



**RESOLUTION NO. 2020-11**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LA PLATA COUNTY, COLORADO, SUPPORTING REFORM OF THE 1872 MINING LAW TO PROTECT LANDS AND LOCAL ECONOMIES**

**WHEREAS**, the 1872 Mining Law was enacted nearly 150 years ago and yet continues to govern the mining of hard rock minerals such as gold, silver, copper, uranium and other metals; and

**WHEREAS**, the 1872 Mining Law favors hard rock mining above all other land uses, effectively limiting the ability of the Department of Interior to balance mining with competing uses, including conservation, outdoor recreation, hunting and fishing, agriculture and energy development; and

**WHEREAS**, according to the U.S. Environmental Protection Agency, hard rock mining is the nation's leading source of toxic pollution, contaminating 40 percent of western watersheds; and

**WHEREAS**, the 1872 Mining Law has insufficient environmental standards that do not adequately protect water resources or fish and wildlife habitats including exemptions from portions of the Clean Water Act and the Resource Conservation and Recovery Act; and

**WHEREAS**, current law establishes no independent, dedicated funding source to clean up the estimated 500,000 abandoned mines across the United States, which is estimated to cost about \$50 billion; and

**WHEREAS**, current law allows hard rock mining companies to extract minerals from our public lands without paying a federal royalty; and

**WHEREAS**, the hard rock mining industry under the 1872 Mining Law poses a serious threat to the public health, environment and quality of life of western communities; and

**WHEREAS**, La Plata County benefitted from historic hard rock mining; and

**WHEREAS**, La Plata County suffers the environmental legacy of that hard rock mining with contaminated drinking water sources and severely damaged habitat health and ecology impacts to fish, animals and plants in the Animas River watershed; and

**WHEREAS**, due to the hundreds of abandoned mines in the Animas River watershed, the effects of toxic pollution from hard rock mining will likely impact La Plata County in perpetuity; and

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**WHEREAS**, while the three million gallons of acid and heavy metal mine drainage from the Gold King Mine blowout of August 5, 2015, was a horrific visual image of the results of hard rock mining, this same sludge had been flowing into the Animas River for nearly 150 years with miles of our watershed being “essentially dead” due to heavy metals and low pH of the acid mine drainage; and

**WHEREAS**, the ongoing demand for precious and rare earth metals continues in our technologically driven world; and

**WHEREAS**, future mining on federal public lands must be held to higher environmental standards than has been required under the 1872 Mining Law.

**NOW THEREFORE BE IT RESOLVED**, that we, the La Plata County Board of County Commissioners calls upon Congress to pass comprehensive legislation to reform the 1872 Mining Law; and

**BE IT FURTHER RESOLVED**, that reforming the 1872 Mining Law must protect our public lands, water resources, wildlife and fish populations, and recreational activities that support our local economies from mining activity and pollution; and include robust stipulations for consulting with local governments in the planning process of hard rock mineral leasing and extraction.

**DONE AND ADOPTED IN DURANGO, LA PLATA COUNTY, COLORADO**, this 25<sup>th</sup> day of February, 2020.

Attest:



Elizabeth Durfee  
Clerk to the Board

BOARD OF COUNTY COMMISSIONERS  
LA PLATA COUNTY, COLORADO

Clyde Church  
Clyde Church, Chair

Gwen A. Lachelt  
Gwen A. Lachelt, Vice Chair

Julie Westendorff  
Julie Westendorff, Commissioner