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To prevent another Formosa disaster, block new nickel mines

By Tim Palmer - May 13, 2014

Making the news, Rep. Peter DeFazio on April 17 toured the remains of the Formosa copper mine in the South Umpqua watershed near Riddle, south of Roseburg. The mine was operated by a Canadian company from 1989-1993 and then abandoned. Inadequate restoration left 100 acres bleeding lead, zinc, cadmium and other poisons into nearby streams, leading Oregon officials to report that the pollution "severely harmed" salmon. And the problems are much greater than that.

To ignore this debacle of mining and water quality management would mean a legacy of toxics leaching into the South Umpqua — Oregon's finest smallmouth bass stream and a favorite destination of winter steelhead anglers. The stream is the beloved backyard waterway of Myrtle Creek, Winston and Roseburg.

Letting the toxics flow is not much of an option. The company put up a \$900,000 bond, but officials now say cleanup could run 20 times that price. We taxpayers will take the hit. Who's to blame?

Obviously the foreign company took advantage of the loose regulatory environment that made its abandonment of this colossal problem possible and profitable. But the Canadians hustled back to Canada.

We could blame state regulators who might have kept a more watchful eye on the unfolding tragedy (if the Legislature had given them the money to do their job).

We could blame local boosters and mining advocates who reflexively back any development at any cost, and proudly led the phony parade of great expectations into this mess. Or we could go to the source: federal and state laws that make mining of this type — without adequate scrutiny, bonding, and enforcement — so widespread that 33,000 abandoned mines throughout the West pose similar unreclaimed and polluted problems to other communities in every state.

The worst among these statutes-to-pollute is the Federal Mining Law of 1872, unscrupulous even during the Presidency of Ulysses S. Grant, but back then it at

least favored pick-wielding American sourdoughs and not the cabal of foreign corporations that now headline most of the bad news about mining. The law gives mining companies free rein over public land, without requirements to pay royalties to our government, and shielded at least in part from other federal laws, including the Wild and Scenic Rivers Act.

What happened at the Formosa mine a decade ago is a tragedy, but a similar story could easily unfold today in southwestern Oregon. Foreign and American companies have applied for Forest Service approval that would lead to nickel strip mines — likely far more widespread and troublesome than the Formosa site — at pristine tributaries flowing into several of the most valuable rivers in the West.

At Rough and Ready Creek, the mining waste would likely spread into the Illinois and then the Rogue River. At Baldface Creek, a strip mine's drainage would reach the North Fork of the Smith River and then the main stem Smith through California's exquisite redwood country, not to mention public water supplies of three communities including Crescent City.

At Red Flat, pollution could ruin Pistol River and Hunter Creek and their salmon fisheries just south of recreation-dependent Gold Beach. Strip mining would change forever these unique landscapes and the communities around them. At stake are the purest waters and wildest rivers, some of the strongest populations of native salmon and steelhead, and a refuge with one of the highest concentrations of rare plants in America.

Unlike the Formosa mine — spreading its poison today — these three affronts to the environment and communities of Southern Oregon can be avoided — provided our public officials act soon.

Congress can withdraw specific areas from new mining claims, and our Oregon delegation has recommended this at the Rough and Ready and Baldface sites. The develop-at-any-cost boosters will complain about government control. But courageous action with public-spirited foresight by our political leaders and our local and regional Forest Service officials can spare our most cherished rivers. At the Rogue, Illinois, Smith and Pistol, we can avoid the fate of the Formosa mine and its toxic legacy that will continue to tax us all for decades.

Tim Palmer is the author of "The Wild and Scenic Rivers of America" as well as "Rivers of America," "The Heart of America: our landscape, our future" and 20 other books (see www.timpalmer.org). He lives in Port Orford.