

The Western Mining Alliance

Voice of the Independent Miner

August 2013

Update on critical habitat withdrawal
How they banned dredging
Legal Update
Issue Update
The green money machine

Last of a Breed

"Freedom is never more than one generation away from extinction. We didn't pass it to our children in the bloodstream. It must be fought for, protected, and handed on for them to do the same." Ronald Reagan

We are the children Ronald Reagan speaks of. We inherited freedom from our parents and grandparents and it is our responsibility to fight for it and protect it.

In this issue we cover the growing crisis over government ownership of land; the vast amounts of money flowing to environmentalists who've made a business of suing the government; we cover how they banned dredging and the abuse of the endangered species act.

As we show on the following page one third of this country is in the hands of the Federal government. Of that two thirds is in a restricted status preventing the best economic use of the land.

With nearly one half billion acres of land in the government's hands you would think the environmentalists would be satisfied. If it was truly about the environment you would think so.

However, it's not about the environment. It's about money, power and control. It's not enough to control nearly one third of the land in this country they now desire to control your land and the land reserved for multiple use activities such as mining.

With the denial of the injunction and the extension of the court case they hope to defeat us by simply breaking us. In May 2014 we'll be looking at three years since we filed the court case.

The reality is these environmental groups who brought suit have very few members. If we lined up the miners on one side and the environmentalists on the other you'd be looking at a handful of pale faces.

While their websites claim they have membership in the thousands, they're actually counting every name on their spam mailing list as an "activist."

The State Water Board has threatened if we win they will issue regulations that will ban dredging based on water quality. We're dealing with that. Bring it.

Apparently the arrogant government regulators don't read U.S. Supreme Court cases, if they did they may not be so flippant about issuing statements that contradict U.S. Supreme Court rulings. As you know the Supreme Court rules on Constitutional issues. However, the U.S. Constitution means little to a regulator.

We're finally starting to see more negative press on environmental groups than positive. Perhaps the media, at least the local media, is waking up to the reality of what they really are - machines that turn taxpayer funds into thin air.

On the 29th we had a front page article in the Grass Valley Union paper on our disagreement with the Sierra Fund over the necessity of funding mercury remediation.

The recent Water Board report on mercury levels in fish in Gold Country clearly showed no remediation of mercury was necessary.

However, the Sierra Fund has staked their business case on obtaining taxpayer funds for mercury remediation so if no mercury remediation is required then they're out of business. Mercury remediation is big money and big business.

The Union article was a fair treatment of our position environmental groups are exploiting mercury and the public's fear of mercury to pay their own salaries. What's more important is this article was the third article we've had published by the media. We're starting to get ahead of the environmentalist propaganda cycle and informing the people of the true nature of these groups.

The injunction was a long shot and quite frankly dredging season for 2013 is about over. We must hang in there and defeat these people if for no other reason than to stand up to the tyranny they represent. Please continue your support of our collective fight in the courts. Please continue to support PLP as we go into the trial phase.

There's a small group of people holding this line. They're people just like you and I. No special degrees or talents, just grit. Perhaps at the end of the day there can be no worthier cause than the one we're in. The struggle to save a country founded on the principles of individual freedom.

It's time to call the activities of our opponents what they are - it's un-American.

We're certainly disappointed the judge didn't grant the injunction. It's ironic a salmon can get an injunction but a human can't. It's a long fight and we won't be discouraged. We and other groups are working to expose the truth about their agenda.

It's time now to double down and support our court battles. There are eight cases that hang in the balance in San Bernardino County. Thanks to everyone who took a day off work to support the hearings on the 27th-28th. Please continue this support.

We won't say we'll win, but we will say we won't quit and we hope you will stay in the fight. We've talked to a lot of miners this summer and we're happy to see the vast majority are standing up and being counted. They're people who won't just pay a citation for dredging, they challenge it in court and if they lose they appeal it and if they lose they take it to Federal Court.

We've got allies in this fight. The most powerful thing we can do is stand up and not back down. This will ensure our children know what freedom is and take up our cause and continue the fight. The price of freedom is eternal vigilance.

This Land Was Your Land, This Land Was My Land

The Federal Government owns over one third of all the lands in the United States.

The total acreage in the United States is 2.4 billion acres, of that 2.4 billion acres at least 778 million is directly owned and managed by the Federal government - the vast majority of that is in the West.

History has shown common ownership (read communism and socialism) of property results in common poverty of the people. The founding of this country was unique in the establishment of strong property rights. Property rights are the bedrock of this country.

Why do we start this newsletter with a discussion on land ownership? It's core to the fight we're in.

When we started the Western Mining Alliance we believed the fight was a simple issue, that of restoring our rights to dredging. After four years of trying to navigate our way through case law, public Law and regulations we've discovered this fight has nothing to do with dredging. It has everything to do with rights, starting with property rights.

To understand this battle we have to go back to the US Constitution. The principle embedded in the Constitution is the government doesn't give us our rights. We are endowed with these rights by our Creator. The Constitution was established to protect these natural rights. There's an important point in there we don't want lost. Our rights flow from God, not Government.

With that understanding of rights we turn again to the Constitution. The Constitution says a person may not be deprived of property without due process of law. Do regulations deprive you of property? Certainly. They limit what you can and can't do on your own property which limits the economic value of it.

The discussion of private property rights then leads into what are public property rights. Public property by definition is owned by the public, also known as "We the People..."

Public lands and common ownership results in poverty. This is the road we're on. Look no further than the state of rural counties and communities throughout the west. From wealth to poverty within a generation.

Because public lands are common lands this opens the door to restrictions through regulation. Over half of the Federal lands are restricted to natural resource extraction. That's 486 million acres locked up in special status classification such as:

- National Parks
- National Wilderness Areas

- National Wildlife Areas
- National Monuments
- National Primitive Areas
- National Historic Sites

Military installations account for another 24 million acres which are clearly restricted for natural resource extraction so within the United States we have over half a billion acres removed from economic activity.

The fight now turns to the remaining 250 million acres which is designated as multiple use such as the National Forests and BLM managed land.

With over half a billion acres safely locked up from economic activity (and property taxes) the environmental movement has now turned their attention to imposing restrictive regulations on the remaining lands. This is where "critical habitat" comes in.

Through the use of the Endangered Species Act the environmental groups can move to lock up the remaining multiple use lands by designating critical habitat. For perspective the 2 million acres proposed for the Mountain Yellow Legged Frog is in addition to the over one million acres already designated for the Red Legged Frog, the 9 million acres for the Spotted Owl, the 500,000 acres for the Sage Grouse and the list goes on. You quickly see the designation of critical habitat acts to further restrict the lands not already withdrawn.

Even more troubling is the move to designate private property as critical habitat. It's not enough the Government directly owns and controls 1/3 of the lands now they also want your lands.

As you'll recall the fight over suction dredging started with the designation of the Coho Salmon as endangered and the resulting lawsuit by the environmentalists to restrict the Klamath River as a somehow pristine sanctuary for the Coho. Ironically the scientists are still not sure if the Coho is really native to the Klamath at all or exactly what a viable population of Coho is, but don't let science get in the way of a good opportunity to impose land restrictions.

