

# EARTHWORKS JOURNAL

SUMMER 2013

The 25<sup>th</sup>  
Anniversary  
Special Issue



**7** Hallowich family fracking lawsuit documents opened to the public  
**PAGE 7**



**12** Giving Oregon's Chetco River a voice  
**PAGE 12**



**14** Critical Minerals bill would take away your right to speak out  
**PAGE 14**

- How mines are polluting the future
- 3 fracking bills your member of Congress should support
- Take action: switch to clean energy today
- ➔ Defining moments from 25 years



**EARTHWORKS**™

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

**MAIN OFFICE**

1612 K Street, NW, Suite 808  
Washington, DC 20006  
p: 202.887.1872 • f: 202.887.1875  
e: info@earthworksaction.org  
www.earthworksaction.org

**FIELD OFFICES**

CALIFORNIA, COLORADO,  
MONTANA, NEW YORK, TEXAS

EIN #52-1557765  
Combined Federal Campaign #41290

**BOARD**

Geeta Aiyer, C.F.A. / Cathy Carlson  
Michael E. Conroy, Ph.D. / Gloria Flora  
Jay Halfon, Esq. / Paula Hawthorn  
Tony Ingraffea, Ph.D., P.E. Secretary, Treasurer  
Bill McNeill, D.D.S. Chair / Glenn Miller, Ph.D.  
Terry Odendahl / Deborah Lawrence Rogers  
Mark Squillace, J.D. / Wilma Subra

**STAFF**

Jennifer Krill, *Executive Director*  
Bruce Baizel, *Energy Program Director*  
Ann Corbett, *Development Director*  
Pete Dronkers, *Southwest Circuit Rider*  
Bonnie Gestring, *Northwest Circuit Rider*  
Hilary Lewis, *Online Communications Coordinator*  
Shreema Mehta, *International Mining Coordinator*  
Aaron Mintzes, *Policy Advocate*  
Lorraine Osinski, *Finance and Administrative Mgr.*  
Lauren Pagel, *Policy Director*  
Payal Sampat, *International Program Director*  
Alan Septoff, *Strategic Communications Director*  
Nadia Steinzor, *Eastern Program Coordinator*  
Sharon Wilson, *Gulf Regional Organizer*

**INTERNS**

John Burgess / Ying Yu Chen  
Mary Ellen Funke / Esther Lee / Hitesh Pant

**EARTHWORKS  
JOURNAL**

Earthworks Journal  
Editor: Ann Corbett  
Editorial Assistant: Hilary Lewis  
Designed by Creative Geckos  
Printed by Ecoprint, Inc.



# → CONTENTS

- 3 **From the Executive Director**—25 years strong
- 4 **Frack Attack Update**
- 5 **Tell Congress to Protect Our Air and Water**
- 6 **Breaking All the Rules**—States fail to enforce their own gas rules
- 6 **Is Your Health at Risk?**—New research links drilling to symptoms
- 7 **Fighting on the Fracking Frontlines**
- 7 **Bursting the Shale Financial Bubble**
- 8 **Earthworks 25 Years**  
Defining moments
- 10 **Newmont Mining**  
Let communities decide
- 10 **Progress on New Mining Standards**
- 11 **Responsible Jewellery Council**  
More Shine Than Substance
- 12 **Giving Oregon's Chetco River a Voice**
- 13 **How Mining is Polluting the Future**
- 13 **EPA Says: Pebble Mine Proposal is Worse Than We Thought**
- 14 **Tell Congress to Dump the Critical Minerals Bill**
- 15 **Goodbye Gwen**
- 15 **News from the Frontlines**
- 16 **Switch to Clean Energy Today**  
It's easy—learn how to sign up!



**ON THE COVER**

Deb Thomas stands in front of Crosby 25-3, the Windsor Energy Rig that blew in 2006. Deb and her husband Dick live along Line Creek and are among the families directly impacted by the blowout. Deb is now a staunch advocate for landowners facing impacts from energy development and she joined us at the Stop the Frack Attack events. Read more about the Stop the Frack Attack Network on page 4. Photo by Dave Showalter.



# We aren't done yet.

By Executive Director Jennifer Krill

**25 years ago** in 1988, Earthworks (then Mineral Policy Center) was founded on a simple idea: irresponsible mining and drilling that scars landscapes and devastates communities, had to stop.

Early on, the most significant single shift we proposed was to reform the General Mining Law of 1872. While changing this antiquated policy has proven to be a tall order, in twenty-five years we have achieved a long list of accomplishments to protect the public and the environment from destructive mining.

Along the way, we developed innovative new ways to address the problem. In 2004, we launched the No Dirty Gold campaign to transform the jewelry market and consumers into powerful new allies to reform mining. To date, we have over 90 jewelers signed onto the campaign, committed to source gold and other precious metals from responsible sources, and many of them are not shy about telling the mining companies exactly what that means.

We successfully petitioned the Environmental Protection Agency to expand its Toxics Release Inventory to include metal mining – since then, metal mining has topped the TRI, revealed as the nation's largest toxic polluter

every single year. It is important to note that the TRI is compiled from company-reported data. It doesn't require anything except information-sharing about the toxics companies release and store in and around our communities.

