



# EARTHWORKS JOURNAL

FALL 2006

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**Can CERTIFICATION  
Protect Ghana's  
FARMERS,  
Alaskan SALMON,  
and Clean WATER?**



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# No Dirty Gold, No Dirty Oil

Can certification of environmental and social practices in the mining sector save Alaska's wild salmon and clean water? Can it strengthen the livelihood of Ghana's cocoa farmers? Can it contribute to preservation of the Boreal Forest in Canada and sustainable development in Madagascar?

Can it provide incentives for best practice and disincentives for practices that should have been phased-out years ago? Can we use certification to send market signals that some areas should be protected from development?

Can certification reward mining companies and artisanal miners, who are already making concrete strides to improve both environmental and social practices—giving them credit where credit is due? Can it serve as a risk-reduction tool for communities, governments, investors and mining companies?

Can it create incentives for oil and gas companies to “do it right” on the ground and can it help clarify which companies are really facing up to their corporate obligations to address the real impacts of climate change and move “beyond petroleum?”

I think so.

Certification is not a panacea—it is a tool. It does not take the place of global agreements on climate protection, national laws, or effective regulatory programs. In a world with shrinking commercial and economic borders, certification can be an effective tool.

For communities, a well-constructed certification system can help secure commitments to protect sensitive areas, ensure best practices where resource development occurs, and set a minimum bar so that only those companies committed to cleaning up what they create get a seal-of-approval to break ground.

Certification is essentially a voluntary transaction where a certificate of approval from stakeholders is exchanged for a verifiable commitment to operate responsibly.

Today, as with certified wood and fair trade coffee, we are on the verge of establishing a system for certifying that gold and other mined minerals come from a safe and environmentally responsible source (see IRMA Initiative at [www.responsiblemining.net](http://www.responsiblemining.net)). And there is no reason that a similar system couldn't be applied to oil and gas facilities.

In one sense certification in this sector is revolutionary. In the future you will be able to walk into a jewelry store and buy a responsibly-sourced wedding ring, and know that the retailer you are buying from is committed to ethical sourcing. But in another sense certification of the extractive industry is a logical outgrowth of current trends in society and business. In our interconnected world many products can now be traced back to their source—coffee, diamonds, wood, clothing, etc. Even products once thought impossible to trace like oil, can be traced as Pulitzer Prize winning journalist Paul Salopek recently demonstrated in a series of articles in the *Chicago Tribune*.

It was simpler when we didn't have all this information about the impacts of our consumption. But simple usually isn't better or ethical.

Remember when a fill-up at the gas station was like magic, or at least alchemy? Pull your car up to the pump, top-off the tank and ride off, and, in the U.S. at least, for almost nothing. If the lights were bright, the station clean and the coffee hot, you might not think about the dirty oil being pumped into your fifteen-gallon tank. Today, you know the toxic journey of a drop of gasoline, and you are less willing to swallow the squeaky-clean, neon, marketing genius of the corner gas station. At \$3.00 per gallon, the magic and the thrill are gone. If you think about the geopolitics of oil, and politics of global warming, resignation or anger kicks-in.

Jewelers have been called marketing magicians. But gold and diamonds do not appear magically in the jewelry case. They come from a massive hole in the ground, or a crushed mountain, or a streambed. And there typically isn't much magic in that part of the story. The only responsible, ethical way forward is to know your source, and make sure your source is accountable. Customers may not want all the details but they do want to know that their ring did no harm. Jewelers now realize that it is essential to add environmental and human rights values to the jewelry buying, and giving, proposition.





More and more jewelry retailers are looking for safe, responsible sources for their gold, diamonds and other minerals. Leading mining companies want to be their source, and they want to earn a reputation with the public, regulators, business partners and investors as global leaders in best practice. What's missing is a system to differentiate corporate self-proclamations of best practice and good intentions from verified results—matched against a clear set of best practice standards.

The essential elements of any verification system, whether for gold, diamonds, gas, or oil are multi-sector participation and sanction, a set of clear standards and criteria, independence from any specific set of interests, and transparent third-party audit systems and auditors. EARTHWORKS is working diligently to move this process forward. A system like this will not solve every problem in the mining sector but it will create a mechanism for utilizing market forces to reward responsible practice. And that's a start.