The move to increased government ownership (common ownership) of land results in the "Kings Forests." In 2012 the US Fish and Wildlife Service purchased over 4 million additional acres to be used for Wildlife Refuges. That's another 4 million acres off the property tax rolls, out of the economy and out of private hands.

Land Continued

When considered from a Western perspective the impact is far more severe.

In the twelve states generally considered the Western States (west of the Rockies) 51% of the total land area is owned by the Federal government with 602 million acres under government ownership in various categories. Of those categories nearly 200 million acres are in a protected status.

The below table provides a quick summary of how the states stack up for land ownership.

State	Total Acreage	Total Federal Land	% Federal
Arizona	72,958,912.00	33,587,325.95	46%
Alaska	424,491,046.40	242,379,156.12	57%
California	104,765,164.80	47,311,474.83	45%
Idaho	53,484,851.20	32,944,041.53	62%
Montana	94,107,136.00	30,422,642.44	32%
Nevada	70,758,860.80	56,222,867.67	79%
Colorado	66,619,884.80	26,953,980.47	40%
New Mexico	77,817,267.20	23,942,610.45	31%
Oregon	62,963,609.60	32,205,211.54	51%
Utah	54,335,251.20	34,155,520.12	63%
Washington	45,631,769.60	11,732,147.55	26%
Wyoming	62,600,678.40	30,282,032.00	48%
Totals	1,190,534,432.00	602,139,010.67	51%

It should concern us all when the government moves to designate even more lands as special status such as critical habitat. The recent proposal to designate critical habitat for the Yellow Legged Frog includes restrictions placed on 82,000 acres of private land.

In fact, we private citizens, are the minority owners of this country. The majority of the west is owned by the government. When the means of production are owned by the government we call that economic system socialism or communism.

Ponder this for a second - private land ownership is illegal on over half of the west. It's owned by the people. If you've never read the Chinese constitution you'll find the land is also owned by the people, for the good of the people. How's that working out?

When we started the research for this article we thought it would be a relatively easy task to determine how much land was owned by the government. You would think it would be as simple as typing it into Google. What surprised us is how many categories of land ownership there are. Certainly the BLM land and the National Forest land constitute the lion's share of public lands but when you start peeling back the onion you find there are National Preserves; National Recreation Areas; National Historic Sites;

National Military Sites; National Battlefields; National Wilderness Areas; National Wildlife Refuges and the list goes on. We simply quit adding up the totals when we got to categories that seemed to only contain a few thousand acres here and there.

The tricky part in doing this research is trying to figure out how much private land is subject to conservation easements and how much land is held by non-governmental entities such as organizations like the Nature Conservancy.

At the end of the day what we expected and what we found were markedly different. Going in we thought perhaps 10% of the country was owned by the government. It surprised us to find over 30% of the country was under government ownership but 51% of the west is owned by the government.

Pity Nevada with 79% of their lands under government ownership, but before you cry any tears for them consider 45% of California is in government hands and there are six states with over half of their land owned by the Federal government.

Land is wealth and from a local perspective land is property taxes. If you are a rural county you count on property taxes for the operation of government. The impact of Federal ownership serves to impoverish the rural counties.

This is uniquely a rural issue. Federal ownership in the urban areas is limited to small parcels of land for Federal buildings therefore the people in the cities think government ownership is a great thing, we should be preserving more in their opinion and this is the propaganda the environmental groups push.

Through their constant cries that we are losing a certain special place they rally the citizens to place more land under governmental control and each year the government purchases more land.

We're not saying people are coerced into selling their land, that's not the case, they more often than not receive a fair price, but once the tax base is gone the economy is gone.

What's clear is the majority of the west is off-limits to economic activity such as mining and natural resource extraction. The remaining lands come under increased regulation each year.

To stop this, and reverse it, we must band together with like minded organizations and as a group start to flex our political muscle. Issues in Oregon, Idaho and Nevada effect us all. We must start supporting the larger fight.

The fight is more than dredging. It's the very economic system that has created the wealth of this country. Each year our property rights are bled off through actions such as critical habitat designation.

Congressman LaMalfa to Hold Public Hearings

Attend the September 4th forums in Nevada City and Auburn to challenge the critical habitat listings

Congressman LaMalfa will hold two public forums on September 4th to allow citizens the chance to voice their opinion on the proposal to withdraw over 2 million acres in gold mining country to protect the Yellow Legged Frog. If you want to bone up on the issue you can go to our website and download our fact sheets.

Two meetings will be held on the 4th:

- Nevada City - 11 a.m. to 1 p.m. Nevada County Board of Supervisors Chambers, 950 Maidu Avenue, Nevada City.
- Auburn - 2 p.m. to 4 p.m. at the Hearing Room, Dewitt Center, 3091 County Center Drive

Please show up and voice your opposition. Representatives from the US Fish and Wildlife Service will be in attendance.

The vast majority of the proposed critical habitat listing for the Mountain Yellow Legged Frog and the Yosemite Toad are located in the districts of Congressman McClintock and LaMalfa.

On August 6th Congressman McClintock held a public hearing at the Sonora County Fairgrounds which was well attended by those

concerned with the proposed listing. Of the hundreds of people who attended the meeting only a handful supported the listing. The overwhelming majority of residents of the Sierra are strongly opposed to the action. Our WMA representative who attended the meeting summarized the event:

"We over packed the room. Clear outside even. The enviros were there, about 12% which was not much from 600 people. They got up and left as soon as Tom started interrogating DFW. He really asked all the right questions. The biggest being, did the FWS take in consideration what the impact would be on people? The FWS representative could not answer that. Congressman McClintock stated all the county supervisors from all thirteen county's are against the listing. Maybe there is hope after all."

Our thanks to Defend Rural America and Kirk MacKenzie who has picked up this issue and carried it. DRA has been instrumental in organizing the public hearings and coordinating the venue and presenters. If you can, please show up at the meetings and continue to fight this critical habitat listing. The impact is provided in the table below.

	Proposed Critical Habitat by Category					
	Federal Land	State Land	Private Land	Total Critical	Total acres	% of County
County	in acres	in acres	in acres	Habitat (acres)	of County	with Critical Habitat
Alpine	190,275.00	2,578.00	8,149.00	201,002.00	472,960.00	42%
El Dorado	77,891.00	-	5,300.00	83,191.00	1,095,680.00	8%
Fresno	665,953.00	1,225.00	217.00	667,395.00	3,816,320.00	17%
Madera	52,099.00	747.00	-	52,846.00	1,368,320.00	4%
Mariposa	17,438.00	-	-	17,438.00	928,640.00	2%
Mono	101,794.00	-	-	101,794.00	1,948,160.00	5%
Nevada	80,914.00	-	57,369.00	138,283.00	613,120.00	23%
Placer	5,921.00	-	3,365.00	9,286.00	961,920.00	1%
Plumas	69,252.00	131.00	6,192.00	75,575.00	1,634,560.00	5%
Sierra	13,945.00	-	1,758.00	15,703.00	609,920.00	3%
Tulare	213,166.00	-	24.00	213,190.00	3,112,320.00	7%
Tuolumne	501,657.00	288.00	176.00	502,121.00	1,431,040.00	35%
Total Acreage	1,990,305.00	4,969.00	82,550.00	2,077,824.00		

Legal Update

Pacific Legal Foundation Takes on Abuse of the ESA

Call it the case of the missing frog. Federal regulators are once again misusing the Endangered Species Act for what amounts to a heist of private property, but this caper is more brazen than usual: They're posing as protectors of frog habitat — on private land where not a single frog can be found!

