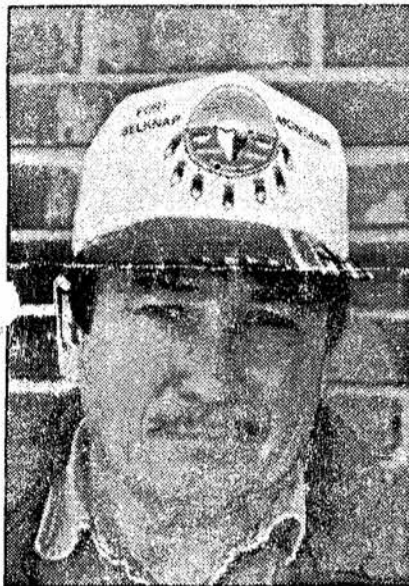


Decision nears for the Little Rockies and their people



Joe Azure

(Continued from Page 1)

The Little Rockies are the spiritual center of the reservation, but the decision pending this month will not be made at the tribal headquarters in Fort Belknap Agency. The decision-makers are members of the U.S. Army Corps of Engineers, and the decision will be made at their headquarters in Omaha, Nebraska.

The Corps must determine whether the mine expansion plans will comply with the federal Clean Water Act. The project manager for the process is Martin Keller, who knows above all that "we must make a decision that is defensible." In a telephone interview last week, Keller said he had "been looking for every angle, every bit of information" to fill in the gaps in their knowledge.

"There are still questions and

ment (BLM) and the State of Montana are the primary permitting agencies, and both have already approved the expansion. But the Corps is responsible for impacts on streams and wetlands, several acres of which would be affected by the expansion and proposed new heap leach pad on the flats south of Zortman.

Also part of the Corps' evaluation process under Section 404 (the Clean Water Act) is the evaluation of cultural resources. Last month, Keller led a group of Corps members

to Lodgepole and Landusky to meet with tribal members and miners in separate sessions, looking for some of the answers they haven't found.

The 404 permit "is a very difficult call," Keller says. "I make no pretensions that it's easy."

For Joe Azure, the answer is easy. An intense and soft-spoken Assiniboine, he minces no words as he speaks about the mine, the mountains and the role of the Corps.

"It would be good if they'd side with us, side with the truth for once," Azure says. "The mine is totally destroying the natural ecosystem, totally polluting and poisoning the environment, and totally destroying the traditional cultural resources of the Assiniboine and

lems compounded by lack of enforcement by state and federal oversight agencies. The chronology of the mine begins in 1978, when a draft Environmental Impact Statement was prepared and a permit approved for a 274-acre "disturbance."

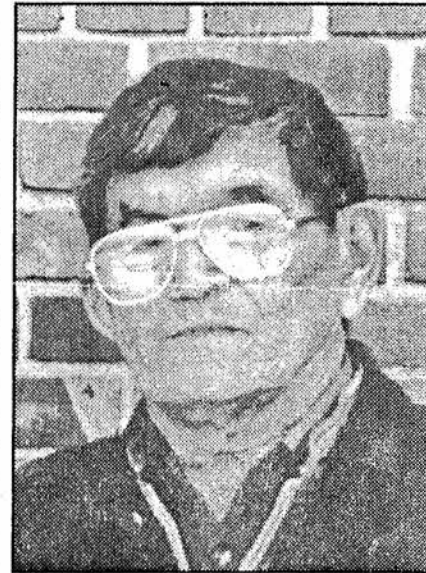
No final EIS was ever submitted. Amendments and expansions were routinely permitted by the state, and violations reported by on-the-ground inspectors were routinely dismissed ("I threw it in the garbage because I felt like it," Hard Rock Bureau Chief Sandi Olsen told an employee when he asked about the Notice of Noncompliance he had issued over a violation.).

The tribes' governing body, the Fort Belknap Community Council, and three reservation groups, Red Thunder Inc., Island Mountain Protectors and

the Spirit Mountain Clan, have overcome long-ago conflicts to finally speak with one voice against the mine. When heavy rain caused acid mine water to pollute seven drainages in 1993, the native groups filed a notice of intent to sue. They were preempted by the state, which was joined by EPA and two tribal groups in the suit claiming violation of the federal Clean Water Act and state water laws.

That suit was settled last year, with Pegasus agreeing to pay a civil penalty of a million dollars each to the state, federal and tribal governments, and over \$32 million in water treatment and other environmental safeguards. The pollution goes on, but shortly after the settlement, BLM and the Montana Department of Environmental Quality issued their permits for the massive expansion.

"We started to get involved to try to protect and preserve the Little Rocky Mountains and the traditional beliefs of the native people," Joe Azure says. "Instead, the governments gained a \$37.5 million lawsuit." Native groups Red Thunder and Island Mountain Protectors, those directly responsible for initiating the lawsuit, received nothing.



Robert Gopher

an Indian point of view out of concern for the destruction of sacred lands.

"Our teachings tell us the earth is the body of our ancestors," he said. "Our ancestors are buried throughout these sacred mountains. No one knows where. For any destruction done in this land, there is no amount of money or legislation that can heal the waters, soil and animals that are being destroyed.

"This has to be a concern for everyone. This contamination of the creeks, lakes and rivers, and the underground water - there are orange creeks running forever."

In Omaha, Colonel Robert D. Volz is the man with the final say on the final permit. "It is only through tribes, and those close to the tribes, that mitigation options can be identified"

