

NEW INTERIOR SECRETARY ARBITRARILY REWRITES
LEGAL OPINION, BREAKS PROMISE WITH INDIAN TRIBES

RE: GLAMIS GOLD AT INDIAN PASS, IMPERIAL CO., CALIFORNIA

PRESS RELEASE

Washington DC and Ft. Yuma, California, Thursday October 25, 2001.

Today, recently installed Secretary of the Interior Gale Norton announced her Department's first important interpretation of federal lands management in Indian country - a rewrite of the Department's legal opinion that the Secretary has discretion to deny a mining permit if there is "undue impairment" of cultural or environmental resources. Based in part on that original opinion, Secretary Babbitt took final agency action and denied the highly controversial Imperial Project gold mine in Imperial County California to protect archaeological, religious and cultural resources sacred to the Quechan Indian Tribe and other Colorado River peoples.

"Today's announcement is an affront to all American Indians. It indicates the direction this Department may be headed in implementing executive orders and handling trust assets so important to Indian peoples. They appear destined to break another promise - their promise to protect this sacred area from certain destruction. This is an outrage," stated Mike Jackson, Sr., President of the Quechan Tribal Council. Secretary Norton appears now to say that she can approve a mine even if there is undue impairment of sacred lands. He added that, "The Quechan Nation will continue to fight for its religion, traditions and history."

Courtney Ann Coyle, attorney for the Quechan Tribe stated, the rewriting of the Solicitor's Opinion is "An arbitrary action totally disconnected from the facts and the record. The original Solicitor's opinion was based on existing statutes, prior Congressional direction and adopted management plans - not on newer regulations on-hold or under review by the new administration and not on unfamiliar or vague standards. Abandoning the original opinion is pure politics. It isn't law." Coyle added, "We ask Interior to reaffirm that the mine decision is still valid notwithstanding the new Solicitor's change in opinion. The decision on the permit stands on its own." It is unclear what impact, if any, today's announcement will have on Glamis' pending lawsuit against Interior and BLM in the DC District Court. The Tribe, Mineral Policy Center and the Sierra Club filed pending motions to intervene seeking to defend the decision.

Interior previously denied the mine based in large part on its impact to significant cultural resources of the Quechan Tribe in this area. The area protected by Babbitt's final agency action, contains some 49 known historic properties eligible for listing on the National Register of Historic Places, items subject to the Native American Graves Protection and Repatriation Act and religious sites including prayer circles, shrines, ceramic scatters, spirit breaks and is the resting place for countless generations of the Tribe.

"President Bush has often spoke about his goal of upholding religious freedom for all Americans. This must include American Indians. If Interior ultimately revokes the decision and allows this mine in this place, it would be the same as destroying a church where people have prayed for centuries," stated Mr. Lorey Cachora, Quechan tribal member and consultant. "The Quechan have an obligation as caretakers of this area, to pass it on to the youth, just as the old ones who came before, left it for us today. Why is that so hard for this Department to understand."

Interior also denied the mine because of combined adverse and unavoidable impacts to air quality, visual quality and cumulative adverse impacts to Quechan religious sites from other development and on environmental justice grounds, citing two Executive Orders. Valid existing rights and public access are still allowed under the Babbitt decision - only the massively destructive mine was prohibited.

Interior's prior denial of the mine was thoughtful, carefully considered and made over the span of five years, only after receiving abundant input from the mining company, the public and conducting several rounds of public hearings and site visits. Interior's original January 2001 decision also was the result of required government-to-government consultations between the United States and the Quechan Indian Nation. "This brand new reinterpretation of the law was done behind closed doors and without any public hearing or consultation with the Tribes," said Pauline Jose, Chair, of the Quechan Culture Committee. "It cannot stand up to the light of day."

Attorney Coyle concluded that, "This is why we have courts, to prevent arbitrary government action. Even Republicans are appalled by the stealth action of this Department, especially during this time of national tragedy."

The Glamis Imperial Mine, proposed by Glamis Gold, Ltd. (trading symbol GLG) six years ago, was to be a massive, open-pit, cyanide heap-leach gold mine located in the heart of an area now withdrawn from future mining claims. This area is adjacent to designated wilderness, critical habitat for the desert tortoise and an area of critical environmental concern for Native American cultural values. The proposed mine has drawn substantial opposition from Native American tribes, labor groups, environmental organizations, academia and experts in religion, economics, the National Historic Preservation Act and water rights. The FEIS itself and an independent economist found that the mine would bring negligible economic benefits to Imperial County.

The Quechan Indian Tribe is a federally recognized tribe. Members on the reservation total about 3,000 persons. The Quechan are the third largest California land-based tribe, with about 45,000 acres in reservation status. Their aboriginal lands include the area protected in the Babbitt decision to deny the mine. Many members still speak their native language.

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