

THE BOARD OF COUNTY COMMISSIONERS  
OF SANTA FE COUNTY

RESOLUTION NO. 2020 - 16

Introduced by:  
Commissioner Anna Hansen

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A RESOLUTION  
RECOMMENDING REFORM OF THE 1872 MINING LAW TO PROTECT PUBLIC  
LANDS AND LOCAL ECONOMIES AND SUPPORTING THE HARDROCK LEASING  
AND RECLAMATION ACT OF 2019

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

**WHEREAS**, the Mining Law of 1872 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**, current federal law, including the Mining Law of 1872, has insufficient environmental standards for mining, including exemptions from portions of the Clean Water Act and the Resource Conservation and Recovery Act, that do not adequately protect water resources or fish and wildlife habitats; 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 Mining Law of 1872 poses a serious threat to the public health, environment and quality of life of western communities; and

**WHEREAS**, the Santa Fe County ("County") Board of County Commissioners, at its August 27, 2019 meeting, approved Ordinance 2019-2 which amended the Santa Fe County's Sustainable Land Development Code (SLDC), Ordinance 2016-9, to adopt regulations for mineral resource exploration, extraction, and processing; and

SFC CLERK RECORDED 02/12/2020

**WHEREAS**, Ordinance 2019-2 found that the regulations governing mineral resource exploration, extraction, and processing should be updated to reflect the current County structure and review procedures; to assure protection of the public health, welfare, and safety of all County residents; to protect the environment, water, air, wildlife, habitat, natural resources, and the cultural and historical resources of the County; and to assure sustainable reclamation of disturbed areas.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of County Commissioners of Santa Fe County, hereby:

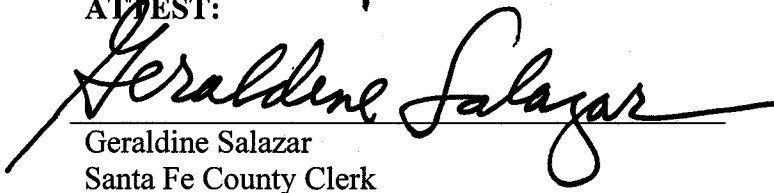
1. Supports H.R. 2579 -116<sup>th</sup> Congress: the Hardrock Leasing and Reclamation Act of 2019, and calls upon Congress to pass this comprehensive legislative to reform the 1872 Mining Law; and
2. Resolves that reforming the 1872 Mining Law would help protect our public lands, water resources, wildlife 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; and
3. Requests that the County Manager's Office forward a copy of this Resolution to the New Mexico Congressional Delegation and New Mexico Counties.

**PASSED, APPROVED, AND ADOPTED ON THIS 11<sup>th</sup> DAY OF FEBRUARY, 2020.**

**THE BOARD OF COUNTY COMMISSIONERS  
OF SANTA FE COUNTY**

  
Henry P. Roybal, Chair

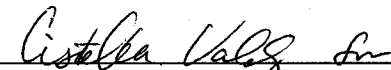
**ATTEST:**

  
Geraldine Salazar  
Santa Fe County Clerk

Date: 2/11/2020



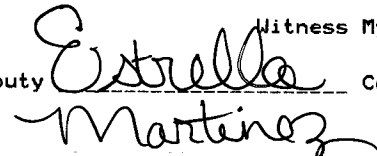
**APPROVED AS TO FORM:**

  
Gregory S. Shaffer  
Santa Fe County Attorney

COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) ss

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PAGES: 2

I Hereby Certify That This Instrument Was Filed for  
Record On The 12TH Day Of February, 2020 at 09:07:08 AM  
And Was Duly Recorded as Instrument # 1909034  
Of The Records Of Santa Fe County

Deputy  County Clerk, Santa Fe, NM  
Witness My Hand And Seal Of Office  
Geraldine Salazar

SFC CLERK RECORDED 02/11/2020