The U.S. Fish and Wildlife Service has labeled more than 1,500 acres of private land in St. Tammany Parish, Louisiana, as "critical habitat" for the dusky gopher frog. This designation would force the owners to jump through so many bureaucratic hoops that they would be barred from making productive use of their property.

There's one small problem with the attempt to safeguard the frog on this land: the area isn't suitable for the species. There aren't any dusky gopher frogs on the property. Don't take our word for it: Federal officials freely admit that the land is devoid of frogs!

Instead, the regulators want to change the property, through expensive modifications of the land, to make it hospitable to frogs; then they'd truck frogs in from other regions. But as things stand right now, there isn't a single dusky gopher frog in the entire state of Louisiana. You'd have to go next door to Mississippi to find any! Is your jaw dropping in disbelief? Or are you simply sighing in exasperation, because no new ESA abuse surprises you?

Either way, one response makes sense: Support Pacific Legal Foundation as we fight this latest attempt to impose federal power over property owners without any environmental justification. We're suing the federal government on behalf of a family that is part owner of this so-called frog habitat. In a real sense, however, PLF is representing all property owners, small and large, nationwide. If regulators can get away with claiming control over some Louisiana acreage for frogs that aren't there, the impact won't be limited to the Pelican State. Nobody's property, anywhere — not even, in principle, your own backyard — would be safe from being branded as "habitat," if the feds decided there was a species they wanted to relocate to the area.

Feds' Louisiana land grab puts all private property at risk "It's shocking that the federal government is labeling land as frog habitat when the regulators concede it's not usable for frogs," said PLF Principal Attorney M. Reed Hopper. The government says it hopes the property could be transformed into habitat someday in the future. But who would pay for that? And the effect would be to rob the owners of the best and most beneficial uses of their property.

Adds Hopper: "Think about the implications of that plan: It puts everyone's property at risk of being federally regulated as 'critical habitat,' on the theory that it might, someday, somehow, be modified to host some species."

In addition to inventing "habitat" out of whole cloth, there are three other ways this land grab assaults the law:

- Harm to jobs and the economy. The government has a legal duty to analyze economic effects before imposing a "critical habitat" label on property; but the feds didn't do a complete job in this case. Maybe that's because their proposed frog regs would have a dramatic, negative impact: the owners would lose the use of their land for energy exploration, timber harvesting, agriculture, and other job-creating purposes.
- Harm to the environment. The government has a legal duty to assess potential damages when a regulation would have a direct effect on the physical environment. This wasn't done with the habitat designation for the dusky gopher frog. Yet the environmental damage would be significant. For example, frequent controlled burns would be required in order to clear vegetation that isn't consistent with frog habitat. And controlled burns can mean pollution of air and water, and of habitat for other species — species that are already on the property, unlike the frog!
- Harm to our constitutional framework. PLF has long worked to enforce the Constitution's limits on federal power. In this case, we contend federal officials have overstepped their authority under Article I, Section 8, which restricts federal regulations to matters of "interstate commerce." The government has offered no finding that the dusky gopher frog, or the habitat designation, is connected with interstate commerce.

PLF's lawsuit is *Markle Interests, LLC v. United States Fish and Wildlife Service*. The complaint and other background information may be found at PLF's website: www.pacificlegal.org.

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Legal Update

Injunction Denied

On August 28th Superior Court Judge Ochoa denied our petition for an injunction against enforcement of the State ban on dredging.

PLP argued the ban violates Federal law by prohibiting mining on Federal mining claims while the State argued dredging wasn't really mining but merely a recreational activity.

The distinction is important. The State has based their case on the idea dredging is only recreational and does not confer a mining right. We've argued dredging for gold is mining and we enjoy the protections that prohibit States from banning mining.

The judge decided there wasn't enough evidence of harm to suction dredgers and the State's prohibition on suction dredges would continue to be enforced.

In order to obtain an injunction you must prove two things: First you must show you are being irreparably harmed and this harm will continue; and second you must demonstrate a high likelihood of winning your case.

Judge Ochoa took the position we haven't demonstrated sufficient harm to warrant an injunction. This ruling was based primarily on the 2009 Suction Dredge survey which the State presented as evidence.

The Suction Dredge Survey sent out in 2009 as part of the Environmental Impact Report had 668 people respond to it. Of that number 82% labeled themselves as recreational dredgers.

This recreational dredging term resulted in the judge deciding a recreational activity couldn't suffer irreparable harm and denying the injunction.

It's tough to argue we're being harmed if dredging is merely a hobby. It's certainly a disservice to the 20% who classify themselves as semi-professional or professional.

A person provided the following definition of a recreational dredger the other day - they practice catch and release. If you find gold and throw it back you're recreational. Otherwise you're semi-professional at the least.

You may enjoy dredging, but that doesn't mean it's a hobby and we ask you to strike the term "recreational" from your vocabulary.

There is no such thing when mining. You may not recover the amount of gold you want, and you may not be able to make a living at it, but it does supplement your income.

Even if you don't sell your gold you are still accumulating wealth. There are damned few dredgers who don't want to recover more gold. They are limited by either time, experience or money.

Likely we'll appeal. The judge based his decision on the 80% that classified themselves as recreational, but true harm is occurring to those 20% who rely on dredging for some or all of their income. Even if that's one in a hundred that's still one person we need to fight for.

The judge also delayed the hearings on the consolidated cases until May 2014. That's pushing up against yet another dredging season. Apparently the State wasn't prepared.

The Administrative Record is now well over 100,000 pages long and we're awaiting the publishing of the index so we can ensure the cites and references we need are included. According to the State they have several people working on the Administrative Record full time. This is a bill they'll ask us to pay and we're going to have to pay it if we want to stay in the court. Without the record we can't present our case.

Please continue to support Public Lands for the People in this legal fight. Donations are needed to pay the lawyer and to pay for the Administrative Record. Every donation helps and continued donations are required to carry this case to the end.

It's frustrating to lose the injunction, but now we must turn our attention to presenting the legal arguments and briefings required to win. We're on strong legal ground and we need to get dredging reopened by next summer.

Please support the trial by attending hearings. We'll post the schedule as soon as we have it.

