



ORCA: Oregon Coast Alliance

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Protecting the Oregon Coast

April 15, 2013

Oregon State Senate
Environment and Natural Resources Committee
State Capitol Building
900 Court St. NE
Salem, OR 97301

Re: SB 838, Suction Dredging Moratorium, and SB 401, Scenic Waterways

Sent via Email: Beth.Reiley@state.or.us

Dear Sen. Dingfelder and Members of the Environment and Natural Resources Committee,

Oregon Coast Alliance (ORCA) is an Oregon nonprofit organization whose mission is to protect, conserve and restore coastal natural resources, and work with coastal residents for sustainable communities.

ORCA wholeheartedly supports SB 838, which would put a five-year moratorium into place on suction dredge mining in Oregon rivers while agencies craft a workable regulatory framework. We also support the companion bill, SB 401, which would add certain rivers to the scenic waterways system.

We have worked hard for several years to protect and enhance rivers on the south coast threatened by mining, including the Rogue, Chetco, Elk and Pistol. ORCA has concentrated on the threats posed to salmon habitat by in-river gravel mining, which devastates the gravel bars needed by salmon at several stages of the life cycle. But all this work will be lost if suction-dredge mining remains essentially unregulated.

It is clear that Oregon's laws are completely ineffective in protecting our rivers from suction dredging: required but free permits from the Department of State Lands are very easy to obtain, and not at all enforced or monitored; the cost for a Department of Environmental Quality permit is \$25, because there is no agency activity after the granting of the permit. The number of permits has skyrocketed: 2,409 DSL permits in 2012, compared to 845 permits in 2009. This is not the way to protect Oregon's precious salmon streams.

Oregon has spent millions of dollars restoring salmon habitat across western Oregon, much of the money on coastal rivers. These programs have benefited salmon, and also benefited rural communities seeking jobs. The attached report from Ecotrust gives a snapshot of the economic benefits of salmon restoration work in southern Oregon – an area with both high unemployment and the capacity for greatly improved salmon runs after restoration is completed. A valuable “restoration economy” is being created, which suction dredging will easily, and permanently, destroy if not stopped.

Let us remember that suction dredging often takes place in headwaters or small tributary streams whose water quality and salmon habitat are essential for the entire river system. The Rogue is an excellent example. There have recently (2011) been many suction dredging permits granted for tributaries to the Rogue, including Silver Creek, Grave Creek, Illinois River and the Applegate River tributary system. All the disturbed, muddied waters flow down into the Rogue mainstem and affect the Rogue estuary at Gold Beach.

The Rogue estuary is already in trouble: suffering from a major sediment plug that has shallowed the estuary alarmingly – so much so that it is possible to *walk across the upper estuary* at low tide in the summer! This plug has built up over the years from illegal and poorly planned gravel mining, the aftermath of the Biscuit Fire and careless upper watershed logging practices. The Rogue has been unable to flush it out during winter high-water events, and it is becoming a major problem for salmon. The Rogue estuary is, as many estuaries are, a nursery for salmon. Adding to its troubles with continued unrestrained suction dredge gold mining upstream is a very bad idea; if the Rogue estuary fails, the salmon will not reach up higher in the system, and the economy of Gold Beach – highly dependent on the Rogue River – will fail. According to a 2009 Ecotrust study, the non-use values of the Rogue River statewide amount to \$1.5 *billion* annually; sport and commercial fishing adds another \$17.4 million annually (*The Economic Value of Rogue River Salmon*, ECONorthwest, January 2009, p. 1).

The lower Rogue is considered an important area for recovery of the Federally Threatened Southern Oregon Northern California coho (SONCC) by the National Marine Fisheries Service. (Please see attached map). For this recovery effort the health of the Rogue estuary is critical. Suction dredging in the upper watersheds harms both water quality and salmon habitat in the upper reaches, thus limiting the river system's ability as a whole to support salmon, and also further damages the already-troubled estuary.

The Rogue is only one example of the damage suction-dredging can do, and is doing, to a single river – one of the most iconic salmon rivers in Oregon.

ORCA urges you to pass SB 838, and put a suction-dredging moratorium in place. Oregon must have the tools to assess how best to protect the massive investment already made in salmon habitat restoration, and to make any suction-dredge program pay for itself instead of requiring taxpayer subsidy. Since the Department of Environmental Quality is currently studying a revised suction-dredging permit's administrative requirements, this is an opportune time to put a moratorium into effect.

An essential part of the strategy for grappling with suction-dredging should additionally be to pass SB 401, the Scenic Waterways bill, to protect important segments of our rivers from suction dredging into the future. This should especially include stream segments: (a) critical to SONC coho recovery, (b) those listed as “water quality limited” under section 303(d) of the Clean Water Act for any parameter that suction dredging would exacerbate, such as sediment, turbidity and toxic metals, and (c) segments five miles or less upstream from municipal or other public water supply intake systems.

Thank you for the opportunity to testify in this important matter.

Sincerely,

/s/ Cameron La Follette

Cameron La Follette
Land Use Director