



The

SENTRY

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We now have



available on www.plp2.org use to
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renew your membership, donate to
help fight for your rights.

No membership required

White House says old Mining Act doesn't need revision

By Nathan Becker
27 Jul 2007 at 12:20 PM

The Bush administration **spoke out against the proposed revision** of a 135-year-old mining law that would impose fees and environmental restrictions on public land mining. An executive in the Bureau of Land Management said the speed bumps could hurt the mining industry.

Democratic lawmakers still are intent on revising the General Mining Act of 1872, which remains largely unchanged since its inception – when it was used to settle the West.

"The people of the United States deserve to receive a payment in return for the disposition of the resources we all own," said House Natural Resources Committee Chairman Nick Rahall, D-W.Va., who introduced the proposed rewrite.

P.L.P. WHO ARE WE?

The Public Lands For The People was constructed for the purpose of allowing individuals and representatives from various groups to join forces to help maintain the laws and rights of all Citizens on Public and Private lands. (Federal, State and City) Our purpose is to represent all types of outdoor user groups that are interested in keeping Public and

Private lands open for the use of individuals and groups who use and enjoy outdoor recreation on a non-discriminatory basis! We will insure representation at public hearings of government agencies that are proposing more and more limitation and restrictions on the lands that belong to the people. WE WILL LITAGATE! We will be prepared to file injunctions, when necessary, to prevent governmental agencies from discussing public issues behind closed doors and calling them "personnel meetings".

We will come to the aid of, and give individual attention to, persons or groups who are being harassed, intimidated or misled by people in authority (in or out of uniform) who are attempting to enforce their own ideas or opinions of laws, rules or regulations, rather than the actual laws, rules or regulations, and what it actually means. Remember....

PUBLIC LANDS FOR THE PEOPLE

means.... our **right** to Use Public Lands, not to Abuse Public Lands.

Why Join The PLP?

Let's face it, there is probably something better you could do with \$35.00 than join another organization. You could buy a couple gallons of gas, buy a drink and a bag of popcorn at a movie or simply save it for that proverbial rainy day that Mom said

Dues \$35 single - \$50 family - \$100 organizations

would eventually come. You could do all of those things or none of them; it is your choice because it is your 35 bucks. However, if you value the preservation of the rights of the public to access, and use public lands, enjoy our public lands, and you want to protect that opportunity for yourself, your family and friends and future generations, you might want to reconsider where that \$35.00 would be put to best use.

Public Lands for the People has been working tirelessly for years with land managers, politicians and other user groups to ensure that you get to public lands where and when you want. We have been successful and we have had many successes and you have benefited. Had there been no one out there fighting for your rights, where do you think you would be today? If you and I don't care enough to make the case for our rights, who will? I can promise you the other side is always making the case that mining and prospecting is noisy, polluting and the source of all conflicts. They want us in smaller and smaller areas with fewer opportunities to access the backcountry. Ultimately, they want us off the public lands. This is your fight whether you like it or not. Doesn't it make sense to join with others who are taking their time to protect your opportunities? Doesn't it make sense to equip those who are fighting for you with the resources needed for them to have a chance at success? Doesn't it make sense for you to invest \$35.00 in the Public Lands for the People? Yes, it really does...

JOIN TODAY, 909-889-3039
PLP legal fund raffle prizes
To be drawn March 19 2008

- 1. Keene 4" dredge 4400PH
donated by Keene Engineering
\$3,000

- 2. Proline 3" dredge combo
by Proline mining \$2,090
- 3. Proline 2" dredge
by Proline \$1,285
- 4. Goldmaster GMT Detector
by Whites Electronics \$800
- 5. 16 to 1 gold earrings
by Natural Gold Jewelry \$350
- 6. Spiral Gold panning machine
by Dezert Fox \$299
- 7. Deluxe Blue Bowl Kit
by Pioneer mining \$209
- 8. Mini puffer Drywasher
by Al Wilkins \$150
- 9. Zeek hand pick 2 pc. Set
by ZEEK \$125
- 10. Custom embroidered jacket
by V.Bar J Embroidery \$125

