



# ROSEMONT COPPER

A Bridge to a Sustainable Future.



## MINING LAW OF 1872

# THE FACTS

ROSEMONT COPPER will minimize the visual impact of the project through use of mined rock. The innovative facility design and reclamation efforts begin the first year of operation. In addition, the operational footprint will be less than half the size of current mines in Arizona.



The General Mining Act of 1872 was one of a number of public land laws passed by Congress in the late 1800s to encourage the settlement, development and private ownership of public lands in the western United States. The Act, signed into law May 10, 1872, authorizes and governs the prospecting and mining of valuable mineral deposits on federal public lands. All United States citizens 18 years or older had a right under the 1872 Mining Law to locate a mining claim on federal lands open to mineral entry.

The 1872 Mining Law regulated land in the public domain, federal land owned by the federal government since it became part of the United States, that had never been set aside for a specific use. Land dedicated for specific uses such as the White House lawn, national parks, or wilderness areas, is not subject to mineral entry. Land west of the Great Plains managed by the US Forest Service or the Bureau of Land Management, unless designated as wilderness area, is generally open to mining claims. Federal land on or east of the Great Plains was generally acquired by the federal government through purchase, and so is not considered public domain, and is not subject to mining claims.

While the acquisition of mining rights on public land in the west is mostly governed by the 1872 Mining Law, the act has undergone dozens of amendments over the past 138 years. Many of the provisions to the 1872 Mining Law, including the Federal Land Policy Management Act (FLPMA) of 1981, revised the surface uses allowed on mining claims under the law by halting or restricting unnecessary or undue degradation of the public lands.

FLPMA rules and regulations have been updated numerous times, most recently in 2001. These rules effectively replace many of the 1872 Mining Law provisions and require mining reclamation, financial guarantees for reclamation to the Federal government, mining claim occupation permits and detailed Mining Plans of Operations to be submitted to the governing agencies before disturbing the surface.

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# TIMELINE

## OF AMENDMENTS TO THE 1872 MINING LAW

- 1878** ○ **Timber and Stone Act**, a law that allowed private purchase of minable government land;
- 1897** ○ **Organic Administration Act**, permitting access to forest lands for lawful acts;
- 1920** ○ **Mineral Leasing Act**, made certain nonmetallic minerals were not open to claim staking;
- 1947** ○ **Mineral Materials Act**, provides for the sale or public giveaway of minerals such as gravel;
- 1948** ○ **Federal Water Pollution Prevention and Control Act** of 1948 and amendment of 1972, which created a comprehensive set of water quality programs;
- 1954** ○ **Multiple Mineral Use Act**, provided for development of multiple minerals on tracts of public land;
- 1955** ○ **Multiple Surface Use Act**, which withdrew common varieties from mineral entry;
- 1963** ○ **Clean Air Act**, which established funding for the study and the cleanup of air pollution;
- 1964** ○ **Wilderness Act**, a law that created the National Wilderness Preservation System which protects over 106 million acres of federal land administered by 4 agencies;
- 1970** ○ **Mining and Minerals Policy Act**, directs to encourage private enterprise to develop minerals;
- 1976** ○ **Federal Land Policy and Management Act**, part that redefines claim recording procedures and provides for abandonment if the procedures are not followed;
- 1977** ○ **Clean Water Act**, established the goals of eliminating releases into water of toxic substances, eliminating additional water pollution, and ensuring that surface water meet standards for human sports and recreation;
- 1977** ○ **Surface Mining Control and Reclamation Act** which provides for control and prevention of damage from erosion on un-reclaimed mined lands.
- 1980** ○ **National Materials and Minerals Policy Act**
- 1986** ○ **Safe Water Drinking Act**, protects public health by regulating the nation's public drinking water supply;
- 1987** ○ **Water Quality Act**, which made substantial additions to the Clean Water Act and directly affected the water quality standards program.