

Suction Dredge Scoping Meeting

November 16, 2009

Fresno

Comments / Questions Submitted

(Note: All questions are listed as exactly as written or to the extent the handwriting was able to be read – and presented in no particular order)

- How can one quantify the effects of suction dredging when there are no dredges in the water?
- Will DFG eventually re-issue free dredging permits using the time from the remainder of the 2009 year?
- Why no Southern California scoping meetings?
- Was any documentation from them included in the study
- Would the salmon be aided by dropping the O'Shaughnessy Dam at Hetch Hetchy to allow more water to flow down the Tuolumne River? I also think that optimum flow could be achieved by cutting off river water to San Francisco. They could drink salt water through desalinization plants approved by the coastal commission.
- What was the reason for the lawsuit?
- Why is it that in the National Forest the dredge season is "Class C" and one foot out of the forest it is Class H? It obviously has nothing to do with fish or anything else that comes to mind. I think that those class C areas should be changed to class H.
- Who came the farthest? (Ans. Massachusetts and North Carolina)
- I would like to know why it is that on the Kaweah River below the dam it is Class H but above the Dam it is Class A. (The tributaries above the dam are Class H, but the main stem is Class A.) I have claims on a tributary but would like to dredge on the main stem and see no reason that it is Class A.
- On page 18, part 5.5.8 "Location" of NOP, it states:
"Many miners also own their own unpatented mining claims to which they have exclusive rights only to locatable minerals under their claim." Does the DFG believe this is the true meaning of exclusive rights? If so, the DFG should consider retaining an expert on Mineral Law so that the mining laws could be included in the SEIR Draft and Final. If this is DFG definition of exclusive, they are wrong.

- In the Congressional Act of Congress H.R. 365 on July 19, 1866 Congress granted miners the right to property via claim and the right to use water for mining purposes. Please demonstrate how the administrative authority of the California Department of Fish and Game does not violate the mining claim above granted rights to use water for mining by suction dredge without due process of law and without the payment of compensation that the loss of that right...
 1. How can a “fish” be harmed by going through a tube with NO MOVING PARTS???
 2. What would happen if DFG Officially stated, “That the impact was insignificant” and required no further action?
- Why are streamed rivers without migratory fish (salmon) or sturgeon included in this all dredgeable stream closure?
- I purchased a permit and never used it. What have you done with my money? A promissory note was the human thing to do. Knowledge of this predicament was well know before hand.
- How does suction dredging harm the fish more than spring runoff or fishing? Are you going to stop fishing in California too?
- Will there be more than 1 set of rules for different streams?
- To test the deleterious effects on “FISH”. How can you PERFORM THE TEST while all of the “Fish” are still being removed from the stream or (TAKEN) by “Fishing” by hook, spear, archery, or netting bleaching and dynamiting or poisoning!
- Why shut down rivers above dams? Why not selectively choose only migratory rivers?
- Will the effects of dredging on aquatic macroinvertebrates be considered since they are the food for the fish? I.E. are bugs considered to be fish as are crayfish?
- Page 2, Paragraph 3. What “New” significant and more severe environment impacts “are” occurring “now” that need to be addressed that weren’t addressed in previous study?
- If DFG knew that a ban of permits were going to happen why did you issue permits and take our money?
- If the ban for permits if lifted will current permits be extended for the time frames we were unable to dredge?
- Page 24, Section 7.3. Hazards and Hazardous Materials. In the process of dredging we recover a lot of lead and a variety of other deleterious materials, including mercury coated gold, scrap metal, etc. We recycle much of what we recover. What steps will you be taking in studying the mitigating effects dredging has on waterways?

