



The **SENTINEL**

Public Lands for the People Inc. Est. 1990

Commentary on the Sacramento Suction Dredge Regulations Scoping meeting

LINK - [Draft Environmental Impact Report \(DEIR\)](#)

This email was sent to me. Editor

Hello Goldhounds, attached is a brief summary of the Suction Dredge Fish and Game Public Meeting held on March 29th. Thanks to the Goldhound members who attended.

Suction Dredge Fish and Game Public Meeting
Tuesday March 29, 2011
5:00 PM to 11:35 PM!

Hello Goldhounds,
You're right when you see the above time starting at 5:00 PM and it ended at 11:35 PM. We had to vacate the building by midnight so it was running close. The meeting was held at the Cal EPA Headquarters Building, Byron Sher Auditorium, 1001-I St. in Sacramento. The estimate right now is that just over 300 people attended. Goldhounds were well represented. I want a list of those of you who did attend. I might have missed some of you so please send me an e-mail if you were there. I think I counted 14 of us.

The time from 5:00 PM to 6:00 PM was a general social gathering and booth presentations by Fish and Game on various issues of the SDEIR. The actual meeting started at 6:00 PM.

Everyone there who chose to could have 3 minutes to speak and this was adhered to closely. Once this was accomplished, other speakers who were given the time of others could speak longer.

Cont'd on Page 6



WWW.ARRA-ACCESS.COM

Reprinted by Permission

ACTION ALERT

TELL THE CHIEF OF THE U.S. FOREST SERVICE: PUBLIC LANDS MUST NOT BE PRIVATIZED BEHIND OUR BACKS!

Dear Public Lands Supporter,
The Tonto National Forest recently decided to place more than a dozen day-use areas, picnic grounds, trailheads, and a prehistoric site under contract to a private concessionaire to operate for profit. They did not consult with you - the citizen-owners of these facilities - in any way. They did not hold public meetings or accept public comments. They did not follow the procedure specified in federal law for the establishment of new fee sites, and they are not planning to require the successful private bidder to abide by federal recreation fee law.

The Tonto National Forest does not care what you think, and does not want to hear what you have to say.

They are going behind our backs, so let's go over their heads! Keep reading to learn how you can make your voice heard at US Forest Service headquarters in Washington.

TELL IT TO THE CHIEF OF THE USFS

Arizona's Tonto National Forest conducted no public process at all before taking bids from private companies on for-profit management of virtually all

Cont'd on next page

Membership Supported-All Volunteer-No Salaries-501c3 Non-Profit Organization

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

recreation on the Payson Ranger District. The successful bidder will be allowed to charge fees the Forest Service is prohibited from charging, and will not be required to accept most federal recreation passes.

Because there has been no public access to the process, there has been no way for us - the owners of these facilities - to weigh in on whether we think this contract should go forward. **We must not wait for them to ask for our opinion; they never will. It's up to us to speak up and make them listen** The US Forest Service headquarters in Washington, DC has established a special email address to accept public comments about recreation fees on the National Forests. Messages to this address are monitored by the agency's top managers and can be addressed directly to Chief Tom Tidwell. These top officials have the power to require the Tonto and other National Forests to **consult with the public and take public comments into consideration before deciding to convert recreation facilities from public to private management and from free to fee access.**



Tell them that is what they should do. It's public land, and the public must be included in decisions that affect its management!

HERE IS THE ADDRESS TO SEND YOUR COMMENTS TO:

RecreationFees@fs.fed.us

Following is a sample message to give you a starting point. Please use your own words and add your own thoughts, because that is much more effective than sending a "form letter."

DEAR FOREST SERVICE CHIEF TOM TIDWELL:

The Tonto National Forest is attempting to circumvent and evade federal legal requirements and prohibitions on where fees can be charged. They have issued a concessionaire prospectus that would allow a private company to establish dozens of new fee sites without going through the Public Participation process specified in the Federal Lands Recreation Enhancement Act.

The successful bidder would not be required to honor federally issued recreation passes that are legally required to be accepted at all federal day-use fee sites, but would instead be allowed to create and market their own annual pass, keeping all revenue from both

pass sales and use fees.

The concessionaire would also be allowed to charge fees that the Forest Service is prohibited by law from charging, such as for parking and access to trails and dispersed backcountry.

The newly-created fee sites would not have to provide minimum amenities and services, demonstrate general public support, or undergo review by the Arizona Recreation Resource Advisory Committee. All of those things are required by law for recreation fee sites on federal land.

The Tonto, with its requirement that visitors "upgrade" their interagency national pass in order to use it there, is the most expensive public land in America. This concessionaire contract would add another layer of expense, require Americans to purchase yet another confusing pass to gain access to their own public lands, and would waive federal law on federal recreational lands.

I urge you to direct the Supervisor of the Tonto National Forest to withdraw the concessionaire prospectus immediately, and to direct all National Forests to include the American public in all future decisions to place public lands in private hands.

[Your name and address]

IMPORTANT:

Send a copy of your message to Chief Tidwell to your [U.S. Congressperson](#) and both of your [U.S. Senators!](#)

WE SHOULDN'T PAY TO VISIT OUR OWN FOREST

From the Payson (AZ) Roundup, April 19, 2011

Under a new Tonto National Forest plan, Rim Country residents and visitors may well end up paying extra fees to have a picnic, take a hike or find a place to park the car so they can go fishing.

Moreover, residents who want a year-round pass may have to buy one \$80 annual pass for most of the forest and a separate pass for most of the campgrounds and day-use areas in the Payson Ranger District, in addition to a Tonto Pass.

The Forest Service says it's just adding a few sites to the campgrounds already managed by concessionaires - but we've got a sinking feeling we've seen this all before.

