, Arizona Mining Reform Coalition