

STATEMENT OF JENNIFER L. MARTIN
ARIZONA GAME AND FISH COMMISSION

ON

H.R. 2262
HARDROCK MINING AND RECLAMATION ACT OF 2007

BEFORE THE
HOUSE OF REPRESENTATIVES
NATURAL RESOURCES COMMITTEE
ENERGY AND MINERAL RESOURCES SUBCOMMITTEE

JULY 26, 2007
WASHINGTON, DC

Mr. Chairman and members of the Subcommittee, my name is Jennifer Martin, and I am a Member of the Arizona Game and Fish Commission. I appreciate this opportunity to voice support for House Resolution 2262, the Hardrock Mining and Reclamation Act of 2007.

The Southwest is the nation's richest store of minerals and industrial metals, and Arizona ranked first in mineral production in the U.S. in recent years. Mineral development remains a major component of the economy throughout the west. The General Mining Act of 1872 was highly effective in settling the West and providing economic growth not just to the West, but to the nation. It is in the public interest to continue to benefit from our mineral resources. However, the focus on westward migration in the 1872 act is antiquated. The question is not if the 1872 act needs to be updated to address current natural resource issues, but how it needs to be updated so that the mining industry can continue to fulfill its vital economic role while providing sound stewardship of the land and opportunities for outdoor recreation.

While mining has boosted western states' economies over many decades, it has also impacted the west's natural resources, including native wildlife and habitat, and vital

springs, streams and wetlands. The 1872 act was written when some of today's most valuable mineral resources and most expedient extraction techniques were completely unknown, and when the American West was a vast and seemingly endless continuum of wide open space.

130 years later, westward expansion is clearly not the national priority that it was. Those seemingly endless open spaces have been transformed. Urban development continues to spread throughout the west, and the remaining open public lands compete for many uses. It is the charge of each of us to balance those uses in the public's best interest.

The 1872 act contains no measures for environmental impacts. That was simply not the concern then that it is now. Because no mechanism for cleanup and restoration following extraction was identified, the Environmental Protection Agency now estimates that 40 percent of western headwaters are contaminated by a combination of acidity, heavy metals and sediment resulting from abandoned mines. H.R.2262 addresses this issue by creating a fund derived from royalties placed on mining revenue to reclaim and restore natural systems and watersheds following mining activities. Since bonding programs established at the state level vary widely throughout the west, and in many cases fall well below the actual cost of reclamation, taxpayers carry the burden of restoring our public lands. The proposed legislation would establish a consistent and more adequate standard and funding mechanism for reclamation.

This is especially crucial in relation to watersheds in the arid Southwest. Water availability is critical issue, and water contamination has severe implications for human health as well as wildlife. The majority of our federally listed endangered species in Arizona are aquatic wildlife, which are highly sensitive to watershed contaminants. 75% of all of Arizona's wildlife species depend on riparian systems during some portion of their life cycles. H. R. 2262 takes positive steps towards ensuring that mining activities will be conducted in a manner that allows for the continuation of wildlife species.

Because H.R. 2262 requires reclamation of not only developed sites, but also exploration activities, road systems and other exploration impacts that in the past have been left unmitigated will be addressed in the future.

While H.R. 2262 proposes to provide a mechanism for restoring mined areas, it also protects special places from initial impacts. Title II identifies National Monuments and Parks, Wilderness and Roadless Areas and other special and sensitive places as ineligible for mining activities. This will provide a tremendous benefit to wildlife and outdoor recreation, by setting aside our remaining relatively untouched areas.

Studies indicate that hunting, angling, wildlife viewing and other outdoor activities generate an economic impact of approximately \$5 billion annually to the State of Arizona, roughly equaling that of hardrock mining enterprises. Yet the 1872 law is interpreted to identify mining as the best and highest use of public land where minerals have been located. That may well have been the case at that time, but the need clearly exists to prioritize mining activities as they relate to the economy and the public interest as they stand today. H.R. 2262 accomplishes this by protecting special places, establishing environmental standards, and implementing fiscal reforms.

I am glad to be here discussing this topic today. I applaud your interest in updating the 1872 act, and I urge you to continue to move forward on this issue.

Thank you.