

IS GOLD MORE SACRED THAN RELIGION?

(EDITOR'S NOTE: Charles Levendosky, editorial page editor of the Casper (Wyo.) Star-Tribune, has written about public lands issues for over a decade and is respected for his insight into these issues. His e-mail address is levendos@trib.com.)

By CHARLES LEVENDOSKY
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If granted a permit, the Glamis Imperial gold mine at Indian Pass in the California Desert Conservation Area (CDCA) would leave an open pit deep enough to swallow Devils Tower National Monument -- with room to spare. It will also leave waste rock piles as tall as 30-story buildings.

Now imagine that pit and those piles of waste rock dropped on the grounds next to the Washington Monument and you get a sense of the outrage that the Quechan Indian Nation must feel. The proposed gold mine would destroy sacred sites on ancestral lands that have been the center of their religion, traditions and history for centuries.

Bureau of Land Management studies have already shown that the 1,600-acre open-pit gold mine would irreparably damage a portion of the Quechan Tribe's Trail of Dreams, where members of the tribe seek their own visions. The trail is pivotal to the tribe's traditional religion and culture.

The Advisory Council on Historic Preservation -- created by the National Historic Preservation Act of 1966 -- examined the proposed mining site and reviewed the project. The council concluded: "If implemented, the project would be so damaging to historic resources that the Quechan Tribe's ability to practice their sacred traditions as a living part of their community life and development would be lost."

During the Clinton administration, the proposed gold mine was denied based upon the Department of the Interior's assessment that the damage would "exceed the maximum level of impact allowed under the (CDCA Management) Plan" for that area of the desert, as well as obliterate sacred sites essential to the Quechan Tribe. Years of study went into that decision.

A few months after taking office, Secretary of the Interior Gale Norton overturned the decision and offered a Mad Hatter rationale for doing so.

The Federal Land Policy and Management Act requires the BLM to protect the scenic, scientific and environmental values of the lands of the CDCA from "undue impairment." Norton and Interior's Solicitor William Myers claim that since the BLM had not defined "undue impairment" by adopting regulations through a rulemaking process, that the Interior Department cannot use this standard to protect the desert. Further, they claim that the law doesn't require that regulations be adopted to clarify the "undue impairment" standard.

In other words, in this administration, FLPMA's statutory language to protect the environment means nothing.

The California Attorney General's office has a duty to protect the natural resources of the state. On April 9, the AG's office sent a strongly worded letter to Norton disputing the Interior Department's reasons for rescinding the decision to deny the gold mine permit.

The letter concludes: "In light of DOI's obligation to protect the CDCA's resources and values from 'undue impairment' as well as its duties and responsibilities under the previously mentioned Executive Orders (to protect American Indian sacred sites), the decision not to approve the plan of operations was a correct one. We urge you to reinstate this decision."

In February, the BLM in California initiated another mineral examination of the mining claims held by Glamis Gold to determine whether the mine would meet the standards of the law and would be profitable. The study is scheduled to be completed this month.

The previous study of the mineral deposits involved in the proposed mining project shows that it "is one of the lowest gold grades for open-pit, dump heap leach operations in the United States." From Glamis Gold's own estimates it would have to mine, move, process and store 280 tons of rock for each ounce of gold produced.

U.S. Sen. Barbara Boxer, D-Calif., is leading the charge against the mine. She and her staff have met with the Quechan tribal leaders, with county officials and with local leaders. Few people in the area want the mine. The senator wrote a letter to Norton urging the mining permit be denied, and 31 of the 54-member California congressional delegation signed it.

In an interview April 30, Boxer emphasized: "We know if people knew about this, they would be completely stunned. We know that the area has nationally significant Native American historic properties. We know that the project will result in unavoidable adverse impacts to visual quality in this very undisturbed landscape. We know the project is inconsistent with the California Desert Conservation Area plan. And we believe that the impacts override the economic benefits that the company would derive."

It's a waiting game now. When the BLM office in California makes its determination public, the tug and shove of politics will begin in earnest.

"Specifically, we have to see what Norton does," Boxer said. "We have to stop it here. And if we don't stop it here, there's no stopping us. Because we're going to intervene at every possible turn to stop it. I don't want to lay out my strategy because I'm hoping that the good guys win right now. Norton's looking at it. She hasn't said she's going to do it. To that extent we are revving up our coalition to be heard by her and her department."

Boxer has an ally on the other side of the country and in the other House of Congress. After meeting with tribal leaders across the country, U.S. Rep. Nick Rahall, D-W.Va., is poised to introduce a bill that puts teeth into a law that protects American Indian sacred lands.

It comes down to this for the Department of the Interior: How many ounces of gold justifies the annihilation of significant Indian religious sites?