

EARTHWORKS JOURNAL

“ I may be poor.
I may be illiterate,
but I know that our
mountain lakes are
our real treasure.”

Máxima Acuña de Chaupe, Peru's
victorious symbol of resistance



EARTHWORKS™



4 Democracy roars in spite
of being outspent by
industry nearly 10:1.
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save the Boundary Waters
Canoe Area Wilderness.
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to mining giant. It's not too
late to help!
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Special pullout
map shows a year of
pollution disasters





EARTHWORKS™

Earthworks is a nonprofit organization dedicated to protecting communities and the environment from the adverse impacts of mineral and energy development while promoting sustainable solutions.

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**EARTHWORKS
JOURNAL**

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SPECIAL ISSUE

In the past year, we've seen an incredible commitment from our donors and activists like you. In 2014, thanks to our generous donors, we were able to buy a FLIR (Forward Looking InfraRed) Gasfinder 320 camera. This advanced technology allows us to see otherwise invisible air pollution from fracking.

This is a game changer.

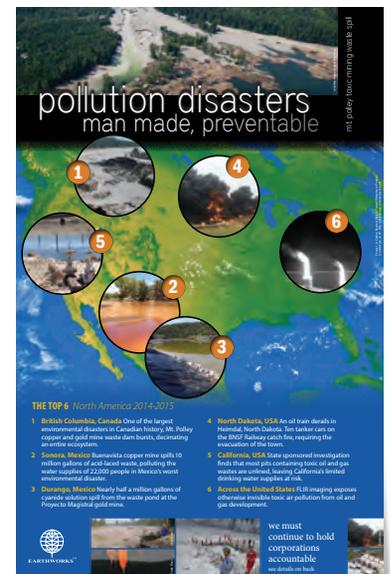
Until now, industry and government regulators controlled the information people had about the pollution streaming into their backyards and permeating their playgrounds and schools. With this tool, we're putting the power back in the hands of the people. We call it the Citizens Empowerment Project.

Pollution from fracking and mining continues to plague our communities, and the problems are vast.

I'm excited to share with you this special edition of Earthworks Journal that includes documenting just a few pieces of the destruction caused by fracking and mining in the past year alone. I hope you'll use this tool to educate your friends and family about the risks inextricably linked to these dirty extractive industries.

In gratitude,

Jennifer Krill, Executive Director



Peruvian farmer **victorious** against multinational mining corporation

By Payal Sampat

Máxima Acuña de Chaupe is an indigenous peasant farmer who lives with her family in the Andean highlands of northern Peru. For the past several years, Denver-based mining company, Newmont, has tried unsuccessfully to take over her land to build its proposed Conga open-pit gold mine.

Máxima's family lives near the Laguna Azul, one of four mountain lakes that the company would drain for its operations. Through her unflinching resistance and willingness to put her life and property on the line, she has played a pivotal role in her community's struggle against the Conga mine.

If built, the mine would permanently alter the watershed in the páramo ecosystem of the mountainous region, pollute water with arsenic and heavy metals and threaten the health of thousands of people and livestock.

Máxima has been harassed, beaten, sued and sentenced to prison. In December 2014, Cajamarca's appeals court struck down a lawsuit filed by the Yanacocha mine against Máxima and ruled in favor of this remarkable indigenous woman.

A national symbol of resistance

Her victory has been celebrated across the continent. Her courage in resisting a multinational corporation that employed violence and bullying tactics has turned the five-foot tall farmer into a national symbol of resistance, with her likeness inscribed on walls and signs all over Peru. The community has rallied behind Máxima and her victory has galvanized the struggle to defend Cajamarca's páramos, water supplies and communities from large-scale gold mining. Unfortunately, even after her victory in court, Máxima continues to face harassment from the company's security officers and lawyers.

Speaking out in the halls of power

In April 2015, Earthworks helped bring Máxima's attorney, Mirtha Vasquez, to the U.S. She attended mining giant Newmont's annual shareholder meeting on Máxima's behalf. Máxima herself was unable to travel out of concern for her property and personal safety.