Steve D'Esposito

## Certification Proliferation in the Sector

A number of new initiatives are underway in various parts of the mining and oil and gas sectors. In addition to IRMA with its focus environmental, social and human rights performance at large-scale mines of all types (from gold, to copper, to diamonds, to base metals), there are other efforts in place or underway to develop standards and certification throughout the mining and oil and gas sectors. The Kimberley Process ([www.kimberleyprocess.com](http://www.kimberleyprocess.com)) seeks to ensure that diamonds are sourced from conflict-free zones. There is a new effort underway to create a "fair-trade" standard for artisanal gold mining. And NGOs and some jewelers have launched a new project to promote pro-development diamond mining—the Development Diamond Initiative or DDI.

## What is IRMA?

EARTHWORKS played a leadership role in the launch of the new Initiative for Responsible Mining Assurance (IRMA). Along with other NGOs, mining companies like BHP-Billiton, Newmont and AngloGold Ashanti; jewelry retailers like Tiffany & Co. and Wal-Mart; and trade associations like the International Council for Mining and Metals and Jewelers of America.

IRMA's goal: negotiate a set of best practice environmental, human rights and social standards and establish a system for independent, third-party verification of company compliance – within one year. In other words, we want a certification system in place, at least the first phase of the system by the middle of 2007. Go to [www.responsiblemining.net](http://www.responsiblemining.net) to find out more about IRMA.

## Be a **CONSCIOUS CONSUMER** this holiday shopping season!

- Visit the Conscious Consumer website at [www.newdream.org/consumer](http://www.newdream.org/consumer) to research and purchase green products.
- If you're purchasing jewelry, consider shopping with one of the jewelers that have signed onto to the No Dirty Gold campaign's Golden Rules (a list is available at [www.nodirtygold.org](http://www.nodirtygold.org)) or ask a retailer to sign on and support responsible metal sourcing.
- Buy gifts online using [igive.com](http://igive.com) or [buyforcharity.com](http://buyforcharity.com) and a portion of your purchase will benefit EARTHWORKS.
- Consider purchasing carbon offsets as a gift with a company such as [www.nativeenergy.com](http://www.nativeenergy.com) and you'll be investing in renewable energy.
- After the holidays, keep items such as your cell phone in circulation by using [www.recyclemycellphone.org](http://www.recyclemycellphone.org), [www.freecycle.com](http://www.freecycle.com) and [www.bikesfortheworld.org](http://www.bikesfortheworld.org).

Check out [http://www.earthworksaction.org/earthworks\\_at\\_home.cfm](http://www.earthworksaction.org/earthworks_at_home.cfm) for more tips.



# Mercury Rising

**Mercury: It's so toxic that it's banned from household items such as thermometers and tightly regulated elsewhere. Mercury impacts the brain and nervous system, and children are particularly vulnerable. It also builds up in fish and other wildlife that are consumed by humans. But mercury can often be released in large quantities from gold mining operations, and too few companies are taking steps to control these emissions.**

This summer, EARTHWORKS took to the field with help from the University of Nevada to monitor mercury air emissions downwind from Nevada's northern gold mines. These mines are responsible for spewing thousands of pounds of mercury into the air – 25% of all U.S. mercury air emissions west of Texas come from Nevada.

These toxic air emissions affect a broad geographic area, traveling into neighboring states, where the mercury washes into rivers and lakes, contaminating fish and waterfowl and presenting a human health risk. A recent report estimates that over the past 25 years approximately 100 tons of mercury has been released into the air by northern Nevada gold operations.

In March, in response to pressure from EARTHWORKS and other conservation groups, the State of Nevada established the first-ever regulations requiring mining companies to install pollution controls devices. The new regulations are an important first-step, but there's more that needs to be done. A lot more!

The data we gathered this summer will bolster our efforts to strengthen Nevada's mercury control program, and to ensure that these companies are accurately testing, reporting and reducing their emissions.

In August, EARTHWORKS notified the Coeur Rochester and Glamis Gold Mines that we intend to take legal action if the companies don't fully disclose their mercury air emissions,



*University of Nevada student Patrick Joyce takes air samples next to the Gold Quarry mine in northern Nevada. The final results of the air sampling project will be released this fall. But early results showed very high levels of airborne mercury at several mine sites; including one mine which consistently reported ZERO air emissions to the EPA.*

as required by federal law. Records indicate that these two mines have consistently under-reported their emissions. Without this important information, citizens and agencies are unable to determine health risks or to effectively regulate these mines.