Updates

Western Mining Alliance continues to challenge emergency rulemaking

Working through Senator Nielson's office we are making progress in holding the Department of Fish and Wildlife accountable for the recent emergency rulemaking. Senator Nielson's office has been assisting us in establishing a meeting with the Department's officials to discuss the Department's apparent violations of the Administrative Procedures Act. We expect the meeting to take place in late September in Sacramento.

WMA meets with Water Board

The Western Mining Alliance has been recognized as a stakeholder in the current efforts to remediate mercury throughout Sierra rivers. As a stakeholder we are engaged in discussions with the Water Board on the effects of mercury and the impact of their efforts to impose Total Maximum Daily Load limits on dredging rivers. We recently completed a three hour technical discussion with the Water Board on the effects of mercury and selenium and we were supported by two of the country's leading researchers on mercury. The WMA paid for the travel of the researchers to present the most current information on the offsetting effects of selenium on methylmercury. This issue is important to us as the Water Board continues to move towards regulating and establishing controls on mercury in the water ways.

It's clear Total Maximum Daily Load limits are coming. The Water Board acknowledges this and concedes they are legally required to implement TMDLs. These rules will impact dredging. From a strategic standpoint we must do everything we can to prevent new Water Board regulations from banning dredging. This is why we're engaged with the Water Board and attempting to head this off.

Grass Valley Union presents article on the WMA fight

The WMA has one mission with three core objectives: (1) Engage in the media fight (2) Fund the legal fight and (3) Engage in the political process.

On August 29th the Grass Valley Union presented an article detailing our skirmish with the Grass Valley based Sierra Fund. You may ask why we're on the offensive against the Sierra Fund and our reply is they are the most outspoken opponents of suction dredging in the State. They claim in their own literature they were responsible for the suction dredging ban. This ban as you may recall was sponsored by then Senator Wiggins who later resigned. After Wiggins the environmental groups found a new ally in uber-liberal Jared Huffman who was later elected to the US Congress. Jared Huffman's most notable achievement, other than carrying the environmentalist water on anti-dredging legislation was the passage of the Chicken Working Conditions Act. Humans be damned, those chickens need rights.

The Union article was a follow up to the two previous articles the Western Mining Alliance published relating to the facts about mercury. The facts as published by the Water Board indicate mercury is not a problem. The Water Board study released in May of this year received zero press coverage so we decided to write a press release. This press release was picked up by some local online editions which then gained a broader audience. The Sierra Fund decided to rebut our position mercury remediation in gold country was unneeded and a waste of taxpayer funds. We responded with a second article asking the Sierra Fund to disclose their financial relationship to mercury remediation. The Union article covers this skirmish. We were surprised to see this find front page coverage in the home town of the Sierra Fund. It gives us hope people are waking up to the reality of these type of environmental organizations.

You can read the Union article by following this link: www.theunion.com/news/7899201-113/mercury-mining-fish-sierra

For a few flakes of gold?

A WMA member writes about finding gold on the Yuba

The extreme environmental groups who want to ban everything from logging, mining, ATV riding, hunting, and sunbathing, want you to believe dredgers hunt for a few flakes of gold.

Before I get to that, let's dispel another myth. I have dredged and fished the North Yuba for almost 40 years. Over this time the fishing has always been excellent. Regulations have protected fish spawning by regulating the dredge season to close waters to during spawning. The environmentalists won't tell you that. It doesn't fit their agenda. They want you to believe the fish are being killed. The three major rivers in the mother lode rich in gold: the Yuba, Feather and American (and their tributaries) have NO salmon.

Manmade dams prevent them from passing. But the environmental groups won't tell you that. Their only interest is lawsuits against the federal and state government (Sue and Settle) to make millions. They put people out of work, destroy jobs, and devastate rural economies. For a good example, look at Sierra County and the town of Downieville which was built on mining. Since the dredge moratorium took effect, the economy in Sierra County is a disaster. Businesses struggle to stay open, and the county government struggles to make ends meet. Do you really think environmental groups care about rural America?

I am always amused when I read news releases by the Center for Biological Diversity and their partner environmental groups opposed to dredging and mining in general. They always refer to us as finding a "few flakes of gold". They think we are all recreational miners hunting for a "few flakes of gold". Perhaps I shouldn't say anything and keep the secret under my hat?

Some of the rivers of the California mother lode were extremely rich. Crevices with 10 – 20 ounces were not uncommon for the first lucky miners to work the streams. The deeper rivers and pools were harder for the old timers to work. They had to wing dam the river, divert the flow, or try to build flumes to remove the water from a rich gold bearing gravel bar.

There was always some water remaining, seeping through the flume cracks, and most likely it was muddy. The old timers were good, but they never got it all. Modern equipment has made it possible to work under water with air where the old timers could not.

My dredging partner and I have taken over 100 ounces of gold off our claim and there is always more. But please don't tell the environmentalists! In one crevice I found some nice gold. I was in about 10 feet of water; it was late in the day. The sun was low and I was working in the shadows. I uncovered a crevice about 10 inches long. This was a crescent shaped crevice. It went down about 8 inches, and the points of the crescent were on my left and right as I looked into the crevice. I couldn't see anything in there, just another crack the old timers got and picked clean.



Look twice, the gold you save could be your own. The results of patience and persistence on the North Yuba, over 2 ounces of gold from a crevice cleaned out by the old timers.

For a few flakes of gold continued

I couldn't see anything because I was looking straight down into it. The right side of this crevice had a little cap of bedrock covering the right side of the crescent shape. This made a little pocket on the right side that you could not see looking straight down. I got my mask right down on the bedrock to see the bottom and take a good look. I was then able to see the little pocket on the right side. The old timers missed it, probably working in muddy water after diverting the flow. Now this little crevice only had three nuggets left for me, but I'll take those three anytime. One weighed 18 pennyweight, one weighed 16 pennyweight, and the third weighed 8 pennyweight. I can only imagine what the old timers took out of this pocket.



The Gold is still there. I know of several rich strikes by other dredgers. On one claim the crew hit a spot that supposedly was where the flume was placed by the old timers so it never got worked. That summer they took out about 250 ounces. It may have been more. Of course, we all know it's only a "Few flakes of Gold".

(Continued next month, another good day on the Yuba)



The Green Cash Machine

Lawyer Karen Budd-Fallen presents the real agenda of the environmentalists - it's money

The following is testimony provided by Wyoming attorney Karen Budd-Fallen to Congress in 2009. She has perhaps been the most relentless land rights attorney in the West and has spent considerable time researching the abuse of the Equal Access to Justice Act. We are printing this as we believe this is the best summary of how the enviros do what they do and the scope of the problem.

