

JAMES L. BUCHAL (SBN 258128)
MURPHY & BUCHAL LLP
3425 S.E Yamhill, Suite 100
Portland, OR 97214
Telephone: (503) 227-1011
Facsimile: (503) 573-1939
Attorney for Plaintiffs

IN THE SUPERIOR COURT OF CALIFORNIA
IN THE COUNTY SISKIYOU

DEREK D. EIMER; DANIEL W. PARKIN;
BARTON L. RIEDEL; and DYTON W.
GILLILAND,

Plaintiffs,

v.

CALIFORNIA DEPARTMENT OF FISH AND
WILDLIFE and CHARLTON H. BONHAM, in
his capacity as Director of the California
Department of Fish and Wildlife,

Defendants.

Case No.

DECLARATION OF DEREK EIMER

Derek Eimer states:

1. I am a member of The New 49'ers and engaged in the business of mining utilizing claims owned or controlled by The New 49'ers. I make this declaration in support of my application for an injunction. I am also a member of Public Lands for the People and an Area Representative for that organization.

2. The actions of defendants have intimidated me and put me in fear of arrest for conducting my suction dredging business. Specifically, on or about April 3, 2015, I was operating on the A & D #3 Gold Claim (No. K-23AA) of The New 49'ers on the Klamath River, when I was confronted by wardens from the California Department of Fish and Wildlife.

DECLARATION OF DEREK EIMER
Case No.

1

James L. Buchal (SBN 258128)
MURPHY & BUCHAL LLP
3425 S.E. Yamhill, Suite 100
Portland, OR 97214
Tel: 503-227-1011
Fax: 503-573-1939

EXHIBIT 1
PAGE 1 OF 3

3. The wardens appeared on the bank of the river and demanded that I cease operations and interact with them.

4. I attempted to explain to the officers that the Department's refusal to issue permits had been held unconstitutional. They were already aware of the decision, but insisted that suction dredging remained illegal.

5. I told them that I would prefer that they arrest me immediately so that this matter could be brought before a judge and settled, but they refused, and instead announced that they were going to seize my equipment.

6. My dredge was on the opposite side of the river, and I refused to retrieve it so they could seize it. One of them attempted to do so, but turned back because of the dangerous conditions on the river. Instead, they announced that it would be "seized in place" and issued me a receipt to that effect, a true copy of which is attached hereto as Exhibit 1.

7. All of us are threatened by the conduct of the agents of the Department. No one wants to lose their equipment, and no one knows whether or not they will receive a citation. We need help from the Court.

I certify under penalty of perjury that the foregoing is true and correct.

Executed at Happy Camp, California this 26th day of April 2015.

Derek O. Eimer
Derek Eimer

Copy #2

Respondent Copy

RESOURCES AGENCY OF CALIFORNIA
DEPARTMENT OF FISH AND GAME
EVIDENCE / FIREARMS RECEIPT

Location Klamath River Date 4/3/15
MP 31.2444 96

Received from DEREK D. FIMER
(Name)
ELK CREEK CNGRD. HARDY CAMP CA
(Address) 96039

The following birds, mammals, fish, reptiles, amphibians,
equipment, firearms or evidence have been seized.

Description: (Make, Model, Serial Number, Etc.)

(1) SECTION NOZZLE (1) HOSE

SEIZED IN PLACE OPPOSITE
SIDE OF THE RIVER

* SEIZE IN PLACE *

Address of District Office Where Stored: (Firearms Only)

Date Firearm May Be Returned (Within 180 days of case adjudication)
(For firearms see reverse)

Citation / Case No:

DEPARTMENT OF FISH AND GAME

By

MAH C. GRIFFIN
(Officer)

Badge Number 327

Acknowledged

Donk D. Fimer

(Signature of person property was seized from)

FG 902D (11/05)

EXHIBIT 1

PAGE 1 OF 1

EXHIBIT 1

PAGE 3 OF 3

1 JAMES L. BUCHAL (SBN 258128)
2 MURPHY & BUCHAL LLP
3 3425 S.E Yamhill, Suite 100
4 Portland, OR 97214
5 Telephone: (503) 227-1011
6 Facsimile: (503) 573-1939
7 *Attorney for Plaintiffs*

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IN THE SUPERIOR COURT OF CALIFORNIA
IN THE COUNTY SISKIYOU

DEREK D. EIMER; DANIEL W. PARKIN;
BARTON L. RIEDEL; and DYTON W.
GILLILAND,

Plaintiffs,

v.

CALIFORNIA DEPARTMENT OF FISH AND
WILDLIFE and CHARLTON H. BONHAM, in
his capacity as Director of the California
Department of Fish and Wildlife,

Defendants.

Case No.

DECLARATION OF DANIEL PARKIN

Daniel Parkin states:

1. I am a member of The New 49'ers and engaged in the business of mining utilizing claims owned or controlled by The New 49'ers. I make this declaration in support of my application for an injunction.

2. The actions of defendants have intimidated me and put me in fear of arrest for conducting my suction dredging business. Specifically, on April 26, 2015, I was operating on the Anderson Campground Claims (No. K-16) of The New 49'ers on the Klamath River, when I was confronted by wardens from the California Department of Fish and Wildlife.

DECLARATION OF DANIEL PARKIN
Case No.

1

James L. Buchal (SBN 258128)
MURPHY & BUCHAL LLP
3425 S.E. Yamhill, Suite 100
Portland, OR 97214
Tel: 503-227-1011
Fax: 503-573-1939

EXHIBIT 2
PAGE 1 OF 4

1 3. They showed up in four trucks and made an intimidating presence. They threatened
2 me with arrest, issued a citation, and coerced me into halting my business by the seizure of my
3 suction dredging equipment. The equipment included a 6" Dahlke dredge, with air compressor and
4 thirteen horsepower Briggs & Stratton engine, and other items, valued in excess of \$9,000. A true
5 copy of the receipt and citation I received are attached hereto as Exhibit 1.

