

Take Action to Protect Wyoming's Precious Water during Coal Mining
Comments Needed by October 26th

Dear Friends,

There is good news for our dwindling water resources in Wyoming: the Office of Surface Mining (OSM) has proposed new national standards to protect streams and aquifer systems from coal mining impacts. Dubbed the "[Stream Protection Rule](#)," the new set of standards represent the first major changes to federal mining regulations in decades. It has important implications for all types of surface coal mining around the nation, including the large mines of Wyoming's Powder River Basin. While the rule has some areas that need to be stronger to adequately protect waterways and communities impacted by surface mining, on the whole it represents a modest and much-needed improvement in current mining regulation.

Unfortunately, like most proposals that seek to better protect our communities from the impacts of extractive development, the Stream Protection Rule is under fire from coal mine companies and their political allies. The OSM needs to hear from you – citizens and friends of Wyoming – that you support their proposal and want the agency to move forward with implementing these new standards to better protect Wyoming's water.

Please submit comments by **Monday, October 26, 2015**.

To submit comments, visit regulations.gov at
<http://www.regulations.gov/#!submitComment;D=OSM-2010-0018-0001>

In your comments, you can tell OSM that you support the following parts of the rule:

- Enhanced water monitoring requirements: The proposed rule **requires more extensive monitoring of water quality and stream flow in areas impacted by mining**, including requirements to monitor for selenium, conductivity and other pollutants, as well as the presence of important aquatic species. This information is essential to establish baseline conditions and to monitor adverse effects after mining begins to ensure that mining operations do not cause violations of water quality standards or "material damage" under OSM's new proposed definition discussed further below.
- Improved Analyses of Mining Impacts to Surface and Ground Water: Under the federal surface mining law (Surface Mining Control and Reclamation Act, or SMCRA), before issuing a mining permit the regulatory agency must prepare a "cumulative hydrologic impact analysis" (CHIA) to ensure that the mining operation will prevent "material damage" to surface and ground water outside the permit area and will minimize such damage within the permit area. **Existing regulations do not define the term "material damage," nor do they provide specifics regarding what baseline data must be collected or how "material damage" should be assessed.** The new rule, in contrast, includes the first-ever definition of "material damage", requiring CHIAs to contain enforceable, site-specific, numerical material damage criteria for each parameter of concern.
- Restoration of Stream Functions: The proposed rule requires mine operators to restore both the hydrologic form and ecological functions of stream segments disturbed by mining, consistent with the Clean Water Act. OSM has proposed a requirement that the restored stream be in good biological condition, i.e. sufficient to fully support aquatic life for existing and designated uses, as measured by an assessment of multiple different biological and chemical indicators.

While not perfect, the rule is a modest proposal to improve and protect water systems during mining. OSM's analysis shows the standards can be implemented with little impact to coal mine production or jobs.

If you need more information, please don't hesitate to contact Shannon at our office at 307-672-5809.

p.s. If you have not RSVPed for our Annual Meeting on October 31st, please do so today by calling our office: 307-672-5809. More information on the Annual Meeting is available on our [website](#).