Tonto National Forest has put out a proposal seeking bids from private contractors to run campgrounds and day-use areas throughout the Payson Ranger District - including four new day-use areas along the East Verde River, plus the revamped Shoofly Ruins site off Houston Mesa Road and on various popular hiking trails. The proposal raises two questions: How much should we have to pay to use our own land and how much of the cash should wind up in the pockets of private contractors? The proposal falls in line with the trend started years ago in the Red Rock Ranger District of the Coconino National Forest, where forest planners want to charge the public fees to do almost anything on land voters already own. Taxpayers already pay taxes to provide the money to manage our national forests. But the Coconino Forest decided we should pay extra to park on forest land and enjoy the forest. Seems like the only thing the policy didn't cover was looking at the scenery through the car window. One citizen ticketed for not having a Red Rock Pass on his dashboard when he parked alongside a dirt road miles from the nearest Forest

Service maintained facility so he could hike up to Vultee Arch filed a lawsuit. A judge ultimately ruled the Forest Service could only impose a reasonable fee needed to build or maintain public facilities - like developed campgrounds or a boat ramp or water and toilets in a day-use area, not to park. And that brings us back to some of the odd details of the Tonto National Forest's request for proposals from private contractors to run most of the campgrounds, day-use areas and maybe even popular trailheads. The Western Slope No-Fee Coalition filed a protest as part of its persistent opposition to almost any fee on the use of public lands by the public. The coalition protested Tonto Forest's plan in part because it includes picnic areas and possibly even trailheads on the list of sites on which the private contractors might bid. The Coalition maintains Tonto Forest wants to use contractors as a stalking horse to impose fees on the use of relatively undeveloped areas, despite the message of earlier court cases. Currently, private contractors manage only campgrounds in the Payson Ranger District. Last year, the contractors collected some \$345,000 in fees. If all the money that forest users will pay under this new plan went to the betterment of the land, that might make sense. But in this case, the contractor keeps a big chunk of the money to cover costs and yield a profit and get around federal law. The inclusion of the day-use areas and trailheads in the proposal certainly feeds the fear that this proposal represents another step on a slippery slope. We hope the Tonto National Forest isn't considering an attempt at sneaking around federal law by letting a private contractor charge for using public lands and call it "managing" the site. For instance, federal law clearly prohibits the Forest Service from charging for simply parking to use a trail for a hike into undeveloped backcountry. A recent federal court decision upheld that law when hikers challenged the Red Rock District of the Coconino National Forest parking fees. Unfortunately, forest planners appear to be trying to find some way around that judge's ruling. So be prepared. Unless the public makes itself heard, we could well wake up to find new fees imposed on people parking at such places as Horton Creek, Derrick Creek, Ellison/Cold Spring, Two Sixty, See Canyon, Pine and Fossil Springs trailheads. Want to take a drive on a Sunday afternoon and have a picnic at Christopher Creek, Midway, First Crossing, Second Crossing, Third Crossing, Water Wheel, East Verde or any number of other places? Be prepared to first pay a private contractor \$6 or \$10 for the privilege of having your lunch on national forest land you already own and pay taxes to manage. What's next? Make Forest Road 300 a toll road? And remember those federal passes you purchased so you won't have to hassle with a day-use fee every time you wanted to go fishing or take a hike? Those will not be honored. Rim Country forest users have a voice - contact the Tonto National Forest and make it clear where you stand - the Forest Service must abide by the law and not charge fees for hiking trails, parking and undeveloped areas. And Tonto Forest should not penalize Rim Country residents by making them buy two different annual passes to enjoy the forests we already own.

Mining claims may be located on unreserved, unappropriated lands administered by the BLM, US dept. of Interior and the unreserved, unappropriated Public Domain Land in the National Forests administered by the Forest Service, US Dept. of Agriculture. Mining locations may be made in 19 states; Alaska, Arizona, Arkansas, California, Colorado, Florida, Idaho, Louisiana, Mississippi, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington And Wyoming. 43CFR 3811.2-1(a).

SB657 fails in committee (Dredging Permit Fee refund) Posted @ www.plp1.org/forums

Bill 657 did not make it through the committee despite a great showing of support. Out of the 9 committee members only two were in support. The rest of them had already made up their minds. I want to thank all that showed up and special thanks to Ted Gaines and Ray Nutting for doing a great job at presenting the bill. There were only about ten people there against the bill to be 30. Sierra fund sierra club, friends of the river and two other groups.. Sierra club brought up the mercury thing again. Ted Gaines thanked us all and said he would continue the fight and wants us to keep send him info about any study's and updates about suction dredging.

Thanks Rick. redy2ctsp@aol.com

Ted Gaines did an excellent job in representing the issues, and tried to change the minds of the people who wanted SB 670 on the committee. My feeling was that those committee members that were opposed believe it's ok to pass laws to that single out land use and shutdown industries before there is proven science to back up the false claims of their made up science. In fact there already existing science to disprove all of their false claims, but they are choosing to ignore them and the experts that have already testified refuting their wrong science, and to just walk over the Mining laws protecting mineral rights. If there were 100 PHD Biologists that testified there is no danger to people or fish from Suction dredging they would still believe the unproven unpeer reviewed not studies but reports that speculate a potential harm from suction dredging. They have their agenda, and its quite clear they will continue to remove freedoms for that agenda if they are still in office.

Is this just a bad dream or a nightmare, is it my imagination, have we lost our minds, its surreal, just not beleiveable, a grand absurdity, a great deception, a dilusion of momentous purportions that has been and is being played on and within our CA State government to have passed this WRONGFUL dredge ban in Calif. Singled out and banned even with valid peer reviewed scientific proof that refutes all claims this ban alleges

Late winter fun, *posted on forum*

Here is another safe experiment to try out at home. You will need the following things for this experiment.

- 1.) Black sand or concentrates to work with
- 2.) A panning tub 5 Gallon size preferred but any size will work
- 3.) 5 gallons of water for the panning tub with 2 tablespoons of baking soda and a dash of jet dry added. Allow this to sit to room temps before using.
- 4.) 2 empty one-gallon containers of any kind. Once the water in the panning tub is at room temp then add one teaspoon of baking soda to each of the one gallon containers. In one of the gallon containers fill with cold water and add a dash of jet dry. In the second gallon container fill with hot water and add a dash of jet dry to this as well and set aside.
- 5.) Start with 1/4 cup of cons or black sands and using the panning tub, pan out until you are down to close to the final bit where the gold will be found.
- 6.) At this point take the gallon container with the cold water mix and finish panning out the cons or black sands and observe how easy or difficult they are to finish.
- 7.) Repeat #5 above and at the final bit of cons or black sands use the hot water from the second gallon container and finish panning and observe the difference in how much more easily these will pan out to the gold.

