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Northwest Mining Association Files Suit to Stop Illegal Withdrawal

Political Move Blocking Access to Critical Uranium Resource is Unnecessary, Short-sighted and Dangerous

Spokane, Washington – A lawsuit was filed Tuesday in Arizona federal district court against the Obama Administration for unnecessarily and illegally blocking access to hundreds of millions of pounds of the highest-grade uranium ore in the country that, if mined, would generate enough electricity to power Los Angeles for at least 154 years.

The Northwest Mining Association (NWMA), representing 2,300 members including those in Arizona, asserts in its complaint that U.S. Department of the Interior Secretary Ken Salazar's January 2012 order withdrawing more than 1 million acres of federal land in northern Arizona, an area 30% larger than the entire state of Rhode Island, from location and entry under the Mining Law violates a host of federal laws.

NWMA asserts the withdrawal order, which includes lands managed by both the U.S. Forest Service and the Bureau of Land Management (BLM) in the "Arizona Strip," violates the Federal Land Policy and Management Act (FLPMA), the National Forest Management Act (NFMA), and the National Environmental Policy Act (NEPA). NWMA is represented in the suit by the Mountain States Legal Foundation.

NWMA Executive Director Laura Skaer said, "The withdrawal is a purely political decision emanating from Washington, D.C. The evidence is quite clear that the BLM and U.S. Forest Service have effectively used the existing comprehensive framework of environmental laws, regulations and financial assurance requirements to protect the environment, ensure public participation in the process and ensure that modern mines are reclaimed and do not become tomorrow's abandoned mines. Thus, there is no scientific justification for this mineral withdrawal."

The Secretary's decision dangerously and unnecessarily removes from production a significant percentage of our nation's uranium reserves. The U.S. currently gets 20% of our electrical energy production from nuclear energy. It is critical that we have a secure domestic supply of the uranium needed for nuclear generating stations. We already are importing over 90% of our needed uranium.

"According to the U.S. Geological Survey, the Arizona Strip holds 42% of the nation's estimated undiscovered uranium endowment. This is the equivalent of 13 billion barrels of oil. Restricting access to uranium reserves that can help provide the nation with low-cost electricity generation, with no environmental benefit or necessity, is illogical, short-sighted and dangerous," added Ms. Skaer.

The Arizona Strip, which lies north of the Colorado River in northern Arizona, is bordered to the south by the northern rim of Grand Canyon National Park. Importantly, the lands in question have already undergone evaluation and decision for withdrawal. In the 1984 Arizona Wilderness Act, Congress designated 250,000 acres of federal land on or near the Arizona Strip as Wilderness and released 600,000 acres of land in the same area for multiple-use, including uranium mining, as a result of an historic compromise among environmental groups, uranium mining interests, the livestock industry, and others. The clean and environmentally responsible operations of the uranium industry in that area to date have been a testament to this having been the right decision.

In July 2009, Secretary Salazar proposed to withdraw the lands in question in the Arizona strip from operation of the General Mining Law for up to 20 years to “protect the Grand Canyon watershed from adverse effects of locatable hardrock mineral exploration and mining.” However, BLM’s analysis failed to prove mining is a threat to the Grand Canyon, finding that uranium mining in the area of the proposed withdrawal will have no impact, negligible impact, or impacts that would not be significant, measureable or detectable.

Nevertheless, in June 2011, Secretary Salazar issued an emergency withdrawal of the lands; in October 2011, the BLM issued a Final Environmental Impact Statement (FEIS); and, in January 2012, Secretary Salazar issued his order.

The Northwest Mining Association is a 117 year-old, 2,300 member non-profit, non-partisan trade association based in Spokane, WA. NWMA’s purpose is to support and advance the mineral resource and related industries, represent and inform its members on technical, legislative and regulatory issues, provide for the dissemination of educational materials relating to mining, and foster and promote economic opportunity and environmentally responsible mining.