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**Introduced by Senator McGuire**  
**(Principal coauthor: Senator Pavley)**  
(Principal coauthor: Assembly Member Wood)  
**(Coauthor: Senator Leno)**  
(Coauthors: Assembly Members Dodd, Levine, Mark Stone, and  
Williams)

January 21, 2015

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Senate Joint Resolution No. 3—Relative to the Smith River watershed.

LEGISLATIVE COUNSEL’S DIGEST

SJR 3, as introduced, McGuire. Smith River watershed protection.

This measure would urge 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 the potential impacts on water supplies, economies, or the environment in California’s portion of the Smith River watershed.

Fiscal committee: no.

1 WHEREAS, The Smith River watershed of approximately 610  
2 square miles in California and 115 square miles in Oregon is  
3 considered the prize of the California wild and scenic river system  
4 since it was included in the California Wild and Scenic Rivers Act  
5 in 1972, and then later included in the Federal Wild and Scenic  
6 Rivers System in 1981; and  
7 WHEREAS, The Smith River is the indirect primary source of  
8 drinking water for the majority of Del Norte County’s 28,000  
9 residents, with the largest user being the City of Crescent City;  
10 and

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

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

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

17 WHEREAS, The Smith River National Recreation Area Act,  
18 passed by the 101st United States Congress in 1990 (Public Law  
19 101-612), amended the Wild and Scenic Rivers Act of 1968 and  
20 permanently protected all federal lands of the Smith River  
21 watershed within California by establishing the Smith River  
22 National Recreation Area; and

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

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

30 WHEREAS, In 2012, Red Flat Nickel Corporation submitted  
31 the Cleopatra Check Drilling Mining Plan for the watershed of the  
32 North Fork of the Smith River to the Rogue River-Siskiyou  
33 National Forest, with the goals to develop and operate a devastating  
34 3,980 acre strip mine to extract nickel, cobalt, and chromium; and

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

38 WHEREAS, The United States Environmental Protection  
39 Agency has confirmed that hard rock mining, which includes strip

1 mining, is the largest source of toxic pollution in the United States;  
2 and

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

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

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

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

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

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

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

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