Spring 2007 raffle winners are,

- Keene 4' dredge - Desert gold diggers
- 1941 Edison miners headlamp - Stan Gilman Huntington Beach CA
- Gold Grabber II - Terry & JoAnne McClure Sioux Falls SD
- 1 Week dredging on Galice creek - Jack Starbird Garden Grove CA
- \$250.00 gift cert. Armadillo mining - Bob Skonberg
- Falcon Pin Pionter - Deb Schwartz Palmdale CA
- Blue Bowl Kit - Ken Williams Redding CA
- U.S. Treasure Atlas - John Galish Elyria OH
- Mini Puffer Drywasher - Harold Kuehner Columbus Montana

PLP+SFV GPAA Meetings

Everyone welcome,
Fantastic Raffle Prizes
50/50 raffle

3rd Thursday
Keene Engineering
20201 Bahama St.,
Chatsworth, Ca.

If you have questions call
Pat Keene at 818-993-0411

CLOTHING SPECIALS

UPDATED Orange T-shirts
Medium to 2x \$12 plus \$4 S&H

Black or Orange Baseball Hats
\$10 plus \$2.50 S & H!

Entertainment discount books are now available. Offering 50/50 and one half deals on everything from airplanes to great restaurants. Offering San Fernando Valley, San Gabriel Valley, Inland Empire, **\$21.50!**

& West Los Angeles **\$31.50!** area books available. New low price! The rest of the U.S. is available at **around \$30** shipping included! Call Barry Wetherby at 818-957-1455.

BHWetherby@aol.com

THESE ARE GREAT CHRISTMAS GIFTS!!

Please enclose your check along with Size, (or location for the book) Name, Address, & item(s). Send to PLP Clothing 3700 Santa Carlotta St., La Crescenta, Ca. 91214.

SPECIAL ANNOUNCEMENT

17.5 foot speed boat with 75 hp Johnson & Johnson plus trailer. Make offer Jerry Hobbs 909-889-3039, best offer over \$300.



BLM NCLS Land Grab

Babbitt National Conservation Lands System (NCLS) means a National Park Type Overlay Over Millions Of Acres Of BLM Land to hurt multiple-use and private property!

ALRA - Urgent Action

(http://www.landrights.org/blm/NCLS_0705alert.pdf)- Making the NCLS permanent threatens recreation, access, grazing, mining, oil and gas and many other uses. Gradually these areas will be turned into parks with traditional uses strangled and roads cut off. Private property owners and inholders in the areas can say so long to their property rights. You will see new areas nominated for NCLS status gradually eroding BLM multiple-use.

Everyone PLEASE write comments on dredging at these websites.

- www.goldgrubbin.com
- <http://goldprospectors.org/>
- <http://www.senate.gov/>
- <http://www.goldgold.com/>
- <http://www.shacksgold.com/>
- <http://www.golddredger.com/>
- 49ermike@aol.com
- <http://www.plp2.org/>
- <http://www.plp1.org/>
- AB 1032 - www.senate.ca.gov

Notices of updates to the bill will be Emailed to you. Sign up at <http://info.sen.ca.gov/cgi-bin/postquery?maison=AB&nro=1032&act=1&site=sen>

Please make a donation to the “legal research fund”

TAX DEDUCTIBLE!