- Biological Resources – Regarding possible deleterious effects on fish, we regularly see fish feeding around our dredge while it is operating. During a storm, there is 100,000 times more turbidity than during a dredge operation. The fish survive the storms, so why do dredges need to be restricted?
- Hydrilla closure on Chowchilla River? Will if possible be lifted?
- Does pulling a rock from the river or stream bed really have any kind of effect on the environment of the stream? For us that dredge, this is an important safety question. Could this be a part of the study? In fact, if rocks are pulled, does that increase the quality of the fish environment by creating a quality spawning bed?
- Since there was a 94 EIR, why was that considered defective?
- How can .000044 of the CA population affect the environment as much as Stated!!!
- Why is the report using camping stats against dredgers? Imply in the first sentence, then correct! Latter??
- If continuing to dredge during the past 15 years of the environment study was ok, why not continue allowing suction dredging while you finish? What difference does it make?
- Why didn't F&G finish their court ordered EIR in the past 15 years? Why punish the dredgers because you didn't do your job in a timely manner?
- Since SB 670 has devastated the small industry, thousands of people's property rights and the right to sustain any form of income generated from mining claims and open lands under the 1872 mining law, so how is this NOP report not address federal mining law or recognize federal rights.
- How many F&G people have ever dredged or put on a mask and snorkel to watch a person dredging?
- Where do they get the proof that dredging hurts the fish?
- Why is there a charge of dredge permits?
- "Potential Effects" "Water Quality Effects of other Constituent Discharges" What are other constituent discharges?
- In the future, will you stop dredging and do a subsequent EIR every time an environmental group files another lawsuit? This could go on forever.
- Why does there have to be a moratorium on dredging while the new EIR is in the works? Can't the 1994 EIR continue to rule during the interim period until the new EIR is adopted?

- If you already have an EIR in effect, isn't it unfair to stop dredging while you do another one?
- Why should dredging be stopped until the EIR is completed when you don't know if dredging is detrimental to anything – what if it's beneficial?
- How many waterways will be part of the EIR? Will this report make up of several different regions?
- Can you still use non-motorized dredges i.e. hand pumps, siphons, etc
- Can you dredge in a pond or on a dry creek bed with a pond using motorized equipment?
- Will we get a refund for not being able to use our dredge permit all year?
- Why when all existing information does not show an adverse effect on the rivers and streams did you shut dredging down?
- What is the impact on our California economy by shutting down dredging?
- Why didn't you hold the meeting later in the day so more people could be involved?
- Why are streams/rivers without migratory fish (salmon) or sturgeon included in this stream closure?
- One sided poster displays
- Where are the charts that show the positive impact of dredging on removing mercury from the waterways, stirring up food for the fish, creating cooler, deep holes for them live during summer heat?
- What is the definition of significant impact?
- Socioeconomic effects missing from impacts list
- If the court order (case no. RG09-43444) prohibits DFG from spending any money from the CA State General Fund to issue suction dredge permits, can the permits be issued if funded by a source other than the state fund (i.e. private party funding)?
- Will the Fish and Game department study the effects of one hundred year storm (of which we seem to have about every 20 years) against what we dredgers do?
- Why are mineral resources not included in the CEQA study?
- Why is the enviro study so biased against property owners?

- Why are the benefits of dredging not included in the institution
- How are positive effects of dredging taken into consideration
- Are you going to EIR Drug Manufacturers and Pot Growers in the forest?
- How many people in the DFG will be working on this DSEIR?
- Who has the final decision on what will go into this DSEIR?

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November 17, 2009

Sacramento

Comments / Questions Submitted

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- Why fix something that's not broke!
- If the EIR stays on schedule, and final regulations are available in May/2011, when will Dredge Permits be issued?
- When the final regulations are done (after the 45 day EIR review) can the regulations and/or EIR still be challenged in court and delay the final regulations any further?
- What is the difference between power sluicing and high banking?
- Why was SB 670 an urgency?
- Can you put public meeting dates and information updates in real local papers – Amador Ledger Dispatch, Mt. Democrat (Placerville), etc.?
- Can a few critical folks on your staff come and dredge with us!
- How does high banking work with our present dredges?
- Can you proceed more rapidly if things “go well” – to shorten the process time?
- What are actual items to be answered – can the list be narrowed and circumvent the “not important” ones?
- There are Perch and Rainbow trout in the stream in my yard, but only under the bridge where water is about 3 ft deep. And the holes that I clear out with the dredge, I am creating habitat for the fish and I am removing a lot of trashing also. The rain and snow melt water that runs through the stream bed in the winter and spring stirs up 100 times more silt that I could do with 10 dredges. I just don't see what the problem with dredging is.
- How many studies have occurred on dredging operations and how many operations were studied? What were the parameters? Were the results scientifically viable to say within 2 standard deviations?
- If the resource maintenance of energy or water supply management, flood control, etc can dredge, then why can't we? We are still doing the same as they are, removing the mercury, lead, junk, metal, etc. I do not release any of this afterward back. The fish hang out with you,

they seem to like it. There are no dead fish or less fish or any habitat quantity noticeable every season thereafter.

