

**TESTIMONY OF THE FORT BELKNAP INDIAN COMMUNITY
REGARDING SB 306,**

**Revise mining laws regarding cyanide health and vat leach open
mining**

The Fort Belknap Indian Community adamantly opposes SB 306, "Revise mining laws regarding cyanide health and vat leach open-pit mining."

The Zortman-Landusky Mine has polluted the surrounding watershed with acid mine drainage, multiple cyanide spills, and toxic metals. After years of pollution, contamination and adverse health issues, the EPA and the Fort Belknap Tribes took legal action against the company, charging that its waste discharges "present human health risks" and that "the acidity of the discharges would kill fish and aquatic life." We still suffer the consequences of cyanide heap leach gold mining to this day.

Water pollution from the mine will require water treatment forever, and the financial implications are severe. Over \$55 million has been spent already at Zortman Landusky – with over \$13 million of that in public funds (state and federal). Additional public expenditures during 2010 include over \$2 million more from the BLM and \$80,000 from the State. There is no end in sight to the water treatment costs associated with this mine. Water treatment is required in perpetuity to prevent pollution from the mine from contaminating drinking water supplies, damaging agricultural lands, and harming public health.

The pictures below, taken by the BLM, paint a graphic picture of the damage to the land that no amount of reclamation promises will cure.

The people of Montana have already spoken. They clearly and freely voiced their concerns and spoke their wishes by exercising their voting rights in 1998 and 2004. The mining industry should not be able to take a Lazarus-like approach in trying to revive something that the people of Montana have clearly and intelligently voted against.

SB 306 would promote open pit mines that would damage land and water resources. Mine operations would generate little economic activity or property tax revenue in the counties where the open pit mining occurs. Water pollution from these open pit mines would affect surface water and groundwater resources with heavy metals and arsenic, impacting human health and aquatic life. SB 306 would allow other mines in Montana that previously used cyanide leach processing to resume leaching of ore from other mines causing extensive water pollution problems from processing and leach pads.

SB 306 is in direct conflict with two voter passed initiatives banning open pit cyanide leach mining in Montana. Montanans first banned cyanide heap and vat leach gold and silver mining by approving ballot Initiative 137, a state-wide ban on open pit, cyanide leach gold mining in 1998. The ban was passed in response to concerns over the impacts of open pit cyanide leach mining to surface and groundwater, taxpayers, and downstream landowners. In 2004 the mining industry backed an initiative to repeal the 1998 ban, but that

measure failed. The Legislature should respect the will of the voters, definitively stated on these two occasions.

According to a 2004 report, surface and ground water monitoring at all five of the open pit, cyanide-leach mines in Montana have detected significant water contamination from cyanide, metals, metalloids, sediment and nutrients.

Purportedly, SB 306 is aimed at boosting the state's lagging gold and silver mining industry and boosting tax revenues in hardrock counties. The sponsor is quoted as saying: "These mining operations are responsible for a significant portion of funding for schools".

Senator Murphy ignores the costs that will be borne by individual people who pay the price for the capital gains of a few: the cost of exploitation of natural resources, including water, land and air; the health costs of individuals; and the cost to the State for partial or failed reclamation. These long-lasting costs will outweigh any financial gain that may be realized thru SB 306. All cost will fall on the shoulders of the people, not the mining industry. Future generations will bear the burden.

Opponents of SB 306 include a diverse group of people: environmental groups, ranchers, representatives from the state Department of Environmental Quality and Native Americans. Supporters of the Bill include one special interest group: the mining industry.

This Legislative session has seen significant efforts to curtail the spread of marijuana use, in the interests of protecting the health and safety of our children. How silly is it then to foster the growth of an industry, cyanide heap leach mining, which introduces grossly toxic chemicals into the same environment of these children. It is flatly irresponsible.

Thank you for your time. I know you will make the right decision for the future of all people living in Montana.