DONATIONS TO PLP MAY THRU JULY 2007

- LDMA-AU (\$4050)
- ICMJ-SCOTT HARN(\$2000)
- KEENE ENGINEERING (\$1500)
- OLLIE CLARK (\$1400)
- RON CURTIS(\$1000)
- SANTA ROSA GOLD DIGGERS (\$400)
- RESOURCES COALITION (\$500)
- SFV PROSPECTORS @
- STANTON OUTING (\$326)
- ROBERT DUNST (\$250)
- SIX FLAGS MAGIC MTN (\$240).
- ANNIES AUCTION(\$210)
- PAT KEENE (\$200)
- MIKE STURDY FAMILY(\$200)
- TRUEMAN L. HULEGARD (\$200)
- NO. BEND PROSPECTORS (\$170)
- RICHARD HAYNES(\$133.50)
- IRWINDALE SPEEDWAY(\$100)
- KENT PIMLEY(\$100)
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- HOBART CHASTIN (\$100)
- BIG SANTA ANITA HIST. SOCIETY (\$100)
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- CHARLES & ASSOCIATES
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- JOHN T. FAUGHN
- BRUCE VILLOTTI
- DISNEYLAND
- JOEL HOCHSTELTLER
- OLEN HARTMAN
- LEGOLAND
- M. SEAN HART
- BIG FIVE SPORTING GOODS
- LA ZOO
- CENTRAL VALLEY PROSPECTORS
- STEPHEN X. PICARD
- RICK SOLINSKY

- PCSC
- DEAN FOGH
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- RUSS PEARCE
- M. A. LANDON
- JERRY BURGAN
- STEPHEN KLESZK
- JAMES R. FACKINER
- MICHAEL RAFFERTY
- HUACHUCA PROSPECTORS ASSC
- J. L. CARROL
- CENTRAL VALLEY PROSPECTORS
- DAVE PERKINS FAMILY
- TRABERT FAMILY
- STUART CLARKE
- ROGER SIMS

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Washington State and Resources Coalition

A brief chronological history of (small-scale) mining regulations in Washington State and the involvement of Resources Coalition in an attempt to make substantive changes.

Mineral prospecting in Washington State is regulated by the hydraulic code under state law. The Washington Department of Fish and Wildlife (WDFW) administers it. The Revised Code of Washington (RCW) and Washington Administrative Code (WAC) specifically list these activities and the rules a person must follow when panning, sluicing, highbanking, suction dredging and other mining activities. In addition, they categorize and enforce penalties for non-compliance.

Since the 1980's, small-scale mineral prospecting (never called recreational prospecting!) has been permitted with a 'programmatic pamphlet HPA (Hydraulic Project Approval)' titled the 'Gold and Fish' (G&F) pamphlet. This was your free permit to prospect.

Every few years this pamphlet rulebook was updated. The mining community was contacted and [supposedly] involved with reviewing and revising the rules. In 1997-1999 this process produced a nightmare. A pamphlet that was almost incomprehensible (in fact contradictory).

The rules in this latest version were dreadful:

- *All excavations (panning, sluicing, dredging) must be separated by 200'
- *An exclusionary zone was created, from the high water line 200' landward, where absolutely no activity was tolerated. Including

metal detecting. Imagine what this did to existing mining claims.

- *Panning, sluicing and other non-motorized activities were tightly regulated. In fact, the G&F pamphlet permit was required to be on site for these and other activities.
- *Excavations must be refilled after 16 hours.
- *If freshwater mussels are encountered, you must move 200' away.
- *Absolutely no prospecting of any kind allowed on the states' salt-water beaches.

And many more. Some rules in the Gold & Fish pamphlet were so vague as to be interpreted by enforcement to their advantage.

Under Washington State law, the penalty for any small-scale mining infraction is a 'gross-misdemeanor'. **This is literally a year in jail and a \$5000.00 fine, for each citation.** It was not uncommon to see several citations for each operation.

Shortly after the new G&F was published and became rule, Resources Coalition was formed. Merle Stout (now deceased) organized and focused a coalition of miners, prospecting clubs and others to work cohesively in changing these onerous regulations.

For the next 8 years, a core group within Resources Coalition made it their mission to make these changes. Contacting state and federal legislators, working with state regulators, education, positive environmental activities (clean stream concept), outreach to schools, mercury collection, and anything positive to small-scale mining.