And the victory in getting the mining industry to report to TRI paid concrete dividends: it revealed that gold mining was one of the largest emitters of mercury air pollution in the country. No one knew this before the industry was required to report its toxics.

We used that information to pressure Nevada state and then the federal government to put rules in place to significantly reduce mercury air emissions from gold mining. In the process we played a key role in eliminating what once was one of the top five emitters of mercury air pollution in the country.

As bad as mining can be, other extractive industries also pose dramatic threats to our communities and landscapes. That's

why in 2005, the Oil & Gas Accountability Project and Earthworks joined forces to tackle the impacts of hydraulic fracturing, or fracking, across the country. In more than thirty oil and gas producing states across the nation, fracking has fueled a drilling boom in rural areas, suburbs and cities, in schoolyards and farmyards, and in drinking watersheds that never before faced the threat of extractive industries.

Earthworks has protected critical habitats from drilling; convinced state and local governments to protect their citizens from harm caused by out-of-control fracking; and has been at the forefront of mobilizing diverse affected communities from across the country into a movement for change.

Through all of these years of organizing and campaigning, we have learned that the source of power is not us, but you. If you are a member of Earthworks, thank you; your financial support helps keep us going. If you are an activist for Earthworks, thank you; your dedication to protect communities and the environment from extraction is why we are winning.

We aren't done yet; we still face hard battles ahead. Now is the time to take stock of where we have come; be proud of our victories; and turn together towards our vision of clean water, a healthy environment, and communities that are protected from pollution.



**Through all of these years of organizing and campaigning, we have learned that the source of power is not us, but you."**

– Jennifer Krill



1988—Mineral Policy Center (now Earthworks) Founders Phil Hocker (center), Stewart Udall (right), and Michael McCloskey testify for 1872 Mining Law reform 25 years ago before a US Senate hearing on July 7.



2012—Earthworks Executive Director Jennifer Krill addresses more than 250 fracktivists gathered in Dallas, TX for the Stop the Frack Attack National Summit.

## Thank you, CREDO!

CREDO/Working Assets, a phone and credit card company that gives millions of dollars to progressive non profits every year, chose Earthworks as one of its 2012 charities. CREDO's customers and online activists voted to give us a total of \$54,842! Thanks to CREDO and all of you who voted for us in their charitable ballot.



# STOP the Frack Attack

one  
year  
later

Led by grassroots leaders from oil and gas impacted communities, Stop the Frack Attack brings together a big tent of 130+ groups including environmental organizations, community groups, religious congregations, and other advocacy organizations. Our rallying cry: to make the connection between dirty fossil fuels and harmful impacts to communities, the environment, and our climate and the need for real, renewable energy solutions.

## THE BEGINNING OF A MOVEMENT

During the last week of July 2012, more than 5,000 people gathered on the west lawn of the Capitol for Stop the Frack Attack's first major event. We demanded an end to the out-of-control rush to drill that is putting oil and gas industry profits over our health, our families, our property, our communities, and our futures.

Before the rally, hundreds of fracktivists gathered to lobby their House and Senate members and to learn and train with movement leaders like Bill McKibben and Josh Fox.

Since then, Earthworks and its partners have begun transforming Stop the Frack Attack into a national network to stop dirty and dangerous drilling. Our aim is to grow and strengthen the national movement for oil and gas justice.

This isn't a community pool—it's an open impoundment pit. These pits are full of contaminants that can leak, spill, and evaporate, putting public health at risk.

Photo by Robert Donnan.

## NATIONAL STOP THE FRACK ATTACK SUMMIT

Stop the Frack Attack gathered in the heart of shale gas country – Dallas, Texas – in March 2013 to educate fracktivists on issues surrounding oil and gas production and to plot the next steps for the Stop the Frack Attack Network.

More than 250 people joined us in Dallas for the Frack Attack National Summit. In addition to sharing knowledge and building skills, a focus of the Summit was to train fracktivists to be more effective spokespeople and truly hold the oil and gas industry accountable.

After the summit, we headed to Texas' state capitol in Austin to share stories about the real impacts of fracking and speak out about proposed state legislation. The next stop: the Texas Railroad Commission, the state oil and gas regulatory agency, where the sound system shook the building to simulate an earthquake caused by fracking.

## FROM WASHINGTON, DC TO YOUR HOMETOWN

In May 2013, Stop the Frack Attack held The People's Forum on Capitol Hill so that Congress could hear from people whose lives have been impacted directly by the gas boom. Sixteen people from eight states, representing a variety of backgrounds and political views, shared their stories and spoke out against the lack of federal oversight of the oil and gas industry. You can watch the Forum here: [www.stopthefrackattack.org/watch-the-stop-the-frack-attacks-peoples-forum/](http://www.stopthefrackattack.org/watch-the-stop-the-frack-attacks-peoples-forum/)

The Stop the Frack Attack Network is poised to lead the charge against dirty and unsafe fracking, with lobby days and actions planned across the United States in the coming months. Visit [www.stopthefrackattack.org](http://www.stopthefrackattack.org) to learn more about how you can get involved.



