

PRESS RELEASE

Contact: *Kayeloni Scott*
Telephone: 208.621.4772
Email: kayelonis@nezperce.org
Website: www.nezperce.org



FOR IMMEDIATE RELEASE
June 5th, 2019

Nez Perce Tribe Provides Notice of Intent to Sue Midas Gold For Violations of Clean Water Act that Threaten Tribal Treaty Rights

Lapwai, Idaho – Today, the Nez Perce Tribe (“Tribe”) issued a 60-Day Notice of Intent to sue Midas Gold Corporation (“Midas Gold”), a Canadian mining company, under the federal Clean Water Act (“CWA”) for illegally discharging arsenic and other harmful pollutants at the proposed Stibnite Gold Project (“Project”) site. The Project is located at the headwaters of the East Fork of the South Fork of the Salmon River (“EFSFSR”) on the Payette National Forest in central Idaho. Additionally, the Project is located within the Tribe’s aboriginal territory and is subject to the Tribe’s fishing, hunting, gathering, and pasturing rights reserved in the 1855 Treaty with the United States.

The Nez Perce people, or *Nimiipuu*, continue to exercise their Treaty-reserved rights across their vast aboriginal territory and at their traditional places, including areas within and surrounding, and in waters directly downstream of the proposed Project site. The federal public lands—on which the Project is partially located—provide irreplaceable habitat for iconic, culturally-significant resources including spring/summer Chinook salmon, steelhead, bull trout, elk, moose, and bighorn sheep.

“Midas Gold’s unlawful discharge of pollutants into waters within and below their proposed Stibnite Gold Mine threatens Nez Perce Treaty rights,” stated Nez Perce Tribal Executive Committee Chairman Shannon F. Wheeler. “Midas Gold portrays itself as a socially-responsible mining company committed to environmental restoration of the area. Contrary to their public promises, the data clearly show that Midas Gold is harming the environment.”

Data obtained from the Project site demonstrate that Midas Gold has been, and continues, to illegally discharge—without any permit—harmful pollutants into waters important to the exercise of the Tribe’s Treaty-reserved rights and in violation of the CWA. The waters contaminated by the illegally discharged toxins include Meadow Creek, wetlands adjacent to Meadow Creek, Sugar Creek, and the EFSFSR. These water bodies provide habitat for salmon, bull trout, other species of fish, and macroinvertebrates which support the fish populations upon which the Tribe’s Treaty resources depend.

“The Tribe is a leader in restoring fish runs throughout its aboriginal waters in Idaho and has spent millions of dollars every year to this end for the benefit of all Idahoans. The Tribe expects Midas Gold to take our Notice of Intent seriously and pursue immediate steps to remedy and cure the underlying violations short of litigation. The Tribe will continue to be vigilant and will aggressively defend its Treaty-reserved rights against such threats,” concluded Wheeler.

###