In 2002, Resources Coalition kicked off a mercury collection effort at the Dredge Earth First (DEF) Rally in Myrtle Creek, Oregon. Working with the Department of Environmental Quality (DEQ), a

drop-off point at the rally was established and several pounds of elemental mercury were collected. This endeavor has continued over the years with the latest effort having 70 pounds being turned in at the 2007 Washington Prospecting and Mining Assn. (WPMA) Gold Show in Monroe, WA. The Washington Department of Ecology (DOE) has recognized this as the 'only' positive private effort to significantly remove mercury from the environment.

After attending the 2001-2002 DEF rallies in Oregon, Resources Coalition initiated its first (2003) gold mining rally in Oroville, WA. State regulatory agencies were unsure as to what permits were required of this event and offered little assistance. The state Department of Natural Resources (DNR) stepped in, without warning, and stopped this event, on the morning it opened. In fact prohibiting 'all' small-scale mining in the entire state.

In December 2003, a contingent of miners testified to a state Senate committee. DNR attempted to defend their actions and were severely reprimanded.

Early in 2004, Resources Coalition worked with state legislators to pass a bill into law creating 'mineral trespass' penalties. It went to the Governor without one dissenting vote.

RCW 77.44.330

(1) A person commits the crime of mineral trespass if the person intentionally and without the permission of the claim holder or person conducting the mining operation:

- (a) Interferes with a lawful mining operation or stops, or causes to be stopped, a lawful mining operation;*
- (b) Enters a mining claim posted as required in chapter 78.08 RCW and disturbs, removes, or attempts to*

remove any mineral from the claim site;

(c) Tampers with or disturbs a flume, rocker box, bedrock sluice, sluice box, dredge, quartz mill, or other mining equipment at a posted mining claim; or

(d) Defaces a location stake, side post, corner post, landmark, monument, or posted written notice within a posted mining claim.

(2) Mineral trespass is a class C felony.

In 2004 the Rally's name was changed to NW Miners Rally, and continues today.

After several months and 17 permits (state and federal) the NW Miners Rally held a 5-day event in 2004. The first 2 days were specifically dedicated to in-water mining activities for regulators. Lunches were provided, hands-on training with suction dredges, highbankers, panning and sluicing were some of the planned events. It attracted over 29 individuals from state and federal agencies, including the tribes. Most had never seen a suction dredge. It was a success and continues to pay dividends today.

The rallies are well attended. Several hundred attendees and numerous vendors and speakers make this a premier event.

During 2004, with the assistance and direction of Public Lands for the People (PLP), the 'Washington Miners Council' was initiated to specifically address new regulations for small-scale mining. Most miners in the state were contacted for their input.

The summer of 2004 witnessed a cooperative effort between the Resources Coalition and Washington State Department of Ecology (DOE) to conduct a study involving suction dredging and heavy metal suspension and turbidity

(NPDES). This study is a conclusive answer.

<http://www.ecy.wa.gov/biblio/0503007.html>

"Results showed that the metals concentrations discharged from small-scale gold dredges are not a significant toxicity concern for aquatic life in the Similkameen River. Although this activity will exacerbate exceedances of arsenic human health criteria, it would take very large numbers of dredges to effect a 10% change in the river's arsenic levels, even at low-flow conditions."

Spring 2005 brought a new regional manager to WDFW. She promptly declared the NW Miners Rally be removed from Oroville and from that entire county. This action was perceived as a threat by local state legislators, the mayor of Oroville and the county Commissioners. At a WDFW Commission hearing, several testified and numerous letters were received. The Rally stayed.

During the summer of 2005, just prior to that year's Rally, over 20 citations were issued to miners in the vicinity by WDFW enforcement. Regulation interpretation was again used as a basis for 'creating' infractions.

The 2005 and 2006 NW Miners Rallies had their share of permitting issues. Close attention by rally organizers kept the regulators in line and permits timely. These rallies were ultimately very successful.

