

# Before the Board of Supervisors County of Placer, State of California

In the matter of:

A RESOLUTION AUTHORIZING THE  
CHAIRMAN OF THE BOARD OF SUPERVISORS  
TO SIGN A LETTER RECOMMENDING  
PROPOSED CHANGES TO CALIFORNIA CODE OF  
REGULATIONS, TITLE 14, DIVISION 1  
SUBDIVISION 1, CHAPTER 8, SECTION 228  
TO THE CALIFORNIA DEPARTMENT OF FISH  
AND GAME.

Resol. No.: 2011-109

Ord. No.: \_\_\_\_\_

First Reading: \_\_\_\_\_

The following RESOLUTION was duly passed by the Board of Supervisors  
of the County of Placer at a regular meeting held May 3, 2011,

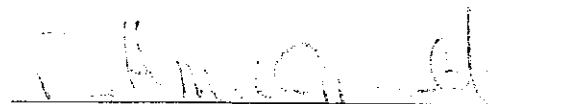
by the following vote on roll call:

Ayes: DURAN, HOLMES, UHLER, MONTGOMERY, WEYGANDT

Noes: NONE

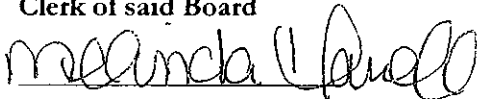
Absent: NONE

Signed and approved by me after its passage.

  
\_\_\_\_\_  
Chair, Board of Supervisors

Attest:

Clerk of said Board



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**BE IT HEREBY RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER, STATE OF CALIFORNIA,** that this Board authorizes and directs the Chairman of the Board of Supervisors to sign a letter to the California Department of Fish and Game recommending that Proposed Changes to California Code of Regulations, Title 14, Division 1, Subdivision 1, Chapter 8, Section 228, include a general prohibition of all suction dredge mining on all rivers designated by the State and/or federal government as wild and scenic.

# County of Placer Board of Supervisors

175 FULWEILER AVENUE  
AUBURN, CALIFORNIA 95603  
530/889-4010 • FAX: 530/889-4009  
PLACER CO. TOLL FREE # 800-488-4308

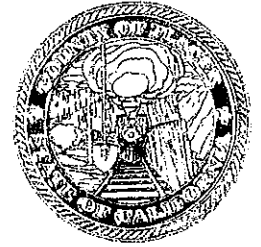
JACK DURAN  
District 1

ROBERT M. WEYGANDT  
District 2

JIM HOLMES  
District 3

KIRK UHLER  
District 4

JENNIFER MONTGOMERY  
District 5



May 3, 2011

Mark Stopher  
California Department of Fish and Game  
601 Locust St.  
Redding, CA 96001

RE: Placer County Concerns: California Code of Regulations, Sections 228 and  
228.5 Suction Dredge Mining

Dear Mr. Stopher,

The Placer County Board of Supervisors values the abundant natural resources that Placer County is home to, and desires to encourage their continued use. Placer County is located in the heart of California's Gold Country, and gold mining has been a part of Placer County for over 160 years. The Placer County Board of Supervisors believes that gold mining will continue to be an important part of Placer County into the foreseeable future. California Code of Regulations, Title 14, Division 1, Subdivision 1, Chapter 8, Sections 228 and 228.5, as proposed, would allow suction dredge mining to once again occur in Placer County with certain restrictions.

The Placer County Board of Supervisors has several concerns with the proposed regulations:

The proposed regulations do not specify any restrictions or requirements regarding suction dredge mining on rivers designated by the federal or state governments as "wild and scenic". Suction dredge mining, including the process of removing stream-bed material down to bedrock, is not compatible with the stated purpose of the California Wild and Scenic Rivers Act, which states that wild and scenic rivers are, "certain rivers which possess extraordinary scenic, recreational, fishery, or wildlife values" and that these rivers, "shall be preserved in their free-flowing state, together with their immediate environments, for the benefit and enjoyment of the people of the state."

The North Fork of the American River, from its source to the Iowa Hill Bridge, which is located entirely within Placer County, is designated to be "wild and scenic" by the California Wild and Scenic Rivers Act. This portion of the North Fork of the American River is an excellent example of the type of pristine waterway that is recognized as worthy of conservation by both the federal and state statutes.

The current regulations prohibit suction dredge mining within the wild and scenic portion of the North Fork of the American River. The proposed regulations would allow dredging within the wild and scenic portion of the North Fork of the American River. We ask that you revise the proposed regulations to continue the prohibition of suction dredge mining on wild and scenic rivers.

We also ask that you consider prohibiting the use of eight-inch suction dredge nozzles. Placer County's portion of the American River is specifically identified in the proposed regulations as an area where eight-inch suction dredge nozzles would be allowed. The type of operation that is typically associated with the use of eight-inch nozzles is of a much larger scale, involving more people, equipment, and disturbance, as compared to suction dredge mining operations which utilized smaller equipment.

The proposed regulations, and associated Draft Environmental Impact Report, do not appear to account for the impact of suction dredge mining on the release of mercury into the environment. Recent United States Geological Survey studies indicate that suction dredge mining can contribute to the amount of inactive anaerobic mercury that is transformed into methyl mercury, and become available in the environment. The California State Water Quality Control Board is currently addressing Total Maximum Daily Load issues with mercury in the Middle Fork of the American River in Placer County. We ask that you take the issue of methyl mercury into consideration prior to adopting the new suction dredge mining regulations.

Lastly, we request that you review the entire body of proposed suction dredge mining regulations, and make appropriate changes necessary to improve clarity and consistency. There are a number of instances where county by county restrictions are contradictory, confusing, or inaccurate regarding the descriptions and restrictions on specific waterways. One example of this would be the Bear River, which forms a portion of the boundary between Placer and Nevada Counties. Even though the Bear River is equally a part of both counties, it is only specifically mentioned in the regulations for Nevada County. Another example is the restrictions on the Rubicon River, which forms a portion of the boundary between Placer and El Dorado Counties. The regulations for both counties seem to imply that the Rubicon River enters exclusively into El Dorado County at a certain point, when in fact, the Rubicon River flows exclusively within Placer County from Hell Hole Reservoir to the point where it becomes the boundary between both counties. There are many other similar examples that need to be addressed as well.

The Placer County Board of Supervisors would like to reiterate our support for continued opportunities for mineral resource utilization within Placer County, but respectfully request that you consider our comments respective to the specific concerns we have identified.

Sincerely,

COUNTY OF PLACER



Robert Weygandt, Chairman  
Placer County Board of Supervisors

CC: Placer County Board of Supervisors  
Thomas M. Miller, CEO  
Joshua Huntsinger, Agricultural Commissioner  
Peterson Consulting