

STREAM PROTECTION RULE HEARING TALKING POINTS

Value

- Now is the time to fully protect America's waterways from destructive mining practices. To date, more than a thousand miles of Appalachian rivers and streams have been destroyed. We can and must do better.
- Citizens from across the country should have the right to take mining companies to the courts when their local waterways are in danger from destructive mining practices.
- The laws protecting our communities and natural spaces from mining pollution should be clear, enforceable and put the burden for cleaning up a mine's mess on the company that owns it.
- Our clean water protections should protect all American waterways equally from the dangers of mine pollution and destructive mining practices. From the smallest ephemeral stream to the widest river, each has a critical role to play in sustaining our ecological biodiversity.

Barrier

- Citizen enforcement of federal pollution protections is the strongest way to ensure that our waterways are protected.
- The best protection our rivers lakes and streams can get is when we test pollution at its source, directly near an outfall or valley fill. The strongest data we can gather will lead to the strongest protections for communities and ecosystems harmed by mining pollution.
- The science is clear, stream restoration is the only proven way to ensure that harmed waterways return to their natural state.

Ask

- The Office of Surface Mining (OSM) must make sure that these water quality standards are enforceable under the Surface Mining and Reclamation Act (SMCRA) so citizens can engage in meaningful legal action to ensure the protections met, and when they are not, mining companies are held accountable.
- The Office of Surface mining must require pollution monitoring directly at valley fills, mining outfalls and other locations directly connected to mining operations.
- OSM must ensure stronger protections are possibly by adjusting its definition of "material damage" so that it falls in line with the Clean Water Act, in order to ensure the strongest shield against mining damage and pollution.
- OSM must ensure that streams are properly restored and not let mining companies continue the entirely ineffective process of building completely new "streams" instead.

Vision

- Strong Stream Protections Rules will go a long way to begin repairing the damage done by mining companies through long-wall, mountaintop removal and other highly destructive forms of this practice.
- Our rivers and streams form part of our national heritage, contributing to local economies and forming the foundation of many communities. Protecting them fully isn't only good ecology, its good policy.
- Citizens should always have a voice in protecting their local waterways. A strong Stream Protection Rule will ensure that concerned folks will have the ability to hold polluters accountable for years to come.