Bedrock Prospecting Club, which is a substantive supporter and participant in Resources Coalition, hosts a yearly workshop to provide in-water, hands-on mining for any legislator, regulator or interested individual. Many have taken advantage. Again, this has paid dividends.

Spring 2006, Resources Coalition was again approached by

WDFW for assistance in conducting a study on the effects of suction dredging and freshwater mussels. We supplied expert dredge operators and dredges. This report has not been published but preliminary information is favorable.

In 2006, following suggestions from PLP, Resources Coalition and NW Miners Council created and distributed a petition to the mining community requesting the WDFW Commission begin the substantive rule-making process for small-scale mining regulations. 1300 signatures were gathered. This was a very forceful and dramatic appeal.

Shortly thereafter, the Commission did indeed initiate the 'procedure' for a new G&F pamphlet. State and federal agencies, the tribes and prospecting representatives sat down together, painstakingly worked out issues, and have drafted a proposed set of regulations. At this time, nothing has been planted in concrete. The few remaining issues hold the key to success or failure. The next step is public involvement and comment. Then the WDFW Commission will review the proposal and either adopt, modify or throw it out. There is hope the 2008 mining season will see new and improved small-scale mining regulations (opportunities) in the state of Washington.

The 2007 NW Miners Rally is scheduled for August 17-19, again in Oroville, WA.

Throughout the last several years, consistency and determination by Resources Coalition has made a difference. All avenues to change were explored and invested in. We have made mistakes, but if we hadn't tried, we would not be where we are today.

Resources Coalition

<http://www.resourcescoalition.org/>
<http://www.minersrally.org/>

Public Lands for the People
<http://www.plp2.org/>

What good are we?

1. PLP is now, have been and will continue working on many issues that concern the small-scale miners. We respond to dozens of calls and emails each month from all types of land users that are having problems with government agencies and their personnel. These calls for assistance and direction come from all forms of user groups, from off road, metal detecting, camping, plan and permit, fishing, hiking, camping and occupancy and of course mining issues. PLP attempts to address each and every question or problem that comes along from the public land users.

2. PLP is now and has been working with other states and those who represent those states.

3. We are presently in the 9th Circuit Court along with Tom Kitchar and the Waldo Mining District and the Barton's. The miners prevailed in the District Court in Oregon and are now fighting an environmental appeal in the 9th Circuit Court.

4. We have made comments on Federal Register (FR) notice for the FS on Road closures in many of the Forests and have encouraged others to feel free to use those comments. We may well end up in litigation over this FR notice.

5. We have made extensive comments on another FS Federal Register Notice on the FS trying to change 36 CFR 261 making it possible for the FS to cite criminally a miner that stays on his claim more than 2 weeks and possibly being able to cite the miner criminally for using motorized equipment or using a road other than

a registered FS road without a Plan of Operation. This, in all probability will have to be litigated.

6. PLP has and will continue working with some of the legal researchers for the Eastern Oregon Mining Ass. To help them overcome the ODEQ regulations on suction dredging and turbidity in a current lawsuit.

7. In the Karuk v Ca. DFG case in which the miners prevailed, PLP and I as a pro se litigant are still fighting in Court to resolve attorney fees that the DFG awarded the Karuk Tribe even though we feel they did not win. Thus, bringing the miners into AB 1032 because the Ca. DFG wants to circumvent the EIR that the Court ordered. Hopefully the miners will prevail on both issues.

8. PLP assisted the Attorneys that represented the New 49ers in the Karuk FS case trying and force the suction dredgers into a Plan of Operations to dredge. This case is almost a mirror of the SREP vs FS in Oregon that we are still in the 9th Circuit Court. The miners have prevailed on both of these up to this point and the Kuruk vs. FS is on hold and may go the 9th Circuit Court on a Karuk appeal as well.

9. PLP also assisted the 49ers attorney's in the case of the FS v McClure. Again the miners prevailed.

10. PLP assisted Ron Lex in the FS vs. Lex by getting him a Public defender and then spent months of time bringing the Public defender up to speed on the mining law. Again the miners prevailed.