## MERCURY & LARGE-SCALE GOLD MINING

- In many mines, mercury is in the ore body, along with gold and other metals.
- Mercury can be a byproduct of the process of mining and processing gold.
- Until 1998 the public was unaware that massive amounts of mercury were being released into the air by gold mining operations because mines were exempt from reporting under the EPA Toxic Release Inventory Program.
- EARTHWORKS and NRDC worked for seven years to close this loophole.
- As a result, the 1998 TRI report exposed the problem of mercury emissions from gold mines.
- It's taken 8 years for Nevada regulators to put in place regulations, but they still don't require emission reductions.
- Gold mines in Nevada still produce 25% of all U.S. mercury air emissions west of Texas.
- The technology exists to dramatically decrease mercury air emissions.

## MERCURY & ARTISANAL GOLD MINING

- In many developing countries, mercury is also used by artisanal (small scale) miners as a processing agent, to separate gold from ore.
- Mercury bonds with the gold and then is burned off.
- This is typically done in uncontrolled settings, near homes and in homes.
- This can have a devastating impact on the health of artisanal gold miners, their families, and communities.
- The International Labor Organization estimates that there are over 11 million artisanal gold miners globally.
- Control technology exists yet is typically not used.
- The primary obstacle is funding.

## MERCURY & GOLD JEWELRY

- Retailers should put in place protections to ensure that the gold they are selling in their jewelry comes from certified responsible sources--large-scale operations that adequately control mercury emissions or artisanal sources that don't use mercury or use safe retorts or other techniques.

COMMUNITY HEALTH



*Researchers found many anglers eager to donate a portion of their prize catch – including this 25 pound catfish from the South Fork Reservoir!*





# The Wireless Industry Fails to Make the Grade

At EARTHWORKS, we think that recycling your old electronics should be as easy as recycling bottles and cans. When tossed into the trash, retired cell phones and other e-waste fuel demand for virgin metals. In landfills, ewaste can leach toxics into the environment and affect human health.

In April EARTHWORKS issued our first "Cell Phone Recycling Report Card", handing out failing grades to the nation's top wireless service providers (Cingular, Sprint, T-Mobile and Verizon Wireless) for their sub-par efforts on cell phone recycling and outlining 3 key recommendations for improvement. Despite the creation of a number of collection programs by both the industry and non-profits, EARTHWORKS found that 84% of our e-activists had no idea what to do with their old phones. It's no surprise that the industry's failure to promote these programs has resulted in dismal return rates--less than 2% of all retired cell phones in the United States are being recycled.

EARTHWORKERS released the report in Las Vegas at the wireless industry trade association's annual convention. In true Vegas fashion, we enlisted the help of our 15-foot puppet Goldzilla to distribute our report card,

to point out the toxic effects of e-waste and to promote metal recycling.

Six months later, **there is some good news to report.** Some of the service providers are beginning to show signs of a greater commitment to recycling by more prominently featuring their programs on their websites and by providing mail-in bags to their customers. EARTHWORKS is also engaging leading cell phone recyclers and jewelry retailers in discussions on how responsibly recycled metals can be sourced for jewelry and other products, decreasing the impacts felt by mining-affected communities around the world.

With 98% of the wireless phones in this country left to recycle, there's still a lot of work to be done!



**Visit [www.recyclemycellphone.org](http://www.recyclemycellphone.org) to learn more about how your service provider stacks up, to tell them they need to do a better job, to recycle your phone (with free postage!) and to start a collection in your own community or workplace.**



**RECYCLE MY CELL PHONE**

RECYCLE MY CELL PHONE

[www.recyclemycellphone.org](http://www.recyclemycellphone.org)

## Cell Phone Recycling **REPORT CARD**

**F** The wireless industry fails to responsibly manage their toxic e-waste.

98% of retired cell phones are NOT recycled.