My current plan is to buy myself 2 aquarium heaters to use in my recirculating tank and panning tub. This will keep my water at a nice warm temp without being too costly to use.---

RELEASE OF LANDS FOUND UNSUITABLE FOR WILDERNESS *courtesy of www.ARRA.com*

U.S. Representative and Majority Whip Kevin McCarthy (R-CA) has joined with National Parks, Forests, and Public Lands Subcommittee Chairman Rob Bishop (R-UT) and Western Caucus Chairman Steve Pearce (R-NM) to create legislation to ensure greater access to public lands for all Americans. The very important draft bill would release all Wilderness Study Areas (WSAs) and Inventoried Roadless Areas (IRAs) that have been recommended or evaluated as not suitable for wilderness by the Bureau of Land Management (BLM) or the U.S. Forest Service from restrictive management practices and directs that they be managed for multiple use, including recreation.

[H.R. 1581, The Wilderness and Roadless Area Release Act of 2011](#)

H.R. 1581 would release wilderness study areas administered by the Bureau of Land Management that are not suitable for wilderness designation from continued management as de facto wilderness areas and to release inventoried roadless areas within the National Forest System that are not recommended for wilderness designation from the land use restrictions of the 2001 Roadless Area Conservation Final Rule and the 2005 State Petitions for Inventoried Roadless Area Management Final Rule.

Action Item and More Here: <https://secure3.convio.net/arra/site...rAction&id=277>

Fight Continues about Recreation in National Planning Rule

Reprinted from [Stewards of the Sequoia](#) by permission

The National Forest Planning Rule will seriously effect Sequoia National Forest and every other forest nationwide, yet recreation was not part of the new rule until recreation groups nationwide objected strenuously.

There are still problems as noted in the [Federal Parks and Recreation Newsletter](#):

Said Chris Horgan, executive director of the Stewards of the Sequoia, "In the face of overwhelming public concerns about recreation being excluded from the Forest Planning Rule, the Forest Service has included recreation, however, they have decided to qualify it, by adding the vague and indefinable term of 'sustainable' to recreation. This was not the intention of the public and is a grave concern to the recreation community." Horgan, whose association promotes motorized and nonmotorized recreation on public lands, worries about the environmental implication. "It appears that the Forest Service is attempting to place additional environmental considerations onto recreation by adding the requirement of being 'sustainable'," he said, "perhaps in order to appease the extreme environmental groups who seem to have been heavily involved

Stewards is drafting a substantive comment letter as well as working with legislators on this issue.

You can read more at <http://stewardsofthesequoia.org/ALERT-NationalForestPlanRule.html>

You have probably paid fees when you have visited your public lands. There seem to be more fees each year. Stewards of the Sequoia have been concerned about fees to access your public lands and have been working with legislators and other groups to stop inappropriate fees.

A number of recreation groups have been debating what needs to be done about the Fee Program. Stewards of the Sequoia was invited as a stakeholder to present a [Position Paper](#) in which we call for accountability and more money getting to the ground before any fees are charged. We feel that fees to enjoy public lands should be a last resort instead of a cash cow. Other groups have also presented Position Papers and you might be surprised by them. You can read them here:

[National OHV Groups](#)
[BackCountry Horseman of America](#)
[Public Lands Service Coalition](#)
[Western Slope No Fee Coalition](#)
[Stewards of the Sequoia](#)

STATE WATER BOARD CONCERNS ABOUT OHV USE AND LAKE ISABELLA PUBLIC USE
<http://www.stewardsofthesequoia.org/PDF/StateWaterBoard-ForestWaterPlan2009.pdf> ---

Comments Regarding: Suction Dredge Permitting Program

5/3/2011

Mr. Mark Stopher
California Department of Fish and Game
601 Locust St.
Redding, CA 96001
Draft Subsequent Environmental Impact Report
California Department of Fish and Game

Dear Mr. Mark Stopher,

When I read California's newly proposed suction dredge regulations, I immediately began to see red flags. My law enforcement background and sense of justice is sounding a red alert.

Although I'm not a suction dredge miner, I am a miner and these proposed regulations are just plain wrong — and unjust. As a former law enforcement officer, I easily recognize the threats contained in these proposed regulations to suction dredge miners specifically and to the public in general.

The Department of Fish and Game intends to impose on suction dredge miners a class of permit requirements and restrictions that it does not impose on hunters and fishermen. There are four notable areas of unique requirements:

1. a maximum of 4,000 suction permits are to be provided
2. dredging equipment must be itemized, "A list of all suction dredge equipment that will be used under the permit, including nozzle size, constrictor ring size (if needed), engine manufacturer and model number, and horsepower;"
3. a maximum of six dredging locations are allowed per license and a list must be provided with an exact geographical location for each site
4. an approximate date for dredging must be provided for each location

Historically, there has been no limit to the maximum number of suction dredge permits that can be issued. According to DFG, the previous number of annual permits issued is in the area of 3,000 or so.

The current plan to limit the maximum number of permits to 4,000 is unsupported by data indicating the necessity of the requirement. Whether or not it is an intended consequence by the DFG or not, the plan presents the possibility that environmental activists may purchase permits with the expressed purpose of locking out suction dredge miners from exercising their federal statutory rights to mine. Buying up most of the suction dredging permits is far cheaper for the environmental activists than filing lawsuits. The State is, therefore, aiding and abetting a radical environmental agenda.

There are only three dredging equipment specifications in the regulations:

1. the diameter of the suction nozzle;
2. the intake hose diameter;
3. and pump intake screen specifications.

Why is it necessary for the state to force the miner to disclose a list of all unregulated equipment used to include engine manufacturer, model number and horsepower? Changing any of the equipment without the onerous modification of the permit is impermissible and citable. Clearly, the listing of all equipment, for which there are no State permit requirements, is a selective enforcement tool for DFG law enforcement, a polite way to say harassment.

The requirements of location and dates reveal another State agenda, which will impede and make difficult the lawful activity of suction dredging.

The proposed regulations would make it unlawful to dredge anywhere other than the maximum six locations listed on the dredging permit. The limitation to number of dredging locations, without justification of supporting data, clearly limits the opportunities to suction dredge.

