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• Editorial •

The Power to Say No

In recent weeks, the federal Forest Service awarded a British company the right to explore for uranium on 39 separate sites on national forest land just outside Grand Canyon National Park, less than three miles from a popular lookout over the canyon's southern rim.

The permits were awarded with little public notice and no formal environmental review, provoking outrage among local officials and environmentalists and multiple threats of lawsuits. What was most interesting about the decision was not so much that the Forest Service wanted to say yes but that it pretty much had to say yes.

Therein lies the most compelling reason to reform the General Mining Law of 1872, a relic of the boisterous era of westward expansion that, while useful in its day, is an environmental disaster now.

The law sets the rules — such as they are — for mining hard-rock minerals on public lands. It requires companies to pay no royalties and provides only minimal environmental safeguards. Its worst feature by far is that it elevates mining over all other uses of the land, including wildlife protection and recreation. This means that it is extraordinarily difficult for the

government to prevent mining operations once a company has staked a claim.

A reform bill approved by the House would end this special treatment. In addition to many other important changes in the law, it would give equal weight to competing uses of the land and give federal managers a mandate to deny permits in areas of environmental concern.

Mine sites that lie a mere three miles from one of the nation's iconic national parks would presumably fit that definition, though the Grand Canyon is hardly the only area under siege. According to a survey by the Environmental Working Group, mining claims throughout the West have jumped from some 200,000 five years ago to more than 375,000 today mainly because of a renewed interest in nuclear power and a huge rise in the price of uranium. Many claims have been staked within five miles of 11 major national parks and monuments.

The responsibility for reforming the mining law now rests squarely with the Senate. Given the increasing threats to some of America's most valued landscapes, the House bill should be adopted without delay.