**Resolution: Reform the 1872 Mining Law**

**Whereas** the 1872 Mining Law that governs U.S. hardrock mining is outdated; it allows mining companies, including foreign corporations, to buy public lands held in trust for all Americans at 1872 prices, to extract valuable ore, to pollute the land and watersheds, to keep all profits private without paying royalties, and to leave taxpayers to pay for the cleanup; and

**Whereas** the Environmental Protection Agency says hardrock mining for minerals and metals — such as gold, silver, platinum and copper — is the #1 source of toxic pollution, affecting 40 percent of U.S. western watershed headwaters; and

**Whereas** the 1872 Mining Law establishes mining as the “highest and best use” of public lands, and federal land management agencies argue they cannot deny hardrock mining proposals despite the 1976 Federal Land Policy Management Act that mandates competing values and uses for public land, such as recreation, grazing, hunting, renewable energy, or environmental sensitivity; and

**Whereas** hardrock mining companies are unique in the mining sector for paying no royalties for the precious materials extracted from public land, unlike the coal, oil and natural gas companies that typically pay 8–12.5 percent royalties; and

**Whereas** mining companies actively are exploring in Washington State to develop large mines, while the Buckhorn Mine near Chesaw already has polluted the land and water, and Attorney General Bob Ferguson and the Okanogan Highlands Alliance are suing Kinross Gold/Crown Resources for violating the Clean Water Act more than 3,000 times at the Buckhorn Mine.

**Therefore, be it resolved** corporations no longer can be allowed to purchase for $5/acre any public lands held in trust for the American people and remove them from the public commons; and

**Therefore, be it further resolved** that the 32nd District Democrats ask Reps. Rick Larsen, Suzan DelBene, and Pramila Jayapal, and Sens. Patty Murray and Maria Cantwell to sponsor legislation, such as the Clean Energy Minerals Reform Acts of 2022, that establishes meaningful tribal consultation and indigenous resource protections, protects special places, strengthens environmental standards, includes provisions for enforcement and inspection, includes bonding and financial guarantees to protect taxpayers, includes reforms that end patenting, and establishes royalties based on the value of the mineral extracted.

Submitted to the 32nd District Democrats for consideration by Truday Bialic, PCO EDM 49

Adopted on April 5, 2023

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RESOURCES AND LINKS:

·   [Okanoganhighlands.org](https://na01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fokanoganhighlands.org%2Fmine-monitoring%2Fabout%2F&data=05%7C01%7C%7C1ded9bb8eed948fc033a08db18663a36%7C84df9e7fe9f640afb435aaaaaaaaaaaa%7C1%7C0%7C638130599571074063%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=f5WNxITXyGApCA2kLFwQfmEzqM9i2VCTUIsc3GuWw4I%3D&reserved=0)

·   Purewater.org

·   [Earthworks.org](https://na01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fearthworks.org%2Fabout%2F&data=05%7C01%7C%7C1ded9bb8eed948fc033a08db18663a36%7C84df9e7fe9f640afb435aaaaaaaaaaaa%7C1%7C0%7C638130599571074063%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=XbvoWgU8ftLRXF8JwIQBRgdMtY2EjH8Wq3HHgJoGClQ%3D&reserved=0)

·   KREM-TV Spokane,[Estimated $3 billion gold deposit found in North Washington](https://na01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.krem.com%2Farticle%2Fnews%2Flocal%2Fwashington%2Fcanadian-mining-company-finds-3-million-gold-deposit%2F293-4ac0280d-d117-449f-8107-97cfd00d17e1&data=05%7C01%7C%7C1ded9bb8eed948fc033a08db18663a36%7C84df9e7fe9f640afb435aaaaaaaaaaaa%7C1%7C0%7C638130599571230308%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=EPB7A3aMOBRD%2BEQ40fPrwVypMX5XJekuj00ao%2BVerfE%3D&reserved=0), 8 February 2023

·   Spokesman Review, J Hanlon,[Canadian mining company reports finding $3 billion gold deposit near Republic](https://na01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.spokesman.com%2Fstories%2F2023%2Ffeb%2F06%2Fcanadian-mining-company-reports-finding-3-billion-%2F&data=05%7C01%7C%7C1ded9bb8eed948fc033a08db18663a36%7C84df9e7fe9f640afb435aaaaaaaaaaaa%7C1%7C0%7C638130599571074063%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=N8OL6IR0a5A4qONBckhvLco1E%2BYryybzmmNgwixF%2FYY%3D&reserved=0), 6 February 2023

·   Crosscut, J Stang,[Polluting WA gold mine broke environmental laws 3,539 times, 25 October 2022](https://na01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fcrosscut.com%2Fenvironment%2F2022%2F10%2Fpolluting-wa-gold-mine-broke-environmental-laws-3539-times&data=05%7C01%7C%7C1ded9bb8eed948fc033a08db18663a36%7C84df9e7fe9f640afb435aaaaaaaaaaaa%7C1%7C0%7C638130599571074063%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=jvW47a2PFGWM5RSJZ0MtTf4SI8rCc%2B%2BCBN1GjXyHq0E%3D&reserved=0)

·   Wa. State Office of the Attorney General,[Court rules gold mining company violated the law more than 3,000 times in Okanogan County, 20 October 2022](https://na01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.atg.wa.gov%2Fnews%2Fnews-releases%2Fcourt-rules-gold-mining-company-violated-law-more-3000-times-okanogan-county&data=05%7C01%7C%7C1ded9bb8eed948fc033a08db18663a36%7C84df9e7fe9f640afb435aaaaaaaaaaaa%7C1%7C0%7C638130599571074063%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=YHnNY%2B1mHFY0wFxEWJCRWjgm9GQJp1zBVSUWUeqYZ8g%3D&reserved=0)

·   Wa. State Office of the Attorney General,[AG Ferguson statement after major win in Buckhorn gold mine Clean Water Act case, 18 June 2021](https://na01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.atg.wa.gov%2Fnews%2Fnews-releases%2Fag-ferguson-statement-after-major-win-buckhorn-gold-mine-clean-water-act-case&data=05%7C01%7C%7C1ded9bb8eed948fc033a08db18663a36%7C84df9e7fe9f640afb435aaaaaaaaaaaa%7C1%7C0%7C638130599571074063%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=ym8CRWz18dqlL2WNaeftDrS7NR%2FvfxlboGn%2FhJrut%2Fo%3D&reserved=0)

·   [Text H.R.7580 (2021-2022): Clean Energy Minerals Reform Act of 2022 | Congress.gov | Library of Congress](https://www.congress.gov/bill/117th-congress/house-bill/7580/text)

·   Text[S. 4083 Clean Energy Minerals Reform Act of 2022 – Content Details – (govinfo.gov)](https://www.govinfo.gov/app/details/BILLS-117s4083is/summary)

·   High Country News,[Two Democrats Kill Chances of reforming the Outdated Hardrock Mining Law](https://www.hcn.org/articles/south-mining-2-democrats-kill-chances-of-reforming-the-outdated-hardrock-mining-law), 18 November 2021

·   C-Span,[Senate hearing on 1872 Mining Law, 5 October 2021](https://www.c-span.org/video/?515166-1/senate-hearing-1872-mining-law)

·   High Country News,[The 1872 Mining Law: A Stake in the West’s Heart](https://s3.amazonaws.com/hcn-media/archive-pdf/1990_06_04_rfs.pdf),[4](https://s3.amazonaws.com/hcn-media/archive-pdf/1990_06_04_rfs.pdf) June 1990