6 4. I attempted to explain to the officers that the Department's refusal to issue permits
7 had been held unconstitutional. They were already aware of the decision, but insisted that suction
8 dredging remained illegal.

9 5. The officers also insisted that I sign the citation, threatening me with jail if I refused
10 to sign it.

11 I certify under penalty of perjury that the foregoing is true and correct.

12 Executed at Happy Camp, California this 28 day of April 2015.

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15 Daniel Parkin

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27 DECLARATION OF DANIEL PARKIN
28 Case No.

2

James L. Buchal (SBN 258128)
MURPHY & BUCHAL LLP
3425 S.E. Yamhill, Suite 100
Portland, OR 97201

EXHIBIT 2
PAGE 2 OF 4

DEPARTMENT OF FISH AND GAME
NOTICE TO APPEAR FG-900

☒ MISDEMEANOR
☐ Traffic ☒ Non-traffic

AD2079328

Date of Violation 7/26/2015 Time 2:00 ☐ AM ☒ PM Day of Week SUN Case No. _____
Name (First, Middle, Last) DANIEL WILSON PARKIN ☐ Owner's Responsibility (Veh. Code, § 40001)

Address 2900 RICHARD BUCK SOUTH
City WILLIAMSBURG State VA ZIP Code 23185 Phone Number (757) 634-8096

Driver's Lic. No. T61945668 State VA Class - Commercial ☐ Yes ☒ No Age 30 Birth Date 01/27/1985

Sex M Hair BKN Eyes BLU Height 5-08 Weight 200 Race W Other Description WMA

Veh. Lic. No. or VIN _____ State _____ ☐ COMMERCIAL VEHICLE (Veh. Code, § 15210(b))

Yr. of Veh. _____ Make _____ Model _____ Body Style _____ Color _____ ☐ HAZARDOUS MATERIAL (Veh. Code, § 353)

Evidence of Financial Responsibility _____

Registered Owner or Lessee _____ ☐ Same as Driver

Address _____ ☐ Same as Driver

City _____ State _____ ZIP Code _____

Correctable Violation (Veh. Code, § 40610) ☐ Booking Required _____ Misdemeanor or Infraction (Circle) _____

Yes No Code and Section Description M I
☐ ☒ 5653.1(b) CA FISH & GAME CODE (M) I
☐ ☐ OPERATE SECTION DREDGE M I
☐ ☐ WITHOUT PERMIT - KLAMATH RIVER M I
☐ ☐ _____ M I

Speed Approx. _____ P.F./Max Spd. _____ Veh. Lmt. _____ GPS Lat _____ Long _____

Location of Violation(s) at KLAMATH RIVER Siskiyou City/County of Occurrence _____ CalTIP: Yes ☒ No ☐

Evidence Seized SECTION DREDGE SYSTEM - REFER TO PROPERTY RECEIPT

☐ Violations not committed in my presence, declared on information and belief. FOR DETAILS

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.
[Signature] Arresting or Citing Officer 827 Badge No.

Date _____ Name of Arresting Officer, if different from Citing Officer _____ Badge No. _____

WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED BELOW.
X Signature [Signature]

WHEN ON OR BEFORE THIS DATE: 7/7/15 Time 9:00 AM ☐ PM ☒

WHAT TO DO FOLLOW THE INSTRUCTIONS ON THE REVERSE.
Name of Court SISKIYOU SUPERIOR COURT

WHERE Section or Division, Room No. YREKA
Street Address 311 FOURTH STREET, YREKA CA 96097

Phone Number (530) 842-8182 Ext. _____ Court 47690

☐ Juvenile ☐ To be notified ☐ You may arrange with the clerk to appear at a night session of the court.

AD2079328

CALIFORNIA
DEPARTMENT OF FISH AND GAME
EVIDENCE INVENTORY REPORT

WARDEN: M. CERVELLI
BADGE NO.: 827

CITATION
SEARCH WARRANT NUMBER: AD 2079328
COURT OF ORIGIN: SSKIP
PAGE: 1 OF 1

Item No.	Qty.	Evidence Description/Location Found	Type of Examination	Rec. By	Date	Loc.
1		NEW MILLENNIUM 156		MC	4/26/15	
		DAHLKE DREDGE - MFG				
		6" SUCTION DREDGE:				
1(a)	1	- SLUICE BOX WITH MATERIAL				
1(b)	1	- AIR TANK WITH HOSE & REGULATOR "TST"				
1(c)	1	6" SUCTION NOZZLE WITH HOSE AND CONNECTOR RING				
1(d)	1	INTAKE HOSE + SCREEN				
1(e)	1	VANGUARD 13HP PUMP BRIGGS + STRATTON MOTOR + COMPRESSOR (HONDA SYSTEM) M-245432 Type 0546E1 CODE 99072149				

1(f) 1 VENTURI DEVICE WITH HOSE (ORANGE COLORED)
Address or Location

KLAMATH RIVER - ANDERSON CAMPGROUND

Vehicle License:

State:

I, MONTY CERVELLI, the officer by whom this warrant was executed, do swear that the above inventory contains a true and detailed account of all property taken by me on the warrant. (P.C. § 1535, 1536, 1537, 1538)

Signature: [Signature]

Date: 4/26/15

JAMES L. BUCHAL (SBN 258128)
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Telephone: (503) 227-1011
Facsimile: (503) 573-1939
Attorney for Plaintiffs

IN THE SUPERIOR COURT OF CALIFORNIA
IN THE COUNTY SISKIYOU

DEREK D. EIMER; DANIEL W. PARKIN;
BARTON L. RIEDEL; and DYTON W.
GILLILAND,

Plaintiffs,

v.

CALIFORNIA DEPARTMENT OF FISH AND
WILDLIFE and CHARLTON H. BONHAM, in
his capacity as Director of the California
Department of Fish and Wildlife,

Defendants.