Consider these facts:

- Between 2000 and 2009, Western Watersheds Project ("WWP") filed at least 91 lawsuits in the federal district courts and at least 31 appeals in the federal appellate courts;
- Between 2000 and 2009, Forest Guardians (now known as WildEarth Guardians) filed at least 180 lawsuits in the federal district courts and at least 61 appeals in the federal appellate courts;
- Between 2000 and 2009, Center for Biological Diversity ("CBD") filed at least 409 lawsuits in the federal district courts and at least 165 appeals in the federal appellate courts.
- In addition, over the last 15 years, the Wilderness Society has filed 149 federal court lawsuits, the Idaho Conservation League has filed 69 federal court lawsuits, the Oregon Natural Desert Association has filed 58 lawsuits, the Southern Utah Wilderness Association has filed 88 lawsuits and the National Wildlife Federation has filed 427 lawsuits.

In total, the eight environmental groups listed above have filed at least 1596 federal court cases against the federal government.

Every one of the groups listed above are tax exempt, non-profit organizations. Every one of those groups listed above receives attorney fees for suing the federal government from the federal government.

These statistics do not include cases filed in the administrative courts, such as BLM administrative permit appeals before the Office of Hearings and Appeals or Forest Service administrative appeals. These statistics only include federal district court cases.

On the other end, these same environmental groups are receiving billions of federal tax payer dollars in attorney fees for settling or "winning" cases against the federal government. Accurate statistics have not been kept by the Justice Department or the federal agencies, thus there is no accounting for the total amount of tax dollars paid, however, we were able to uncover these facts:

There are two major sources for attorney fees that can be paid to plaintiffs that "prevail" in litigation either by winning a case on the merits or by the Justice Department agreeing that the group "prevailed" in a settlement by achieving the purpose of the litigation. One source of funding is called the "Judgment Fund." The Judgment Fund is a Congressional line-item appropriation and is used for Endangered Species Act cases, Clean Water Act cases, and with other statutes that directly allow a plaintiff to recover attorney fees. There is no central data base for tracking the payment of these fees, thus neither the taxpayers, members of Congress nor the federal government knows the total amount of taxpayer dollars spent from the Judgment Fund on individual cases. The only information regarding these fees that is available is:

- In fiscal year 2003, the federal government made 10,595 individual payments from the Judgment Fund to federal court plaintiffs for a price tag of \$1,081,328,420.
- In 2004, the federal government made 8,161 payments from the Judgment Fund for \$800,450,029.
- In 2005, 7,794 payments were made from the Judgment Fund for a total of \$1,074,131,007.
- In 2006, the federal government made 8,736 payments from the Judgment Fund for \$697,968,132.
- In only the first half of fiscal year 2007, the federal government made 6,595 payments from the Judgment Fund for \$1,062,387,142.
- In total, \$4,716,264,730.00 (that is billion with a "b") in total payments were paid in taxpayer dollars from the Judgment Fund from 2003 through July 2007 for attorney fees and costs in cases against the federal government.

The Green Cash Machine Continued

The second major source of payments to "winning" litigants against the federal government is the Equal Access to Justice Act ("EAJA"). EAJA funds are taken from the "losing" federal agencies' budget. Thus, for example, the attorneys fees paid under EAJA come from the "losing" BLM office's budget. That is money that could be used for range monitoring, NEPA compliance, timber projects, archeology and cultural clearances and other agency programs. Within the federal government, there is no central data system or tracking of these payments from the agency's budgets. The only statistics we were able to compile are as follows:

- Between 2003 to 2005, Region 1 of the Forest Service (Montana, North Dakota, northern Idaho) paid \$383,094 in EAJA fees.
- Between 2003 to 2005, Region 2 of the Forest Service (Wyoming, South Dakota, Colorado, Nebraska, Oklahoma) paid \$97,750 in EAJA fees.
- Between 2003 to 2005, Region 3 of the Forest Service (Arizona, New Mexico) paid \$261,289.85 in EAJA fees.
- Between 2003 to 2005, Region 4 of the Forest Service (southern Idaho, Utah, Nevada) paid \$297,705 in EAJA fees.
- Between 2003 to 2005, Region 5 (California) of the Forest Service paid \$357,023 in EAJA fees.
- Between 2003 to 2005, Region 6 (Washington state, Oregon) of the Forest Service paid \$282,302 in EAJA fees.

Out of the 44 total cases in which the Forest Service paid EAJA fees between 2003 and 2005, nine plaintiffs were NOT environmental groups and 35 payments went to environmental group plaintiffs.

We also tried to track the fees paid to environmental groups in certain federal courts. For example, in the Federal District Court for the District of Idaho, over the last 10 years, WWP received a total of \$999,190 in tax dollars for "reimbursement" for attorney fees and costs. Of the total cases filed by WWP in the Federal Court in Idaho, 19 were before Judge Winmill; eight of those cases resulted in a decision on the merits with WWP prevailing and with the total attorney fees being awarded of \$746,184; six of the cases were settled by the federal government with a total attorney fees still being awarded of \$118,000. WWP won one case but attorney fees were not paid. WWP lost six cases.

There were two cases in which the documents indicated that the federal government agreed to pay attorney fees, but the payment amount was kept confidential from the public.

In my opinion, there are a lot of things wrong with this picture. The federal government is spending billions in taxpayer dollars without any accounting of where the money is going or to whom it is going. There is no oversight in spending this money, especially the money that is coming out of agency budgets that should be funding on the ground programs to protect public lands, national forests, ranchers, recreationists, wildlife and other land uses.

Nonprofit, tax exempt groups are making billions of dollars in funding; the majority of that funding is not going into programs to protect people, wildlife, plants, and animals, but to fund more law suits. Ranchers and other citizens are being forced to expend millions of their own money to intervene or participate in these lawsuits to protect their way of life when they have no chance of the same attorney fee recovery if they prevail. In fact, they are paying for both sides of the case—for their defense of their ranch and for the attorney fees for environmental groups receive to sue the federal government to get them off their land. There are also numerous cases where the federal government agrees to pay attorney fees, but the amount paid is hidden from public view. Somewhere this has to stop and the government has to be held accountable for the money it's spending.

<http://www.buddfalen.com>

How They Banned Dredging

A tale of lies, deceit and money

It's interesting to deconstruct how the dredging ban came about. It's a good study in how the environmental groups, with the support of the government regulators, used fabricated information to declare an emergency; labeled suction dredgers as destructive to the environment and convinced the State to spend millions of dollars to ban dredging and then to pursue this ban in court.

To fight and win this dredging ban we must first understand how they succeeded in banning dredging. By "they" we mean the coalition of environmentalists and government regulators acting in concert to defy Congress and your Constitutional rights.

Suction dredging began in the 1950's. The advent of underwater breathing apparatus by Jaques Cousteau in the 1940's was quickly adopted by placer miners as a means to reach areas previously passed over by miners. The rivers had been relatively untouched by miners because of the difficulty working underwater. The new ability to work the bottoms of rivers led to the quick expansion of suction dredging throughout the State of California and western rivers.

In the 1950's suction dredging was completely unregulated. Regulation began in 1961 when the California legislature passed SB1549 which was focused on the effects of suction dredging on salmon. The first dredging regulations were published in 1962 and the Department began issuing permits in 1962, however, the possession of a permit wasn't mandatory.