- In my 30+ years gold dredging, I've creating spawning habitat for the fall run salmon and numerous other fish swarm in to feed in the newly exposed gravel on the lower Yuba. 1.5 miles below Englebright where approximately 150,000 cubic yards of shot rock has migrated down from the spoil dump from the narrows II project in recent floods armoring over vital spawning habitat. Shot rock is the culprit not gold dredging. Nobody gets cited for that, just gold dredgers, who clean up the mercury. Previous to the ban, dredging was allowed July and August on the lower Yuba. There is no deleterious effect to the fish.
- How can fish have more rights than people? Is anyone in the dept of fish and game looking out for gold miners? I was a retired wildland state fire captain for 33 years and we were more concerned about people's lives and property than animals, fish, and trees. The environment heals a lot faster than people's lives.
- Can you ask the group who they are here representing? Suction Dredging or the fish?
- What group removes lead from the waterway? What group puts lead into the waterway?
- DFG's signage indicates they decided to do an SEIR yet verbally DFG indicates the court mandated it. Why the inconsistency?
- Why are salmon populations declining on rivers where suction dredging is not permitted if dredgers are the cause of declining salmon runs?
- Please indicate all known existing research literature regarding physical atomization of mercury that are anticipated to be used in the study.
- Should individual permits be looked under CEQA as "Projects"? Other agencies perform similar tasks. This is in difference to the current analysis which looks at permitting as a whole.
- Are any new analysis planned to supplement the investigation i.e. looking at mercury particle size, before run through dredge; looking at particle size after?
- Please show me a single scientific study that proves suction dredging kills salmon, trout, steelhead, etc when properly conducted within the scope of the DFG Dredge permit regulations.
- Was the dredging study done using a dredge with a header box or a flare type?
- Does the department of fish and game have a fiduciary responsibility to the members of the community to protect their rights?

- Is there any mechanisms for the Department to challenges decisions of the legislators or the courts?
- How much money was the contract for to perform the EIR?
- Who in Horizon is responsible for determining the scientific rigor of published studies vis a vis if studies conflict in determining benefit or detriment on aquatic species?
- So catching a fish and eating it is deleterious?
- What public oversight will be allowed for this EIR?
- Is this is a problem about pollution? What about golf courses, they use a lot of herbicide, fungicide, and insecticides that all end up in most rivers from run off. I think they should shut down all golf courses also.
- Why do the Klamath and Trinity rivers still have viable salmon runs? Because of Dredging? Maybe?
- Why is DFG allowing dredging on Lake Combie to remove mercury? Reference: Auburn Journal and Nevada City newspaper ran story about 2 months ago.
- Can you explain how Methyl Mercury occurs in rivers with adequate flow and turbulence that is normally highly oxygenated? And where does it exist? Is this really present in dredging areas?
- Pg 67, VII. A-C What hazardous materials are you referencing?
- Is current Moratorium in place because of need for EIR? If so, once completed, is Moratorium automatically lifted?
- Why did the 1997 EIR on dredging suddenly stop before it was implemented? Was all the information gathered for the report inaccurate? Can't much of that data be used for the current EIR?
- Who filed the lawsuit in Alameda County to stop dredging?
- Are Indian Reservations exempt from suction dredging?
- Why is this study so broad? There are very thorough studies done on individual rivers. Why can't those be incorporated into the process? Why can't the legislature (court?) exempt rivers where reports show dredging does not a have a significant impact?
- Our claim is above 2 dams. Why can't we continue to operate our claim?

