

ASSEMBLY JOINT RESOLUTION NO. 19—COMMITTEE ON
NATURAL RESOURCES, AGRICULTURE AND MINING

MARCH 17, 1999

Referred to Committee on Natural Resources,
Agriculture and Mining

SUMMARY—Urges Secretary of the Interior to comply with certain regulations regarding surface mining regulations. (BDR R-1646)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~for omitted material~~ is material to be omitted.

ASSEMBLY JOINT RESOLUTION—Urging the Secretary of the Interior to comply with certain regulations regarding surface mining regulations.

- 1 WHEREAS, Surface mining regulations governing hardrock mining
- 2 operations and mineral exploration activities on public lands are codified in
- 3 Part 3809 of Title 43 of the Code of Federal Regulations and are commonly
- 4 referred to as “3809 Regulations”; and
- 5 WHEREAS, The Bureau of Land Management initiated the revision of
- 6 these regulations in January 1997; and
- 7 WHEREAS, In response to concerns raised by the Western Governor’s
- 8 Association and a group of 15 United States Senators, including Nevada
- 9 Senators Harry Reid and Richard H. Bryan, Congress included language in
- 10 the Omnibus Appropriations Act of 1998 to require a detailed,
- 11 comprehensive study by the National Academy of Sciences of the
- 12 environmental and reclamation requirements for mining on federal lands
- 13 and the adequacy of those requirements to prevent undue degradation, and
- 14 prohibited final revision to the 3809 Regulations before September 30,
- 15 1999; and
- 16 WHEREAS, Contrary to the requirements of the Omnibus Appropriations
- 17 Act, the Secretary of the Interior is moving forward with revisions to the
- 18 3809 Regulations and to the Environmental Impact Statement; and
- 19 WHEREAS, Under the Bureau of Land Management’s most recent
- 20 revisions, every western state, including Nevada, may be faced with the

1 choice of either expending substantial resources to revise its regulations to
2 conform with the new requirements of the Bureau of Land Management or
3 having the programs of the State of Nevada, which have been carefully
4 tested and enforced over the years, simply cease to be operative on public
5 lands; now, therefore, be it

6 RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA,
7 JOINTLY, That the members of the 70th session of the Nevada Legislature
8 do hereby urge the Secretary of the Interior to comply with the intent of
9 Congress as stated in the Omnibus Appropriations Act of 1998 which
10 requires a study of the issue by the National Academy of Sciences and
11 prohibits final revision of 43 C.F.R. Part 3809, the 3809 Regulations,
12 before September 30, 1999; and be it further

13 RESOLVED, That the Chief Clerk of the Assembly prepare and transmit a
14 copy of this resolution to the Vice President of the United States as the
15 presiding officer of the Senate, the Speaker of the House of
16 Representatives, the Secretary of the Interior and each member of the
17 Nevada Congressional Delegation; and be it further

18 RESOLVED, That this resolution becomes effective upon passage and
19 approval.