

March 20, 2013

Department of State Lands Budget Hearing

Statement regarding Department of State Lands budget for suction dredging enforcement



Rogue Riverkeeper is a non-profit organization that works to protect and restore water quality and fish populations in the Rogue River Basin of southwest Oregon.

Rogue Riverkeeper is concerned about the cost to state taxpayers, lack of sufficient enforcement and damage to public resources from suction dredging.

Suction dredging is a method of instream gold mining that uses a gasoline-powered vacuum pump to suck up stream and river sediments. The material is then run through a sluice box, generally attached to the dredge but sometimes floating nearby or located on shore. Dredging creates holes in the streambed, frequently undercuts banks, and creates instream tailings piles. Divers are underwater guiding the suction nozzle and frequently moving streambed material with hands or tools to expose finer gravels and sediments to suction. As the dredge tailings are discharged directly back into the stream, it can cause increased turbidity and the creation of pits in the streambed, as well as gravel tailings piles. The activity has direct impacts to fish, macroinvertebrates and is known to mobilize toxic mercury. This activity is currently permitted via a Department of State Lands (DSL) general authorization, as well as the Oregon Department of Environmental Quality (DEQ) 700PM permit. DSL's authorization is free, and DEQ's permit costs \$25.

The number of permit registrations have been increasing dramatically in recent years, both with the rising price of gold, and increased restriction of the activity in neighboring states. California currently has a moratorium on suction dredging statewide, and Idaho is in the draft phases of a permit that is overall more protective of the resources than Oregon's permitting structure. This is increasing pressure on streams and rivers throughout Oregon, with much greater cumulative impacts than would have been seen just a few years past. With the closure of California to suction dredging, a number of in and out of state dredgers are moving to Oregon as the place with some of the most lax regulations. Additionally, there is a sizable contingent in the mining community that advocates against seeking permits for these activities at all, leading to a unknown number of additional impacts from unpermitted and unenforced miners.

DSL reports the permit registrations for suction dredging for the following years:

2007/2008 – 656

2008/2009 – 832

2009/2010 – 1,095

2010/2011 – 1,527

2011/2012 – 2,409

Similarly, the number of suction dredging related incidents investigated on behalf of DEQ and DSL by Oregon State Police (OSP) has risen significantly during the same timeframe.

The number of suction dredging incidents investigated by OSP by year:

2008 – 10

2009 – 15

2010 – 30

2011 – 45

2012 – 50

These incidents most frequently stem from complaints regarding violations of the authorization from DSL or DEQ's permit. These included excavation and undercutting of stream banks, exceeding the total cubic yards of material limits in the general authorization, creating dirty turbid plumes for up to one half mile, or dredging without the required permits and authorizations.

In addition to these issues, streamside landowners, raft guides and other recreational and commercial users of these waterways have lodged a number of other complaints. Including difficulty navigating their boats and clients through stretches with heavy concentrations of suction dredgers, frequent noise complaints, impacts to their property values, inability to sell property due to suction dredging activity, trespassing on private property and damage to irrigation equipment. In several incidents a miner fired shots at campers on public land for coming too close to his claim.

Based on conversations with OSP officers it is my understanding that during the summer dredging season this issue takes up the majority of the troopers time.

This is a significant and escalating problem throughout the state, not just in the Rogue Basin. There are large and increasing areas of suction dredging activity throughout the state, particularly in Jackson, Josephine, Douglas, Lane, Linn, Baker and Grant counties,

Due to un-mitigatable impacts, the California State Water Board (equivalent to DSL, DEQ in Oregon) recommended in a recent letter to California Department of Fish and Wildlife:

"Based on the water quality impacts of recreational suction dredging, we recommend that the existing moratorium be continued indefinitely, or that this activity be permanently prohibited. Given the current scientific understanding of this activity's impacts, this is the only and the most cost-effective method to fully mitigate all significant water quality impacts."

We are aware of several pending policy bills related to suction dredge mining. Whatever the outcome of these bills, there remains a need to adequately regulate this activity. If recreational suction dredge mining is to be an allowed activity in this state Rogue Riverkeeper urges you to support:

- 1) Sufficient funding for DSL including staff resources to fully implement and enforce this program consistent with the departments goal to protect Oregon's wetlands and waterways, including field time, enforcement, and analysis of annual reports;
- 2) Devise and implement a fee structure on permittees that will cover the costs to DSL for the permittees own recreational and money making activities, rather than leaving that burden on the taxpayers and Oregon's waterways.

Thank you very much for the opportunity to comment on DSL's budget.



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