- Pg 79. XL Noise a&d. Don't other uses of areas make as much or more ambient noise?
- Is Moratorium still going to be in effect even if the Krue Indian Tribe lawsuit gets settled?
- Are you connected in any way with Greenpeace?
- Did your organization or any connection of your group, did the study of the spotted owl? The Auburn dam?
- How does the department define "deleterious to fish"? Because walking in a stream is deleterious to fish.
- The Frequently Asked Question for the reason for the ban on dredging is not clear on the handout. "Why" has not been explained.
- Are you going to conduct any suction dredging as part of your EIR to determine what the actual effect is?
- All of the scientific studies are speculative rather than conclusionary. By that I mean the studies refer to maybe, might be, could be, or possibly. With this speculation how does the DFG come to a conclusion of what is deleterious or not deleterious?
- What are the positive and negative results taken from the 753 pieces of literature review?
- Can we dredge next year?
- Why we not refunded our ½ dredge fee? What was the dept position on abusing permittees?
- Are you going to study actual dredging operations and if not why not?
- Claim holders maintaining structures will be required to remove them due to inactivity of two years (N.F.S.). Is there a possibility the EIR will be finished before late 2011? Before I have to remove my structure
- Pg 8. Regulatory updates. In 1994 Mining community had representation in the process with the Ad Hoc Committee. Is this going to happen again?
- Has there been a recorded take of a fish by a suction dredge miner?
- Since the salmon and steelhead have not been present on the North Fork of the Yuba for over 30 years due to the dams without fish ladders, why have we become penalized?
- What do we have to do to get law passed to have our permit fees refunded? (Now and in the future)

- How are you, the State, superseding federal regulations – Law
- Fish and Game has the number of people with dredge permits. Of those you have the locations being dredged. If the majority are above dams (without fish ladders) why can't we get permission to dredge there?
- The problem of endangered salmon is directly from the dams that have been built. Is that being addressed?
- Why is just the dredges and fisherman being regulated but the Indians can still net fish?
- Why is dredging on waterways that don't have salmon being stopped?
- Each river basin is a unique environment with its own flora and fauna. How will the SEIR take in account and factor in river basin differences?
- How will aesthetic value judgments be assessed?
- How do we get involved in future meetings?
- What is definition of "stream" where I dredge there is only water 3 or 4 months a year?
- As a dredger, who else is actively cleaning the rivers and creeks of trash (lead shot, hooks, nails and other man-made debris) and turning it in to the forest service?
- The mining laws of 1866 and 1872 are on the side of the gold miner. We have the legal right to ACCESS, OCCUPY and WORK our claims. The 5th Amendment of the US Constitution protects these rights of taking property (the right to work our claim) without due compensation.
- Pg 30. I. Aesthetics. A-C. What are the potentially adverse effects on the scenic vista? Who determines this?
- Who is it that makes the determination of what is aesthetic and what is not aesthetic and what is the educational background which allows that person to make an aesthetic determination?
- How can the state back such a narrow questionable protection act and hurt so many gold county businesses and alienate thousands of good outdoor folks?
- Did Patricia Wiggins of Santa Rosa ever visit any dredge sites?
- Does the Fish and Game have any mining law expertise involved in this suction dredge rule making process?
- Why is the moratorium above dams where salmon aren't?

- Why aren't you, Fish and Game, refunding part or all of our dredge permit license fees? We didn't renege on the deal.
- Where can we get a record of questions asked and answers provided?
- How can we be sure that your objectivity standards are any different than those legislators who passed the illegal SB670?
- When will verbal comments be allowed in this process as provided by law? Why not now?
- Will we be allowed more than 1 week to submit comments on the new DEIR as has happened during this present scoping process?
- Doesn't State & Federal law provide for verbal comments as part of the administrative procedures act?
- Why didn't DFG provide the EIR last year upon Governor's request?
- Will the effects of suction dredging on Tribal Fishing/Water rights (Cultural Beneficial Uses) as well as effects on cultural, spiritual, religious sites ceremonies and activities be part of the scope of this EIR?
- Will the effects of suction dredging on mercury remobilization, redistribution and methylation be part of the scope of this EIR?
- Why does the State of California think a state law takes precedence (priority) over the long established federal mining laws?
- Will we be compensated for loss of our dredge permit – a loss of recoverable gold?
- 7.2 Scoping Meetings. Why no meeting in Southern California where 40-41% of permittees reside?
- If a person is working in a "Seasonal Stream" and working out of a pond, is suction dredging legal? By what method are you going to calculate the amount of material that gets moved through a dredge?
- Number 1, all streams are not equal, nor do all streams run 12 mos/year, nor do all streams support fish! Where I dredge (Amador Creek in Amador City, CA) – the stream only flows about 3-4 months out of the year. I have not ever seen a fish there. By the 3rd week in May, the creek is little more than a trickle and I'm confined to a small dredge pond. How can dredging in a confined dredge pond negatively impact fish habitat in a stream?
- Pg 19 5.7. Processing of materials and use of mercury and nitric acid on site for processing – who does this and where did you get your stats on this?

