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Court Rejects Rock Creek Mine In Northwest Montana

Missoula, MT – In a major victory for bull trout, grizzly bears and the people of northwest Montana, a federal judge today rejected the U.S. Forest Service's approval of a massive industrial mining operation on the edge of the Cabinet Mountains Wilderness Area.

The court ruled that the Forest Service violated the National Environmental Policy Act and the Forest Service Organic Act in approving the Rock Creek Mine, which would have bored under the Cabinet Mountain Wilderness in the midst of popular recreational areas and key habitat for bull trout, grizzly bears and other sensitive wildlife species.

The case marks the third time that lawsuits by members of the public have succeeded in invalidating federal agency approvals for the Rock Creek Mine project.

"This third strike against this mine should end the game," said Jim Costello of the Rock Creek Alliance, one of the groups involved in the lawsuits. "We've said all along that this mine simply cannot be built without contaminating the region's waters and pushing the Cabinet's fragile bull trout and grizzly bear population in Rock Creek to extinction. It's time for the government to stop this merry-go-round and start working to protect our region's waters, trout and bears."

"This mine would smother important bull trout spawning grounds under tons of sediment and disrupt thousands of acres of habitat for the region's tiny grizzly bear population, all while threatening to drain the water out of lakes in the Cabinet Mountains Wilderness," said Earthjustice attorney Tim Preso. "The federal permit blocked today was issued by the Bush administration and we hope the Obama administration will have a different view about undermining a federal wilderness area."

The proposed mining operation would have removed 10,000 tons per day of copper and silver ore from under the Cabinet Mountains Wilderness seven days a week for 35 years. The resulting loss of more than 7,000 acres of habitat would be devastating to the few grizzly bears that survive in the Cabinet Mountains.

The mine also would have dumped up to three million gallons of waste water each day into the Clark Fork River and threatened to destroy the bull trout population in Rock Creek, a tributary of the Clark Fork.

The proposed Rock Creek Mine faced vehement opposition from a coalition of local, regional and national conservation groups, along with local business representatives, public officials and ordinary citizens.

The groups that challenged the mine are Rock Creek Alliance, Cabinet Resource Group, Clark Fork Coalition, Earthworks, Sierra Club, Trout Unlimited, Idaho Council of Trout Unlimited, Pacific Rivers Council, Alliance for the Wild Rockies, Natural Resources Defense Council,

Montana Wilderness Association, and Great Old Broads for Wilderness. The groups were represented by lawyers from Earthjustice and the Western Mining Action Project.

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