### Cell Phone Recycling **REPORT CARD**

	Cingular Call to Protect	Sprint Project Connect	T-Mobile Get More, Give More	Verizon HopeLine
<b>Visibility of Program:</b>	<b>D</b>	<b>F</b>	<b>F</b>	<b>C-</b>
Website	D	D	D	B
Retail Store	C	C	F	B
Customer Service	F	F	F	F
Packaging/Labeling	F	F	F	F
Public Knowledge:				
<b>Recycling &amp; Refurbishing:</b>	<b>F</b>	<b>F</b>	<b>F</b>	<b>F</b>
<b>Collection Program:</b>	<b>F</b>	<b>F</b>	<b>F</b>	<b>D</b>
Public Data Available on Take-Back Programs	NO	NO	YES	YES
Customers NOT Satisfied with Their Wireless Provider's Efforts on Recycling	72%	76%	74%	67%
Share of U.S. Market	26%	24%	11%	25%

**Overall Industry Grade 2006: F**

Comments — The wireless industry gets an "F" for their recycling and take-back efforts. Through its trade association, the Cellular Telephone & Internet Association (CTIA), these wireless carriers lobby heavily to convince consumers and decision-makers to accept "voluntary" e-waste programs despite their failure to take responsibility for the waste they create. And too often collected cell phones that cannot be refurbished are "dumped" in developing countries where environmental safeguards are weak or non-existent. Needs Improvement!

To responsibly recycle a cell phone, view full report, and to take action visit:  
[www.recyclemycellphone.org](http://www.recyclemycellphone.org)

# Gold in Ghana: Undermining the Rural Poor?



**About the Author:**

**Radhika Sarin,  
International  
Campaign  
Coordinator**

*Pictured here, Radhika spent a good part of last year planning a traditional Indian wedding, in which gold plays an important cultural and religious role. In an effort to “re-use” gold that has already been mined, she wore jewelry passed down from her grandmother. Radhika joined EARTHWORKS in 2003 with a background in research on the linkages between environment and development. Prior to EARTHWORKS, she worked at the Worldwatch Institute where she co-authored a paper on how an agroforestry system of shade-grown cacao can promote forest restoration, strengthen rural economies, and build an international consumer constituency for the endangered forest. Having grown up in Cote d’Ivoire, Radhika returned to West Africa last May to meet mining-affected communities in neighboring Ghana.*

Centuries ago, the country of Ghana in West Africa was known as the “Gold Coast” to its British colonizers. Today, Ghana is the second-largest gold producer in Africa (South Africa ranks number one) and has some of the world’s largest multinational mining companies vying for a portion of the riches. In 2005, gold overtook cocoa as Ghana’s leading foreign exchange earner.

Denver-based Newmont Mining Corporation is the latest multinational to enter Ghana. Newmont’s Ahafo mine, which started producing gold in July 2006, is now the largest gold mine in the country. It is located in the Brong Ahafo region of Ghana, a region that is recognized as Ghana’s “breadbasket” because it produces about 30 percent of the nation’s food. Household surveys from 2004 show that 97 percent of the mine-affected people depend on agriculture for their livelihood.

Not surprisingly, the mine’s impact on rural communities has been significant. Nearly 10,000 people—mostly poor, subsistence farmers—were displaced to make way for the



*Repeated cyanide spills have polluted rivers and streams that provided drinking water and fish to communities in the Wasswa West district of Ghana.*

mine; another 10,000 people are expected to be displaced as the mine expands northward with additional mine pits. Finding new land to farm on is a difficult task, especially for the displaced farmers who may have already burned through the one-time compensation payment that they received from Newmont. The problem is compounded by inflation and the rising land costs the locale has experienced since the mine arrived. For many farmers, the shift to a cash economy has been a disorienting experience. As one resettled farmer told me, “Before, the only thing we needed to buy from the market was salt. Now we have to buy all our food and our water.”



photo courtesy of Nikki Reisch, Bank Information Center

*Sixty percent of the labor force in Ghana works in agriculture, which makes up 40 percent of the economy, according to World Bank figures. Cocoa, the raw ingredient for chocolate, is one of Ghana’s largest cash crops.*

Environmental and human rights organizations in Ghana, such as the Wasswa Association of Communities Affected by Mining (WACAM) and the Food Information & Action Network (FIAN), are highly critical of the negative impact that mining has on Ghana’s rural communities, which make up over 60 percent of the country’s population. And they are asking the International Finance Corporation (IFC), the World Bank’s private sector arm, this question: Do operations like this

photo courtesy of Andres McKinley/Oxfam America

FIELD REPORT



result in lasting and sustainable economic development? Most recently, the IFC has come under fire for granting Newmont a loan of US \$125 million for its Ahafo project.

