

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, Mining is of critical importance to Nevada and its rural
- 2 communities as a significant contributor to this state's economy; and
- 3 WHEREAS, The "Nevada model" of regulating the mineral industry is
- 4 known and respected industrywide because it balances the global needs for
- 5 natural resources with related environmental concerns and the economic
- 6 needs of private business, thereby resulting in an environmentally healthy
- 7 state with a viable and responsible mineral industry that uses state-of-the-
- 8 art technology; and
- 9 WHEREAS, Surface mining regulations governing hardrock mining
- 10 operations and mineral exploration activities on public lands are codified in
- 11 Part 3809 of Title 43 of the Code of Federal Regulations and are commonly
- 12 referred to as "3809 Regulations"; and
- 13 WHEREAS, The Bureau of Land Management initiated the revision of
- 14 these regulations in January 1997; and
- 15 WHEREAS, In response to concerns raised by the Western Governor's
- 16 Association and a group of 15 United States Senators, including Nevada
- 17 Senators Harry Reid and Richard H. Bryan, Congress included language in
- 18 the Omnibus Appropriations Act of 1998 to require a detailed,
- 19 comprehensive study by the National Academy of Sciences of the
- 20 environmental and reclamation requirements for mining on federal lands

1 and the adequacy of those requirements to prevent undue degradation, and
2 prohibited final revision to the 3809 Regulations before September 30,
3 1999; and

4 WHEREAS, Contrary to the requirements of the Omnibus Appropriations
5 Act, the Secretary of the Interior is moving forward with revisions to the
6 3809 Regulations and to the Environmental Impact Statement; and

7 WHEREAS, Under the Bureau of Land Management's most recent
8 revisions, every western state, including Nevada, may be faced with the
9 choice of either expending substantial resources to revise its regulations to
10 conform with the new requirements of the Bureau of Land Management or
11 having the successful programs of the State of Nevada, which have been
12 carefully tested and enforced over the years, simply cease to be operative
13 on public lands, thereby imposing significantly detrimental impacts on the
14 mineral industry and the State of Nevada; now, therefore, be it

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

22 RESOLVED, That the Nevada Legislature strongly supports Alternative 1,
23 the "No Action" alternative, as described in the draft Environmental Impact
24 Statement on Surface Management Regulations and Locatable Mineral
25 Operations, to maintain the existing 3809 Regulations without revision or
26 modification; and be it further

27 RESOLVED, That the Chief Clerk of the Assembly prepare and transmit a
28 copy of this resolution to the Vice President of the United States as the
29 presiding officer of the Senate, the Speaker of the House of
30 Representatives, the Secretary of the Interior and each member of the
31 Nevada Congressional Delegation; and be it further

32 RESOLVED, That this resolution becomes effective upon passage and
33 approval.