At the meeting, Ms. Vasquez called on Newmont CEO Gary Goldberg to end the use of force in their dealings with Máxima and the community. In response to Earthworks' questions, Newmont's CEO committed at this shareholders' meeting to not proceed with the project without the consent of the affected community.

Earthworks and SumofUs.org gathered 170,000 people's signatures calling on Newmont to stop harassing Máxima.



Add your voice to stand with
Máxima and the people of Cajamarca!
earthworkSACTION.org/maxima

PHOTOS TOP - DOWN:
Máxima Acuña de Chaupe. Photo
by Latin American Mining Programme

Protest to protect clean water.
Photo by Gran Marcha Nacional de
los Pueblos

Daniel Gil Presidente Frente de
Defensa de Huasmín. Photo by
Milton Sanchez Cubas

Petition delivery at Newmont's
shareholder meeting.

DEMOCRACY **V.S.** FRACKING IN DENTON, TEXAS

By Sharon Wilson

The people of Denton, Texas, live in the heart of oil country. Because energy production is so important to the state economy, they worked for years to find a happy medium where they could coexist with the oil and gas industry. They worked with the city to help draft better regulations, but the industry largely ignored their rules. They traveled to Austin and asked the state for help, but the state told them to solve the problems at the local level. They tried for over five years, but when an operator set up drilling rigs on either side of a neighborhood, only 200 feet from homes, they were forced to take action to protect their community.

In 2014, the Denton Drilling Awareness Group (DAG) circulated a petition to ban fracking in Denton city limits. They got three times the required signatures to force an initiative on the November ballot and launched the Frack Free Denton campaign.

Earthworks staff, DAG board members and community volunteers gave heart, time, muscle and money, generously. We were outspent by industry nearly 10:1. It was more like David versus Godzilla than Goliath.

But we stuck to our message: *Our air and water, our health and safety, our Denton.* And the people of Denton agreed. The ban passed with 59% of the vote, including 70% of straight party ticket Republican voters.



We stuck to our message: "Our air and water, our health and safety, our Denton." And the people of Denton agreed. The ban passed with 59% of the vote, including 70% of straight party ticket Republican voters.

No time to celebrate: Industry sues over Denton's fracking ban

Less than twelve hours after the vote, the Texas Land Office and the Texas Oil and Gas Association each filed lawsuits against the city.

We were prepared for this. Earthjustice attorneys who successfully defended the Dryden, New York, ban and attorneys from the Natural Resources Defense Council stepped in to represent Denton along with local counsel.

But the oil and gas industry knew airing the evidence in court was too great a risk. Instead, they threw \$21.3 million at the Texas Legislature to change state law.

Industry won't stop at Denton: Texas bans fracking bans

Texas House Bill 40, written by a former attorney for Exxon, strips away local control from cities, forcing any local ordinance regulating the oil and gas industry to meet four impossible criteria:

1. Must apply only to surface activity;
2. Must be "commercially reasonable;"
3. Must not effectively prevent an oil and gas operation from occurring; and
4. Must not be pre-empted by another state or federal law.

These giant loopholes for fracking companies mean cities are left with almost no control of the industry operating inside their boundaries.

Governor Abbott signed the bill into law in May 2015.

What now? The Texas fight continues

Since Denton banned fracking, the fight to protect health, safety and homes from fracking has gone statewide. Twenty-seven Texas cities had bans on drilling in city limits and 300 cities had passed ordinances. Communities across the state are preparing to fight to protect their common-sense rules. We believe HB40 will face constitutional challenges and that Denton will have plenty of company going forward, but we need your help.



As the votes are tallied, Frack Free Denton wins! Photo by Jake Dean

Visit earthworksaction.org/denton to join the campaign!



Caught IN THE FRACKING SPIDERWEB

Tell the Federal Energy Regulatory Commission to look at the bigger picture and protect communities from risky fracking infrastructure!
earthworksaction.org/FERC



Photos by Julie Dermansky

By Nadia Steinzor

Anyone fighting to protect our air, water and health from fracking knows the impacts don't stop at the well pad. This is even clearer today, as communities and advocates organize against a planned web of pipelines, compressor stations, processing plants, frac sand mines and more.

