



www.americanwhitewater.org

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July 8, 2014

Tom J. Paul, Acting Director
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

Sent via email to Director@wrđ.state.or.us and jerry.k.sauter@wrđ.state.or.us

Re: LL-1533, Red Flat Nickel Corporation Application for limited water right

Dear Mr. Paul and Mr. Sauter,

American Whitewater writes in opposition of Red Flat Nickel Corporation's (RFNC) application to the Oregon Water Resources Department for a limited license for industrial mining purposes on an unnamed tributary of Taylor Creek (LL-1533) in Curry County, Oregon. Taylor Creek is a tributary of Baldface Creek, which is a tributary of the Wild and Scenic North Fork Smith River. Baldface Creek and the North Fork Smith River are highly valued by our members for their pristine waters and the high quality recreational experiences that they provide, as is the Wild and Scenic Smith River downstream. RFNC has submitted a Plan of Operations for mining with the Rogue River-Siskiyou National Forest, proposing to drill 59 exploratory holes 50 feet deep. The Forest Service has not yet approved these activities. In the long term, RFNC seeks to develop a 4,000-acre strip mine to extract nickel, chromium and cobalt, which would irreparably harm the ecosystem of the headwaters of the North Fork Smith River. American Whitewater urges the OWRD to deny LL-1533 because RFNC's activities will impair and be detrimental to the public interest.

American Whitewater is a national non-profit 501(c)(3) river conservation organization founded in 1954. With over 5,800 members and 100 locally-based affiliate clubs, we represent the conservation interests of tens of thousands of whitewater enthusiasts across the nation. American Whitewater's mission is to conserve and restore America's whitewater resources and to enhance opportunities to enjoy them safely. We are the primary advocate for the preservation and protection of headwater and whitewater rivers throughout the United States, connecting the interests of human-powered recreational river users with ecological and science-based data to achieve the goals within our mission. A significant number of our members reside in the Pacific Northwest and Northern California and recreate on Baldface Creek and the North Fork Smith River. As a result, we have a direct interest in the outcome of RFNC's LL-1533 application, and we request to participate before the OWRD as a party to this matter.

Baldface Creek is a tributary of the North Fork Smith River that provides experienced kayakers a remote Class IV-V wilderness quality whitewater experience. It has pristine and crystal clear waters, and boaters take in breathtaking scenery, numerous streams and waterfalls, and a rich diversity of flora and fauna. The run has powerful and fun rapids, drawing boaters that hike in with their kayaks or packrafts. Baldface Creek also provides significant spawning and rearing habitat for salmon and steelhead, and is a reference reach used for studying watersheds and riparian ecosystems. Baldface Creek and its tributaries are eligible for federal Wild and Scenic designation.

The Wild and Scenic North Fork Smith River provides a stunningly beautiful, remote and fun Class III-IV whitewater run. Our members know the run for its scenery, crystal clear waters, overhanging waterfalls, pristine ecosystem, and serpentine canyons. It is popular because it is one of the few rivers in California without a dam on it, and except for low flows in the summer, flows for boating are good for much of the year. In addition to water-based recreation, in the Six Rivers National Forest the North Fork Smith's Outstandingly Remarkable Values include migration and spawning of anadromous fish, municipal and domestic water supplies, and wildlife habitat.

Baldface Creek and the Wild and Scenic North Fork Smith draw boaters from around the West Coast and are a significant part of the recreation economy of the area. These rivers are also world-class salmon and trout streams. Combined, these activities create the recreational economic engine that drives communities in Northern California and Southern Oregon. A strip mine in this region would irreparably harm the recreational values of these rivers, and is therefore not in the public interest.

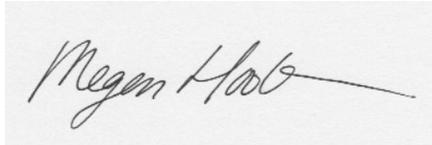
This eco-region has been recognized for its recreational and ecological value at the state and federal level through numerous protections. These include the Kalmiopsis Roadless Area, Kalmiopsis Wilderness and Smith River Recreation Area. Combined, these designated areas create a continuous pristine landscape. Oregon's Senators have recognized the value of protecting this region, and recommended that it be withdrawn from mining activities. Additionally, the Wild and Scenic North Fork Smith is also a California Wild and Scenic River.

The U.S. EPA's Toxic Release Inventory reports that the metal mining industry is the largest toxic polluter in the nation. These pollutants pose serious risks to human health and ecological functions. Industrial mining activities and the pollutants they leave behind have no place in this special area. Neither do the helicopters, mobile drills, drilling pads, giant water bladders, noisy pumps, diesel emissions and thousands of feet of hoses. All of these components will seriously undermine the established recreational uses in the area.

American Whitewater shares concerns expressed by other conservation groups, including KS Wild, WaterWatch of Oregon and Friends of the Kalmiopsis, about the fact that the North Fork Smith River is fully allocated. We also share concerns regarding impacts to downstream drinking water supplies, water rights and to salmon and steelhead spawning and rearing habitat, as well as concerns regarding the water quality impacts of drilling additives that may be used during the exploratory process.

If issued, LL-1533 would enable mineral exploration drilling and expedite nickel strip mining, which would be devastating to regional recreation and fisheries. The streams and watersheds at risk from this limited license are invaluable public natural resources that are critical to local recreation based economies and communities. All water from the affected pristine remote tributary stream must be allowed to flow naturally to support fish, wildlife, and recreation with no exceptions for unwanted mineral exploration. We request that the OWRD take both the short term and long term plans of RFNC into consideration when considering whether LL-1533 is in the public interest, and support the agency in denying RFNC's application.

Sincerely,

A handwritten signature in cursive script that reads "Megan Hooker". The signature is written in black ink on a light-colored background.

Megan Hooker
Associate Stewardship Director

A handwritten signature in cursive script that reads "Thomas O'Keefe". The signature is written in black ink.

Thomas O'Keefe
Pacific Northwest Stewardship Director