The dredging regulations were the result of a study commissioned by the Department of Fish and Game in 1960 which indicated some restrictions were required to protect spawning salmon. The report also recommended the maximum size of the suction dredge be restricted to a 8" nozzle size.

From 1960 to 1994 dredging and dredging regulations remained largely unchanged but in 1994 the Department completed their first environmental impact report which resulted in further restrictions on locations, times and equipment and made the possession of a permit mandatory.

An environmental impact report is required by the California Environmental Quality Act (CEQA) for all projects after 1973. Suction dredging was a project subject to permitting prior to 1973. By the law it was exempt from CEQA. The time to fight CEQA was 1993 but there were few of us that had heard of or understood CEQA to the degree we do today.

Regardless, by the law, suction dredging is exempt from CEQA and there are sufficient court case rulings that affirm this.

The miners grudgingly accepted the new regulations and within two years the Department of Fish and Game was already in the process of creating a new EIR and a new set of regulations.

Once the CEQA door was opened and the environmental groups realized they could use their favorite tool to ban dredgers from the rivers they began their assault on dredging.

An organization of miners, including Public Lands for the People, challenged the Department over this new effort and the Department dropped the new EIR and left the 1994 regulations intact.

The environmentalists, knew suction dredgers were an easy target. As opposed to large businesses, and industries with coalitions and lawyers, we were largely undefended. Being largely solitary operators focused on our efforts to recover gold we didn't understand CEQA, nor did we care to.

While we were busy with our heads down in the river, the environmentalists were petitioning the Department to ban suction dredging and to conduct a new EIR.

There was one small problem. CEQA makes an EIR final. It cannot be redone unless one of three things change [Section 21166]. See also the following court cases (*Benton v. Board of Supervisors of Napa County, 1991*; *Nacimiento Regional Water Management Advisory Committee v. Monterey County Water Resources Agency, 1993*; *Ft. Mojave Indian Tribe v. California Department of Health, 1995* and *Fund for Environmental Defense v. County of Orange, 1988*):

- Substantial changes are proposed to the program
- Substantial changes occur with respect to the circumstances under which the project is undertaken
- New information, which was not known, and could not have been known at the time the environmental impact report was certified as complete, becomes available

The seeds of the 2005 Karuk lawsuit were planted in the 1994 EIR in which the Department stated a mitigation measure for endangered species was the closure of entire stretches of river. The Department used the qualified "may close." It wasn't mandatory. When the Coho salmon status was changed from Species of Special Concern to Federal Threatened the environmentalists seized on this opportunity to file their lawsuit claiming the Department of Fish and Game failed to implement the mitigation measure they provided in the EIR. [Karuk I]

How they banned dredging

The Karuk I lawsuit claimed there was “New and previously unknowable information” in regards to the Coho salmon. The environmentalists, using the Karuk tribe as a proxy, filed the lawsuit claiming the change in listing status of the Coho demanded a new EIR and the Department was legally required to close suction dredging on the Klamath, Scott and Salmon Rivers.

The Department was moving towards a settlement agreement with the environmentalists behind closed doors when the New 49ers and PLP intervened and blocked the settlement agreement. As covered earlier in this newsletter the practice of sue and settle is often used by agencies to achieve regulations they could not otherwise implement. In this case the desire of the Department to close the rivers and ban suction dredging was being accomplished through this lawsuit.

The intervention of the New 49ers and PLP stopped the settlement and resulted in a stipulated agreement requiring “further environmental study” be conducted on those three rivers. It’s widely misunderstood that the order somehow effected dredging across the State or the agreement required a new EIR. It didn’t. It simply required the Department to look at the effects of suction dredging on three specific rivers and for one specific species.

So, how did dredging get banned? This is where it gets interesting. The Department, through a discretionary, and we hold a illegal act, decided on their own to conduct a new EIR across the State. This is clearly something they had desired to do as soon as the ink was dry on their 1994 EIR.

The court case gave them the opening they needed to conduct a fully blown EIR that would finally regulate suction dredging out of existence as an economically viable operation. This is exactly what they did.

The 2011 Subsequent EIR (SEIR) hinged on a key statement. There was “new and previously unknowable information.”

But was there? The facts say otherwise and tend to point to a damning accusation at the Department - they failed to defend.

The miners can be excused for not understanding the fight they were in. It had nothing to do with mining rights, this fight was about CEQA. In the mining community there were few who understood CEQA and if there were any at all they didn’t step up and challenge the Department.

Failure to defend is a serious charge but it appears this is exactly what the Department did. Like a boxer in a prize match they took a fall.

CEQA provides finality to an EIR. EIRs are required on virtually every imaginable project and they cost considerable time and money so why would the Department concede the fight to conduct a new EIR? Even the Department knew this would take over a year and cost millions of dollars which they didn’t have.

Enter the Water Board. We’ll credit the environmentalists with long range thinking. It appears they had spent years positioning pro-environmentalist people in key positions within the agencies such as the Water Board and the Department of Fish and Wildlife. Like communist sleeper agents they take years to cultivate and rise through the ranks until they are in a position to determine policy and regulation.

The Water Board funded the entire water quality portion of the EIR and they wrote it. Of course it came out with Significant and Unavoidable effects, because whoever writes it can pick the data and the studies they want to use. The courts are required by law to afford great deference to the agencies determination. It works like this: The agency writes “the sky is falling.” We say it isn’t. It goes to court and the court says we must have overwhelming evidence the sky isn’t falling to disprove the unfounded claim. How do we prove the sky isn’t falling?

So how did they ban dredging? Through CEQA. They never challenged our right to mine, they still don’t. They challenge the environmental effects and while they resolve the environmental effects there is a “temporary” moratorium that is now of course into its 4th year.

The same law that opened the door to the ban also shuts the door on the ban. The court in Karuk I was misled and the Department failed to defend their own EIR.

EIRs are final, they can’t be challenged after 30 days from certification - ever. Imagine a developer who permits and builds a subdivision. After several years of expense and time of the EIR process he finally gets a permit and builds a 100 house subdivision. People move in and ten years later it’s discovered the habitat the subdivision previously occupied is the home to the purple tongued salamander who was a special status species but now is classified as endangered.

Under the rules of the game the Department has established the environmentalists would be able to force a new EIR. Clearly the salamander is found on the site therefore the subdivision must be removed and the land restored to its natural condition.

How they banned dredging

This would be insane, but that's what they have required of us. After fifty years of suction dredging and over 174,000 permits being issued which were determinations of no deleterious effects - they decided all the previous effects didn't exist and we were now operating in an environment where dredging had never taken place and in fact their environment had never seen the effects of a pick and shovel. In other words in their environment the subdivision had never existed.

If Allowed to stand this approach has the potential to send the entire state of California back to the stone age.

Follow us on this, the Department's EIR used an environmental baseline that assumed no mining, or suction dredging had ever occurred in the State of California and this perfect environment was pristine. Therefore the introduction of dredging would have significant and unavoidable effects.

