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## Congressman calls for review of mining ban

Utah representative asks Trump administration to consider reversing action to protect Smith River



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A request from the U.S. House of Representatives Natural Resources committee chair to the Trump administration to review all mineral withdrawals ordered by the Obama administration has generated concern from environmental groups and elected officials at the local and national levels.

In his Sept. 28 letter to Agriculture Secretary Sonny Purdue and Interior Secretary Ryan Zinke, Congressman Rob Bishop, a Republican from Utah, said the Obama Administration “regularly and systematically blocked” mineral access on federal land, “harming our nation’s economic and strategic potential.”

As an example, Bishop cited a 20-year mining ban that included the watersheds of the North Fork Smith River, Rough and Ready Creek, 17 miles of the Chetco River and the headwaters of Hunter Creek and Pistol River. Enacted in January 2017, the mineral withdrawal order blocked about 100,000 acres of land in Oregon’s Curry and Josephine counties from new mining claims, mineral leasing and geothermal leasing.

In his letter, Bishop said the mineral withdrawal was improperly justified as being valid under the Federal Lands Policy Management Act. According to Bishop’s letter, the FLPMA defines one responsibility of federal land management as ensuring the U.S. receives fair market value of the use of public lands and their resources.

“The two projects affected by this illegal withdrawal are believed to hold quantities of several strategic and critical minerals including nickel, scandium and cobalt,” Bishop wrote.

“Today, the United States imports 100 percent of our scandium (mostly from China), 76 percent of our cobalt and more than 90 percent of our nickel requirements thus making this withdrawal inconsistent with national security interests.”

Much of Del Norte’s drinking water comes from the Smith River and local opposition to upstream mining has been unanimous. One company, the Red Mining Corp. has been pursuing permission to drill cores at various locations near Baldface Creek, the headwaters of the North Fork Smith River.

Bishop’s letter to the Trump administration drew the ire of Oregon Sen. Ron Wyden, Congressmen Jared Huffman and Peter DeFazio, who, along with Wyden’s colleague Sen. Jeff Merkley, worked together to secure the mineral withdrawal.

In a Friday press release, Huffman, who represents Del Norte County, noted the Smith River is prized not only for its beauty but also for drinking water, salmon habitat and other resources it supplies to his constituents and “thousands of other Californians.”

“This new congressional request to undo the Smith River mining ban threatens decades of work by the many people who depend on the Smith River each day and who finally achieved much-needed protections for this watershed this year,” Huffman said. “We cannot place the profits of foreign mining companies above my constituents’ livelihood and basic right to clean water and healthy salmon runs. The Trump administration should leave the Smith River alone.”

In a press release on Thursday, DeFazio also blasted Bishop’s request to review all mineral withdrawals ordered by the Obama administration, noting the withdrawal had been debated amongst local communities.

“This is an egregious overstep by Washington, driven by special interests,” DeFazio said. “The prohibition on mining on the Smith River and the headwaters of Hunter Creek and Pistol River has broad, overwhelming support from thousands of residents of southwest Oregon, local governments, businesses and community leaders. Reopening this area to allow a foreign company to strip mine our public lands without paying American taxpayers hardly any royalties would devastate surrounding economies and threaten critical drinking water sources.”

In a statement on Wednesday, Wyden said the Trump administration has gone out of its way to substitute Washington

D.C. decisions for Oregon determinations about its local natural resources.

“But even with that troubling track record, it’s especially ludicrous that the White House would be asked to step in at the last minute to revisit a mineral withdrawal that’s the product of numerous public meetings with hundreds of supportive comments, which I have advocated for for upwards of two decades,” Wyden said.

At the local level, Del Norte County District 3 Supervisor Chris Howard, who chairs the county Board of Supervisors noted he and his colleagues actively worked with Huffman, state Sen. Mike McGuire and Assemblyman Jim Wood to ensure strip mining activities proposed in Oregon did not impact the Smith River. However, Howard noted Bishop has a right to ask the mineral withdrawal order and others enacted during Obama’s presidency be reviewed.

“But as a citizen in Del Norte County, as an elected official in Del Norte County and as a chair of the Board of Supervisors, he would certainly know our position on this if he were to push it any further,” Howard said. “We would send him a letter like we sent to everybody else, letting him know (how) strip mining would impact our Smith River watershed.”

Crescent City Mayor Blake Inscore also noted Bishop has a right to ask the mineral withdrawal order be reviewed “to make sure what was done is done right.” However, Inscore said he’s also concerned with protecting Crescent City’s primary water source.

“My concern, and I think the city’s stance on this, has always consistently been we need to protect the river as our drinking water source because we don’t have another option when it comes to water here,” Inscore said. “Does that mean I’m taking a stance that I’m against all mining? I didn’t say that.”

Grant Werschkull, executive director of the Smith River Alliance, said to undo the mineral withdrawal would require the same level of work that went into putting it into place.

“We’re just not sure that there is a more formal response required at this time,” Werschkull said. “To undo what was done would basically require the same very substantive public notice, comment period, hearings.”

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