Why does the State need to know the whereabouts of suction dredging locations? And, why does the State need to know the "approximate" dates that each location is intended to be dredged? These requirements are clearly designed to assist law enforcement to easily locate a suction dredging operation.

Civil law enforcement operates in two modes, reactive and proactive.

Reactive enforcement is when law enforcement learns of a potential violation of law and responds to address the specific violation by specific violators.

Proactive enforcement is when law enforcement targets a class of suspected violators of law with specific actions. Unlike reactive enforcement, proactive enforcement presumes violations by a class of violator.

These regulations clearly announce that suction dredgers are a specific class of potential law violators that requires that law enforcement be provided the proactive tools to deal with the violators. Therein lays the rationale for the location and approximate date requirements for permitted suction dredging. These regulations provide no data to support a de facto assertion that suction dredgers are a specific classification of law violators justifying the specific proactive targeting of them by law enforcement. Unintended consequences of the requirements of location and dates are even more ominous. DFG license data is public information and thus discoverable via a public records information request. The data will be extremely beneficial to anyone desiring to locate a dredging operation for purposes of robbery, theft or vandalism. In addition, it tells criminals when the suction dredger's residence may be vacant and more vulnerable for burglary and/or home invasion robbery.

Characterizing suction dredgers as potential criminals, these regulations provide law enforcement with specific and unique proactive tools to target the miners. By formulating unjustified regulations, the State is deliberately limiting freedoms and creating an environment ripe for the encouragement of law enforcement excesses. Incentivizing police abuse of citizens, whether intended or unintended, is a step forward on the road toward a police state.

Regards,

Paul Coombs

Paul Coombs is a retired law enforcement officer and the Membership Chairman for Public Lands for the People. He can be reached at plpmembership-chairman@yahoo.com ---

Cont'd from page 1- Dredge Regulations

It started with a brief introduction by Mark Stopher, Fish and Game, and that was followed by a brief review of what we've covered in our last meeting and in the meeting summary I sent out to you.

This was not a question and answer session. It was for public input without response from Fish and Game. I'm estimating about 70 people provided their 3 minutes worth and about 15 or so then provided their input for a longer period of time.

I'll keep this report simple and to the point. There is a uniform agreement by practically everyone that:

There should not be a limit of 4000 permits. If any limit at all, at least 13,000 or so.

There should not be a limit of having to stay three feet from a bank while dredging. Several good reasons were given. Tailing piles should not have to be leveled.

The rule requiring the definition of six dredging locations should be eliminated. Some excellent points were made on this. It was felt this was discriminatory. For example, do fisherman have to specify where they are going to fish? Do hunters have to say which ridge and valley they will be in? No, so why do miners have to specify locations?

The eight Use classifications were discussed in various forms, but mostly about the rivers that were being put into these classifications. The Yellow legged Frog was the highlight of the problem because this critter was the major reason for the shutdown of many of the streams. The non-existence was stated by many and Goldhound member Craig Lindsay provided an outstanding presentation on this Yellow legged Frog. Near the end of the meeting, when more time was available, Craig presented slides and valuable statistical data that showed the distribution methods used by Fish and Game was badly flawed. He illustrated what they had done and the error in their method. For example, they would how one frog sighting in Auburn, and one in Coloma and make the assumption that the frogs would therefore be everywhere in between and block that area out. I'm using this just to illustrate their approach. I had an opportunity to read his written report and it is by far the best I've seen. Well done Craig! Craig is the President of the North Fork Dredgers Association.

The Reduced Intensity Alternative was attacked repeatedly. No one wanted the criteria involved of 14 days per year of dredging, 1,500 permits only, limit of 4-inch nozzle size without exception and ID of the dredge, motor, and placing an ID on the dredge. Some excellent points were made on this dredge ID requirement. The dredge permit is for the holder, not the equipment. The point was well made that a hunter does not have to put his hunter license number on his gun and the fisherman doesn't have to place his license number on his fishing equipment, so why does the dredge operator have to put his number on his equipment?

No time limit on dredging. Fish and Game wanted ½ hour after sunrise to sunset.

Eldorado County Supervisor Ray Nutting made a super presentation as well. One very interesting issue he brought up was dealing with rafting on the South Fork at Chile Bar. He said he was all for rafting and their program but found Fish and Game lacking in their application of the law if they were after the dredgers. The Chile Bar Dam holds back water each night for the rafters. When the rafters are ready to float downstream the dam is open and the water level can go up as much as ten feet. At the end of the day the dam is cut back and the same process begins the next day.

Mr. Nutting explained this did more damage to the biological life than anything a dredger could possibly ever do, yet Fish and Game does absolutely nothing about it and wants to hold dredgers to a far higher, restrictive standard. Why? He also brought out the Yellow legged Frog issue as he has hiked the rivers for years and has never seen one. He's greatly concerned about their mapping. As a side note, this same process is done at the Oxbow Dam at the confluence of the Middle Forks and the Rubicon.

Jim Hutchings talked about the resiliency of the earth and it's ability to recover from almost anything. He talked about his mining claim and the devastating effect on his business. The economic loss he discussed was a major point for a good number of the speakers.

There was only one really irate speaker in the house and he explained he used to be a biker from the dark side. No doubt he was. The economic impact on him was severe. This was his income for he and his family since he didn't fit in with the general society. He was trying to stay on the good side of life and this made it extremely hard.

In my initial three minutes I provided an introductory statement that we were engaged in a serious battle and that Fish and Game was giving us two fronts to fight on, while in the meantime they were attacking from the rear with the eight Use classifications and taking out the various streams and rivers. I urged everyone to get their letters in to Fish and Game. At the end of the meeting I discussed Mental Health not being on the DSEIR. Taking away dredging affects that health by placing stress on everyone, both from an income and an enjoyment of life viewpoint. Numerous people in the meeting showed this detrimental effect.

Goldhound members Sherry Anderson and Craig Sanderson also spoke about the issues and the difficulties placed on the dredging community. If you spoke and I missed you please let me know.

One presentation was made suggesting a dredging fee structure based on the dredge hose diameter. It started with a four-inch dredge fee around \$45 and went upward as the proportionate volume of the material increased by hose size. The Fish and Game SDEIR did not cover the fee issue and this was the only suggested fee structure of the meeting.