12. We were party to 2 lawsuits by the Center for Biological Diversity, one against the FS and one against the BLM. In both case we received the same decision from the Courts. The Court stated that the Agencies (could not) use the court order or the Judges signature to close over 300 areas.

That the Agencies must go through all

of the Administrative and NEPA procedures to close any one of the 300

13. PLP and Dee Stapp prevailed in a lawsuit with the Bureau of Land Management on issues separating bond issues between Casual use occupancy and mining operations

14. PLP is participating in the Ca, Water Resources Board issues on suction Dredging turbidity and mercury.

15. PLP has worked Washington State Resources Coalition and other Washington groups for several years and find, that they are a great group to work with. We see a strong bond with them and we believe it will continue to as they continue with their success in the rule making process on suction dredging.

15. Last but not least is of course the CA. Legislative Bill AB 1032 which will, if passed close all or part of approximately 70 rivers in the state of California to suction dredging and if successfully implemented will move the same type of legislation to other states. PLP has made both Legal and Scientific comments opposing the abuse of power by the legislators and the Ca. Department of Fish and Game PLP, with your help will take this issue to court if necessary.

PLP feels that it has made every effort to be involved in one way or another with any major issue that surfaces that might have an effect on the activities of the small scale mining community. We cannot continue and could not have come this far without the financial and participating support of its membership. It is PLP's hope that this support will continue now and become even stronger in the future.

With out your help to continue
????????????????????????????????

PREZ SEZ

If we look at the past history of wealth making industries (Timber, Cattle Ranching, Farming and Mining) opposed to wealth circulating Industry (everything else) we find that the wealth building industries on a small scale have disappeared. All except Small Scale Mining and it is on the danger list. Small Scale Timber is gone because of the Spotted Owl, Small Scale Grazing is gone because of things like the Desert Tortoise, Small Scale Farming is gone because things like the Kangaroo Rat. Now comes the attacks on the other wealth building industry, Small Scale Miners are now becoming endangered because of the Salmon and other endangered species of fish.

There only two reasons that Small Scale Miners are still around, one is the strength of the Mining Act of 1872 and the other reason is because of the tenacity and financial support of the Small Scale Miners.

The Forest Service is attacking with road closures and acquiring powers to criminally cite Small Scale Miners for offenses that are not criminal. The States of California, Oregon and Washington are attempting to change regulations that will either minimize or stop all together, the activities of Small Scale Miners. Make no mistake we are in a battle for our Small Scale Mining rights and if we continue to do what we have in the past by being tenacious and supporting those organizations that have the ability to fight back, we can and will prevail.

With this in mind PLP is asking that you continue your much needed donations to continue the battle.

Support PLP Suction Dredge Raffle and don't forget that donation to PLP is a tax deductible donation.

Thank You for Your support
Jerry Hobbs.

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2007 Shelby GT500 RAFFLE

Here is your chance to have a very unique and sought after car. There are only 1,000 tickets available. For a \$100 donation, you can have a chance to own this fully loaded collector's piece. The winning ticket will be drawn at the first GPAA following the sale of the last ticket.

A minimum of 14 days will be needed for the return of all ticket stubs prior to the drawing. It is the responsibility of the ticket holder to return the stubs immediately to be included in the drawing. Winner is responsible for all taxes, title/registration fees, and pick-up or delivery.

Public Lands for the People Inc. (PLP) is a 501(c)(3) non-profit corporation (ID#95-4521318) dedicated to the public's use of public lands. PLP was established to educate the people about their rights and the laws that apply to them in their daily activities and help educate the government agencies in their application of the law. In short, we fight to uphold constitutional and statutory rights related to the use of appropriated and unappropriated public lands.

Tickets are available from and stubs must be returned to:
PLP c/o Armadillo Mining Shop
2041 NW Vine Street
Grants Pass, OR 97525
Phone 541.475.6316 Fax 541.476.9112
shelby@armadillomining.com



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