Case No.

DECLARATION OF BARTON RIEDEL

Barton Riedel states:

1. I am a member of The New 49'ers and engaged in the business of mining utilizing claims owned or controlled by The New 49'ers. I make this declaration in support of my application for an injunction.

2. The actions of defendants have intimidated me and put me in fear of arrest for conducting my suction dredging business. Specifically, on April 26, 2015, I was operating on the Anderson Campground Claims (No. K-16) of The New 49'ers on the Klamath River, when I was confronted by wardens from the California Department of Fish and Wildlife.

DECLARATION OF BARTON RIEDEL
Case No.

James L. Buchal (SBN 258128)
MURPHY & BUCHAL LLP
3425 S.E. Yamhill, Suite 100
Portland, OR 97214
Tel: 503-227-1011
Fax: 503-573-1939


EXHIBIT 3
PAGE 1 OF 4

3. They showed up in four trucks and made an intimidating presence. They threatened me with an arrest, issued a citation, and coerced me into halting my business by the seizure of my suction dredging equipment. The equipment consisted of a 3" Keene dredge, with air compressor and five horsepower Honda engine, valued in excess of \$1,000. A true copy of the receipt and citation I received are attached hereto as Exhibit 1.

4. I attempted to explain to the officers that the Department's refusal to issue permits had been held unconstitutional. They were already aware of the decision, but insisted that suction dredging remained illegal.

I certify under penalty of perjury that the foregoing is true and correct.

Executed at Happy Camp, California this 28 day of April 2015.


Barton Riedel

DEPARTMENT OF FISH AND GAME

NOTICE TO APPEAR FG-900

☒ MISDEMEANOR
☐ Traffic ☒ Non-Traffic

AD2070846

Date of Violation

4/26/15

Time

1451

☐ AM☒ PM

Day of Week

SUN

Case No.

Name (First, Middle, Last)

BARTON LEE RTEDEFI

☐ Owner's Responsibility (Veh. Code, § 40001)

Address

P.O. Box 231

City

HAPPY CAMP

State

CA

ZIP Code

96039

Phone Number

(760) 803-4290

Driver Lic. No.

D4173063 CA

State

CA

Class

CMI

Commercial

☐ Yes ☒ No

Age

74

Birth Date

11/30/40

Sex

M

Hair

BRN

Eyes

BRN

Height

6'00"

Weight

255

Race

WMA

Other Description

Veh. Lic. No. or VIN

50936K1

State

CA

☐ COMMERCIAL VEHICLE
(Veh. Code, § 15210(b))

Yr. of Veh.

13

Make

TOYOTA

Model

TUNAMI

Body Style

R/O

Color

WHITE

☐ HAZARDOUS MATERIAL
(Veh. Code, § 353)

Evidence of Financial Responsibility

Registered Owner or Lessee

☐ Same as Driver

Address

☐ Same as Driver

City

State

ZIP Code

Correctable Violation (Veh. Code, § 40610)

Yes

No

Code and Section

Description

☐ Booking RequiredMisdemeanor or
Infraction (Circle)☐☒

FGL 5653(d) - POSSESS SUCTION

(M) I

☐☐

DREDGE WITH 100 YARDS

M I

☐☐

OF CLOSED REVER

M I

☐☐

M I

Speed
Approx.P.F./Max
Spd.Veh.
Lmt.GPS
Lat

Long

Location of Violation(s)

at Klamath River @ Anderson Camp Ground

City/County of Occurrence

CalTIP:

Evidence Seized

1 SUCTION DREDGE APPARATUS

Yes / No

☐ Violations not committed in my presence, declared on information and belief.

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.

C. EDWARDS

Arresting or Citing Officer

760

Badge No.

Date

Name of Arresting Officer, if different from Citing Officer

Badge No.

WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE
INDICATED BELOW.

X Signature

WHEN:

WHAT TO DO:

WHERE:

ON OR BEFORE THIS DATE: 8/5/15 Time: 9:00 AM ☒ PM

FOLLOW THE INSTRUCTIONS ON THE REVERSE.

Name of Court SISKIYOU COUNTY SUPERIOR

Section or Division, Room No.

Street Address 311 4th ST YREKA CA 96097

Phone Number 530-842-8182 Ext Court 47690

☐ Juvenile☐ To be notified☐ You may arrange with the clerk to appear at a night session of the court.

AD2070846

Judicial Council of California Form

Rev. 09-20-05 (Veh. Code, §§ 40500(b), 40513(b), 40522, 40600, Pen Code, § 853.9)

RESPONDENT COPY

SEE REVERSE TR-130

EXHIBIT 3

PAGE 3 OF 4

EXHIBIT 1

PAGE 1 OF 2

CALIFORNIA

DEPARTMENT OF FISH AND GAME

EVIDENCE INVENTORY REPORT

WARDEN: C. EDWARDS

BADGE NO.: 760

SEARCH WARRANT NUMBER: _____

COURT OF ORIGIN: _____

PAGE: 1 OF 1

Item No.	Qty.	Evidence Description/Location Found	Type of Examination	Rec. By	Date	Loc.
1	1	SUCTION DREDGE ON GRAY				
		PLASTIC FLOATS WITH 3				
	1	KEENE SLUCE BOX				
	1	HONDA GX160 S.S. PUMP				
		SR#GL 02-2644130				
	1	SILVER COLORED AIR TANK				
		WITH HOOKA HOSE & REGULATOR				
	1	INTAKE HOSE & SCREEN				
	1	VENTURI SEE WITH HOSE				
	1	SUCTION HOSE				
	1	GREEN MAN WITH TAIL LAMP				

Address or Location

KLAMATH TRAIL AT ANDERSON CAMP GROUND

Vehicle License: _____

State: _____

I, C. EDWARDS, the officer by whom this warrant was executed, do swear that the above inventory contains a true and detailed account of all property taken by me on the warrant. (P.C. § 1535, 1536, 1537, 1538)

Signature: C. Edwards Date: 4-26-15

1 JAMES L. BUCHAL (SBN 258128)
2 MURPHY & BUCHAL LLP
3 3425 S.E Yamhill, Suite 100
4 Portland, OR 97214
5 Telephone: (503) 227-1011
6 Facsimile: (503) 573-1939
7 Attorney for Plaintiffs

8 IN THE SUPERIOR COURT OF CALIFORNIA
9 IN THE COUNTY SISKIYOU

10 DEREK D. EIMER; DANIEL W. PARKIN;
11 BARTON L. RIEDEL; and DYTON W.
12 GILLILAND,

13 Plaintiffs,

14 v.

