

Rocky Flats Coalition of Local Governments

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May 2, 2003

The Honorable Conrad Burns, Chairman
The Honorable Byron Dorgan, Ranking Member
Subcommittee on Interior and Related Agencies
Committee on Appropriations
United States Senate
Washington, D.C. 20510

Dear Chairman Burns and Ranking Member Dorgan,

On behalf of the Board of Directors of the Rocky Flats Coalition of Local Governments, I am writing in support of Senator Wayne Allard's request for federal appropriations for acquisition of privately-held mineral rights at the Department of Energy's Rocky Flats site. It is expected that Rocky Flats will be transferred to the United States Fish and Wildlife Service (USFWS) in a few years, so it is imperative that Congress appropriate \$5 million in fiscal year 2004 to begin acquiring these rights.

The Coalition comprises elected officials from the seven local governments that surround Rocky Flats and collectively we represent approximately 800,000 people. We worked closely with Senator Allard and Representative Mark Udall to secure passage of "The Rocky Flats National Wildlife Refuge Act of 2001", an act to transfer Rocky Flats to the USFWS following the remediation and closure in 2006. An important element of the Coalition's support of the Refuge Act was the assurance that all outstanding questions concerning non-federal mineral rights at Rocky Flats would be fairly addressed. We believe acquisition of these rights is a critical element in protecting the wildlife resources at Rocky Flats and support federal ownership of these rights, preferably from a willing seller.

Although Rocky Flats is not yet under the jurisdiction of the USFWS, securing the mineral rights now before they are exercised would help preserve the habitat that will be necessary to support the wildlife that populate and use the lands that will comprise the refuge. In addition, the USFWS has indicated that they would not take primary jurisdiction of any part of Rocky Flats that may contain developable privately-held mineral rights. As such, there is a serious risk that important lands for refuge purposes will not transfer to the USFWS after cleanup and closure unless these mineral rights are secured as soon as possible. The Department of Energy will then be saddled with managing important natural resources and, more importantly, active mining operations, clearly activities beyond their mandate.

The attached estimate from Trust for Public Land values the minerals at \$15 million. We recognize Congress is unlikely to fund this acquisition in one fiscal year and thus support the Trust for Public Land's recommendation that funding be phased over three fiscal years (FY 2004 – FY 2006) with initial funding of \$5 million for fiscal year 2004.

The seven governments that comprise the Coalition have protected roughly 50,000 acres surrounding Rocky Flats as open space which serves to augment the habitat of the refuge. We believe Congress' commitment to protect Rocky Flats as a national wildlife refuge must be seen through to its fruition. Acquisition of the mineral rights remains a critical component in meeting our regional vision and in protecting one of the last remaining stands of high plains xeric tallgrass prairie in the region.

Thank you for considering this request. The Coalition is available to work with the Committee on this request.

Sincerely,

/s/

Lorraine Anderson
Chairman

Cc: Senator Wayne Allard
Senator Ben Nighthorse Campbell
Representative Mark Udall
Representative Bob Beauprez