

California State Senate

SENATOR MIKE MCGUIRE

NORTHERN CALIFORNIA'S SECOND SENATE DISTRICT



September 25, 2015

Mr. Jerome E. Perez, Oregon State Director
Bureau of Land Management
Oregon State Office
P.O. Box 2965
Portland, Oregon 97208-2965

Dear Mr. Perez:

RE: Comments in Support of Proposed Mineral Withdrawal and Smith River Protection

Thank you so much for the opportunity to comment on this matter of critical importance to my constituents in Del Norte County and citizens of California. I strongly support the proposed withdrawal of approximately 100,000 acres of National Forest and Bureau of Land Management land located in southwestern Oregon from use under federal mining laws. Moreover, I support a permanent mineral withdrawal as proposed in the "Southwest Oregon Watershed and Salmon Protection Act of 2015" (S. 346 and HR 682).

In July of this year, the California Senate and Assembly approved Senate Joint Resolution – 3 the ***Smith River Watershed Protection*** measure which urges the President of the United States and Congress to permanently safeguard the currently unprotected North Fork of the Smith River watershed in Oregon from any mining activities. SJR-3 is appended to this letter and is herewith included as part of my comments.

In summary of SJR-3, strip mining in the Smith River watershed is simply unacceptable. The Smith and the companion rivers included in the proposed mineral withdrawal area are extraordinary streams of national significance. Any future mining activities will unnecessarily put the people and wildlife/fisheries that rely on these rivers at risk and would create irreversible impacts to the entire watersheds of these streams.

Again, I appreciate the opportunity to provide comments on the Proposed Mineral Withdrawal and look forward to the well-deserved protection of the Smith River watershed. If you have any questions regarding this letter please contact Thomas Weseloh, Chief Consultant to the California Legislature's Joint Committee on Salmon and Fisheries at Tom.Weseloh@sen.ca.gov or 707 445-7014.

Warmest Regards,

A handwritten signature in black ink, consisting of a large, stylized 'M' followed by a smaller 'G' and a short horizontal line at the end.

MIKE McGUIRE
Senator

Smith River Watershed Resolution

Senate Joint Resolution 3

Approved by the California Senate and Assembly

July 2015

WHEREAS, The Smith River watershed of approximately 610 square miles in California and 115 square miles in Oregon is considered the prize of the California wild and scenic river system since it was included in the California Wild and Scenic Rivers Act in 1972, and then later included in the Federal Wild and Scenic Rivers System in 1981; and

WHEREAS, The Smith River is the indirect primary source of drinking water for the majority of Del Norte County's 28,000 residents, with the largest user being the City of Crescent City; and

WHEREAS, The Del Norte County Board of Supervisors and the City Council of Crescent City have voted unanimously to oppose the issuance of a limited water use license for the Cleopatra Check Drilling Program based on the potential to cause significant adverse environmental impacts within the overall watershed of the Smith River and subsequent impacts on drinking water for residents and thousands of annual visitors; and

WHEREAS, The California North Coast Regional Water Quality Control Board, the Department of Fish and Wildlife, the Natural Resources Agency and the Oregon Water Resources Department have also opposed any mining within the Smith River watershed because of the detrimental effects of strip mining; and

WHEREAS, The Smith River is unparalleled for its free flowing status, large and abundant salmon and steelhead stock, and extraordinary botanical diversity, and is the only major undammed river in California; and

WHEREAS, The Smith River National Recreation Area Act, passed by the 101st United States Congress in 1990 (Public Law 101-612), amended the Wild and Scenic Rivers Act of 1968 and permanently protected all federal lands of the Smith River watershed within California by establishing the Smith River National Recreation Area; and

WHEREAS, The Oregon portion of the North Fork of the Smith River was not included in the act and remains vulnerable to mining; and

WHEREAS, Any strip mining activities on the North Fork of the Smith River could have devastating and irreversible impacts to the entire National Wild and Scenic Smith River Watershed; and

WHEREAS, In 2012, Red Flat Nickel Corporation submitted the Cleopatra Check Drilling Mining Plan for the watershed of the North Fork of the Smith River to the Rogue River-Siskiyou National Forest, with the goals to develop and operate a devastating 3,980 acre strip mine to extract nickel, cobalt, and chromium; and

WHEREAS, The proposed mining operations will unnecessarily put the people and wildlife that rely on the Smith River at risk; and

WHEREAS, The United States Environmental Protection Agency has confirmed that hard rock mining, which includes strip mining, is the largest source of toxic pollution in the United States; and

WHEREAS, The United States Department of Agriculture's Technical Guide to Managing Groundwater Resources documents numerous published reports concerning the release of toxic metals to ground water and surface water resulting from mines and mine-related facilities; and

WHEREAS, Mining operations along the tributaries of the Smith River would inevitably impact water quality and quantity with the potential to cause significant injury to fish and other wildlife, including threatened coho salmon; and

WHEREAS, The Smith River's coho salmon are protected under the federal Endangered Species Act and are recognized as a core independent population with a high risk of extinction; and

WHEREAS, The Smith River is one of California's most important, irreplaceable watersheds for the threatened coho salmon; and

WHEREAS, The Chinook salmon, cutthroat trout, and steelhead runs are vitally important to the economies and environment of northern California and Oregon; and

WHEREAS, Millions of federal, state, and private dollars have been spent in the past decades on improving water supply systems and for restoration and protection of salmonid habitat and watershed lands downstream from the proposed mining operations; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature urges the President of the United States and Congress to permanently safeguard the currently unprotected North Fork of the Smith River watershed in Oregon from any mining activities that would have potential impacts on water supplies, economies, or the environment in California's portion of the Smith River watershed; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the author for appropriate distribution.