**PHOTOS ABOVE**

**JULY 2012:** 5,000 fracktivists from across the country rallied and marched in the DC summer heat under the banner 'Stop the Frack Attack.' Photo by Josh Lopez.

**MARCH 2013:** 250 fracktivists gather in Dallas, TX for the Frack Attack National Summit. Over 100 of the attendees were from Texas, and the summit culminated with an action in Austin at the Texas State Legislature. Photo by David Turnbull.

**MAY 2013:** Deb Thomas (featured on the cover), addresses a full house at the Stop the Frack Attack People's Forum in Washington, DC about living with oil and gas development. Photo by Gary Cameron/Reuters.

# TELL CONGRESS: PROTECT OUR AIR AND WATER NOW!

**A**ir and water pollution from the oil and gas boom harms nearby communities and contributes to climate change. Loopholes in federal laws give oil and gas companies special breaks that other industries don't have. The result: we rely on state governments to regulate oil and gas. But Earthworks' research shows that states aren't up to the task: they inspect less than half their active oil and gas wells each year and companies that violate the rules are seldom punished.

You can close the federal loopholes so that oil and gas drillers and frackers are required to follow the same rules as everyone else.

Tell your Member of Congress to support these three bills before the House of Representatives:

- THE BREATHE ACT would regulate toxic air pollution from oil and gas operations under the Clean Air Act.
- THE FRESHER ACT closes a Clean Water Act loophole to better protect our rivers and streams. Oil and gas companies would have to do what every homeowner in America must: manage their stormwater runoff.
- THE FRAC ACT would require companies to tell the public what chemicals they are using in their fracking fluid and eliminate the Safe Drinking Water Act exemption for oil and gas companies.



Go to Earthworks' online action center now and urge your Representative to support the BREATHE, FRESHER and FRAC Acts: [www.earthworkSACTION.org/action](http://www.earthworkSACTION.org/action)



- 1 Sign up for the Stop the Frack Attack email list.
- 2 Visit the website to join one of the three working groups: policy, action and organizing and communications. [www.stopthefrackattack.org](http://www.stopthefrackattack.org)

# Breaking All the Rules

States are failing to enforce their own oil and gas regulations.



“

Until states can guarantee they are adequately enforcing their own rules on an ongoing basis, state agencies must not permit new drilling.”

– Bruce Baizel, Oil & Gas Accountability Project Director

Photo by Karri Matisko



**States all over the country are failing to enforce their own oil and gas regulations.** That’s the conclusion of our 2012 series of reports: *Breaking All the Rules: The Crisis in Oil & Gas Regulatory Enforcement*.

- More than half of all wells go uninspected each year: hundreds of thousands of active oil and gas wells across the country are not inspected.
- Companies that violate the law are rarely penalized and unclear rules mean that consequences vary from violation to violation.
- Penalties are so weak that it is cheaper for violators to pay the penalty than comply with the law. The total value of financial penalties in each state studied is less than or equivalent to the value of the gas contained in one single well.

Since our groundbreaking reports were released last fall, five states (Colorado, New Mexico, Texas, Ohio and Pennsylvania) have introduced new bills and rules based on our recommendations. Enforcement has become a hot topic across the country among environmental groups, activists, reporters and government officials.

► [Download the national and six state reports at www.earthworksaction.org/issues/detail/oil\\_gas\\_enforcement](http://www.earthworksaction.org/issues/detail/oil_gas_enforcement)

## Is Your Health at Risk?

### New research links drilling to symptoms

People living on the frontlines of oil and gas development—close to wells, compressors, impoundment pits, dehydrators, and more—know all too well how drilling can change their lives. They’ve seen how drilling and fracking affect air and water quality and lead to health problems. Recently we’ve uncovered information to show they’ve got it right.

*Gas Patch Roulette: How Shale Gas Development Risks Public Health in Pennsylvania*, is based on more than a year of fieldwork and research that builds

on our previous health impacts investigations in Texas and Wyoming. Using data from more than 100 health surveys and 30+ air and water tests, we saw a strong link between gas facilities and nearby residents’ symptoms.

We found that many contaminants associated with oil and gas development are present in air and water in communities where the development is occurring. Rates of commonly reported symptoms (such as throat irritation, headaches, and sinus problems) generally increased the closer study participants live to gas facilities. And symptoms closely matched the scientifically established effects of exposure to detected chemicals.

We’re continuing to research the possible links between health problems and lax oversight of the gas industry in Pennsylvania. Earthworks is also doing air testing and providing community support in Texas, and exploring the health impacts of drilling and fracking in California.

Much work remains, but a key lesson is already clear: gas and oil development can be dangerous to your health. Strong action is needed to protect the air, water, and the very well-being of communities nationwide.

► [All of our reports are available at www.earthworksaction.org/library.](http://www.earthworksaction.org/library) See the “Library” link at the top right of the screen.



