

Testimony on SB 306
From: Alan and Stephanie Shammel, Hilger, MT

EXHIBIT 9
DATE 3/23/11
SB 306

Our family has worked four generations on the family ranch north of Lewistown, Montana. We have been joined in this operation by our son and daughter-in-law, after our lawsuit to mitigate the damages caused by the CR Kendall mine was settled. We felt it was safe for our children and grandchildren to grow up on this family ranch. Now this is being threatened by SB 306.

Our lawsuit followed years of our family trying to keep the mine in compliance with laws and mining permits. The lawsuit alone lasted 7 years with 2 trips to the Supreme Court. We worked diligently to promote both citizen initiatives to ban open pit cyanide mining because of the damage it caused our family, neighbors, other Montana's who live below these mines, and also the extreme cost to the Montana taxpayers to clean them up. The Zortman- Landusky, Beal Mountain, and Basin Creek Mines have all caused severe water pollution, and taxpayers are paying tens of millions in clean-up costs. Zortman - Landusky has mine water clean-up projected in perpetuity and at CR Kendall it has been projected to last at least 100 years.

The CR Kendall Mine has had cyanide spills, and polluted the streams and groundwater in four drainages. Our family has been dealing with this nightmare for over 20 years. Water on our ranch was contaminated by heavy metals from the waste rock dumps and nitrates from blasting and cyanide. We were also almost totally dewatered by water treatments that amounted to nothing more than blowing contaminated water into the air to evaporate it. This continues to this day. Ultimately, we filed a civil suit against the company for damages, and we were forced to drill expensive wells to find clean water. The Kendall mine still has an operating permit. It hasn't been reclaimed and no approved reclamation plan even exists. The promised EIS is on hold and the 14 million dollar bond has never been received by DEQ because the company says it isn't necessary.

Senate Bill 306 under consideration by the legislature would authorize open pit cyanide leaching as long as the cyanide processing occurs at mines that had an operating permit and were operating in 1998. This could apply to the Kendall mine even though it is out of compliance with Montana's laws.

Montanans voted to prohibit open pit cyanide leach mining in 1998 and again in 2004; this time by an even larger margin. This bill will open the door to additional cyanide leach mining, which goes against the will of the people.

We have no problem if Golden Sunlight wants to accept historic tailings from abandoned mines or historic mines. But, the language in this bill goes beyond that. We think the Montana voters made it very clear how they felt on this issue.

We cannot be at the hearing today because we're in the middle of calving. We urge the committee to respect the Montana voters and vote against SB 306.

Thank you,

Alan and Stephanie Shammel,
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