15 CALIFORNIA DEPARTMENT OF FISH AND
16 WILDLIFE and CHARLTON H. BONHAM, in
17 his capacity as Director of the California
18 Department of Fish and Wildlife,

19 Defendants.

Case No.

DECLARATION OF DYTON GILLILAND

20 Dyton Gilliland states:

21 1. I am a member of The New 49'ers and engaged in the business of mining utilizing
22 claims owned or controlled by The New 49'ers. I make this declaration in support of my
23 application for an injunction.

24 2. The actions of defendants were intended to intimidate me and caused me to
25 anticipate the possibility of arrest for conducting my suction dredging business. Specifically, on or
26 about April 10, 2015, I was operating on the Ukonom Claim (No. K-25AA) of The New 49'ers on
27 the Klamath River, when I was confronted by wardens from the California Department of Fish and
28 Wildlife.

DECLARATION OF DYTON GILLILAND
Case No.

1

James L. Buchal (SBN 258128)
MURPHY & BUCHAL LLP
3425 S.E. Yamhill, Suite 100
Portland, OR 97214
Tel: 503-227-1011
Fax: 503-573-1939

EXHIBIT 4
PAGE 1 OF 2

3. Four game wardens appeared on the bank of the river and demanded that I cease operations and interact with them. When I declined on the ground that I was responsible to monitor the safety of a diver working underwater, they insisted that I speak with them "right now". They were very intimidating.

4. When I was able to shut down the dredge and bring up the diver, they requested to see the nozzle of the dredge. I told them I wasn't going to get it for them because then they would confiscate it. They confirmed this. I then advised them I was not going to help them confiscate my equipment. They then suggested that failure to display the nozzle upon request was also an offense.

5. I attempted to explain to the officers that the Department's refusal to issue permits had been held unconstitutional. They were already aware of the decision, but insisted that suction dredging remained illegal.

6. Eventually they agreed that if I would display the nozzle, they would not confiscate it. So I did, and they honored their agreement.

7. I was not carrying identification, and they transported me back to the campground where my RV was located so I could show them identification. They threatened to issue a citation to me, and I do not know whether they did so or not.

8. At one point, I told them that I would prefer that they arrest me immediately so that this matter could be brought before a judge and settled, but they said something to the effect of "you'd be out the back door before we'd be out the front". I took this to mean that they knew that they were behaving in an unlawful fashion and that no judge would sustain their charges.

I certify under penalty of perjury that the foregoing is true and correct.

Executed at Happy Camp, California this 28th day of April 2015.

Dydon W. Gilliland

DECLARATION OF DYTON GILLILAND
Case No.

EXHIBIT 4
PAGE 2 OF 2

James L. Buchal (SBN 258128)
MURPHY & BUCHAL LLP
3425 S.E. Yamhill, Suite 100
Portland, OR 97214
Tel: 503-227-1011
Fax: 503-573-1939

1 **WANGER JONES HELSLEY PC**

2 265 E. River Park Circle, Suite 310

3 Fresno, California 93720

4 Telephone: (559) 233-4800

5 Facsimile: (559) 233-9330

6 Peter M. Jones, Esq. SBN# 105811

7 Attorneys for: **Defendants, Ronald Edward Decker and Jimmy Urrutia**

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

9 **COUNTY OF FRESNO**

10 **UNITED STATES OF AMERICA,**

11 **Plaintiff(s),**

12 **v.**

13 **RONALD EDWARD DECKER,**

14 **JIMMY URRUTIA,**

15 **Defendant(s).**

Case No. M14925719

**DECLARATION OF JIMMY
URRUTIA IN SUPPORT OF
MOTION TO SUPPRESS
EVIDENCE AND DISMISS
COMPLAINT**

Date: May 21, 2015

Time: 8:30 a.m.

Judge: Hon. BRANT BRAMER

16 **DECLARATION OF JIMMY URRUTIA**

17 I, Jimmy Urrutia, swear under penalty of perjury, the following facts:

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- 19
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- 22
- 23 1. On May 17, 2015 I was cited for operating a suction dredge (on my
- 24 federal mining claim, on federal land in Kaiser Creek) without a permit
- 25 pursuant to F&G Code 5653(a). The officers informed me, and I was
- 26 aware, that there has been a moratorium on the issuance of such permits.
- 27

28 EXHIBIT 5
PAGE 1 OF 2

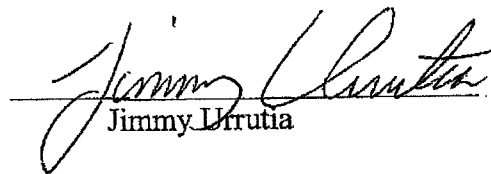
1 2. I have been an active miner since 2009. I am a member of American
2 Miners Rights Association and Public Lands for the People. I regularly
3 receive and review literature that deals with all facets of mining, and I
4 am aware of all feasible mining options for "in-stream" mining. I am
5 also aware of the opinions and experiences of professional miners
6 throughout the industry.

7 3. I supplement my income by mining for gold and I am familiar with the
8 difference between recreational mining and commercial mining for
9 profit. I have used pans, picks and shovels, and suction dredges for in
10 stream gold mining. It has been my experience that pans, picks and
11 shovels are completely ineffective for in-stream mining. The only safe
12 and effective method that is commercially practicable and economically
13 viable to work an in-stream mining claim is by using a suction dredge.