Coming to a backyard near you

The industry is now pushing hard to get their products to market, in particular through the populated eastern states and planned coastal export facilities – and they need a lot of new and expanded infrastructure to do it. Communities that never thought they would be impacted by the rush to drill are finding exploding oil trains, leaking pipelines and polluting compressor stations right in their backyards.

From Colorado to Ohio, Florida to Iowa, and West Virginia to Massachusetts, growing numbers of residents are voicing the same concerns as they did about fracking: risks to air, water, and land; landowner rights; and the need to end dependence on fossil fuels.

Health threats follow fracking infrastructure

As with the first fracking fights, complaints and concerns about our health triggered many of the first campaigns. New studies and the experiences of people nationwide show how living near these facilities can cause many of the same problems as living next to fracking wells: from respiratory problems, headaches and nosebleeds, to a possible increase in long-term disease risks.

Finally, regulators are sounding the alarm. From the city to state level, regulators have published conclusive studies, and openly opposed projects.

Connecting the web

Added scrutiny from regulators allows frontline communities and advocates to delay and sometimes stop projects altogether. Nationwide, regulators are demanding the same things: engage local communities, measure pollution and respect landowner rights.

Each pipeline and compressor station is part of a bigger network, the spider web that is quickly trapping our country. We can't break free from the web one pipeline at a time. We need to look at the whole design and talk directly to the spider.



STOP the Frack Attack

National Conference and Actions in Colorado

Join national movement leaders, community activists and people affected by fracking from across the country. We are gathering in Denver to share stories, become better spokespeople, learn about clean energy alternatives, celebrate victories and strengthen this national movement.

We are protesting the harm that fracking causes to our health, our climate and our communities. We hope to see you there!

For more information or to sign up to attend, please visit:
stopthefrackattack.org/denversummit

October 2-5, 2015

America's Favorite Wilderness

SAVE THE BOUNDARY WATERS



Photos: Top by Jeff Goldstein. Bottom by Student Conservation Association

By Aaron Mintzes

Joseph Goldstein, a 13-year-old boy fighting leukemia in Springfield, Illinois, was granted one wish by the Make-A-Wish Foundation. Rather than ask for a new game or a family vacation, Joseph asked to save the Boundary Waters Canoe Area Wilderness (BWCA) in Minnesota. Joseph has spent summers and

winters exploring the Boundary Waters since he was just 5 years old. And he isn't the only one concerned about its future.



I know that the BWCA is a place I want all my friends to see and experience. It is a place I want my brothers to grow up with, too. It is a place I want my kids to know and love someday. It is a place that can change who we are, for the better. It also is a place that can't protect itself."

— Joseph Goldstein, age 13, Springfield, Illinois

A place that needs protection

The Boundary Waters is the nation's most popular wilderness area. Straddling the border with Canada, this region includes one of the

world's most pristine ecosystems fed by a system of waterways supplied from the Land of 10,000 Lakes in Minnesota. Scientists from around the world visit the Boundary Waters to study the wildlife and forest ecology of one of the most primitive natural environments still in existence.

In addition to the natural beauty, this wilderness supports a sustainable economy based on clean water. Canoe outfitters, resorts and other wilderness-based businesses comprise a tourism industry that supports 18,000 jobs and generates over \$850 million in sales.

Now, a broad coalition is working to protect this tremendous national treasure from plans by a Chilean mining company to mine copper and nickel adjacent to the Wilderness.

Two top scientists and one brave boy go to Washington, D.C.

Earthworks partnered with Northeast Minnesotans for Wilderness and the Campaign to Save the Boundary Waters to host top scientists and Joseph at meetings with members of Congress and the Obama Administration to discuss the ecological threat to the Boundary Waters posed by industrial-scale mining. Fish species loss, widespread water pollution and forest fragmentation are just some of the predicted consequences of allowing mining near this vast wilderness. Joseph was also able to deliver over 60,000 petition signatures we helped collect on his behalf in support of permanently protecting the wilderness from mining.

