

June 23, 2020

The Honorable Lisa Murkowski
Chairman
Senate Energy and Natural Resources
Committee
304 Dirksen Senate Building
Washington, DC 20510

The Honorable Joe Manchin
Ranking Member
Senate Energy and Natural Resources
Committee
304 Dirksen Senate Building
Washington, DC 20510

The Honorable Raul Grijalva
Chairman
House Natural Resources Committee
1324 Longworth House Office Building
Washington, D.C. 20515

The Honorable Rob Bishop
Ranking Member
House Natural Resources Committee
1329 Longworth House Office Building
Washington, D.C. 20515

RE: Hunters and Anglers Support Responsible Critical Minerals Development

On behalf of the undersigned hunting, angling and conservation organizations, we write to express our perspective on the issue of critical minerals and related legislation. Critical minerals have become a policy focal point, with both the Trump Administration and Congress working to advance proposals addressing the issue. We appreciate this focus. America must have a comprehensive strategy to secure these raw materials for renewable energy technologies in ways that don't compromise important fish and wildlife habitat and outdoor recreation.

Many critical mineral deposits overlap with important fish and wildlife habitat. Like any natural resource development, extracting and processing critical minerals must be done responsibly with an emphasis on avoiding and mitigating impacts. Moreover, the United States has limited resources for certain minerals, meaning that we cannot sustain necessary supplies through mining alone. While responsible mining can help meet demand, boosting recycling and developing substitute technologies are critical strategies that must be diligently pursued.

As you take up legislation that addresses critical minerals, we ask that you give consideration to the following principles:

- Before seeking new sources of raw materials, prioritize alternatives such as recycling, substitutes to critical minerals, and engineering advancements to reduce use.
- Develop critical mineral mine site proposals on public land through transparent, effective and predictable public processes – ones that include public land users, affected communities and indigenous tribes, as well as appropriate state and local governments and other stakeholders.
- Avoid and minimize critical mineral development impacts to important fish and wildlife habitat, including focusing operations on landscapes that already have established infrastructure.
- Encourage federal and state policies that support responsible critical minerals mining and avoid impacts to special places and vital fish and wildlife habitat.
- Ensure that environmental safeguards, such as the National Environmental Policy Act and current public land protections, are not circumvented, repealed or weakened for the purposes of developing critical minerals.

- Utilize the best available science to map critical mineral resources, identify key fish and wildlife habitat, and develop mitigation strategies.
- Where critical minerals are a byproduct of other mining objectives, enforce appropriate laws to ensure uniformity of policy, regardless of mineral.
- To be considered “critical”, minerals should be subject to import vulnerability, not just import reliance. Supplies from some allies are part of secure supply chains, even if those minerals are imported.
- Some places are simply too special to mine. Where other values are deemed too great, withdraw critical mineral development proposals from consideration and permitting.
- Allocate a portion of the revenues generated from mineral development on public lands, including critical minerals, to offset expenses for mitigation and abandoned mine reclamation.
- Develop new policies in formalized collaboration with all affected stakeholders, including hunters and anglers, manufacturers and the mining industry.

While there are several related legislative proposals currently before Congress, the American Energy Innovation Act includes a bipartisan compromise to address critical mineral supply, permitting, research, workforce, recycling and funding. Importantly, the American Energy Innovation Act does not include language allowing certain critical mineral projects to undergo alternative environmental review and public comment processes under the Fixing America's Surface Transportation (FAST) Act. This will ensure that these mining activities on public lands are subject to the same laws as other public land uses and that projects are vetted with full public notice and comment.

Like many industries, the COVID-19 pandemic has created new challenges for the renewable energy industry and further complicates supply chains for minerals necessary in these technologies. As Congress considers additional legislation to stimulate the economy, address infrastructure needs and put Americans back to work, the mineral security subtitle in the American Energy Innovation Act offers a bipartisan solution to help our country address critical mineral shortages.

We appreciate the consideration of our perspective and suggestions. Critical minerals are a 21st century challenge and we need 21st century policies to ensure a responsible path forward – we stand ready to help achieve this objective.

Sincerely,

- American Fly Fishing Trade Association
- American Woodcock Society
- Backcountry Hunters and Anglers
- National Wildlife Federation
- Public Lands Foundation
- Ruffed Grouse Society
- Sportsmen for the Boundary Waters
- Theodore Roosevelt Conservation Partnership
- Trout Unlimited