14 4. This is not only my experience and opinion but it is the unequivocal
15 consensus of every experienced professional miner that has pursued in-
16 stream mining.
17

18
19 I declare all of the above to be true to the best of my information, experience
20 and knowledge.

21
22 Dated: March 26, 2015


Jimmy Urrutia

1 **WANGER JONES HELSLEY PC**

2 265 E. River Park Circle, Suite 310

3 Fresno, California 93720

Telephone: (559) 233-4800

Facsimile: (559) 233-9330

4 Peter M. Jones, Esq. SBN# 105811

5 Attorneys for: **Defendants, Ronald Edward Decker and Jimmy Urrutia**

6
7 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

8 **COUNTY OF FRESNO**

9 **UNITED STATES OF AMERICA,**

10 **Plaintiff(s),**

11 **v.**

12 **RONALD EDWARD DECKER,**
13 **JIMMY URRUTIA,**

14 **Defendant(s).**

Case No. M14925719

**DECLARATION OF RONALD
EDWARD DECKER IN SUPPORT
OF MOTION TO SUPPRESS
EVIDENCE AND DISMISS
COMPLAINT**

Date: May 21, 2015

Time: 8:30 a.m.

Judge: Hon. BRANT BRAMER

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20 **DECLARATION OF RONALD EDWARD DECKER**

21 I, Ronald Edward Decker, swear under penalty of perjury, the following facts:

- 22
23 1. On May 17, 2015 I was cited for operating a suction dredge (on my
24 federal mining claim, on federal land in Kaiser Creek) without a permit
25 pursuant to F&G Code 5653(a). The officers informed me, and I was
26 aware, that there has been a moratorium on the issuance of such permits.

27
28 EXHIBIT 60

PAGE 1 OF 2

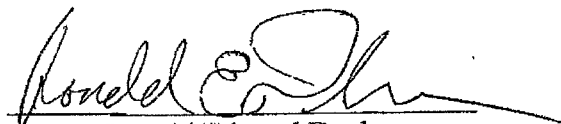
1 2. I have been an active miner since 2009. I am a member of American
2 Miners Rights Association and Public Lands for the People. I regularly
3 receive and review literature that deals with all facets of mining, and I
4 am aware of all feasible mining options for "in-stream" mining. I am
5 also aware of the opinions and experiences of professional miners
6 throughout the industry.

7 3. I supplement my income by mining for gold and I am familiar with the
8 difference between recreational mining and commercial mining for
9 profit. I have used pans, picks and shovels, and suction dredges for in
10 stream gold mining. It has been my experience that pans, picks and
11 shovels are completely ineffective for in-stream mining. The only safe
12 and effective method that is commercially practicable and economically
13 viable to work an in-stream mining claim is by using a suction dredge.

14 4. This is not only my experience and opinion but it is the unequivocal
15 consensus of every experienced professional miner that has pursued in-
16 stream mining.
17

18
19 I declare all of the above to be true to the best of my information, experience
20 and knowledge.

21
22 Dated: March 26 2015


Ronald Edward Decker

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EXHIBIT 6
PAGE 2 OF 2

1 **WANGER JONES HELSLEY PC**

2 265 E. River Park Circle, Suite 310

3 Fresno, California 93720

4 Telephone: (559) 233-4800

5 Facsimile: (559) 233-9330

6 Peter M. Jones, Esq. SBN# 105811

7 Attorneys for: **Defendants, Ronald Edward Decker and Jimmy Urrutia**

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

9 **COUNTY OF FRESNO**

10 **UNITED STATES OF AMERICA,**

11 **Plaintiff(s),**

12 **v.**

13 **RONALD EDWARD DECKER,**
JIMMY URRUTIA,

14 **Defendant(s).**

Case No. M14925719

**DECLARATION OF RICK
MAHONEY IN SUPPORT OF
MOTION TO SUPPRESS
EVIDENCE AND DISMISS
COMPLAINT**

Date: May 21, 2015

Time: 8:30 a.m.

Judge: Hon. BRANT BRAMER

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19
20 **DECLARATION OF RICK MAHONEY**

21 I, Rick Mahoney, swear under penalty of perjury, the following facts:

- 22
- 23 1. I reside in California and have been involved with the gold mining
- 24 industry in that state for approximately 30 years.
- 25 2. I am now or have been a member of GPAA (Gold Prospectors
- 26 Association of America), Public Lands For the People and the WMA
- 27 (Western Mining Alliance).
- 28

EXHIBIT 1

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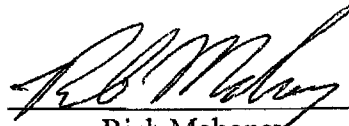
- 1 3. I am familiar with all of the methods available to mine for gold, and I
2 am familiar with the locations where gold most likely can be discovered
3 in this state.
- 4 4. I have personally been involved in gold mining since 1975 and I have
5 extensive experience with in-stream gold mining.
- 6 5. I have personally operated suction dredging equipment for in-stream
7 mining in California since 1989 (until the moratorium was imposed in
8 2009).
- 9 6. I owned and operated my own retail business for 9 years. I sold and
10 instructed on the proper use of suction dredgers to prospectors and the
11 public generally. I now own R.C.M. Enterprises and make small scale
12 mining equipment to sell wholesale to retailers in the business.
- 13 7. I am frequently contacted and consulted for advice on the use of gold
14 mining equipment, the best methods to prospect for gold in a given
15 location and for my knowledge and expertise on Mining for enjoyment
16 and profit.
- 17 8. I have written articles on gold mining and issues connected to gold
18 mining, and I have been interviewed on Fox News because of my
19 expertise in the field of Mining.
- 20 9. Stream beds are a rich source for gold and cannot be mined using
21 traditional methods.
- 22 10. I can affirm from personal experience that the suction dredge is the only
23 commercially practicable way to mine for gold on in-stream mining
24 claims. Panning for gold on an in-stream claim is simply not feasible.
25 Using a shovel and pick ax is also ineffective. My experience with
26 suction dredging is that, when properly employed, it is environmentally
27
28

1 sound and the only economically viable means to obtain gold from in-
2 stream mining claims.