The clash between agriculture and mining is nothing new in Ghana. But the IFC's support of Ahafo is especially surprising since the World Bank's own research has questioned whether mining benefits the rural poor in Ghana. A 2003 World Bank study of mining in Ghana affirmed that "competition for land between large-scale surface mines and agriculture is a serious political and economic issue." The study concluded that "the costs to local communities often exceed the benefits they receive" and that "local communities affected by large-scale mining have seen little benefit to date in the form of improved infrastructure or service provision because much of the rents from mining are used to finance recurrent, not capital expenditure."

Ahafo may become another such example. According to IFC estimates, the mine will provide 620 permanent jobs and earn the Government of Ghana approximately \$300 million over 20 years. To some, these economic gains seem paltry when compared with the enormous displacement impacts of the mine. Community rights activists in Ghana argue that the World Bank should be supporting projects that strengthen rural livelihoods not undermine them by pitting

agriculture against mining. Furthermore, they point to the legacy of irresponsible mining in Ghana that has contaminated streams and rivers that serve as the only source of drinking water in rural areas. A case in point is Golden Star Resources, the multinational mining company that is responsible for two cyanide spills in less than two years at its Bogoso/Prestea gold mine in Ghana.

Back at Ahafo, another planting season is coming up. Newmont is scrambling to find new farmland and has set up an emergency food assistance program. The IFC, responding to growing pressure, has said it will closely monitor the mine's impacts and ensure that livelihoods are restored but exactly how this will occur is not clear. Here in Washington D.C., we'll continue to hold IFC's feet to the fire until the well-being of the local communities becomes a priority. "What good is all this gold?" asked one woman returning from her farm one evening. Then, adjusting the basket of plantains on her head, she pointed to the mine in front of her, "But maybe we too will start benefiting from this wealth some day."

"Ghana is gold and gold is Ghana," says Dominic Fobih, Ghana's Minister for Lands, Forestry, and Mines. In the end, the central question is how can how can the poor benefit?

*Historically, mining did not have as much of an impact on farming—it was mostly underground in shafts, or done by small-scale miners. Modern mining is different. It is done mostly from the surface, digging huge open pits. Gold is extracted by dripping cyanide through massive piles of crushed ore. These massive operations displace farms and endanger water sources for villagers. And what mining takes away in farmlands it does not make up in jobs. Mining in the 21st century is capital intensive, but not labor intensive, and requires highly trained workers.*

FIELD REPORT

photo courtesy of Ute Hausmann, FIAN



*About 40 percent of Ghana's 21 million citizens live in poverty, despite the fact that it is the second largest producer of gold on the continent behind South Africa.*

## Who is Ethical Metalsmiths?

Ethical Metalsmiths was formed for the purpose of stimulating demand for responsibly sourced materials as an investment in the future, and stands for social responsibility, a healthy environment and materials that are consistent with these values.

# GOLDEN OPPORTUNITY: The Past, Present and Future of Gold

*Jewelry designers, artisans and metalsmiths typically have a deep appreciation for the sources of the material they manipulate to create unique, beautiful or sometimes provocative pieces. Therefore its not surprising that a group of Metalsmiths passed a resolution calling for certified, responsibly-sourced gold or that they organized an exhibition that uses jewelry and other designed pieces to make a statement about the "past, present and future of gold." The exhibition featured over 80 artists from 19 different countries. The show opened in Chicago at the Marx-Saunders Gallery, in conjunction with the annual conference of the Society of North American Goldsmiths (SNAG) in May 2006. In July the show traveled to London in association with the Association for Contemporary Jewelry. The show will be featured through November 2006 on the Ethical Metalsmiths website: <http://www.ethicalmetalsmiths.org>.*

NO DIRTY GOLD



**Rika Mouw**

**Homer, Alaska**

*Hanging by a Thread* Salmon vertebrae and thread

I live in Homer, Alaska, a fishing and art community near Bristol Bay, home to the largest wild salmon run in the world and one of the richest fisheries in the world. This watershed is a pristine wilderness and one from which subsistence, commercial and sport fishing are absolutely vital to this state. It is home to one of the largest concentrations of brown bears in the world, vast herds of caribou and countless species of migratory birds. It is also where there are plans build a huge mining district the likes of which have not been witnessed before. The size of the first proposed open pit gold mine will be the largest in North America and it is proposed at the head waters of the most important rivers in this watershed. If this mine is allowed to go forward, the region will be irreversibly damaged forever. This piece, titled 'Hanging by a Thread', speaks to the fact that the largest salmon run in the world is indeed hanging by a thread. How intelligent are we to risk our very food and water for the lure of gold?

