

**Statement from Congresswoman Gabrielle Giffords
to the
Crossroads Forum**

September 29, 2007

Mining Land Withdrawal

Dear Friends,

I am sorry I cannot be with you in person today. As always, I am grateful to all of you for coming out to discuss the critical mining issues that face our community. I have asked my Community Outreach Director, Jacquelyn Jackson, to share my remarks with you today and report back to me on your concerns.

First, I would like to address the Rosemont mine proposal in the Santa Rita Mountains. I know that many of you are here today because you are motivated by concerns about this project. Let me assure you, I have heard your concerns, and I share them.

As I have said before, I am not opposed to all mining, but I am opposed to this mine.

While hard rock mining provides essential minerals and can also be a source of significant economic benefits to a community, it also exacts a heavy toll on the land, air, and water. Because of this, I believe each individual mining project must be considered on its own merits. In the case of Rosemont, and the possible opening of mines around Patagonia, I believe the costs outweigh the benefits.

For this reason I have been working with Congressman Grijalva and the professional staff of the House Committee on Natural Resources to find a way to protect these areas.

I will be honest with you: once a valid mining proposal is underway, it is very difficult to stop it as long as the company wants to pursue it.

Having said that, here are the steps we are taking:

First, Congressman Grijalva and I are working on legislation that would withdraw certain parcels of land, including the Rosemont area and several parcels in the Patagonia region, from eligibility

for future mining claims. Some of you may be familiar with the Cave Creek Canyon Protection Act of 1993, sponsored by my predecessor Jim Kolbe. That piece of legislation did the same thing for Cave Creek Canyon.

In addition, the legislation that Representative Grijalva and I plan to introduce would call for an assessment of the validity of all *existing* mining claims in the identified areas. This means that the Forest Service would be required to determine whether existing mining claims can be justified on the basis of their mining potential. Any claims that are deemed to be frivolous can be canceled. However, if any existing claims are determined to be valid, withdrawal becomes a greater challenge.

The law requires that any withdrawal of existing, valid mining claims must include fair compensation to the claim-holders. So, while we can explore the possibility of additional legislation to legally withdraw land with existing claims, this could be very expensive. For such a route to be feasible, non-federal funding would almost certainly be necessary in order for the legislation to garner widespread support in Congress.

I'm sure you can appreciate the ramifications of this. There is no legislative silver bullet to address the issue of existing, valid mining claims, including Rosemont.

Consequently, concerned citizens such as you need to stay engaged and continue to build strong public opposition to mining in Rosemont and Patagonia. I encourage you to become involved in the Forest Service assessment process and make your views known to the Coronado National Forest Supervisor. There will be official opportunities for public input down the road, but you can start organizing and exercising your voices now. You can also reach out to the offices of our Senators – it is essential that they know your views. A community strongly organized against mining in these areas may be the best prospect for discouraging the projects from going forward.

Let me say just a word on the issue of funding a possible buyout. Land and water conservation funds are one possible source of funding, but they are very limited.

Congressman Grijalva's staff has spoken with a couple non-profit organizations that work on mining issues and that may be able to contribute some financial assistance. It is likely that any buyout strategy would have to include state and/or local funding. As such,

I encourage citizen groups such as yours to reach out to Pima County and Santa Cruz County to lay the groundwork for a possible future bond election to help contribute local funds to the pool.

I am sorry to say that there are no simple ways to resolve these challenge posed by existing mining claims. You, and other concerned citizens like you, must prepare yourselves for a long battle on this issue. For my part, I am committed to opposing mining in these areas, and I look forward to working with you to achieve our common goals.

Sincerely yours,

Gabrielle Giffords
Member of Congress (AZ-08)