3 11. I am very familiar with the opinions and conclusions of other experts in
4 this field and can say without hesitation that my opinions and
5 conclusions set forth above are shared by all experienced and
6 knowledgeable experts in the field of Mining that I am aware of.
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11 I declare all of the above to be true to the best of my information, experience
12 and knowledge.
13

14 Dated: March 25, 2015
15


Rick Mahoney



Suction Dredge Permits

Page updated 3/2/2015

Current Status

The use of any motorized vacuum or suction dredge equipment as part of a mining operation in any river, stream, or lake is currently prohibited in California and any such activity would be unlawful.

The California Department of Fish and Wildlife is also currently prohibited from issuing suction dredge permits under the Fish and Game Code.

(See generally Fish & G. Code, §§ 5653, 5653.1.)

The lawful use of motorized vacuum and suction dredge equipment to mine in California, and the California Department of Fish and Wildlife's (CDFW) related permitting authority under the Fish and Game Code is the subject of ongoing litigation. Related litigation is pending in the California Supreme Court. (*People v. Rinehart* (2014) 230 Cal.App. 4th 419, review granted January 21, 2015, S222620.) Related litigation is also pending by order of the Judicial Council of California in Superior Court for the County of San Bernardino. (*Suction Dredge Mining Cases*, Super. Ct. San Bernardino County, Judicial Council Proceeding No. JCPDS4720.) Notwithstanding the ongoing litigation, state law prohibits: 1) CDFW from issuing suction dredging permits; and 2) the use of any motorized vacuum or suction dredge equipment for instream mining.

With state law in effect, the use of any motorized vacuum or suction dredge equipment as part of an instream mining operation is subject to enforcement and prosecution as a criminal misdemeanor. (Fish & G. Code, § 12000, subd. (a).)

Prohibited Use of Any Motorized Vacuum or Suction Dredge Equipment

Under CDFW regulations, the use of any vacuum or suction dredge equipment (i.e., suction dredging) is defined as the use of a suction system to vacuum material from a river, stream, or lake for the extraction of minerals. (Cal. Code Regs., tit. 14, § 228, subd. (a).)

However, CDFW's suction dredging regulations do not apply to, prohibit, or restrict nonmotorized recreational mining activities, including panning for gold. (*Id.*; see also Fish & G. Code, § 5653.1, subd. (e).)

Reading together Fish and Game Code sections 5653 and 5653.1, and CDFW's definition, the use of any motorized device to directly vacuum or suction substrate, sediment, and gravel as part of a mining operation in any river, stream, or lake is currently prohibited in California. The use of any motorized vacuum or suction device to assist in the extraction of minerals as part of an instream mining operation is also prohibited. Likewise, it is unlawful to possess a vacuum or suction dredge in or within 100 yards of any river, stream, or lake. (See *Id.*, § 5653, subd. (d).)

Not prohibited are: (1) nonmotorized recreational mining activities, including panning for gold; and (2) the use of motorized vacuum or suction dredge equipment for regular maintenance of energy or water supply management infrastructure, flood control, or navigational purposes. (*Id.*, § 5653.1, subds. (d), (e).)

Mining Activity Not Prohibited by the Moratorium

The ongoing statutory moratorium established by Fish and Game Code section 5653.1 prohibits some, but not all forms of mining in and near California rivers, streams, and lakes.

Individuals engaged or interested in otherwise lawful instream mining should be aware that other environmental laws may apply to these various other mining practices. Fish and Game Code section 5650, for example, prohibits the placement of materials deleterious to fish, including sand and gravel from outside of the current water level, into the river or stream. Further, Fish and Game Code section 1602 requires that any person notify CDFW before substantially diverting or obstructing the natural flow of, or substantially changing or using any material from the bed, channel or bank of any river, stream or lake. See additional related information (<http://www.dfg.ca.gov/habcon/1600/>).

You should also know that various mining practices may be subject to the authority of the appropriate Regional Water Quality Control Board (http://www.swrcb.ca.gov/water_issues/programs/cwa401/suction_dredge.shtml). If you have questions about the authority of the Regional Water Quality Control Board, or how to comply with any permitting requirements, please contact them directly (http://www.waterboards.ca.gov/waterboards_map.shtml).

2013 CDFW Report to the California Legislature

On June 27, 2012, the State of California enacted Senate Bill 1018 (SB 1018), amending Fish and Game Code section 5653.1. (Stats. 2012, ch. 39, § 7.)

SB 1018, among other things, directed CDFW to consult with various agencies, and to provide recommendations to the Legislature by April 1, 2013 regarding statutory changes or authorizations necessary for CDFW to promulgate regulations to implement Fish and Game Code section 5653 which will, among other things, fully mitigate all identified significant environmental effects and include a fee structure that will fully cover CDFW costs to administer its related permitting program. (Fish & G. Code, § 5653.1, subd. (c)(1).)

CDFW prepared the submitted the required report to the California Legislature on April 1, 2013. CDFW's SB 1018 is available here:

- California Department of Fish and Wildlife Report to the Legislature (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=63843&inline=1>)

General Background Information Regarding CDFW and Suction Dredging

Fish and Game Code Statutes and Related Regulations

CDFW regulates suction dredging and the use of any related equipment in California pursuant to Fish and Game Code section 5653 specifically. Under that authority, the use of any vacuum or suction dredge equipment by any person in any river, stream or lake in California is prohibited, unless authorized under a permit issued by CDFW. (Fish & G. Code, § 5653, subd. (a).) Notwithstanding that authority, the use of any motorized vacuum or suction dredge equipment is prohibited in California, and CDFW is prohibited from issuing any related permits under the Fish and Game Code. (*Id.*, § 5653.1.)