**Jim Bove**

**Washington, Pennsylvania**

*Twenty Tons of Love* Found object, 24k gold leaf, clay and 18k gold wedding band

In my research I found that the average 18-karat gold wedding band leaves behind 20 tons of mining waste with strip mines producing 8 to 10 times the waste of underground mining. The toy truck I used is a model of a 20 ton truck used in the strip mining process. The gold leaf used in the project was donated and the wedding band was created using reclaimed gold.





**Rob Jackson**  
**Athens, Georgia**  
*Indelible Stain* Rusted steel, 18K gold  
 and copper ring

The nineteen gold crosses represent the Yanomami Indians (10 children, 7 women, 2 men) massacred by gold miners on August 17, 1993 within the boundaries of their legally protected land in Roraima, Northern Amazon, Brazil. Not an isolated incident, greed for the wealth of gold and its consequences are still as present today as they were 400 years ago. A band of copper, a by-product mined with gold, is inlaid on the inside of the ring leaving an indelible stain on the finger.



**Jane Rainwater**  
**Andover, Connecticut**  
*Not So Charming* 7-inch gold charm bracelet

Charm bracelets are usually worn to delightfully commemorate milestones in a person's life. One expects a whimsical tale, told through the symbolism



of adorable charms. My charm bracelets offer a look into gold's dark historical chapters; the perils of the mining life and the enslavement and exploitation of indigenous peoples living near gold mines all over the world.

## Society of North American Goldsmiths Says No to Dirty Gold

In May, the Society of North American Goldsmiths (SNAG) convened in Chicago for its annual conference and did something unprecedented. It passed a resolution calling upon the mining industry to produce gold in an ethical way that respects environmental, social, and human rights standards. The resolution states that "the use of irresponsibly mined gold that harms people, communities, or the environment does not reflect our values," and resolves "to

support and encourage the use of gold that is independently certified." SNAG is a prestigious metal arts organization for jewelers, designers, and metalsmiths with members around the world.

"I am proud of the organization for taking this step to communicate our desire for responsibly sourced gold. The resolution makes clear our care and respect for people, communities and our land," said Sam Shaw, president of SNAG.

### Sign the pledge.

"I support the No Dirty Gold campaign to end destructive gold mining practices. I call on retailers and manufacturers of gold jewelry, electronics, and other goods to work to ensure that the gold in their products was not produced at the expense of local communities, workers, and the environment. I demand that the global mining industry provide retailers and consumers an alternative to dirty gold."

 Cut along dotted line and mail to Earthworks. Thanks for your support!

Name \_\_\_\_\_  
 Street Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Telephone \_\_\_\_\_ Email \_\_\_\_\_



- I would like to receive email action alerts from the No Dirty Gold campaign.
- I would like to receive email action alerts from EARTHWORKS.

# Mount Tolman Saved: Columbia River Protected

**It was a historic moment this spring for the** Colville Confederated Tribes in eastern Washington, who voted decisively against developing a large open pit mine on their reservation. The mining project would have removed the top of Mount Tolman (Tul'mee'n), a culturally significant peak overlooking the San Poil Arm of the Columbia River. Two tribal member groups – the Colville Indian Environmental Protection Alliance (CIEPA) and Visions for the Future – led the effort to protect this important site.

The projected mine would have generated over 2 billion tons of mine waste. An environmental analysis identified numerous impacts from mining; including long-term water quality degradation, loss of important

deer and elk habitat, loss of renewable timber resources, and the loss of traditional cultural sites on Mount Tolman.

At the invitation of the Colville Business Council, EARTHWORKS field staff Bonnie Gestring and technical expert Dr. Ann Maest were asked to give presentations about the potential impacts of the proposed mine at a series of education meetings held in each district of the reservation. The meetings culminated in a March vote, with a roughly 2 to 1 decision to forego mining. Tribal Chairman Harvey Moses Jr. says members were more concerned with the environment and the tribes' culture and traditions.

The Colville lost the entire northern half of their reservation in 1891 after gold was discovered there. The U.S. government took back 1.5 million acres of their reservation, paying \$1 an acre. If this new mine were to be built, it would have covered 3,650 acres, including an 800-acre open pit and about 2,600 acres of waste rock and tailings.

