

# United States Senate

WASHINGTON, DC 20510

August 2, 2018

The Honorable Ryan Zinke  
Secretary  
Department of Interior  
1849 C Street, NW  
Washington, D.C. 20240

Dear Secretary Zinke:

We are writing to express our concern upon learning that a Canadian mining company, Glacier Lake Resources, has recently acquired a dozen mining claims totaling over 200 acres on lands within the boundaries of Grand Staircase-Escalante National Monument. Glacier has announced plans to begin development of these claims in the near future.

New mining within the boundaries of a national monument is illegal and we believe these claims are as invalid as the President's proclamation which is the subject of litigation. During appearances before Congressional committees and in the media, you repeatedly asserted that in this unprecedented rollback of national monuments "there wasn't one square inch of land that was removed from federal protection" and that these decisions had nothing to do with extractive industry. If your Department has approved these claims then these statements have turned out to be false.

If these claims are approved, the Bureau of Land Management would be using federal resources to facilitate legally questionable mining claims in an important, environmentally sensitive area. As you know, ongoing litigation challenges the opening of these lands to mining and drilling and most legal experts believe that the courts will eventually find that President Trump lacked the authority to eliminate protections from Grand Staircase-Escalante and Bears Ears National Monuments. Proceeding with mining while the litigation is ongoing could cause irreparable harm to this area and is in violation of federal law protecting this area under the Antiquities Act.

Just as concerning is that these actions would represent a betrayal of our promise to federal taxpayers to steward these lands. We understand that these mining claims are located wholly or in part within parcels acquired in a congressionally mandated land exchange with the State of Utah following the passage of the Utah Schools and Lands Exchange Act of 1998. Under that Act, federal taxpayers compensated the State of Utah with \$50 million in cash and additional mineral rights and lands which have since produced over \$360 million in revenues for the State. The federally acquired lands constitute parcels within Grand Staircase-Escalante and other federal land units – including those encompassed by these mining claims. Congressional intent and the terms of that exchange agreement were clear: these acquired lands were to be conserved and managed as part of Grand Staircase-Escalante National Monument and no mining or development was to occur on them.

Further, under the General Mining Act of 1872, hard rock mining claims, such as those acquired by Glacier Lake Resources, provide no royalties or other substantive payments to compensate the

public. Given the public investment and lack of return to taxpayers, please explain to us why the Department would directly flout congressional intent and rob the taxpayers of their investment in conservation by moving forward with these developments, especially given the dubious legality of the underlying claims given the ongoing litigation.

If the BLM chooses to proceed with mining in parcels acquired for conservation, the future of all conservation investments would be called into question. This could hamstring future negotiations with land owners, trusts and other willing donors in the future to acquire lands of crucial conservation, recreation and historic value.

The Department of the Interior, acting through the BLM, has a duty to transparently and wisely steward our natural resources. To uphold that duty, we strongly urge the Department to reject the staking, leasing and development of any mineral interests in national monuments pending the outcome of litigation. Further, the BLM should inform Glacier Lake Resources and any other entities that these claims are likely in violation of the federal law and strongly discourage any development that could lead to irreparable damage to these lands.

We appreciate your attention to these concerns and hope that you will expeditiously act to protect these lands from destructive development, in line with your earlier public commitments.

Sincerely,



Tom Udall  
United States Senator



Ron Wyden  
United States Senator



Richard J. Durbin  
United States Senator



Elizabeth Warren  
United States Senator



Brian Schatz  
United States Senator



Mazie K. Hirono  
United States Senator



Debbie Stabenow  
United States Senator



Richard Blumenthal  
United States Senator



Martin Heinrich  
United States Senator



Patrick Leahy  
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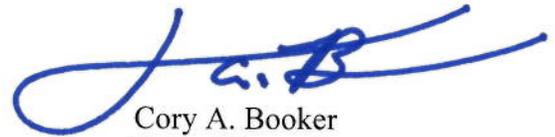
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United States Senator



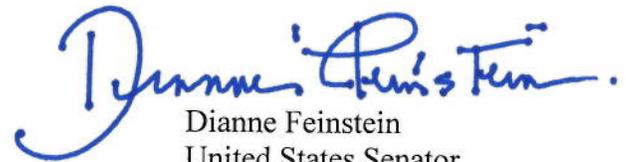
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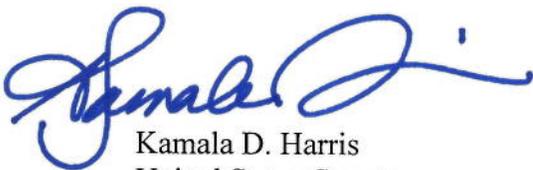
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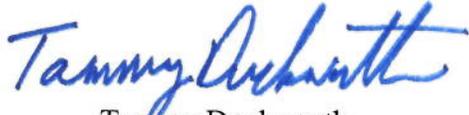
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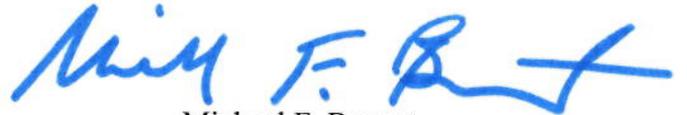
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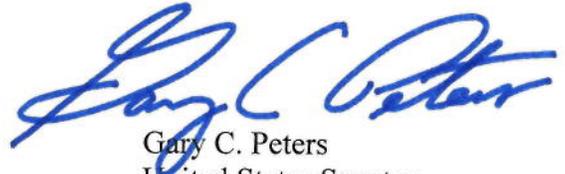
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Catherine Cortez Masto  
United States Senator



Gary C. Peters  
United States Senator



Tammy Baldwin  
United States Senator