



Sportsmen United for Sensible Mining

Mining is a legitimate use of public lands, but there are few laws more in need of an overhaul than the 1872 Mining Law. The 1872 Mining Law, signed into existence 135 years ago by President Ulysses Grant, is the most outdated natural resource law in the nation. Under the 1872 law, mining takes precedence over all other public land uses, including hunting and fishing. The Secretary of the Interior must sell public land to mining companies, often foreign-owned, for as little as \$2.50 per acre. Furthermore, mining companies pay no royalties for hard rock minerals, gold, copper and zinc that belong to all citizens. It is estimated that since the 1872 Mining Law was enacted, the U.S. government has given away more than \$245 billion of minerals through royalty-free mining and patenting.

On November 1, 2007, the House of Representatives passed HR 2262, the Hardrock Mining Reform and Restoration Act, by a strong bipartisan vote of 244 to 166. Now is the time for the Senate to take up a hardrock mining bill that will provide sensible reform and protect fish and wildlife resources on America's public lands.

Any reform should contain the following provisions:

- **Recover a fair royalty from all minerals taken from public lands**
- **End mining's priority status on public lands**
- **Give discretion to public land managers to permit mining where appropriate**
- **Allow "Good Samaritans" reclamation incentives and common-sense liability relief**
- **Prohibit the patenting or sale of public lands under this law, **keep public land in public hands****



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Recover a fair royalty from all minerals taken from public lands.

Since 1977, royalties associated with coal mining have generated \$7.4 billion to help clean up abandoned mines and recover lands and waters and communities affected by coal mining. Any reform should include a similar fund for hard rock mining. Royalties should be recovered from all mining operations, present and future. Almost every commodity developed off public lands – coal, wood fiber, oil, gas, and forage – has dedicated funding for mitigation of impacts and restoration measures. The only commodity that lacks such a dedicated fund is hard rock minerals.

- g **End mining's priority status on public lands.** Under the 1872 Mining Law, hard rock mining dominates policy on public lands. Mining reform legislation should reaffirm the doctrine of multiple use and recognize the inherent value of public lands for other important uses and values, including hunting and fishing opportunities and fish and wildlife habitat.

- g **Give discretion to public land managers to permit mining where appropriate.** Special places with important fish and wildlife and water values such as wilderness areas, National Parks, Fish and Wildlife Refuges, and inventoried roadless areas should be placed off-limits to mining entirely under any mining reform. Discretion should be given to managers on other lands to allow for balanced and reasoned decisions about ecological, social, and economic values. On highly mineralized lands with low fish and wildlife values, and high levels of mining company investment, mining companies should have a higher degree of certainty that mining projects can proceed in accordance with other laws and regulations.

- g **Allow “Good Samaritans” reclamation incentives and common-sense liability relief.** Abandoned mines are one of the single most important, least addressed environmental challenges in the nation. The geographic scope of the problem is staggering. EPA estimates that abandoned hard rock mines degrade nearly 40 percent of all western headwater streams. Good Samaritans, who have no connection to the abandoned mine waste or interest in re-mining it for profit, should be provided with reclamation incentives and commonsense liability relief.

- g **Prohibit the patenting or sale of public lands under his law, **keep public land in public hands.**** The U.S. Government has practically given away more than three million acres of our public lands to mining companies through the practice of patenting. Anyone can stake a claim on public lands and then buy the land for as little as \$2.50 an acre. Public lands provide American sportsmen, regardless of means, the opportunity to hunt and fish on millions of acres. In 2005 Representative Richard Pombo from California proposed to sale public lands through the 1872 Mining Law to make up for budget shortfalls. Sportsmen from across the country voraciously opposed this action.

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