I think that all the dredging issues were covered. In his introductory statement Mark Stopher requested that the presentations try to avoid duplication for the reason that once a subject was brought up multiple times would not make a difference. However, this statement rarely made a difference in the individual presentations.

It still is essential you provide your written report to Mark Stopher. All written comments now have to be in no later than May 10th. Here's the address:

Mark Stopher

Environmental Program Manager
California Department of Fish and Game
601 Locust Street
Redding, CA 96001

On the humorous side, I rode with Frank Sullivan down to the meeting, thank goodness, or I would still be lost there. We were parked in a garage where the parking building attendant left at 10:00 PM and after that a manual system of ticket punching was required to open the gate. First the ticket had to be validated not at the gate where you stopped but on the outside of the building. Then, with the validation, the ticket had to be inserted in the slot where the car was in front of the closed gate bar. Well, we did all that, but the gate bar wouldn't open. You all know Frank. I think he must have every saw made in his truck. You can just imagine what was going to happen to that gate bar, if Frank didn't just go into four-wheel drive and take it out first! It was frustrating and getting to the point of downright humorous and serious, when another fellow went through the same process on the other side successfully and saw our difficulty. He solved it quickly by saying "You have to pull your truck up closer to the gate." Well, we were back from the gate about a car length getting ready for a crunching crash and the metering system must be weight sensitive because when we pulled closer the ticket worked fine and we drove out. We both had a good laugh on ourselves saying two hillbillies from the country would never make it in the city!

This concludes my report. Thanks. Don ---

Rebuttal to the D.F.G.

Date: Sat, 26 Mar 2011 16:43:30 -0700

Conversation: D.F.G. Rebuttal

Subject: D.F.G. Rebuttal

First off we would like to show our appreciation for the folks that braved the bad weather and were present at the past 2 D.F.G.-D.S.E.I.R meetings. It would have been nice to see more folks attend the meetings. DFG is watching us and testing our resolve. In order to save our Industry and Mining Rights we must fight for our survival at this time.

Mark Stopher and the D.F.G. have written regulations that can only serve one purpose. Regulating us out of the water!

They are more interested in one-sided regulations that can withstand court challenges. Besides commenting at the meeting and in writing to the DFG, your California Legislators must hear from you as well.

DFG is expected to make decisions based on facts, objective evidence and Peer reviewed science. To do otherwise would constitute a type of arbitrary and capricious conduct that our State and Federal Constitutions forbid.

How is it that the D.F.G can pre-determine the outcome of the Yellow Legged Frog Endangered Species Listing before it is even listed...It appears our regulations are written for just this outcome. This is illegal and a Civil Liberty Violation.

Once you sign in to speak you will be given a choice of two Cards. Both allow you to Speak for 3 min each. Have your friends grab the Cards with the Red box around the number. This card can be donated to increase a speaker's time.

Here are the top 11 Speaking points, there are many more.

1. 4000 limit on permits.

A. What's to prevent an adversary from buying as many permits as they have resources?

B. What about the future population needs of our state?

C. Severe financial times we are living in. We have been out of the water for 2 years. Many more folks could be forced to subsidize their income with dredging. The cap will prevent this.

D. The Cap is not based on a Fact. Millions of Rafters, Fisherman, kayakers & other users are not being LIMITED in their activities.

E. Arbitrary number. It is a takings if a single claim owner cannot purchase a dredge permit. 4000 limit on permits should be eliminated.

2. Three Foot rule. Riparian life forms.

A. Dredgers are typically site specific of ingress and egress which means entering and exiting the dredging area from one path.

B. If intention were to protect the life forms in the riparian zone they would not allow the millions of fisherman to walk up and down the zone. In addition rafters, kayaks, tubers, swimmers. Would also be banned from the Riparian Zone. Our activity is Less than significant.

3. Proposed 4" ring restriction.

A. A 4' ring restricted dredge is a sampling dredge. Small-scale miners cannot move enough material to be profitable. The effect of this is to make dredging nonviable.

B. The costs of maintaining a claim cannot be made with a 4" ring dredge.

C. 1994 Regs were prohibitive but allowed larger dredges.

D. Special use permit allowed us to use larger dredges than the 1994 regulation took from us. Permits were later canceled. An act of bad faith. 4" ring has no bases in science, should be eliminated

4. DFG was not interested in our Federally Granted Mining Rights.

A. Stopher said, "don't even bring up your mining rights.

B. They seemed uninterested and apathetic at any speaker who addressed the Takings and Prohibition of our Granted Rights.

C. The new permit attempts to restrict and circumvent our Federally granted mining rights

D Dredging permit and restrictions that they are proposing are nothing more than an attempt to regulate Suction dredging out of existence.

E. There attempted to over regulate thus eliminate suction dredging is a blatant attempt to do away with our civil liberties.

5. Gas powered Winching: DFG wants a site visit for use of a gas powered Winch.

A. Winching is used as a safety measure. Prevents crushing and dangerous situations.

B. Waiting for a site survey could take how long?? At what cost? Who is qualified to conduct this survey. How much will DFG have to spend on that!!

C. DFG used to require a Stream alteration permit for Winching. They quickly did away with the permit replacing it with the wording wet rocks stay wet, dry rocks stay dry. This is a rehashed old Idea. It's more about the money and regulating us out of dredging.

D dredgers who don't live near their claims will be severely impacted.

E. How are you to find our claims? Arrange a meeting place? On and on.

No change is necessary.

6. Adjustments to mining seasons. Favor Frog.

A. Effect is to make mining unprofitable.

B effect is to keep us out of the water.

C. Effect is to favor other user groups. We are being treated different than other user groups (who don't have GRANTED RIGHTS)

E. Seasons have worked for 50 years
F. Effect is to make our claims unworkable (Weather, high water. etc) Dangerous.
No change necessary.

7. Gas can restriction
A. impracticable if not impossible in many mining locations.
B. 1994 Regs found that incidental fuel and oil where less that significant.
C. Effect is to regulate us out of the water.
No Change necessary

8. 3/32 Screen on Intake
A. it is unreasonable and unwarranted
B. NO evidence of entrainment for fish or aquatic life.
C. Diameter of hole is so small as to clog with any floating debris. Unnecessary burden to constantly clean screen.
D. Studies show juvenile fish have the burst rate sufficient to escape entrainment.
E. All dredgers will immediately be out of compliance.
No Change necessary

9. DFG plan is to spend us out of existence with excessive permits, fees. Trying to keep us from making a living, trying to favor other user group over us.
They say we can still mine. Yea with a PAN, but not make a living.