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CDFW regulations governing its suction dredge permitting program are found in the California Code of Regulations, Title 14, sections 228 and 228.5. CDFW adopted a comprehensive update of its suction dredge regulations effective April 27, 2012. (Cal. Reg. Notice Register 2012, No. 19-Z, p. 641.) CDFW amended the regulatory definition of suction dredging as an emergency action effective June 28, 2013. (Cal. Reg. Notice Register 2013, No. 28-Z, pp. 1034-1035.) CDFW adopted the amended regulatory definition of suction dredging through a regular noticed rulemaking action under the Administrative Procedure Act (Gov. Code, § 11340 et seq.), effective August 4, 2014. (Cal. Reg. Notice Register 2014, No. 33-Z, p. 1461.)

Key documents from CDFW's 2012 and 2014 environmental review and rulemaking efforts are available below, scrolling further down this webpage.

To access the Fish and Game Code and CDFW's suction dredge regulations, please click on the following link:

- [Access California Fish and Game Code and CDFW's regulations \(http://oal.ca.gov/\)](http://oal.ca.gov/)

Key Documents from the 2014 Environmental Review and Rulemaking Effort

- [Notice of Public Hearing, Section 228 \(a\) Suction Dredging Definition \(PDF\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=84784&inline=1)
(<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=84784&inline=1>)
Rescheduled for June 11, 2014
- [OAL Form 400 \(PDF\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=81141&inline) (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=81141&inline>)
- [Notice of Proposed Rulemaking \(PDF\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=81142&inline) (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=81142&inline>)
- [Initial Statement of Reasons \(PDF\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=81144&inline) (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=81144&inline>)
- [Text of Specific Regulatory Language to be Amended \(PDF\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=81147&inline) (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=81147&inline>)
- [Economic Impact Assessment \(PDF\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=81149&inline) (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=81149&inline>)
- [Economic and Fiscal Impact Statement \(STD 399\) \(PDF\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=81151&inline) (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=81151&inline>)
- [OAL Approved Form 400 \(August 4, 2014\) \(PDF\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=88440&inline) (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=88440&inline>)
- [Approved Regulatory Text \(August 4, 2014\) \(PDF\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=88441&inline) (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=88441&inline>)
- [CEQA Addendum \(PDF\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=94438&inline) (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=94438&inline>)
- [CEQA Notice of Determination \(PDF\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=94440&inline) (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=94440&inline>)

Key Documents from the 2012 Environmental Review and Rulemaking Effort

On March 16, 2012 CDFW completed a multi-year environmental review and rulemaking effort to update its suction dredge regulations implementing Fish and Game Code section 5653. The regulations as approved by the Office of Administrative Law (OAL) and filed with the Secretary of State took effect consistent with the Administrative Procedure

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Act (APA) on April 27, 2012. (Cal. Code Regs., tit. 14, §§ 228, 228.5; Cal. Reg. Notice Register 2012, No. 19-Z, p. 641.) The updated regulations are the first comprehensive update of CDFW's suction dredging regulations since 1994.

As part of the effort, CDFW also prepared and certified a Subsequent Environmental Impact Report (SEIR) consistent with the California Environmental Quality Act (CEQA).

Key documents prepared by CDFW as part of its final action under CEQA and the APA are available here:

- CEQA Notice of Determination (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=44209&inline=1>)
- Final Statement of Reasons (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=44221&inline=1>)
- Final Adopted Regulations Approved by the Office of Administrative Law (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=46636&inline=1>)
- Final Adopted Regulations (underline/strikeout version) (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=46637&inline=1>)
- CEQA Findings of Fact (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=44270&inline=1>)
- Office of Administrative Law Notice of Approval of Regulatory Action (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=46635&inline=1>)

The Draft and Final SEIR prepared and certified by CDFW for its Suction Dredge Permitting Program are available here:

Final Subsequent Environmental Impact Report (FSEIR)

- Cover (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43700&inline>)
- Title Page, Table of Contents and Chapters 1, 2 and 3 (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43701&inline>)
 - Chapter 1 - Introduction
 - Chapter 2 - Comments Received on the Draft SEIR
 - Chapter 3 - Suction Dredge Regulations and Comment Responses
- Chapter 4 - Responses to DSEIR Comments (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43702&inline>)
- Chapters 5, 6 and 7 (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43703&inline>)
 - Chapter 5 - Changes and Corrections to the EIR
 - Chapter 6 - Report Preparation
 - Chapter 7 - References
- Appendices

- Comment Letters (organized by date received in 2011)
 - [A01 02/28-03/20 \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43716&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43716&inline=1)
 - [A02 03/21-03/28 \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43717&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43717&inline=1)
 - [A03 03/28 \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43718&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43718&inline=1)
 - [A04 03/29-03/30 \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43719&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43719&inline=1)
 - [A05 03/30 Siskiyou County \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43720&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43720&inline=1)
 - [A06 03/31-04/02 \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43721&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43721&inline=1)
 - [A07 04/03-04/09 \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43722&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43722&inline=1)
 - [A08 04/10-04/13 \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43723&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43723&inline=1)
 - [A09 04/13 CSERC \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43724&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43724&inline=1)
 - [A10 04/13-04/19 \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43725&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43725&inline=1)
 - [A11 04/20-04/27 \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43726&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43726&inline=1)
 - [A12 04/28-04/30 \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43727&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43727&inline=1)
 - [A13 05/01 Moore \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43728&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43728&inline=1)
 - [A14 05/01-05/02 \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43729&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43729&inline=1)
 - [A15 05/02-05/03 \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43730&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43730&inline=1)
 - [A16 05/04 \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43731&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43731&inline=1)
 - [A17 05/05 \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43732&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43732&inline=1)
 - [A18 05/05 Wess \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43733&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43733&inline=1)
 - [A19 05/05-05/07 \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43734&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43734&inline=1)
 - [A20 05/07 Hobbs \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43735&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43735&inline=1)
 - [A21 05/07-05/09 \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43736&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43736&inline=1)
 - [A22 05/09 Eno \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43737&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43737&inline=1)