## FIGHTING ON THE FRONTLINES

From Pennsylvania to Wyoming to Colorado, we're fighting for communities in courthouses and legislatures. As states fail to protect their people from the impacts of dirty and dangerous drilling and fracking, the onus falls on communities to save their own health and environment. Here's how you are standing shoulder to shoulder with those fighting on the frontlines:

### BREAKING THE SILENCE IN PENNSYLVANIA

In May 2010, the Hallowich family of Hickory, Pennsylvania, sued the gas company Range Resources after nearby drilling activity made their children sick. They reached a final settlement with the company, but Range insisted on a strict gag order, hiding court documents from the public.

Earthworks and our allies supported the Hallowich family and Pittsburgh newspapers in challenging the gag order. In a strongly worded opinion this March, the court found against Range, stating that the company failed to present any evidence of harm if the records became public. The court stated that privacy rights exist to protect people, not corporations.

### YOU HAVE THE RIGHT TO KNOW: WHAT'S IN THE WATER?

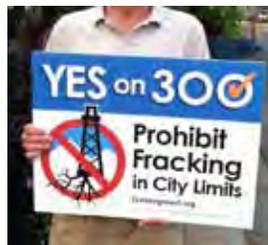
Industry secrecy starts well before court. In another precedent setting legal action, Earthworks appealed to the Wyoming Supreme Court to overturn a decision allowing companies to keep chemicals used in fracking secret. Wyoming was the first state in the country to pass a law requiring the disclosure of fracking chemicals. However, the law included an exception for trade secrets.

The public has a right to know what chemicals oil and gas companies are injecting underground during fracking. Trade secrets shouldn't be used as an excuse to hide information that affects public health and safety. If the Wyoming Supreme Court rules in our favor, this case could establish an important legal precedent, as Texas and Michigan have similar disclosure regulations.

### YOUR COMMUNITY'S RIGHT TO CHOOSE

With industry hiding behind closed doors, and state government standing idly by, it's clear that we need to take matters into our own hands. In Colorado, Earthworks fought for the first rules in the country to require greater setbacks for oil and gas facilities from homes, schools and hospitals, and for another rule requiring baseline water testing before fracking occurs.

We're also standing by the city of Longmont, Colorado, as they protect the fracking ban that voters endorsed in the November election. The ban represents a direct democratic challenge to industry's efforts to force their way into any community, whether the community wants them or not.



**IS YOUR COMMUNITY AT RISK? GIVE US A CALL**  
We're here for you. With 25 years of experience, we understand what you're going through and we have the tools to help. Talk to one of our experts or request more information by phone at (202) 887 - 1872 or email [info@earthworksaction.org](mailto:info@earthworksaction.org).

## BURSTING THE SHALE BUBBLE

**TWO NEW REPORTS SHOW THAT, RATHER THAN OFFERING THE NATION A CENTURY OF CHEAP ENERGY AND ECONOMIC PROSPERITY, FRACKING WILL PROVIDE ONLY A DECADE OF GAS AND OIL, AT MOST, AND IS CREATING A FRAGILE NEW FINANCIAL BUBBLE THAT IS ALREADY STARTING TO DEFLATE.**

Deborah Rogers, founder of the Energy Policy Forum and member of Earthworks' board of directors, offers a comprehensive review of the financial status of the companies leading the charge to expand domestic fossil fuel development in *Shale and Wall Street*.

Post Carbon Institute's David Hughes, a veteran coal and gas geologist, analyzed data on more than 60,000 oil and gas wells for his report *Drill Baby Drill*.

They presented their findings at a briefing on Capitol Hill on May 22, 2013. They conclude that shale oil and gas reserves are vastly overstated and that the productivity of many shale plays is already in decline. Wall Street has hyped the fracking boom through mergers and acquisitions and transactional fees, similar to the pattern seen in the housing boom that led to the financial crisis. The high rates of per-well investment required to maintain production mean U.S. shale gas production may have already peaked and maintaining production will require high rates of potentially unsustainable, high-cost drilling. ➤ **Get the reports at [www.shalebubble.org](http://www.shalebubble.org)**

"It will simply not be possible to drill and frack our way to 'energy independence.'"

— David Hughes

"In every region where shale gas development occurs, economic stability has proven elusive—yet environmental degradation and peripheral costs have proved very real."

— Deborah Rogers



In 1988, Wyoming architect and Sierra Club activist Phil Hocker teamed up with the greatest Interior Secretary in the history of the United States Stewart Udall, Sierra Club Executive Director and Chairman Michael McCloskey, prominent non-profit attorney Thomas Troyer, and former National Wildlife Federation President Thomas Kimball to form Mineral Policy Center.

Upon leaving the Interior Department, Secretary Udall wrote, "... the most important piece of unfinished business on the nation's resource agenda is the complete replacement of the Mining Law of 1872." Mineral Policy Center set its sights on comprehensive mining reform, and we've kept up that fight for 25 years.

Gwen Lachelt started the Oil & Gas Accountability Project (OGAP) in Colorado in 1999 to help people in rural, tribal and urban communities to protect their homes and environment from the devastating impacts of oil and gas development. OGAP has been bringing together such diverse partners as Native Americans, ranchers, sportsmen and environmentalists ever since.

In 2004, Mineral Policy Center and OGAP joined forces to become Earthworks. Earthworks remains the only national group focused on the environmental impacts of resource extraction from a community perspective. Earthworks helps affected communities speak truth to power – whether that power is Congress, state or local governments, or even other environmental groups.

