

My View

The Gold King Mine incident is an opportunity for congressional action...

by John Weisheit

08.27.15 - 10:08 am

The recent spill of dangerous wastewater from a defunct mining operation in the headwaters of the Animas River should be recognized by state and federal water managers as a threshold event for the entire Colorado River basin. For parts of two decades now, all attention has been focused on how water managers must implement conservation and efficiency programs to avoid water shortages and legal battles over water rights, only to have their carefully conserved water poisoned by a shuttered mining operation that should have been safely reclaimed years ago.

This embarrassing event of river pollution will happen again, because there are thousands of mining and chemical processing operations, defunct or otherwise, throughout the watershed and in harm's way. Each location is poised to cumulatively impair the health of human and wildlife communities for hundreds of years unless something is done, and without anymore delays, to fund and finally eliminate this threat to good health.

To accomplish this, priorities for water resource managers need to be reset, because legislators at the moment are more keen to provide appropriations for things they think are more important, namely improving the quantity of water and not necessarily for improving its quality. However, by sharing legislative appropriations to include water quality improvements, a water manager would incidentally improve upon the issue of water quantity. For example, because of this incident the Bureau of Reclamation released reservoir water from Navajo Dam to dilute the pollution below the confluence of the Animas and San Juan rivers in New Mexico. If this mining pollution event had occurred in 2004, when Navajo Reservoir was nearly emptied by severe drought, the option to dilute the contaminated water might not have occurred.

In the two weeks that have passed since the spill, the typical response from members of legislative branches in state and federal government seemed to be more interested in using this incident as an opportunity to neutralize the Environmental Protection Agency, rather than to neutralize the sources of the contamination. Ultimately, the solution to resolve this water resource issue boils down to adequate funding and effective programming that can only be provided by appropriations through a legislative body, and until that happens the blame can only be placed on where it truly does belong, the legislators themselves.

Here is an example of how recent water quality legislation for the Colorado River failed to pass through the committee process in the U.S. House, and on two separate occasions. In 2009 and 2013, U.S. Rep. Raul Grijalva (D-Arizona District 3) introduced legislation to improve water quality in the lower region of the Colorado River basin. The benefactors of this legislation would include the citizens of Nevada, Arizona, California and (incidentally) the nation of Mexico.

The bill was called the Lower Colorado River Protection Act, and the goal was to “provide for the protection of the quality of water in the Lower Colorado River and the development and implementation of a comprehensive plan for the prevention and elimination of pollution in the Lower Colorado River and the maintenance of a healthy Lower Colorado River ecosystem.”

The pollution problems of the lower Colorado River include salinity inputs from agricultural fields, endocrine disruptors from wastewater effluent, nitrate pollution from degrading septic sewer systems, two plumes of hexavalent chromium, two plumes of perchlorate rocket fuel, and uranium mining activities near Grand Canyon National Park.

Grijalva should be persistent and his proposed legislation to elevate the water quality of the Colorado River should be expanded to include the entire Colorado River basin, which would bring benefits to the citizens of Wyoming, Colorado, Utah and New Mexico.

The chairman of the Natural Resource Committee in the U.S. House is Utah’s Rob Bishop, and besides berating the EPA about the embarrassing incident at the Gold King Mine, Mr. Bishop should also reach out to his committee colleague Raul Grijalva, co-sponsor his Colorado River Protection Act, get the bill through the committee process and on to the House floor for debate and a final vote.

John Weisheit is the Colorado Riverkeeper and co-founder and conservation director for the Moab-based nonprofit group Living Rivers. He has lived in Moab for more than 35 years.