



EARTHWORKS

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USFS MINING RULE PROPOSAL: BUSH ADMIN WOULD WEAKEN EXISTING RULES

At a time when Congress is attempting to reform the badly outdated 1872 Mining Law, the Forest Service initiated new regulations – under section 228 of the Code of Federal Regulations – that would speed development of more new mines on National Forests, regardless of the effects on clean water and air, wildlife habitat, Native American sacred sites, and popular places to hunt, fish, hike, camp, and enjoy America’s backcountry.

With this proposal the Bush Administration would actually cause more harm to our public lands and water than the original mining regulations -- which were written over 30 years ago and have contributed to the pollution of 40% of the headwaters of western watersheds.

THE PROPOSED RULE WOULD

- Permit smaller mining operations without environmental review and without informing the public. These operations can and do harm wildlife and water in our National Forests.
- Allow mining companies to decide whether or not they can afford to protect clean air and water. The mining company only has to protect wildlife, air and water if it is “practical” for them. Effectively, this could mean that the less profitable an operation is, the fewer environmental protections it would be required to practice.
- Further cement the Forest Service’s position that mines cannot be denied under the 1872 Mining Law, even when they threaten national treasures like the Grand Canyon.
- Severely limit public participation in the rulemaking process by exempting the entire rulemaking from the National Environmental Policy Act (NEPA).

POTENTIAL REAL WORLD IMPACTS

- The proposed rule would allow new small-scale uranium mining operations within sight (and impact) of the Grand Canyon, without public or environmental review.
- The proposed rule would allow suction-dredge mining to operate without public knowledge or comment and without environmental review. Suction dredge mining can seriously impact fish and streams, since the process involves using an underwater suction device to pull material up from a stream bottom.
- The proposed rule would allow a Canadian mining company to determine how much environmental protection the Scenic Santa Rita Mountains south of Tucson, AZ, receive.

EXACTLY THE OPPOSITE OF WHAT IS NEEDED

With metals prices at or near record highs, and an associated surge in claim staking and mineral development, the Bush Administration should be proposing a rule that allows for more oversight of mining in our forests to protect the important values of our public lands – like water and wildlife. Instead, this proposal would allow for less oversight. And the proposed change would occur with no environmental review and very little public comment – for the industry that is the nation’s largest toxic polluter according to the Environmental Protection Agency.