

**Bill Harvey**  
Commission Chair  
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David Bernhardt  
Secretary of the Interior  
U.S. Department of Interior  
1849 C Street  
Washington, D.C. 20240

Sonny Perdue  
Secretary of Agriculture  
U.S. Department of Agriculture  
1400 Independence Avenue, SW  
Washington D.C. 20530

July 11, 2019

RE: Petition for Rulemaking to Stop State-Law-Based Prohibition of Mining on Federal Lands

Dear Secretary David Bernhardt and Secretary Sonny Perdue:

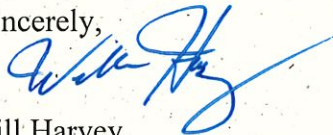
Baker County supports James Buchal's Petition for Rulemaking to Stop State-Law-Based Prohibition of Mining on Federal Lands. Minerals are an important resource in Baker County, and mining on Federal lands provides jobs and revenue for our County.

BLM & USFS regulations include language that requires miners to have all required state permits. Federal laws support the fact that state regulations and/or restrictions can be more stringent than the federal regulations, but not less stringent. This has caused inconsistency within regulatory framework and allows the State to control, limit, and stop mining operations on federally managed lands.

This issue was brought up in both the Rinehart case and the Bohmker case. The attorney argued in each case that Federal Law preempts State Law, but did not argue that BLM and Forest Service regulations must be modified to address the current State regulatory language that directly conflicts with the Federal Mining Law. Federal regulations must be amended to restrict States from endangering or materially interfering with mining operations on federally managed land. State law should always be preempted by the Federal Mining Law in these circumstances.

Baker County appreciates the opportunity to support to this Petition.

Sincerely,



Bill Harvey.  
Chair  
Baker County Commission