This vision still inspires Earthworks, and our supporters, 25 years later.



The world's greatest wild salmon fishery – and these bears' dinner – is threatened by the proposed Pebble Mine in Bristol Bay, Alaska. Photo by Dave Goodhart.

## Join Us and Make History



**You can protect communities and the environment by joining one of Earthworks' giving circles.**

Signing up is easy! Just return the attached envelope with a gift of your choice to become a member. Your support will make it possible for Earthworks to keep up the fight for communities and the environment for the next 25 years.

### SUSTAINABILITY CIRCLE

Sustainability Circle members provide steady financial support throughout the year so that Earthworks is always ready to take action to protect our air, water, land, health and rights. Automatic contributions are easy to set up and flexible to meet your needs. Your sustaining gifts save administrative costs, postage and paper. Plus you won't receive any more renewal notices!

### DEFENDERS CIRCLE

The Defenders Circle honors those who make an annual commitment of \$1,000 or more to Earthworks. To join, you may give a single donation or schedule your pledge payments over the course of the year.

### LEGACY CIRCLE

Join the Legacy Circle by remembering Earthworks in your will or estate plans. Your gift will secure a lasting legacy of protecting the environment for generations to come.

# 25

## Defining Moments

Earthworks is celebrating our anniversary by sharing the stories that have defined our first 25 years. Throughout the year, we will post stories of 25 defining moments at:

[www.earthworksaction.org/about/25th](http://www.earthworksaction.org/about/25th)

### What is YOUR defining moment?

It could be a personal turning point, how you made a difference in your community, or how you took action with Earthworks to protect a special place or achieve policy change.

Share your story at:  
[www.stories.earthworksaction.org](http://www.stories.earthworksaction.org)





## Defining moments from Earthworks' First 25 years

### Preserving the Valle Vidal

This “Living Valley” in the lush Sangre de Cristo Mountains of northern New Mexico was threatened by coalbed methane development in 2002. Earthworks partnered with local groups to save this valuable watershed, wildlife habitat and treasured site for camping, hiking, horseback riding and hunting. A four-year battle ended when the US Congress unanimously passed a law in 2006 to permanently prohibit energy and mineral extraction in the Valle Vidal.



### No Mining in Yellowstone National Park

America’s first national park almost became a huge gold, silver and copper mine in the 1990s. Earthworks joined with other groups to fight the New World Mine proposal and save this precious landscape from the acid mine drainage, heavy metals contamination, and chemical process pollution that comes with mining. In 1996, Crowne Butte dropped the proposal in a federal exchange for \$65 million in federal land and other assets. Yellowstone remains one of our most popular and treasured landmarks.



In 1996, President Bill Clinton addressed a welcoming crowd after a deal was reached to protect the area around Yellowstone National Park from the proposed New World open pit gold mine.

### Saving the Rocky Mountain Front

In 1977, the US Forest Service announced that they would be leasing nearly the entire Lewis and Clark National Forest for oil and gas exploration without conducting a proper federally mandated environmental impact assessment. This proposal severely threatened the ecosystem of the Rocky Mountain Front, and its land claims would encroach sacred Native American lands. Earthworks and our partners secured a 10-year moratorium on energy development on 356,000 acres of the Lewis and Clark National Forest, preventing the extraction of natural gas from the “Crown of the Continent.” In 2006, President Bush signed a law banning all mining activity in National Forest lands.



### Exposing Mining as the #1 Toxic Polluter

In 1996, Earthworks successfully petitioned the Environmental Protection Agency to expand its Toxics Release Inventory – an annual online database publishing the kinds and quantities of toxic chemicals released into the environment – to include metal mining. The TRI revealed that mining is the nation’s largest toxic polluter.

This victory has paid off in other ways, too, most notably in revealing that gold mining is one of the largest emitters of mercury air pollution in the country – a fact that was hidden until the industry was forced to report its toxics. Using the toxics data from the TRI report, Earthworks pressured Nevada and then the federal government to significantly reduce mercury air emissions from gold mining, a big victory for public health and the environment.



PHOTOS ABOVE

Along with our partners, we helped secure a congressional ban on new oil and gas drilling leases and hard rock mining on 400,000 acres of National Forest and BLM lands along Montana’s Rocky Mountain Front.

Protests against the use of cyanide at the site of Meridian’s proposed gold mine in Esquel, Argentina. In 2003 the town passed a moratorium as a result of overwhelming local opposition to the mine.

Launched in 2004, the No Dirty Gold campaign raises awareness about the impacts of gold mining on communities and the environment in creative ways, including this giant puppet, Goldzilla.

# Newmont Mining: Let communities decide

Newmont Mining has come under fire for its Minas Conga mine proposal in the Carajamarca region of northern Peru. Many community groups in the region oppose the mine because it would consume and contaminate high volumes of water. Newmont had to suspend construction of the mine in late 2011 after public protests and conflict, including a shooting incident that led to a National State of Emergency. This year, Newmont hopes to restart construction of the proposed gold and copper mine.

