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February 19, 2020

Re: SB1579 Amendment- Joint Ways & Means Committee

Dear Senators and Representatives:

Bill Harvey

Commission Chair

bharvey@bakercounty.org

Baker County does not support SB 1579. The increases in cost alone make the Bill consistent with a regulatory 'take'. Since 1866, the federal Mining Law has governed the extraction of minerals and metals. Oregon does not have the authority to stifle mineral and metal mining and extraction on federal or private lands.

The last increase of fees by DOGAMI were detrimental to small miners as well as to those mining entities interested in developing natural resources within Oregon. The new cost increases will be even more so.

Baker County is concerned that it appears that fees coming from the income producing side of mining could be shifted in the DOGAMI budget to the non-income producing side of DOGAMI, i.e. the tsunami, land slide, and earthquake quantification programs which should not be allowed access to the mining fees.

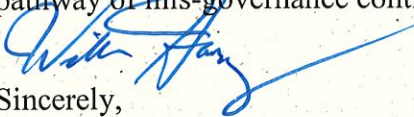
This recent proposal (SB 1579) compounds the negative impact of fees and imposes other limitations to those attempting to mine natural resources.

Baker County's economy depends heavily on natural resource based jobs that the lands within the County provide. This includes mineral exploration and mining opportunities. Baker County's goal is to assure that the directions and policies of all land management agencies do not interfere with citizens' rights of access, property and occupation while encouraging use of natural resources including prospecting and developing mineral and energy resources.

Because the State law in place at this time does not provide a lower limit for when an Exclusion Certificate (CE) is required, (*"the extraction of 5,000 cubic yards or less of material or affects less than one acre of land"*), technically, every gold miner who takes a shovel full of gravel is in violation without a CE in place. BLM and Forest Service consider these weekend pick and shovel operators "casual use".

The small-scale mining and prospecting activities of Baker County miners, as conducted under regulation and monitoring by the Federal Agencies, poses no environmental risks of any regulatory significance. Small-scale operators on Federal lands using mechanized equipment, are all under Notices or Plans of Operation, all are administered by Federal agencies, and reclamation bonds are in place. All small-scale miners, whether on private or federal lands, must keep their operations under DEQ Water Pollution Facility Permits (WPCF) cap of 1,500 cubic yards/year. This should be the lower limit.

The legislators of Oregon need to acknowledge the potential benefits of mineral and metal mining and exploration and the impact that growth of this industry can have on limiting the State's personal taxation on individuals throughout the State. This industry can produce new assets to the economy in contrast to the efforts of politicians who believe in transferring wealth or taxation of the same currency base of every citizen into ad nauseam. This progressive eroding of our ability to utilize natural resources must be addressed and in the least, a strong effort must be made to curb those fiscally negative outcomes which will certainly befall Oregon if this pathway of mis-governance continues.



Sincerely,

Bill Harvey, Chair
Baker County Commission