Trading Posterity for Nickel

There are some places that are particularly vulnerable and where mining would conflict with the values that drive the local economy. The Boundary Waters is both. Congress created the wilderness system so some areas will remain as nature intended. The unique ecosystem carries special value for researchers studying the effects of climate change on the species living there. It also has special value for people like Joseph and the tourists from around the world who make the Boundary Waters the nation's most popular wilderness destination.



Two explorers paddled from the Boundary Waters Canoe Area Wilderness to Washington, D.C. in a canoe covered in petition signatures to save the Boundary Waters. Photo by Nate Ptacek



Sign the petition to Save the Boundary Waters!
earthworkSACTION.org/boundarywaters

Congress gives Sacred Land to Mining Giant

“

They declared war on our religion, we must stand in unity and fight to the very end, for this is a holy war.”

– Wendsler Nosie Sr., Councilman of the San Carlos Apache Tribe



Photo by Kenneth Chan



Photos of the march to Oak Flat and the ongoing encampment. Photo by Al Jazeera Stream

By Pete Dronkers

Oak Flat, a popular campground, sacred Apache site and rock climbing paradise within Arizona’s Tonto National Forest, was recently handed over to two of the world’s largest mining companies by Congress.

In December 2014, Arizona Senators John McCain and Jeff Flake buried the land exchange within the \$585 billion National Defense Authorization Act. The same exchange had failed to pass a dozen times before, in both Republican- and Democratic-controlled Congresses, with virtually all conservation groups opposed it. But by sneaking it into an otherwise positive package, it passed.

Senators McCain and Flake have shown us that they’ll do anything to take Oak Flat permanently away from both its ancestral stewards and modern day explorers.

But the fight isn’t over. The Apache tribe continues its permanent encampment at Oak Flat, rock climbers are organizing around the biggest loss of public climbing in U.S. history and conservation groups are working together on every angle. All hands are on deck to stop the mine. The first step: repealing the Oak Flat Land Exchange – a provision many lawmakers probably never even knew they voted for.

Tell Congress to repeal the Oak Flat Land Exchange!
earthworksaction.org/oakflat





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Why I support EARTHWORKS

By Dee Rivers-Yowell, Sustainability Circle
Member, Winter Park, Florida

I am a freelance writer, with a large, scattered family of earth lovers. My history with environmental activism is long, including a feisty 1998 direct action in Northern California's Mattole, challenging the logging of Old Growth timber. I admit to soaring anxiety about the environment – a frustrated urgency – and recognize that while direct action feels good, lasting protective change most often comes from the steady hard work of smart, on-purpose people running ethical organizations. And I know that those organizations need money.



Every January my husband and I choose the charities to which we will donate for the year. In 2015, because of my deep concern about fracking, I looked for a watchdog organization with a focus on the mineral and energy development industry. I winnowed 274 environmental nonprofit groups on Charity Navigator for financial health, transparency, accountability, efficiency. My search stopped when I found four-star Earthworks, with a 95.28 Navigator score – higher than any similar charities.

Years ago, while living in Pennsylvania, open pit mining, acidic mine drainage, and 24/7 smoldering coal spoil tip and slag heap fires in an adjacent township fueled my environmental efforts. That Earthworks is still involved with ongoing serious problems of pollution in Pennsylvania was another aspect of its work that resonated with me.

I grew up swimming in the sweet-tea tannic lakes that glittered amidst the Central Florida orange groves of my childhood.

I loved wind in the cattails, twilight fireflies, the heady scent of citrus blossoms, and the white pelican flyway over my grandmother's house. It was an idyllic landscape to innocent eyes.

But now Florida's environmental issues are staggering, and fracking threatens Big Cypress National Preserve, the gateway to the Everglades. Regulatory legislation is contentious and bifurcated: Guidelines allow companies to use undisclosed chemicals for extraction through the state's unstable, porous limestone, while forbidding local governance input.

Thankfully, the issue is on Earthworks' radar, which brings the organization's expertise and unflinching focus to susceptible communities' environmental well-being and corporate accountability. In my household, we put our money on them.

Join Dee in the Sustainability Circle at earthworksaction.org/sustainability_circle