Earthworks and group of shareholder activists headed to Newmont's annual meeting in Delaware this April to voice our concerns. International Program Director Payal Sampat urged the Newmont CEO and Board of Directors to improve the way the company interacts with communities affected by its projects globally by seeking the Free, Prior and Informed Consent (FPIC) of people in Cajamarca and other mining sites. This principle holds that before a company develops a project, it must inform community members of the duration, nature and impacts of the project and obtain consent from the impacted community before proceeding. Newmont's failure to adequately inform and consult with local communities in Peru has cost the company – by its own estimation – hundreds of millions dollars.

After the meeting, Newmont tweeted a note of thanks for our attendance at the AGM, and voiced its support for a draft standard on FPIC that was prepared for the Initiative for Responsible Mining Assurance (IRMA).



Protestors rally against Newmont's Conga mine before the national government declared a state of emergency. National police patrol the streets of Cajamarca, Peru on the fourth of July after days of protests of Newmont's Conga mine project. Photos by Vrinda Manglik.



...We applaud draft FPIC [Free Prior and Informed Consent] in Dec 2012 and are working with IRMA and NGOs on final standard.”

– Newmont Mining  
tweet to Earthworks



► Learn more at [www.responsiblemining.net](http://www.responsiblemining.net)

## Progress on new mining standards

Earthworks believes in promoting best practices and robust standards for mining. That's why we are on the Steering Committee of the Initiative for Responsible Mining Assurance (IRMA).

IRMA began in 2006 as a dialogue between civil society (NGOs, community based organizations, and labor unions) and businesses (mining companies, jewelry and other retailers), all of whom recognized the need for a truly independent, third-party verification mechanism for ensuring compliance with strong environmental, social and human rights standards for mining.

IRMA recently hired its first Director, London-based Matthew Wenban-Smith, who has previously worked on a number of standards and verification efforts including Forest Stewardship Council.

Earthworks and other civil society participants have been encouraged by IRMA's path-breaking draft standard on free, prior and informed consent, or FPIC, in late 2012.

# Responsible Jewellery Council

## More shine than substance

The Responsible Jewellery Council (RJC), a coalition of jewelry trade associations, retailers, and their suppliers, including mining companies, presents itself as a solution to the problem of ethical metals sourcing. However, a report by Earthworks, Mining Watch Canada and trade unions IndustriALL, CFMEU Australia and United Steelworkers shows that RJC certification fails to create responsible jewelry and misleads consumers.

“Jewelry is meant to lift our spirits. But it loses its value if it’s made with gold or diamonds that are tarnished by human rights abuses or environmental destruction,” said Earthworks’ No Dirty Gold campaign director Payal Sampat.

The RJC’s certification system offers little in the way of real solutions to the serious human rights, labor and environmental problems that caused RJC’s formation. The RJC Board of Directors consists exclusively of industry representatives, with no representatives from impacted communities, labor, or environmental organizations.



**Jewelry is meant to lift our spirits. But it loses its value if it’s made with gold or diamonds that are tarnished by human rights abuses or environmental destruction.”**

– Payal Sampat, No Dirty Gold Campaign Director

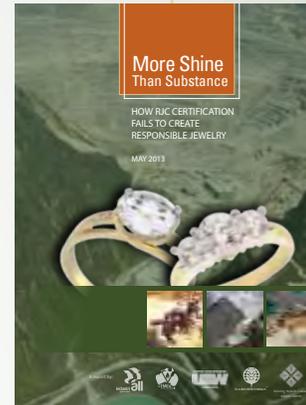


Photo upper by: Cherisse Fredricks

Photo lower by: Wikimedia.org



► Learn more by reading the report at [www.earthworkSACTION.org/library/detail/more\\_shine\\_than\\_substance](http://www.earthworkSACTION.org/library/detail/more_shine_than_substance)

# Giving Oregon's Chetco River a Voice



Photo by Northwest Rafting Company

**T**he Wild and Scenic Chetco River is one of Oregon's natural treasures, recognized for its remarkable salmon and steelhead fishery, strikingly clear waters, and recreational opportunities. It's one of the country's few remaining truly wild rivers.

Ann Valeisis and Harvey Young travelled all the way from Oregon to Washington, DC, this March to save their beloved river from suction dredge mining. Suction dredge mining uses hoses to vacuum up the riverbed, then filters out the valuable minerals and discards the waste back into the water. This type of mining seriously harms the habitat of fish and other aquatic life.

Ann, President of the Kalmiopsis Audubon Society, came to Washington to "protect our backyard" and appreciates the opportunity to be part of the democratic process. Harvey, owner of the Fishhawk River Company, wants to save a landscape that hasn't changed in 20,000 years.

Earthworks' policy team took them to meet with officials at the Department of the Interior to ensure approval of a five-year mineral withdrawal for the Chetco. They also visited members of Congress to gain their support for permanent protection through the Oregon Treasures Act. As Harvey explains, the goal of the trip was to "persuade legislators to vote for the fish and wild habitat that don't have a say—and the landscape that doesn't have a place in Washington, but is up to all of us to take care of."

You can make sure the Wild & Scenic Chetco River remains pristine. Because nearly 12,000 of you took action, the Department of the Interior is expected to approve the five-year mineral withdrawal this summer.