Cases set precedent for future cases. If the environmentalists win this case against suction dredging then every subdivision, building, highway, bridge, dam and reservoir in the State is subject to a lawsuit that resets the environmental baseline to a period before it was built based on "new and previously unknown information." So anytime we have a new endangered species listing we have to redo the EIR for all projects within the geographic habitat area of the species.

This is the end result of losing this case. Once precedent is set then the environmentalists will use this ruling to reopen EIRs throughout the State. Remember, they are paid by taxpayers to do this. Their legal costs are reimbursed by the State even when they don't win. After all, they're doing God's work, even if it happens to be extremely profitable.

Coming full circle we have to go back to the core question that led to the EIR. Was there new and previously unknown information on the fish cited in the Karuk lawsuit that would lead to a new EIR being conducted?

No.

From the CDFW Scoping Report from 2009;

"The listings of the Coho salmon as a species of special concern and then as a threatened species under the Federal and state Endangered Species Acts constitutes new information and a significant change in circumstances showing that suction dredging in

the Coho's habitat will have a significant effect on the species that was not discussed in the 1994 EIR."

Is this true?

On page 47 of the 1994 Final EIR the Department states, "The proposed regulations take into consideration the degrading condition of the State's rivers and riparian areas and declining status of species including threatened and endangered species as documented in many current documents including California Rivers, a Public Trust Report, State Lands Commission 1993; Upper Sacramento River Fisheries and Riparian Habitat Management Plan, 1989; Sliding Towards Extinction: The State of California's Natural Heritage, 1989; Draft Central Valley Anadromous Fisheries and Riparian Wetlands Habitat Protection and Restoration Action, 1993; The Central Valley Fish and Wildlife Management Study, BOR, 1986; Biodiversity Loss in the Temperate Zone: Decline of Native Fish and Fauna, 1989.

We're not sure what more they could have studies other than commissioning a whole book on the special status species. But wait, they did. The Department commissioned a book in 1989 to study the exact same fish the Karuk's claimed weren't studied. Titled Fish Species of Special Concern, 1989 the book covered each of the species the entire 2011 EIR is based on. Here is an excerpt in regards to the fish in question:

Coho Salmon - page 37, "These are uncommon taxa occupying much of their natural range, formerly more abundant, but still with pockets of abundance within their range. These species should be periodically monitored to see if their decline is accelerating."

and another - Chum Salmon - page 5. "Only strays into California freshwater, probably have never established populations in California."

and it goes on...Every single fish the Karuks claimed hadn't been studied had in fact been studied. The Department, in justifying the 1994 EIR, went to great lengths to show just how studied these species were. Yet they took a fall in the court case. The question is why?

The Department was on sound legal ground to defend the 1994 EIR. They would have won. We expect the environmentalists to mislead and accomplish their goals through deception but we, as taxpayers, expect the Agency to be better than this.

The 2011 EIR was illegal. It was based on misleading information, the Department failed to legally defend the EIR and the environmental groups presented information to the court that they knew was wrong. In some courts that would qualify as perjury.

JOIN THE WESTERN MINING ALLIANCE

We're an all volunteer organization funding this fight by selling hats and your membership contributions. (so buy a hat dammit!)

There are a lot of organizations who are in this fight. We mean the big picture fight, the fight to save America. They include organizations like the National Rifle Association; Defend Rural America; Public Lands for the People; the Pacific Legal Foundation; the Mountain States Legal Foundation and a number of clubs and organizations throughout the west.

Consider this statistic from a well researched book by Elizabeth Nichols, *Eco-Fascists*, as of 2005 there were 26,500 environmental groups in the United States these groups

collectively spent \$9.7 billion per year. The top 50 alone account for nearly \$5 billion of that spending.

Because environmental groups don't produce a product, nor a service, the money is spent on raising more money through propaganda. You've all received it in the mail, the heart tugging pictures of dead wolves, drowning polar bears and starving deer. That works out to nearly \$400 million per month spent on one giant propaganda campaign.

And the budget for our side? One of the largest and most effective groups in the country for rural Americans is based out of Texas called the Americans Stewards for Liberty. It has a budget of about \$350,000 per year and a staff of four.

The environmental groups are mere shells. The membership rolls are rarely what they claim there's just not that many Americans that rabidly environmental. Most Americans are just like you and I.

So our request you join the Western Mining Alliance is really a request you join with somebody in this fight. You pick the group that is doing the good you want done and join them.

This is a long fight, we're just awakening to it and learning how to use legal, the media and the political process. It won't be quick and it won't be easy but we must fight. There simply is no other choice. Join the fight - we need you.

FROM THE WMA PRESIDENT



In the thick of it...

Thanks to everyone who supported the PLP hearings in San Bernardino County. Over 75 people took the time out of their day to show up. We believe its important the judge sees this issue effects people. It's not a theoretical discussion over legal issues. It's a mortgage payment and food on the table

issue. It's about our ability to work at a job we choose, not one chosen for us.

We've continued our efforts to restore our rights to dredge. We have PLP in court from now until May with briefings, motions and counter motions. The New 49ers continue to push their case to reopen the Klamath region to dredging and Defend Rural America has taken lead on the critical habitat issues.

We recently met with the Water Board for another technical discussion on water quality issues. The TMDLs are coming, they're mandated by law and our hope is to head off these restrictions on dredging before they become regulation.

There are a lot of groups in this fight and they're all doing great work. As we continue to coordinate and work together we're making progress. What one of us misses another group will pick up.

You can see we're gaining more political support; we're building the

technical skills; and we're pushing the legal fight.

All these fights are funded by you. Please continue to support the group or groups of your choice but above all please contribute to Public Lands for the People.

There are a lot of great groups out there requiring support. Whoever you support please get involved and help out. Simply attending the upcoming hearings is helping in the fight.

Keep the faith, there's still enough of us to stay in this fight and ultimately win it. Those who wish to remake America are a minority, but they're a crafty and persistent minority. Our task is to wake up the majority. We can do this in the 2014 elections. Plan on getting involved in local campaigns and let's take this country back.

Molon Labe

The Closing Statement



It's all about the land. Land is what makes America. Capitalism depends on the private ownership of the resources of production and we've got a front row seat to the dismantling of our country and our Constitution through the insidious rules and regulations restricting what we can do on our own private land, and

our ability to extract natural resources from public land.

The end game isn't protection of the environment, it's control of the environment. It's control of you and I.

I learned a new term the other day, "supplicant". The definition is (1) A humble petitioner; somebody who makes a humble and sincere appeal to a person who has the power to grant the request. Another definition includes the following "One who kneels."

Some of you who are more educated than I may find it amusing I didn't know what the term meant and had to go look it up, but it's a term Americans should never be accustomed to.

A second definition I found interesting was serf. "A person in a condition of feudal servitude, required to render services to a lord, commonly attached to the lord's land and transferred with it from one owner to another."

We're fast approaching a day where the forests are considered the "Kings Forests" and we are forbidden from entering the Kings Forests without permission. It's happening every day as more roads are being closed down; more restrictions being placed on land use; less logging; prohibitions on mining and of course the hydra of water regulations.

