



Persatuan Pengguna Pulau Pinang
Consumers Association of Penang
檳城消費人協會 பினாங்கு பயனீட்டாளர் சங்கம்

10 Jalan Masjid Negeri, 11600 Pulau Pinang, Malaysia
Tel: 604-8299511 Fax: 604-8298109
email: consumerofpenang@gmail.com

Websites:
(in English, BM, Chinese,
& Tamil)
www.consumer.org.my

Media Statement

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**Objection To Mining Activities In Permanent Forest Reserves
And Environmentally Sensitive Areas**

Several non-governmental organizations (NGOs), urge all State Authorities, especially in the states of Perak, Kedah, Kelantan and Pahang where mining has been reported, to prohibit mining activities in Permanent Reserved Forests (PRFs) and environmentally sensitive areas (ESAs).

All State Authorities are also urged to reconsider and cancel the approval of mining operations in those areas.

These demands are in line with the decision made at the 70th National Land Council (MTN) Meeting on 18 November 2014 that all states take the initiative to control or as far as possible avoid any approval of mining and quarrying activities in the PRF and ESA areas.

The MTN was apt in making this decision because mining and quarrying activities in the PRF area will directly affect sustainable forest management which is the core of national forest management.

For example, the proposed location of the rare earth element (REE) mining in the state of Kedah is in the Bukit Enggang Forest Reserve (HS Bukit Enggang) while in the state of Perak it is located in part of the 'Central Forest Spine' Ecological Network Corridor 1 - Primary Linkage 8: Kenderong Forest Reserve - HS Bintang Hijau, Hulu Perak District (CFS Ecological Network Corridor 1 - PL 8: HS Kenderong - HS Bintang Hijau).

Based on Section 2 of the National Forestry Act 1984 (Act 313), rare earth-based mineral resources are not defined as forest products, therefore they cannot be excavated from the PRF area.

When the issue of illegal REE mining in HS Bukit Enggang arose recently, YAB Menteri Besar of Kedah's explanation during the recent State Assembly Session was seen as not showing seriousness in dealing with the issue.

Why are the State Authorities not questioning the two relevant agencies, namely the State Forestry Department (the agency that manages and has jurisdiction over forest reserves) and Menteri Besar Incorporated (a subsidiary of the State Government that was given a Use Permit to carry out activities in HS Bukit Enggang)?

It is impossible for the two agencies to not know what is happening when it is a restricted area for those who are not concerned. This became public knowledge only after the media revealed the issue of illegal REE mining and theft at HS Bukit Enggang.

Nearby villagers also informed us that the REE mining operation at HS Bukit Enggang has caused their water source to be polluted. Majority of the villagers here still use water sourced from the forest reserve and this has been approved by the Forestry Department.

The statement of the Menteri Besar of Kedah is also misleading when he stated that MB Inc confirms that the water source from the REE mining area is not contaminated as this agency is not an authoritative and qualified agency to confirm whether the water source is contaminated or otherwise.

In the issue of mining in Mukim Kenering, Perak, based on the Environmental Impact Assessment Report (EIA), the proposed Rare Earth Element Mining area is categorized as an Environmentally Sensitive Area Rank 1 (ESA Rank 1) and an Ecological Network Corridor that has been identified for conservation and protection.

In fact, based on the National Physical Plan (RFN), the management measures in ESA Rank 1 are that no development, agriculture and logging activities are allowed except for low-impact nature tourism, research and education purposes only.

The EIA Report of the Proposed Rare Earth Element Mining in Mukim Kenering in the state of Perak clearly states that the project's earth works will have a destructive impact either directly or indirectly on the wildlife habitats here including aquatic life and the potential loss of wildlife species.

This is in addition to the fact that the total period of mining operations is expected to be quite lengthy, which is 12 years, while the approval period for the mining license is too long, which is up to 30 years.

The expected period of mining and the period of mining approval which is too long will indirectly cause habitat destruction which can adversely impact the wildlife in the area.

Another issue is how mining operations can be carried out before obtaining the approval of the EIA as 'google map' review and drone footage have found that earthworks have been carried out and there are structures of the hydrometallurgical plant at the location of the proposed project.

We hereby urge all State Authorities to take appropriate action to stop and no longer allow any destructive activities such as mining operations in permanent forest reserves and environmentally sensitive areas. The government must not put profit before people and the environment. These environmentally sensitive ecosystems must be protected and not exploited.

Mohideen Abdul Kader
President
Consumers' Association of Penang

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