- Pg 86. Rafters vs. Dredgers. Don't current regulations address this issue?
- Will we receive any monetary compensation – such as the salmon industry has received?
- In the DFG NOP in 2 places the DFG infers that this rule making process is a discretionary process. Page 21 and page 25. Can you tell us why the DFG believes this rule making process is discretionary rather than ministerial?
- The North Fork Yuba does not have a salmon run only trout. When we are in the river last week of May to Oct 15 they have not laid eggs. Why can't these rivers open for dredging?
- Please define the categories of:
 - Potential significant impact
 - Less than potential significant impact
 - Less than significant impact
 - No Impact
 Example: Earthquake 0.0 (No impact); 8.0 (potential significant impact)
 No storm vs. 1986 flood
- Indian netting of salmon is a far greater threat to salmon survival. Why shut down suction dredging in rivers that have no salmon in them such as the Middle Fork or the Yuba River near Alleghany? Indian Netting article in Nov 6, 2009 of Western Outdoor News... I have a copy with me.
- Why the constant reference to dredging as a recreational activity?
- How is it what Bureau of Reclamation depositing washed and classified tailings from Mississippi bar to sailors bar different from what suction dredgers do for spawning fish?
- Why can I not dredge in waters in which no salmon spawn or unable to live upstream due to dams or reservoirs?
- Could Tom address in his study chemicals/minerals that are removed or demobilized by dredging?
- Can the DFG join efforts with NID (Nevada Irrigation District) in their Bear River Mercury Removal and their EIR? (At Combie Reservoir)
- The Nevada Irrigation District (NID) is currently dredging the Combie Reservoir on the Bear River to remove Mercury. Being a Class C River and out of season, could this be deleterious to fish and is this more dangerous than a permitted gold dredger? And can I just get a mercury removal permit to run my claim operation?
- If the tribes "Scientific Study" is opposite of someone else's "Scientific Study" DFG will choose which study they will use?

- On pages 14-16 of the initial study data on the performance of various dredge size is based on laboratory “ideal” conditions sucking up sediment. This data is several times the actual amount of material a dredge can move (not sediment). How can this data be changed to reflect realistic conditions? Considering the impact each dredge has on the environment multiplied by the number of dredges – this data needs to be corrected.
- We prospect in Calaveras County. Why have you stopped us when you all ready have dates in place and no salmon run up creeks where we are at. Isn't this just a rebuttal from the tribe because they got caught dumping sewage in the river?
- What effect do the Oroville, Dobbins, Collins Reservoirs for PG&E have on salmon and steelhead runs in the Yuba river system and the Feather River system?
- Does a suction dredge operating in the Yuba river near Downieville or Washington affect any salmon or steelhead habitat?
- SB670 and Alameda Superior Court Case limited to Klamath, Scott, and salmon rivers. Why and under what authority has scope been expanded?
- Baseline assumptions assume no dredging and a conservative approach. Why assume no dredging since it has been ongoing since 1961 and a recognized going activity? Why assume a conservative approach and possibly bias the final results?
- Why aren't you considering the environmental impacts of not dredging in this study?
- Why didn't you select a negative determination instead on an EIR?
- How is material processing within the scope of suction dredge operations?
- Where did the label “recreational” dredging come from and why is it appropriate?
- If an EIR study is going to take place why does the lobby have placards that already state such things as “contamination” and “destruction” on them? Seems like whoever stood them there have pre-determined opinions before the study has been finished.
- Where is the Karuk Tribe located? California or Oregon? Do they have a casino? Do they gill net salmon?
- In El Dorado County, like everywhere, suction dredging cleans our rivers of trash from river rafters, mercury, and many other things. This is positive. In the spring, there will be no dredging. Will Fish and Game send people up to clean our rivers and remove the mercury that is not being cleaned up? Your actions' should not have a negative environmental impact!!