- [A23 05/09 \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43738&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43738&inline=1)
- [A24 05/09-05/10 \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43739&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43739&inline=1)
- [A25 05/09 Oates \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43758&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43758&inline=1)
- [A26 05/09 Oates Supplement 1 \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43740&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43740&inline=1)
- [A27 05/09 Oates Supplement 2 \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43741&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43741&inline=1)
- [A28 05/10 C-D \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43742&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43742&inline=1)
- [A29 05/10 E-M \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43759&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43759&inline=1)
- [A30 05/10 M-R \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43743&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43743&inline=1)
- [A31 05/10 S-W \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43744&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43744&inline=1)
- [A32 05/11-08/02 \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43762&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43762&inline=1)
- [List of Individuals Submitting Generic Form Letters \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43745&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43745&inline=1)
- [Form Letter 1 and Variants \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43746&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43746&inline=1)
- [Form Letter 2 and Variants \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43747&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43747&inline=1)
- [Form Letter 3 and Variants \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43748&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43748&inline=1)
- [Form Letter 4 and Variants \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43749&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43749&inline=1)
- [Form Letter 5 and Variants \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43750&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43750&inline=1)
- [Form Letter 6 and Variants \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43751&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43751&inline=1)
- [Public Meeting Transcripts \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43752&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43752&inline=1)
- [Cross-Reference of Responses to Individual Comments \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43753&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43753&inline=1)
- [Cross-Reference of Responses to Comments Provided at Public Meetings \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43754&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43754&inline=1)
- [Cross-Reference of Responses to Form Letters and Variants \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43755&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43755&inline=1)

Draft Subsequent Environmental Impact Report (DSEIR)

- [Cover Page and Table of Contents \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27387&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27387&inline=1)
- [Executive Summary \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27601&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27601&inline=1)
- [Chapter 1. Introduction \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27390&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27390&inline=1)
- [Chapter 2. Program Description \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27391&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27391&inline=1)
- [Chapter 3. Activity Description \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27392&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27392&inline=1)
- [Chapter 4. Environmental Impacts \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27393&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27393&inline=1)
 - [Chapter 4.1 Hydrology and Geomorphology \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27394&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27394&inline=1)
 - [Chapter 4.2. Water Quality and Toxicology \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27396&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27396&inline=1)
 - [Chapter 4.3. Biological Resources \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27399&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27399&inline=1)
 - [Chapter 4.4. Hazards and Hazardous Materials \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27400&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27400&inline=1)
 - [Figure 4.4-1 Fire Hazard Severity Zones in State Responsibility Areas \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27401&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27401&inline=1)
 - [Figure 4.4-2 Fire Hazard Severity Zones in Local Responsibility Areas \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27402&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27402&inline=1)
 - [Figure 4.4-3 Fire Hazard Severity Zones in State Responsibility Areas in Yuba County \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27403&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27403&inline=1)
 - [Figure 4.4-4 Fire Hazard Severity Zones in Local Responsibility Areas in Yuba County \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27404&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27404&inline=1)
 - [Chapter 4.5. Cultural Resources \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27405&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27405&inline=1)
 - [Chapter 4.6. Aesthetics \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27406&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27406&inline=1)
 - [Chapter 4.7. Noise \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27407&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27407&inline=1)
 - [Chapter 4.8. Recreation \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27408&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27408&inline=1)
 - [Chapter 4.9. Transportation and Traffic \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27409&inline=1\)](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27409&inline=1)

[DocumentID=27409&inline=1\)](#)

- [Chapter 4.10. Mineral Resources \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27410&inline=1\)](#)
- [Chapter 5. Other Statutory Considerations \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27411&inline=1\)](#)
- [Chapter 6. Alternatives \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27412&inline=1\)](#)
- [Chapter 7. Report Preparation \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27413&inline=1\)](#)
- [Chapter 8. References \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27414&inline=1\)](#)
- [Appendix A.. Fish and Game Code Section 5653 *et seq* \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27415&inline=1\)](#)
- [Appendix B. Initial Study and Notice of Preparation \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27416&inline=1\)](#)
- [Appendix C. Scoping Report](#)
- [Appendix D. Literature Review \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27417&inline=1\)](#)
- [Appendix E. Comparison of Suction Dredge Mining Regulations in the United States \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27418&inline=1\)](#)
- [Appendix F. Suction Dredge Survey and Summary of Results \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27419&inline=1\)](#)
- [Appendix G. Public Advisory Committee Meeting Summaries \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27420&inline=1\)](#)
- [Appendix H. Socioeconomic Report on Regulatory Amendments \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27421&inline=1\)](#)
- [Appendix I. Descriptions of Habitat Types Likely to Occur in or Adjacent to Proposed Program Activities \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27422&inline=1\)](#)
- [Appendix J. CNDDDB Species Lists \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27423&inline=1\)](#)
- [Appendix K. Detailed Life History Descriptions for *Fish* Action Species \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27424&inline=1\)](#)
- [Appendix L. Species-Based Restrictions on Proposed Program Activities \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27425&inline=1\)](#)
- [Appendix M. Management of Invasive Species \(https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27426&inline=1\)](#)

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For More Information

Questions to CDFW regarding suction dredging or otherwise lawful mining activities not prohibited by current law should be directed to the appropriate [CDFW Regional Office \(https://www.wildlife.ca.gov/Regions\)](https://www.wildlife.ca.gov/Regions).

This web page will be updated as resources allow should any significant developments occur regarding the use of motorized vacuum or suction dredge equipment in California, or CDFW's related regulatory authority.

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