What we have is a deepening split between urban and rural areas. Dam removal is a great thing in theory, but when it's their water then the dam is necessary, but if it's water for grazing and farming the fish are more important.

The King is clearly the Federal Government but the feudal lords are now the State governments and the wealthy environmentalists who desire an environment unblighted by farms, orchards or mining. While family ranches and farms are closed through loss of water rights the feudal lords establish their mansions on the hills secure in their access to public water.

If you want to test the definition of supplicant try to get a building permit on property that borders a river. If you want to test the definition of serf try withholding your property taxes on land you can't use such as wetlands and easements. If you fail to pay your property taxes the feudal lords will simply demand their land back, and they will get it.

Don't believe you are a serf? Try this: add up all your taxes paid over the past year to include gas tax; sales tax; excise and usage tax; income tax; property tax; FICA and Social Security and now of course government mandated health care tax. If half of what you earn goes to the government you are a serf. For every 2 bushels of wheat you harvest through your toil and labor you are giving 1 bushel to the feudal lord who hasn't broken a sweat lately. Worse, they're redistributing the results of your labor to a protected class of citizens who don't labor at all.

It's important we understand the fight we're in. It's a generational fight. We're fighting for an America our generation knew so that our future generations will also know what it is to be free. It's not about dredging. It's about holding the line, here and now. No more. No more needless regulations (which is just about all of them); no more critical habitat; no more whining environmentalists crying about polar bears; frogs; bugs and plants.

No more steps down the path to serfdom.

Molon Labe



Down River

This claim is located in Yuba County. If you would like to contribute a photo expedition you can email either MinerRick@themininggalliance.com or themininggalliance@themininggalliance.com.



Do you ever wonder what other people get? This claim produces about an ounce a week. So during the summer that works out to about \$6,000 a month in gold. To the right is a cleanup of some pickers from an afternoon. I moved the dredge just after the cleanup, wasn't happy with the results.

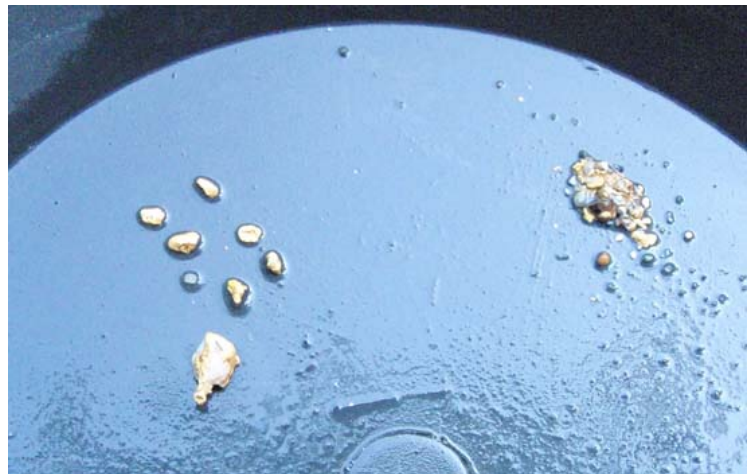
This is one of my favorite claims to work. I have seven total. This one is lower in elevation, around the 3,000' level, than my other claims which are about 6,000'. Early in the summer I work this one.

On this claim I have about 3/4 mile of river. All total between the 7 claims I have about 2 miles of river. People like to remind me the old timers had claims that were measured in square feet, such as at Downieville where claims were about 10 square feet.

Placer mining, however, requires a lot of length of river. It's not like the old days where you could pull an ounce of gold in a pan. Today you have to patiently sample and work a river and it's surprising how fast you can sample over a 1/4 mile of river. I also work different claims at different times of the year.

The high elevation claims are usually impossible to get into prior to the middle of July. Either the snow is still on the ground or the rivers are running too high, so I need lower claims.

Everything is packed in and out on my back. I never leave my dredge at a claim no matter how remote or rugged it is. I've had two dredges stolen from places even I wouldn't want to carry a dredge out of. Now I just plan for two days to pack in, and two days to pack out. I'm surprised at how much work thieves will go to steal a dredge. It seems like it would be easier to get a paying job.



Down River



And before I start whining about carrying a 6.5hp Honda the picture to the right shows someone even crazier than me found a solution to the boulders. I can't even imagine how they got this winch into the canyon. I was looking for bones nearby to see if they survived toting this in. Obviously they didn't tote it back out. I have no idea how old this is, maybe you would know?



I don't want to hear any whining about boulder packed streams. This stream has got them in spades. For those lucky dredgers on the big rivers than can just float a dredge wherever they want - I must disassemble pack it to the next dredgable location and reassemble it. Imagine scrambling over these boulders with a 6.5 hp Honda in your arms.



When we get dredging reopened the picture to the left is where I'm putting my dredge. This hole is so far into the remote canyon even I wrote it off. I've decided I'm going to spend a summer working these isolated pockets. It will take me a 40 minute hike from the road to the river, then another hour down river to get to this. No trails. The only way I'll get a dredge in here is a piece at a time.

You can almost make out from the picture the bedrock showing on the bottom of this hole. The river's gradient drops enough in here that I'm hoping it dropped good gold. Maybe I'll have one of those days we always hear about where I get a couple hundred ounces. Maybe not, but I'll try.

Support the Western Mining Alliance

It's easy to support the WMA, just go to our website and click "Join" or click on "Store" and buy something. The staff of the WMA is completely unpaid we use all profits to support our efforts to restore and maintain our rights. We try to add something new each month. Last month we added the small tactical backpack and the OD green hat in the all cotton version. Right now we have plenty of hats in OD green but our Khaki, Camo and Black hats are still on back order.



ATACs



OD Green



Black



All Cotton
OD Green



Khaki



Back of
mesh hat

These are nice hats. Each hat ships with a WMA velcro patch. You can swap out the patch and have a different hat for each day. The mesh backing provides for cool wearing but if you prefer the all cotton we now have those in stock. If you've already bought a hat, consider buying some additional patches and impress your friends!



New! The ATACs camouflage day pack is perfect for the short trip into the mountains. Lightweight and durable this thing has an amazing amount of straps for carrying equipment such as rock hammers and picks.

Bumper Stickers

Bumper stickers are cheaper than a new paint job. If your truck is like mine, there's likely a rust spot somewhere that needs to be fixed. A bumper sticker is a cheap solution. Only \$3.50 each it's a great way to show your support and annoy an environmentalist at the same time.



GOT GOLD?
WESTERN MINING ALLIANCE



Our additional patch selection is available on our web site. All these patches have velcro backing and will attach to the WMA hat, or anything with velcro.

Summer Exploring

Some photos from members



Old bridge spanning a rugged canyon deep in the mountains. This bridge led to an old mining camp.



Do you ever run into stuff like this? No idea what they were doing here. It's not wide enough for a bridge but they spent a lot of time stacking this across the small gulch.



This is a waterfall very few people have ever seen, it's likely the only ones that know it are miners.