10.D.F.G does not have the manpower, budget, or resources to enforce proposed regulations and on site inspections leaving the dredger waiting for months or the entire season. Effect is to keep him or her out of the water. For 50 years our seasons and winching have been allowed. IF the DFG were really trying to protect Riparian zones, they would adopt similar regulations, permits and fees on the other user groups.

11. No pro dredging reports that were presented at the PAC meeting were used.
Where is all the PRO Dredging Science?

Benefits of Suction Dredging were strikingly missing from DSEIR

1. Economic impact to state, local cities and county businesses, tax revenue etc. 200 million a year that we are out of the water (source 1994 EIR)

2. Removal of the polluting heavy and toxic metals from the waterways.
1994 EIR found that Suction dredging would have a beneficial impact related to the capture and removal of lead from waterways which, would help to keep lead from entering the food chain.
Less-than-Significant impact on water quality as it relates to mercury present in streams.

3. Creating beneficial habitat for Fish see section 45 of DFG regulations. Fish is defined a wild fish, mollusks or crustaceans, invertebrates or amphibians, including any part, spawn or ova there of.

4 Preventative health benefits to the operators and participants in suction dredging. Physical exercise is a Large part of Dredging.
The D.F.G. does not have peer-reviewed evidence at any time, that supported any Deleterious effect to fish and aquatic life.
Therefore if there is no cause or negative impact to the environment, we cannot see any changes needed from the 1994 dredging regulation.

Please remember. We should all read the documents and send a written comment if we are to stop the D.F.G. From ramming these de-facto regulations down our throats effectively ending dredging in CA.

Get out to the meetings
Every Comment COUNTS!

Sincerely,
Pat, Terry, Dee ---

A Little Gun History Lesson

In 1929, the Soviet Union established gun control. From 1929 to 1953, about 20 million dissidents, unable to defend themselves, were rounded up and exterminated.

In 1911, Turkey established gun control. From 1915 to 1917, 1.5 million Armenians, unable to defend themselves, were rounded up and exterminated.

Germany established gun control in 1938 and from 1939 to 1945, a total of 13 million Jews and others who were unable to defend themselves were rounded up and exterminated

China established gun control in 1935. From 1948 to 1952, 20 million political dissidents, unable to defend themselves, were rounded up and exterminated.

Guatemala established gun control in 1964. From 1964 to 1981, 100,000 Mayan Indians, unable to defend themselves, were rounded up and exterminated.

Uganda established gun control in 1970. From 1971 to 1979, 300,000 Christians, unable to defend themselves, were rounded up and exterminated.

Cambodia established gun control in 1956. From 1975 to 1977, one million 'educated' people, unable to defend themselves, were rounded up and exterminated.

Defenseless people rounded up and exterminated in the 20th Century because of gun control: 56 million.

It has now been 12 months since gun owners in Australia were forced by new law to surrender 640,381 personal firearms to be destroyed by their own government, a program costing Australia taxpayers more than \$500 million dollars.

The first year results are now in:

Australia-wide, homicides are up 3.2 percent

Australia-wide, assaults are up 8.6 percent

Australia-wide, armed robberies are up 44 percent (yes, 44 percent)!

In the state of Victoria alone, homicides with firearms are now up 300 percent. Note that while the law-abiding citizens turned them in, the criminals did not, and criminals still possess their guns!

It will never happen here? I bet the Aussies said that too!

While figures over the previous 25 years showed a steady decrease in armed robbery with firearms, this has changed drastically upward in the past 12 months, since criminals now are guaranteed that their prey is unarmed.

There has also been a dramatic increase in break-ins and assaults of the ELDERLY. Australian politicians are at a loss to explain how public safety has decreased, after such monumental effort and expense was expended in successfully ridding Australian society of guns.. The Australian experience and the other historical facts above prove it.

You won't see this data on the US evening news, or hear politicians disseminating this information.

Guns in the hands of honest citizens save lives and property and, yes, gun-control laws adversely affect only the law-abiding citizens.

Take note my fellow Americans, before it's too late!

The next time someone talks in favor of gun control, please remind him of this history lesson.

With Guns.....We Are 'Citizens'.

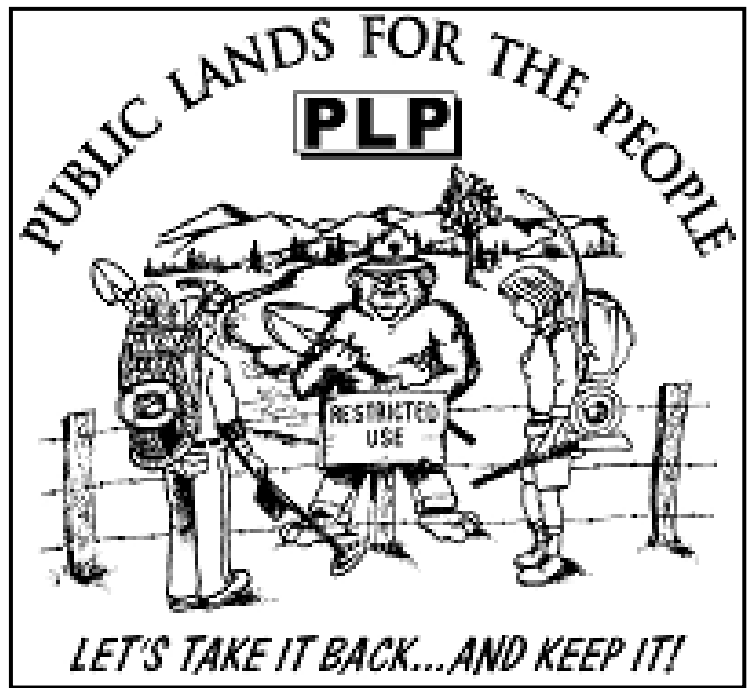
Without Them.....We Are 'Subjects'.

