

**RESOLUTION NO. 8**

**SERIES 2009**

**A RESOLUTION URGING NECESSARY AND  
COMPREHENSIVE REFORM OF THE GENERAL MINING  
LAW OF 1872**

**WHEREAS**, the Town of Crested Butte, Colorado (the "Town") is a home rule municipality duly and regularly organized and now validly existing as a body corporate and politic under and by virtue of the constitution and laws of the State of Colorado;

**WHEREAS**, Crested Butte is located at nearly 9,000 feet in the heart of the Rocky Mountains and is surrounded by unparalleled wilderness and natural beauty;

**WHEREAS**, clean water, wildlife and our public lands are precious resources and a foundation for local economic prosperity; a matter especially true in the western United States;

**WHEREAS**, millions of people visit western public lands each year with the vast majority of such people engaging in recreational activities;

**WHEREAS**, many of the nation's minerals are found on federal lands that comprise thirty-eight percent (38%) of the combined eleven (11) western states where most hard-rock mining occurs;

**WHEREAS**, our nation needs a balanced and responsible policy for multiple uses of our public lands;

**WHEREAS**, our nation needs a sensible minerals policy that ensures a fair, predictable and efficient legal and regulatory landscape that allows for the extraction of minerals essential to our economy while ensuring the protection of national, state and local socio-economic and environmental qualities;

**WHEREAS**, across the western United States the legacy of hard-rock mining has been one of irresponsible environmental damage and the pollution of streams and drinking water with acids, cyanide and other toxins such that, according to the Environmental Protection Agency, mining has polluted approximately forty percent (40%) of the headwaters of western watersheds;

**WHEREAS**, countless abandoned mines across the western United States continue to leak poisons into waterways, with the cost of cleaning up these mines being left in large part to the taxpayers;

**WHEREAS**, hard-rock mining companies have extracted billions of dollars worth of minerals from public lands without paying royalties like coal, oil, and gas industries, which also operate on public lands and yet pay royalties for their resource extraction;

**WHEREAS**, the General Mining Law of 1872 (the "**Mining Law**"), which contains no environmental protection provisions, is largely responsible for these conditions because the law is out of date and places mining as the highest and greatest use of public lands ahead of other, equally important, public interests, failing to permit balanced and responsible land management; and

**WHEREAS**, reform of the Mining Law must acknowledge that there are simply some places that should be off limits to hard-rock mining (e.g., wilderness areas, water supply areas and watersheds, areas of significant non-mining resource value, etc.).

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CRESTED BUTTE, COLORADO THAT** the Mining Law be comprehensively reformed to create a federal regulatory structure that achieves sound economic, social and environmental objectives that (i) establishes clear standards for protection of water and watersheds, (ii) ends the selling (patenting) of public lands for mining in perpetuity, (iii) holds mining companies responsible for restoration and reclamation of public land used for mining, (iv) provides balanced management of public lands, (v) explicitly gives land managers, with input from local communities, the necessary authority to deny mining activity that cause undue threats to clean water and other values, (vi) provides financial resources for the cleanup of abandoned mines, and (vii) protects highly valued public lands, including wild and scenic rivers, roadless national forests, sacred Native American places and wilderness-quality lands from mining.

**INTRODUCED, READ AND ADOPTED UPON THIS FIRST READING THIS 20TH DAY OF JULY, 2009.**

**TOWN OF CRESTED BUTTE, COLORADO**

By:   
\_\_\_\_\_  
Alan Bernholtz, Mayor

ATTEST:

*Eileen Hughes*

Eileen Hughes, Town Clerk

(SEAL)

