

NM, Navajo Nation get \$21M in Gold King Mine spill settlement

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Dan Bender of the La Plata County Sheriff's Office takes a water sample from the Animas River near Durango, Colorado, after the Gold King Mine Spill in August 2015. (Jerry McBride / The Durango Herald via AP)

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A mining company will pay a combined \$21 million to New Mexico and the Navajo Nation as part of no-fault settlements for the 2015 Gold King Mine spill.

The disaster sent 3 million gallons of acid mine drainage into the Animas and San Juan rivers.

Sunnyside Gold Corp. will pay \$10 million to the state of New Mexico, \$1 million to the Office of the Natural Resources Trustee and \$10 million to the Navajo Nation

government in response to their lawsuits.

Gov. Michelle Lujan Grisham credited state, local and tribal governments for working to clean up the river.

“But that does not change the fact that the Gold King Mine disaster harmed New Mexicans, harmed our environment and continues to harm our economy,” Lujan Grisham said in a statement. “We have won this battle, but we will continue to fight as we hold the U.S. EPA responsible for this terrible incident.”

Environmental Protection Agency contractors breached an abandoned mine tunnel near Silverton, Colorado, on Aug. 5, 2015. The yellowish wastewater plume flowed through three states and several reservations.

Navajo Nation President Jonathan Nez said the spill “damaged entire communities and ecosystems” on the tribal land.

“We pledged to hold those who caused or contributed to the blowout responsible, and this settlement is just the beginning,” Nez said.

Riverside communities shut off irrigation ditches in the days immediately after the spill as they waited to learn if the water was safe for crops and municipal use.

Some communities, such as Shiprock, chose not to irrigate from the river for the rest of the season.

Scientists such as Brandon Francis with the New Mexico State University Agriculture Science Center in Farmington helped test water, land and crops for heavy metals.

“People let their plants die that year, and that had a big emotional impact, as well as an economic impact,” Francis said. “It was like letting a family member die in the field.”

New Mexico and the Navajo Nation argued in court that Sunnyside Gold and its parent corporations had created the ideal conditions for the breach at the nearby Gold King site.



Brandon Francis, a research lab tech at the New Mexico State: Agricultural Science

Center at Farmington, tests the chemical makeup of the soil at the agricultural science center. Francis is part of a team that works to reassure the community of water and soil safety following the 2015 Gold King Mine spill. (Anthony Jackson/Albuquerque Journal)

Gina Myers, director of reclamation operations for the Sunnyside Gold Corp., said the settlements are “a matter of practicality to eliminate the costs and resources needed to continue to defend against ongoing litigation.”

“We are pleased to resolve this matter and to see funds going to those affected by the EPA-caused spill, rather than further litigation costs,” Myers wrote in an email.

New Mexico expects a trial for its lawsuit against the EPA to be held early next year.

In August 2020, on the fifth anniversary of the Gold King disaster, the EPA settled with the state of Utah. EPA will fund \$3 million in Utah water projects.

Lawsuits against the EPA filed by the Navajo Nation government and Navajo farmers have yet to be resolved.

Theresa Davis is a Report for America corps member covering water and the environment for the Albuquerque Journal.