During W.W.II the Japanese decided not to invade America because they knew most Americans were ARMED !

Note: Admiral Yamamoto who crafted the attack on Pearl Harbor had attended Harvard U 1919-1921 & was Naval Attaché to the U. S. 1925-28. Most of our Navy was destroyed at Pearl Harbor & our Army had been deprived of funding & was ill prepared to defend the country.

It was reported that when asked why Japan did not follow up the Pearl Harbor attack with an invasion of the U. S. Mainland, his reply was that he had lived in the U. S. & knew that almost all households had guns.

The world is a dangerous place, not because of those who do evil, but because of those who do nothing.





CTUC

PROUDLY PRESENTS

OPERATION SUPER CANYON SWEEP-2011

WE NEED YOU
SATURDAY, JUNE 11th, 2011
8 A.M. TO 3 P.M.

WE WILL BE CLEANING UP THE SAN GABRIEL CANYON.

**SAN GABRIEL, OHV AREA, SAN GABRIEL CANYON ROAD,
HWY 39, JUST NORTH OF THE EAST FORK BRIDGE AND
NORTH OF AZUSA**

LUNCH WILL BE PROVIDED

TO VOLUNTEER AND FOR FURTHER INFORMATION PLEASE CALL:

BARRY WETHERBY AT 818-957-1455 E-MAIL BHWetherby@aol.com
3700 Santa Carlotta St., La Crescenta, Ca. 91214

TERRY KAISER at 818-262-0315 E-MAIL hdconcerns@ca.rr.com

WE NEED LOTS OF VOLUNTEERS.

***CTUC IS A 501 [C] (3) NON-PROFIT CORPORATION,
ALL DONATIONS ARE TAX DEDUCTIBLE!***
ID # 95-4690961 & 2028091
BBB #13191248

Why Join The PLP?

Where do you think you would be today had there been no one out there fighting for your rights? If you and I don't care enough to make the case for our rights, who will? Public Lands for the People has been working tirelessly for 19 years with land managers, politicians and other user groups to ensure that you get to use public lands where and when you want. We have had many successes and you have benefited. We can promise you the other side is always making the case that mining and prospecting is noisy, polluting, and the source of conflicts. They want us in smaller and smaller areas with fewer opportunities to access the public lands and backcountry. Ultimately, they want us off public lands altogether. This is your fight whether you like it or not. Doesn't it make sense to join and support others who are taking their time and money to protect your rights and opportunities? There is plenty you can do with \$35.00 other than join another organization. You could buy a couple gallons of gas, a drink, and a bag of popcorn at a movie or simply save it for that proverbial rainy day that Mom said would eventually come. However, if you value the preservation of your rights of the public to access, use, and enjoy our public lands, and you want to protect that right for yourself, family, friends, and future generations, you want to reconsider where that \$35.00 would be best put to use. You could do all of those things or none of them; it is your choice because it is your 35 bucks. 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 in the Public Lands for the People?

Yes, it really does !!



WHO IS PLP?

PLP was constructed for the purpose of representing all outdoor user groups and individuals that are interested in keeping public and private lands open to prospecting, mining, and outdoor recreation on a non-discriminatory basis! PLP assists groups to join forces to maintain the laws and rights of all citizens on public and private lands (Federal, State and City). PLP will assist with representation at public hearings of government agencies that are proposing limitations and restrictions on the lands that belong to the people.

PLP DOES LITIGATE! We will 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.

What does PLP do for you?

1. PLP is pursuing a lawsuit charging California for illegally passing a bill (SB670) into law prohibiting suction dredge mining.
 2. PLP filed a lawsuit against Eldorado National Forest for their illegal closures of over 2200 miles of roads in their Travel Management Plan (TMP). PLP is also making comments in several other forests on their TMP.
 3. PLP is in court fighting the California Department of Fish and Game who has violated a Court order by failing to do an Environmental Impact Report (EIR) on suction dredging in California.
 4. PLP assists on many individual issues that concern small-scale miners.
 5. PLP assists miners in other states, and those-state representatives.
 6. PLP makes formal comments on the Federal Register (FR) for the US Forest Service (USFS) road closures, trying to cite miners criminally, & rule making changes.
 7. PLP assists miner filing "takings" case against BLM for taking house & claims. BLM donated away leaving miner as legal owner/claimant & taxpayer w/o due process or compensation. Miner prevailed
 8. PLP and the miners prevailed in Siskiyou Regional Education Project (SREP) vs. U.S. Forest Service when the USFS attempted to force dredgers into a Plan of Operation.
 9. PLP was a party to 2 lawsuits in the Center for Biological Diversity (CBD), vs. USFS and CBD vs. the BLM. PLP and the miners prevailed
 10. PLP and Dee Stapp prevailed in a lawsuit against the BLM on separating bond issues of occupancy and casual use mining operations.
 11. PLP participated in the Washington, Oregon, and California Water Resources Board study on turbidity and mercury as a method to stop suction dredging and similar issues there.
 12. PLP assisted with Washington State Resources Coalition and others in the rule making process on suction dredging.
 13. Made legal & scientific comments & was instrumental in defeat of CA Bill AB 1032.
- PLP strives to be involved with issues that affect the small-scale mining community. We would not be able to continue these battles without the past support of its membership.

Your continued support, membership & donations is how we will continue into the future.

June 16, 2011 Raffle Prizes - \$8655 Total in Prizes

1. RP - 4 Concentrating Table \$2200 Donated by: Global Mining Solutions
2. Keene 151 Vibrostatic Drywasher \$1500 Donated by: Keene Engineering
3. 1 Oz. Placer Gold \$1400 Donated by: Roger Plata
4. Fisher Metal Detector \$800 Donated by: Fisher Labs
5. 20 - 1 oz Englehardt silver rounds \$600 Donated by: AAA Precious Metals, Portland OR
6. Keene Super Concentrator \$400 Donated by: Keene Engineering
7. 14 K Lapis Lazuli Pendant \$400 Donated by: Steve Wandt, www.Naturalgoldjewelry.com
8. Diamond Ring \$250 Donated by: Annonymous
9. 1 Year Membership Golden Caribou Mining \$250 Donated by: Gordon & Barry Burton
10. 1 Year Membership Golden Caribou Mining \$250 Donated by: Gordon and Barry Burton
11. DELUXE Blue Bowl Kit – w/accessories \$215 Donated by: Pioneer-Motherlode Mining Supply
12. Sunray XL-1 Detector Probe \$190 Donated by: Armadillo Mining Shop
13. Keene A-51(a) Sluice Box \$100 Donated by: Phil Berkardt
14. Copper Ore Book Ends \$100

Order Raffle Tickets on line by Credit Card (www.plp1.org) \$1.00 each or a book of 12 for \$10.00

Order by Email, jerhobbs2@verizon.net

Order by Telephone Message 909-889-3039, leave call back number, address, and how many tickets wanted.