This is great news, but we still need to secure permanent protection for the river. This February, Senators Ron Wyden and Jeff Merkley of Oregon introduced the Oregon Treasures Act, which would save the Chetco and several of Oregon's other natural treasures.

We need your help to make the Oregon Treasures Act a reality.



Ann Valeisis and Harvey Young during their lobby trip at Oregon Senator Jeff Merkley's office in Washington, DC.



**The most remarkable thing about the Chetco is the blue-green tint of its water. When we're out on the river fishing, people are always saying, 'Look at the color of the river.' It's amazing to see a big, chrome-bright salmon coming up through this water."**

– Harvey Young, Chetco River fishing guide



**Join our email action list so you can take action in the months to come to make sure mining is never allowed in the Wild & Scenic Chetco River. With your help, we can ensure that this beautiful river, its clean water and healthy salmon and trout populations, remain for future generations.**

# How Mining is Polluting the Future

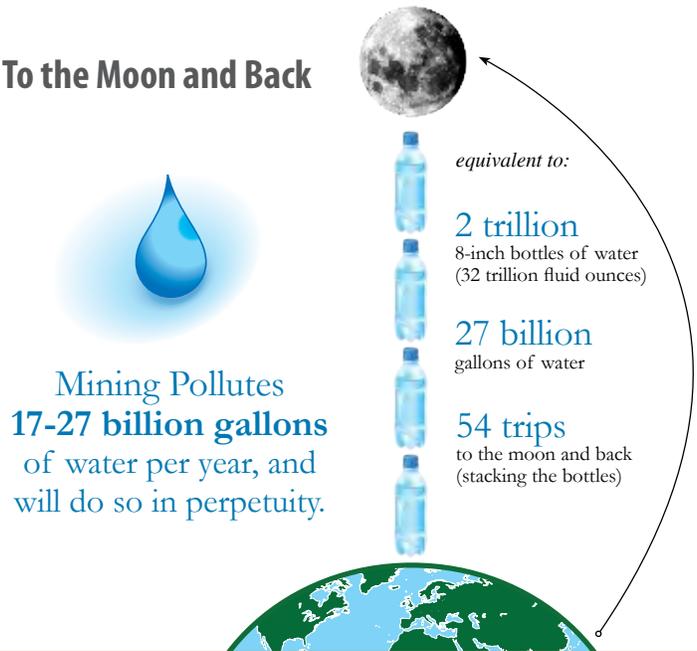
**M**ining is a very dirty business. Earthworks' new report, *Polluting the Future: How mining companies are polluting our nation's waters in perpetuity*, shows, for the first time, the staggering amount of our nation's water supply that is forever polluted by mining.

- Existing US metal mines pollute 17 to 27 billion gallons of water each year, every year, forever.
- It would cost \$57-67 billion per year to treat all the water polluted by these mines.
- Four new proposed mines alone, if they move forward, risk polluting an estimated 7-12 billion gallons of water annually.

State and federal governments are not prepared to address this ever-escalating water crisis. We need policies to hold mining companies accountable and protect our water supplies now.

➤ **Read the full report:**  
[www.earthworksaction.org/library/detail/polluting\\_the\\_future](http://www.earthworksaction.org/library/detail/polluting_the_future)

## To the Moon and Back



The proposed Pebble Mine in Bristol Bay, Alaska threatens the world's biggest wild salmon fishery, and the beluga whales that depend on it!

Photo left by: Robert Glenn Ketchum  
[www.robertglennketchum.com](http://www.robertglennketchum.com).

Photo top by: Alaska Fisheries Science Center/NOAA

## EPA SAYS: PEBBLE MINE PROPOSAL WORSE THAN WE THOUGHT

**T**he campaign to protect Alaska's Bristol Bay from the proposed Pebble Mine is one step closer. The EPA just released its revised study of the impacts to the Bristol Bay fishery by large-scale mining, including the proposed Pebble Mine.

The new study responds to the public and scientific comments on the draft study, which was released in 2011. The kicker: the impacts are even bigger than before. The EPA has determined that the proposed mine could eliminate or block 90 miles of streams and 4,800 acres of wetlands.

**This science is clear.** The impacts to salmon will be severe and lasting. The EPA has authority under Section 404c of the Clean Water Act to restrict the disposal of mine waste if the science shows that it will harm the fishery. Now, it's time for the EPA to take action, and start the 404c process. Thanks to all of you who sent public comments to the EPA by the June 30 deadline. Together, we will stop Pebble Mine!



**Join the Our Bristol Bay page on Facebook to learn how you can help win this fight.**

# DEAR CONGRESS: DUMP CRITICAL MINERALS BILL

**M**ining companies don't need more government favors. The 1872 Mining Law gives miners virtually free access to metals from public lands without having to pay a royalty to taxpayers. Worst of all, metal mining on these public lands enjoys priority over any other use. That is, the government simply cannot say no to a proposed mine.

Canadian think tank the Fraser Institute surveys mining company executives every year, asking them to identify the most favorable places to mine. The United States has three states in the top ten, four in the top twenty. Mining companies don't need additional incentives to mine in the US.