- How are state funds used to support other recreational activities like the issuance of fishing permits any different than using the same money to support the issuance of dredging permits?
- What is California doing to train suction dredgers on safely delivering mercury recovered from the environment to proper centers for disposal? Does California have mercury disposal centers? If counties are collecting mercury, is the state compiling information on how much is collected?
- What “mechanical means” is acceptable to operate a sleuce box (riflers)? * e.g. hand-operated or mule-operated pump
- All of the mitigation for suction dredging is built into the regulations by the DFG. Why are the suction dredge miners not allowed to mitigate for themselves with the DFG for special uses of the waters?
- Why does Fish and Game allow the Karuk tribe to employ fishing nets to capture and kill the salmon without strictly regulating their activities?
- Pg 8 Regulatory Updates. Are you planning on closing stream reaches for such things as “Wild Heritage Trout Streams”?
- Why do the Indians get to fish with nets for endangered species (lupta fish i.e.)
- There are peer reviews by former EPA scientists Claudia Wise and Joseph Greene that are not listed in your source material. Do you need copies of these? If so, I can send them to you?
- Has this study been peer reviewed by a cross section of scientists? Or is this just one environmental agencies opinion?
- Is the DFG making any preparation for a incidental take permit for the suction dredge community or operators?
- Page 37 Biological Resources A-D. Why is there no discussion of mitigation for the dredgers in the event there is a “take” of a sensitive species?
- I am a mining engineer; my brother is a fisheries biologist. We get along just fine because we respect and understand each other. Education: my view and his view are both welcomed by each other. Educating the major decision makers (i.e. Govt) is the key to this discussion.
- For practical purposes is this EIR essentially de Novo. At what point will regulations be drafted vis a vis the draft SEIR. Is new research proposed i.e. Hg flouing and mitigation possibilities. Much of the cited research is from non California sites. How do you support generalizing to different climates, ecosystems. In commenting are page by page comments consistent? Who is Horizon Water and Environment? Who have they worked for?

- My gold claim stream is totally re-arranged by winter storms and run off. Does the opposition to dredging believe anything I do in my stream out does mother natures work each year?
- What is more detrimental to salmon, dams or dredging?
- Why was the study ordered by the court not performed? AB 1032. If the issue is about killing fish, why did the DFG issue 3.2 million fishing licenses? Fishermen kill and maim fish. Even “catch/release” is 50/50 at best.
- Have you compared such things as what other recreational activities such as boating, jet skiing, highway runoff and air pollution cause in comparison to what small impact has on water quality, air quality, and noise pollution have on the environment and what would happen if these activities were suddenly outlawed? This is my living, my rec. Why am I only one punished and these more detrimental activities not addressed.
- Why shouldn't we be able to continue to dredge during the study? Especially with the weak proof of dangers to waterway/fish? Isn't it innocent until proven guilty? This study could take forever!
- Doesn't fishing seem like a much greater danger to the fish than dredging? Fish love our dredging! If they are worried about the fish, stop issuing fishing licenses.
- Have you addressed financial economic impacts to the mining community and local communities, and are you going to?
- Page 91. A-C. Aren't these findings of potentially significant impact in conflict with the 1994 EIR? Aren't the same studies referenced?
- What is the origin of SB670 – who decided to enact this bill? Was a study made before SB670 was enacted? Are logging activities also being studied? Why are “All Streams” affected?
- How many miles and/or acres of water ways do we have in California?
- At 3200 permits issued for dredging based on the amount of waterways what percentage of impact does dredging make?
- Page 69. Discussion of Impacts – increased wildfire. Aren't we required and have spark arrestors on our equipment?
- Why are not all motorized boats removed from State waterways because of their periodic fuel spills (minor or otherwise)?

- The NOP eludes to some NEW SIGNIFICANT evidence that suction dredging is creating a major impact to the environment. What is this evidence? Where can this evidence be reviewed?
- What happened to the proper concept of “multiple recreational use of our public lands”?
- Explain how mercury returns to the water column during dredging – usually is captured by recovery system and not lost. Please explain. Mercury is utilized in recovery – We keep all of it.
- Will there be any miners or dredgers involved or consulting in this new impact study, (to prevent bias and promote a sense of fairness) having professionals who use suction dredges not some scientist
- What if any restrictions are there on marine beaches?
- What evidence/facts conclusively prove that the current regulations are insufficient to protect fish? Noise impacts and air quality. Are you considering existing roads, highways and rail roads that are next to waterways?
- Will the subsequent EIP (SEIR) be a net sum proposal? i.e. Will the benefits to fishing from dredging also be addressed? I used to dredge in a river below a reservoir. Ropes of algae (?) up to ten feet long are in this section of the river. The only place I see trout spawn are in the clean gravel beds that we leave after dredging. This is the bear river below Rollins Reservoir.
- What about streams that dry up in summer (Zone C) all year open dredging
- Rev pg 8 Reg updates