Order By Mail Public Lands for the People c/o Jerry Hobbs 7184 Conejo Dr. San Bernardino, Ca. 92404

PUBLIC LANDS FOR THE PEOPLE, INC.

MEMBERSHIP APPLICATION & ORDER FORM (If just ordering merchandise fill out top 1/2 only)

Mail to: 3700 Santa Carlotta St, La Crescenta, CA. 91214-1048, 818-957-1455

- | | | | |
|-------------------------------------|----------|---|---------------------------|
| <input type="checkbox"/> SINGLE | 35.00 | <input type="checkbox"/> RAFFLE TICKETS (12) | \$10.00 |
| <input type="checkbox"/> FAMILY | \$50.00 | <input type="checkbox"/> T-Shirt | \$16.00 |
| <input type="checkbox"/> CLUBS | \$100.00 | <input type="checkbox"/> Black Baseball Cap | \$12.50 |
| <input type="checkbox"/> BUSINESSES | \$100.00 | <input type="checkbox"/> Orange Baseball Cap | \$12.50 |
| | | <input type="checkbox"/> Entertainment Discount Books | \$21.50 - West LA \$31.50 |

Shipping is free !!

NAME (Please Print) _____

ADDRESS _____

CITY/STATE/ZIP _____

PHONE-Home (____) _____ Work (____) _____ FAX(____) _____

E Mail _____

Club Affiliation _____

Please accept my enrollment as a member of **PLP**. Enclosed is my annual dues donation of _____. I will receive a membership card and the Sentry Post Newsletter along with being able to access our assistance network

I've enclosed an additional donation of _____ to help keep our Public Lands open.

Please circle your interest for use of our Public Lands:

*Camping Fishing Hunting Rock hound Hiking Equestrian Prospecting Metal Detecting
Mining Oil & Gas Development ORV Biking Climbing Cabin Ownership Other _____*

Would you be willing to:

Circle several

Help in clean up Projects.... Write letter to Officials & Govt. Agencies.... Serve on the Board of Directors
Assist in Membership Drives and Fund-raisers... .Serve on a Committee.... .make Phone Calls.... Type....
Attend USFS, BLM and DFG Meetings & Hearings.... Participate in research Activities....

Are you a member of other Clubs or Organizations? Yes ____..no ____

Please list club(s) _____

Signature _____ Date _____

Please tell us any ways you can help us keep your Public Lands Open;

OFFICAL USE ONLY

AMOUNT PAID CASH CHECK _____

FREE Nat'l Park Days

January 12, 2011 – The National Park Service has announced Fee-Free days for 2011. The program provides several fee free days throughout the year at more than 100 national parks that usually charge entrance fees. The Fee-Free Days program was started in 2009 by U.S. Secretary of the Interior Ken Salazar to help Americans visit public lands in our National Parks during the economic downturn.

The dates are:

June 21 - First day of summer

September 24 - Public Lands Day

November 11 - Veterans Day

Many national park concessions will also offer discounts on Fee-Free days, saving visitors money on food, lodging, tours and souvenirs. More information is available at <http://www.nps.gov/findapark/feefreeparks.htm>.



Cut this out and save for when a government agent challenges you.

Suggested Challenge Procedure

While pursuing your outdoor endeavor of work, play, recreation or sport and you are challenged by a representative of a governmental Agency or Public Servant, regarding the legality of your activity in their area, you should **DO THE FOLLOWING:**

1. It is wise to politely ask if you are breaking any laws. If you are informed that you are breaking, then ask for an explanation of the law and any municipal code that pertain to the law.
2. You should do as you are asked by the government representative, then ask for their name, badge number, position and the agency and district the represent. Record this information along with the date, time and the location of the area you are in.
3. If you have a pleasant response from any of the agents, such as being informative, cooperative or helpful, we would like to hear about them.
4. Give this information to your local PLP office or representative and he or she will advise you of the appropriate procedure to follow.

...Preserving Public Land Use for the People...

Name _____
Badge # _____ Position _____
Agency & _____
District _____
Date _____ Time _____ : _____ ^{AM}/_{PM} Location Detail _____

Compliments of:

P.L.P.

Public Lands For The People
A 501 (C) (3) Non-Profit Corporation
7194 Conejo Dr.
San Bernadino, CA 92404
(909) 889-3039
www.PLP2.org



Preserving Public Land Use for the People

PUBLIC LANDS FOR THE PEOPLE INC.
3700 SANTA CARLOTTA ST.
La CRESCENTA, CA 91214-1048

Space reserved for USPS mailing

Table of Contents

Suction Dredge Regulation Meeting	Front
Privatization Of Public Lands	Front
Locating Mining Claims	3
Dredging Fee Refund Bill Fails	3
Late Winter Fun	4
“Recreation” In Forest Planning Rule	4
Land Unsuitable For Wilderness.	4
Comments Dredge Permitting Program	5
Rebuttal To DFG	7
Gun History Lesson	9
Super Canyon Sweep	11
Who We Are & What We Do	12
Raffle Prizes	13
Application –	14
Free Nat’l Park Days & Orange Challenge Card	15
Table Of Contents - Supporters	Back



Legal Representations by the Law Offices of

DAVID YOUNG
11845 Olympic Blvd, Ste 1110
Los Angeles, CA 90064
(310) 575-0308



icmj.com

In appreciation for all the donations made to PLP
JIM STRAIGHT Publications
19225 Mesa St., Rialto, CA 92377

**DRI-WASH-‘N-GUARD
PRODUCTS**
Ginna & Barry Wetherby
1-888-368-7685