## Shutting out Community Voices

The main target of the critical minerals bill is our community input process. The National Environmental Policy Act (NEPA), passed in 1970, allows the government to hear from average citizens on environmental decisions that affect them. HR 761 would effectively put an end to NEPA and silence community voices in permitting decisions. It would also gut the Equal Access to Justice Act that opens the courthouse doors to communities seeking to level the playing field.

The hardrock mining industry is once again this year's top toxic polluter in the nation. Major loopholes in the Clean Water Act allow them to dump their toxic sludge in to our rivers, lakes, and streams. Cutting corners around the permitting process undermines our communities, our environment and our democracy; and we just won't stand for it.



Massive landslide at the largest open pit mine in North America, Bingham Canyon in Utah, on April 10, 2013. Photo by Ravell Call, *Deseret News*.



Earthworks Executive Director Jennifer Krill testifying before Congress on March 21, 2013.



This isn't orange juice—it's contaminated water from the Zortman Landusky Mine in Montana. Demand clean water, go to [www.earthworkSACTION.org/action](http://www.earthworkSACTION.org/action) to tell Congress to dump the Critical and Strategic Minerals bill and protect community health and the environment.



# Goodbye Gwen!

Our loss is La Plata County Colorado's gain

**G**wen Lachelt, the founder and director of our Oil & Gas Accountability Project, was elected La Plata County Commissioner in southwestern Colorado in November 2012.

When Gwen took the oath of office and officially began her duties in January, Earthworks lost one of our most treasured colleagues.

Earthworks' mission statement begins "dedicated to protecting communities."

Gwen lives these words. That is one of the many reasons we treasure her.

She lived them when she founded the Oil & Gas Accountability Project to protect landowners from irresponsible drilling. She lived them when she successfully pushed new landowner protection legislation and rules through to adoption in Colorado and New Mexico. And she's living them now as she serves the citizens of La Plata County.

We at Earthworks are very proud of her. Her fierce dedication to the causes, people and communities she loves will always be an inspiration.



Gwen at the Capitol, addressing the Stop the Frack Attack Rally in July 2012. Photo by Josh Lopez.

## News From the Frontlines

### Supreme Court: Animals Before Mines

March 2013 saw a huge victory when the US Supreme Court refused to hear the appeal of a lower court decision that the Endangered Species Act trumps the 1872 Mining Law.

A group of miners called the New '49ers wanted to take gold from Oregon's Klamath River. Suction dredge mining uses hoses about 5" in diameter to suck up the riverbed 5-12 feet down, picking up whatever is down there.



Coho salmon.  
Photo by Flickr.soggydan.

"Down there" is critical habitat for endangered Coho Salmon. Normally, the 1872 Mining Law dictates that mining is the best use of land. But in this case, the court decided that the Endangered Species Act comes first.

### Big Earthquakes Linked to Dirty Drilling

It's not news that hydraulic fracturing can cause earthquakes. When fracking fluid is injected near pre-existing faults or when wastewater is injected underground, tremors can occur. Just ask anyone who lives in the gas patch.

Oil and gas companies have claimed they don't cause these quakes, which they say are insignificant anyway. New research contradicts this. A study by scientists at the University of Oklahoma, Columbia University and the US Geological Survey reports that fracking caused a 5.7 magnitude quake near Prague, Oklahoma, that damaged 14 homes and other structures in the area.

Damage from the 5.7 earthquake caused by oil and gas development near Prague, OK.  
Photo by Jim Beckel,  
*The Oklahoman.*



# switch to clean energy



clean energy in just a few minutes

When you enroll for wind power through Earthworks, a portion of your electric bill payments will support our work to protect communities and the environment.

Earthworks is proud to announce our partnership with Ethical Electric, America's only progressive clean energy company. Founded by the people who started MoveOn.org, Ethical Electric makes it easy for you to get 100% of your electricity from clean renewable wind and solar.



- **Current States:** DC, PA, NJ, MD, DE
- **2013 States:** NY, CT, MA, RI, NH, ME, OH, IL, TX

## HOW IT WORKS

### Clean Energy

We buy clean wind and solar energy

### You Keep Your Utility

We provide the clean electricity though your local utility. Nothing else changes. Same bill, same wires, same meter. **Switching is Easy!**

### Progressive

Every bill funds causes that share our members' values. **To sign up, call (888) 731-9444 or go to [www.ethicalelectric.com/earthworks](http://www.ethicalelectric.com/earthworks).**



EARTHWORKS™



**Main Office**  
1612 K Street, NW, Suite 808  
Washington, DC 20006  
p: 202.887.1872 • f: 202.887.1875  
info@earthworksaction.org  
www.earthworksaction.org

How do you like our new look? We've redesigned Earthworks Journal for this special issue. Let us know what you think at [info@earthworksaction.org](mailto:info@earthworksaction.org)



## We want to hear your story.

How have Earthworks' campaigns made a difference in your life? How have you made a difference in your community? Why do you protect communities and the environment from oil, gas and mining?

Share your story at: [www.stories.earthworksaction.org](http://www.stories.earthworksaction.org)



Join the conversation

