

**Attachment 1:  
Background Information on Mining Claim Monuments**

Due to various physical properties of polyvinyl chloride (PVC) (durability, size, light weight, etc.), pipes made from PVC have been used extensively as mining claim markers. These open pipes may pose a hazard to migratory birds, bats, reptiles, and other wildlife.

Mining claimants must follow State and local laws when marking their claims and sites. These requirements vary from State to State. Attachment 3 documents pertinent State law regulating the types of monuments to be used for marking mining claims. Federal mining law does not specify the types of monuments that are required for locating a mining claim. The mining laws acknowledge that certain aspects of mining claim location will be determined by local laws. The Department's long standing practice has been to defer matters pertaining to mining claim location that are not explicitly required in the mining laws to State and local governments. In most States, PVC and other open-pipe marker posts are currently allowed to be used as mining claim monuments, or have been allowed in the past.

Over the past few years, progress has been made towards eliminating the use of PVC and other types of pipes as claim markers. Presently, several BLM State Offices are conducting surveys and outreach, and are working with different groups to remove or mitigate PVC and other open-pipe claim markers. In Nevada, California, and Oregon, PVC and other open-pipe marker posts are not recognized as legal monuments. Additionally, Nevada State law allows anyone to remove durable plastic pipe markers and place them on the ground in the same location. The BLM, Nevada Division of Minerals (NDOM), State wildlife organizations, mining industry, and local partners have participated in cooperative and voluntary open-pipe removal efforts in Nevada. These efforts led to the discovery that open-pipe marker posts may contain numerous dead birds, as well as reptiles and mammals. Other States continue to allow PVC and other open-pipe marker posts as monuments.