

WESTWATER CANYON ALONG THE COLORADO RIVER PROTECTED FROM GOLD MINING MINING COMPANY PULLS OUT AS PART OF LAWSUIT SETTLEMENT

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Greg Trainor, Skip Edwards, Roger Flynn; Friends of Westwater, Friends of Westwater Western Mining

Grand Junction, Colorado: March 22, 1999: Pursuant to this week's settlement of a lawsuit brought by the U.S. Department of Justice against a mining company, spectacular Westwater Canyon along the Colorado River will be protected from gold mining. This settlement is a triumph for Friends of Westwater Canyon, a Grand Junction Colorado-based river conservation group, which succeeded in its four year effort to halt on-going gold placer mining activities inside of the Westwater Canyon Wilderness Study Area.

The United States Department of Justice, after filing a lawsuit in federal district court in Salt Lake City against Pene Mining Company of Grand Junction in late 1998, announced that it had settled its claims against Pene Mining for trespass, non-compliance with environmental regulations, and on-going impairment of a wilderness study area. The settlement includes the relinquishment of all placer and lode mining claims within the WSA and the immediate removal of mining equipment, backhoe, and trailers. Reclamation of disturbed lands will become the responsibility of the BLM.

Upon hearing the news from its legal counsel, the Western Mining Action Project of Boulder, Colorado, Friends of Westwater President, Greg Trainor, thanked all of those who contributed their time and

their money to support this effort. Trainor said: "We could not have done this without the support of the Utah Guides and Outfitters, the Southern Utah Wilderness Alliance, Colorado boaters and outfitter organizations, the Mineral Policy Center, and a host of individuals who contributed to save a very special place." Trainor continued: " This is a great victory for a true grassroots organization."

The settlement also closed a long standing dispute over the legality of the mining claims held by Pene Mining. In 1998 the Department of Interior issued a separate complaint against Pene Mining declaring the mining claims invalid. Friends of Westwater and the Southern Utah Wilderness Alliance were parties to that case. This case, pending before an Administrative Law Judge in Salt Lake City, was filed after a lengthy mineral validity exam concluded there was no economic mineralization at Westwater. Earlier the Interior Department had withdrawn the Westwater WSA from mineral entry for 50 years. The relinquishment of the claims will moot the claims dispute since there are no more mining claims in the area that has been withdrawn from new claims.

The battle regarding Westwater Canyon is not over. Westwater Canyon WSA, part of the Citizens Proposal for Wilderness in Utah and an area

recommended by the BLM for wilderness, needs to be officially protected. Until that happens, the Friends of Westwater will be working to help the Utah Wilderness Coalition and the Southern Utah Wilderness Alliance to achieve its goals in Utah.

Trainor concluded: "FOW is not against mining, per se. It is against mining when conducted in the wrong places, in the wrong way, and without adequate oversight. The fact that mined land reclamation and environmental repair remains for the public to complete at Westwater is one of the problems with the Mining Law of 1872 and the administration of our public lands."

"It was a shame that the federal government was forced to spend resources and money in their multi-year effort to remove uneconomic and illegal mining," noted Roger Flynn, attorney with the Western Mining Action Project in Boulder, Colorado, which represents Friends of Westwater. "However, the BLM should be applauded for recognizing that some places such as Westwater Canyon are more precious than gold. Unfortunately, the 1872 Mining Law which allowed the filing of the mining claims in the first place is still on the books and continues to hold other special places around the West hostage."