

## **House Bill 1258 - Your Support is Needed**

### **1. What is House Bill 1258? And What does it do?**

The passage of South Dakota House Bill 1258 would mean that one type of hard rock mining – lithium mining – would be done under the same laws as other types of hard rock mining, like silver and gold. Under current law, lithium mining is treated like mining for sand and gravel, and there are not enough protections for human health, water, wildlife, and the land.

Lithium is used for batteries of a variety of sizes, from cell phones to electric vehicles, as well as a number of other things. In the Black Hills, it would be mined by open pits or possibly underground tunnels.

HB 1258 would add protections from lithium mining, including:

- The mining applicant would be required to provide some detail about what they plan to do, not just their name, contact information, and where they want to mine.
- A mining reclamation plan would be required for clean-up after mining ceased.
- There would be more notice to the public.
- A higher bond that is appropriate for the potential impacts of a lithium mine would be required.
- There would be better weed control.
- A public hearing would be held that citizens could participate in.
- The public would be able to officially object to a potential lithium mine (Now we cannot).
- There would be improved protection of surface and ground water.
- A realistic annual fee would be paid to the State (currently, it is only \$100 per year to operate a lithium mine).

These improvements to lithium mining regulation would benefit the public, water, and State government in a number of ways.

### **2. Why do we need this bill?**

We in the Black Hills are in the midst of an unprecedented rush to mine lithium as a result of the continuation of Biden-era policies which cast the Hesapa as a national “sacrifice zone.” While multinational mining companies push to mine everywhere possible for short-term profit, communities are left to contend with the harmful impacts of lithium mining, such as:

- Destruction of water bodies, soil, wildlife habitats, and cultural resources, air pollution, and loss of property value for nearby homeowners.
- Incredible amounts of land and water would be required to make extracting low-grade lithium deposits profitable.

- Lithium is a dangerous, highly flammable explosion hazard which can spontaneously ignite in air, releasing toxic, corrosive gases. It is also an explosion risk and produces poisonous gas when lithium batteries catch fire.
- Exposure to lithium can cause: Severe eye, nose, throat, skin, and lung irritation, pulmonary edema, loss of appetite, nausea, vomiting, headache, muscle weakness, loss of coordination, confusion, seizures, coma, and thyroid, kidney, and heart problems.

### **3. This benefits all citizens of the Black Hills area and beyond**

Simply put, the current regulatory process for mining lithium in South Dakota is incomprehensive and dangerous. Despite lithium mining being such a high-risk process, South Dakota regulates it in the exact same way as sand and gravel mining. To start operations, the state requires only a \$100 annual license fee and a one-page application. It requires NO environmental assessment, cultural resource assessment, land reclamation plan, nor any severance tax to be paid. All in all, international demand for lithium and our current State laws are set to have a devastating impact on South Dakota's future and its citizens' everyday lives. THE PEOPLE DESERVE BETTER. Act Now! Please support HB 1258.

### **4. How can I support HB 1258?**

HB 1258 is currently under consideration by the House Agriculture and Natural Resources Committee, where it will come to a vote soon (as early as February 11). Please take a few minutes to call or email the following legislators who are on the Committee and ask them to support HB 1258 when it comes before the House Ag and Natural Resources Committee. Numbers matter! Do it ASAP, and encourage others to do it also.

Here's how – Go to the Committee's page at [2025 House Agriculture and Natural Resources | South Dakota Legislature](#). Click on each legislator's name to get to their contact information. Call or email and ask them to support HB 1258 when it is heard by the Committee. Tell them *briefly* why you support the bill. Always be respectful.

Find your own legislators, contact them, and ask them to support HB 1258 and/or be a co-sponsor of the bill – [Find My Legislators | South Dakota Legislature](#).

If you want to go to Pierre when HB 1258 is heard before the Committee, contact [edbcwa@gmail.com](mailto:edbcwa@gmail.com).



For More information:

[bhcleanwateralliance.org/public-hearings/state-level-comment-notice/](http://bhcleanwateralliance.org/public-hearings/state-level-comment-notice/)