

Congress of the United States

Washington, DC 20515

December 2, 2024

The Honorable Randy Moore
Chief
Forest Service
U.S. Department of Agriculture
1400 Independence Avenue, SW
Washington, D.C. 20250

Dear Chief Moore,

We are writing to follow up on your previous letter from April 11, 2023, in which the U.S. Forest Service (Forest Service) agreed to begin “evaluating the potential risk of mineral development in the Upper Pecos Watershed and whether...current laws and regulations are adequate for its protection.” The Pecos River irrigates farmland that families rely on for their economic survival in the immediate vicinity of the forest and for hundreds of miles in New Mexico. The communities along the Pecos River cannot afford the risk of another toxic spill. To protect this critical watershed, we request that the Forest Service provide an update on its evaluation and complete the initial steps of the administrative withdrawal process, without delay.

The Pecos River is not only an essential source of water for communities throughout New Mexico but is also deeply tied to our state’s cultural heritage. Traditional acequias—community-operated irrigation canals—rely on the river for water, supporting agriculture that sustains families and livelihoods. Pueblos use the land for fishing and hunting as well as ceremonial purposes. Any contamination of the watershed from mining would directly harm water quality, threatening local economies, fish and wildlife, and the health of the people living along the Pecos. These rural communities have made it clear: they do not want mining operations that could endanger the environment, their way of life, and the long-term sustainability of the region.

These risks of mining are not hypothetical. In 1991, toxic waste from a closed mine spilled into the Pecos River, killing fish along an 11-mile stretch. The cleanup took decades and cost millions of taxpayer dollars. The spill left scars on the landscape and on the memories of those who depend on the river. It is imperative that we learn from this tragic history and prevent further damage by protecting the Pecos watershed from new mining threats.

Earlier this Congress, members of the New Mexico Congressional Delegation introduced S.3033/H.R.5943, the *Pecos Watershed Protection Act*, to safeguard this vital resource for future generations. The legislation would permanently withdraw future mining in sections of federal land in the Upper Pecos Watershed. The Senate Committee on Energy and Natural Resources voted to advance this legislation on December 14, 2023, and we are grateful that the Forest Service and the Bureau of Land Management both provided written statements in support for the bill. More recently, the Congressional Hispanic Caucus endorsed this legislation in October 2024.


While the *Pecos Watershed Protection Act* continues to progress through Congress, the Forest Service can act now to administratively withdraw the land from mineral development. To safeguard the lands, waters, and way of life in the Pecos, we strongly urge the Forest Service to complete, without delay, the initial steps of the mineral withdrawal process for the watershed in partnership with the Bureau of Land Management. In addition,

we request a briefing for our staff by no later than **December 12, 2024** if the Forest Service believes that the mineral segregation process may not be complete by the end of the year.

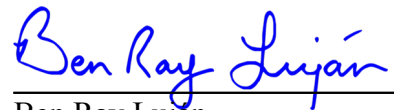
Communities along the Pecos River are asking for your leadership to protect their water, culture, and health from the dangers of mining, and to ensure future generations can continue to benefit from this critical watershed.

Thank you for your attention to this important matter.

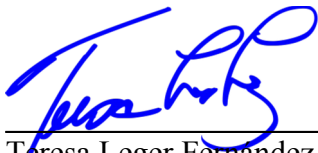
Sincerely,



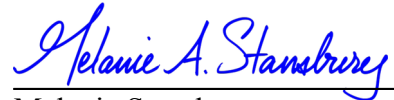
Martin Heinrich
United States Senator



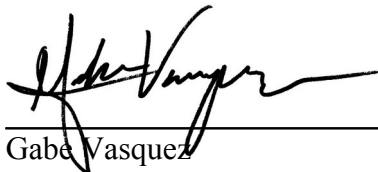
Ben Ray Lujan
United States Senator



Teresa Leger Fernandez
Member of Congress



Melanie Stansbury
Member of Congress



Gabe Vasquez
Member of Congress

CC:
The Honorable Tracy Stone-Manning, Director, Bureau of Land Management