*Even though Mt. Tolman has been saved, the impacts of exploration are visible scars on this aerial view.*





# The Pendulum Begins to Swing Back: Re-regulating the Oil and Gas Industry in the U.S.

**In the Raton Basin of Colorado, storm water run-off, full of chemical surfactants, threatens a nearby stream. In the Bighorn country of Park County, Wyoming, a blow-out at a gas drilling rig emits explosive levels of methane gas and forces area residents to evacuate their homes. Near Luther, Oklahoma, a homeowner arrives home from vacation to see a gas well drilling rig 300 feet from her home – she is told she can't do anything about it and must also accept having a pipeline put across her land. In Carlsbad, New Mexico, a representative of an oil company tells a rancher in a public meeting that the industry knows what the rancher is paying for his grazing lease, and rather than negotiate with the rancher, the company may just outbid him for the lease.**

But, as we all know, every action eventually provokes a reaction. And across the country, we're finding that the time for reaction is now.

Increasingly, Americans are no longer willing to simply accept the current national energy policy. Frustrated homeowners, ranchers and concerned citizens are pushing back—seeking to re-regulate an industry that is the beneficiary of a broad Bush Administration initiative to loosen the regulatory reigns and open up land across the country to oil and gas development. A variety of state and local governmental entities are reacting as impacted communities push them to fill the Federal vacuum and adequately regulate the industry.

In Grand Junction, Colorado and Lovington, New Mexico, local watershed protection ordinances have been passed or proposed. In Ouray County (CO), Colfax County (NM) and Nockamixon Township (PA), regulations governing noise, access, safety and notice to neighbors have been enacted. At the state level, Colorado has passed a noise standard for oil and gas operations and is considering statewide restrictions on the emission of



*New Mexico landowners and ranchers concerned with oil and gas development visit the state capitol to make their views known to the legislature. Pictured: Shirley "Sug" McNall, Mary Feldblum, Dan Randolph, Carl Johnson, Barbara Johnson, Irvin Boyd, Shirley Boyd.*

ozone-creating compounds from individual wells. In New Mexico, the state is poised to pass one of the strongest surface waste rules in the country, including significant restrictions on chlorides and heavy metals. In Montana, the state has enacted water quality standards that prevent gas well operators from dumping produced water from coalbed methane wells into nearby rivers.

Both locally and nationally, the current energy policy has increased insecurity—by facilitating drilling for oil and gas without concern or consent of impacted communities; by increasing the threat to the public's health by further exempting the industry from existing environmental laws; and by making oil and gas the primary use of large portions of the public lands, to the detriment of all other uses. Not to mention the national insecurity caused by the failure to address climate change and dependency on foreign oil.

Progress is always uneven, but the voices are widespread enough and strong enough to foretell that the pendulum of governmental action is swinging again towards regulation of this extractive industry—and to national leadership on climate protection and energy independence. OGAP continues to be at the forefront of these local and national fights.

## Take Control of Temperature: Fight air pollution, global warming and your skyrocketing natural gas bill.

- Set your thermostat in winter to 68 degrees or less during the daytime, and 55 degrees before going to sleep (or when you're away for the day).
- Use sunlight wisely. During the heating season, leave shades and blinds open on sunny days, but close them at night to reduce the amount of heat lost through windows.
- Set the thermostat on your water heater between 120 and 130 degrees. Lower temperatures can save more energy, but you might run out of hot water or end up using extra electricity to boost the hot water temperature in your dishwasher.

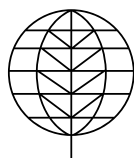
# EARTHWORKS @home

## ATTENTION STUDENTS (and the parents who support them):

The fall is a time of new opportunities and responsibilities for students returning to school. The same is true for the class rings vendor Jostens. In February 2006, the No Dirty Gold campaign named Jostens one of the eight jewelry retailers lagging behind other retailers <<http://www.nodirtygold.org/PRleaderslaggards.cfm>> due to their lack of support for responsible gold production. As students return to campus and Jostens begins its biggest sales season, EARTHWORKS and our student allies will continue to pressure Jostens to operate by the "Golden Rules".



**Want to help out?** Visit [www.nodirtygold.org](http://www.nodirtygold.org)



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