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Redding

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- Why does CDFG practice segregation in its policies and actions concerning salmon harvesting?
- After reading the dredge material at the time of receiving my dredge permit, I believe the DFG has done every thing it can to protect the spawning groves of the fish in North State and elsewhere. I think you should look elsewhere for the demise salmon and others. I have never seen a miner out there killing fish. Gill nets would be the first place to fix. (Statement not a question.)
- Are the positive effects of suction dredging going to be considered as part of the study?
- What about Gill netting?
- What validity does an “Environmental Impact of Suction Dredging” have if there are no suction dredges operating at the time the study is performed?
- Are Native Americans still allowed to dredge? If so, why them and no one else? Is it environmental or financial?
- Dredging impact was addressed in detail in the 1994 EIR. This shutdown was a way to pacify the Kyrok Indians and their sympathizers. The only dredges still running are the Indian dredges at Happy Camp. The F&G is only willing to shutdown the non-Indian dredging.
- What about tribes that are not federally recognized?
- The gill netters on the Klamath will cause the spring or summer run in the salmon river to become extinct as they number in the low hundreds now. Can't you prevent this?
- Will this EIR get done if 670 gets over turned?
- Why aren't there more categories of types of miners? “Recreational or commercial” Some of us use this as an additional source of income. Also for a retirement benefit.
- It seems that when the news media covers the reduction of salmon in the Klamath River, nothing is ever said about the a) cannery ships just off our coast; b) the sea lion impact at the mouth of the river; and c) the impact of gill nets by Native Americans; why is that?

- Why would an informed public want to shut down an industry that takes mercury and lead out of the water which results in lower stream concentrations of the elements?
- You will analyze new significant and substantially more severe impacts. What are these impacts and what is the source of this information?
- When will DFG do EIRs on fishermen, kayakers, rafters, campers, etc? They have as big or bigger impacts on the environment than do dredgers. We don't go out with licenses to kill and then pollute the rivers with lead.
- How do you do Environmental study with other activities going on? Fishing. Camping. Rafting. Shouldn't there be a moratorium on them?
- Why can CDFG condone salmon killing in the name of race and religion by the Karuk tribe?
- Have the mining laws of 1872 experts been on the table with the environmentalists during this process? If so, who/what organizations? If not, why not? The reason for the ... is due to the lack of competition of the first study.
- Why are the miners being punished because Dept of Fish and Game could/did/not finish the EIR that was supposed to be finished in 2010? How is mining detrimental to fish habitat when in 2008 there were 3500 dredge permits issued and a whopping 2.3 million fishing licenses? So who would be more deleterious? Why are the Kurok Indians allowed to use gill nets and then sell the salmon? It is alleged that the Kurok Indians are still dredging on the Klamath as of today - why can they get away with that?? What is the correlation as to the timing of the EIR reports? 1994 Gold going up in price – 2009 gold is once again going up in price – kind of looks suspicious. Why haven't you had a CEQU process since 1994? Weren't you ordered to do one to be finished by summer 2008? What happened?
- Has there been any arrests since dredging was shut down?
- I've been dredging most my life with fish swimming right next to me never once have I seen one unhappy?
- Why have all rivers and streams been closed to dredges?
- Will we even be able to dredge in California again?
- If not, what happens to our claim rights?
- Is there a potential outcome for obtaining a suction dredge permit the requirement for providing DFG with a document similar to a Timber Harvest plan?
- What are you (F&G) doing for more fish in the river excluding fisheries? Are you open to suggestions and where?

- Explain the Hillman lawsuit.
- Can the public take money for an act and not produce and keep the money like DFG (not return permit fees)
- Why are the Indian tribes allowed to still dredge?
- How many Fish and Game representatives have ever used a suction dredge? Maybe you would understand how we dredgers feel if you did.
- Are the Indian tribes, as members of sovereign nations, required to adhere to the “Clean Water Act” – or the policies of the DFG and the Regional Water Quality Control Boards? Why are you allowing the people of a sovereign nations to dictate to the citizens of the United States?
- Why did the miners get penalized for DFG not completing EIR on time?
- What gives the Calif Senators the right to place an urgent moratorium on suction dredging that been around for years? If there was a problem, it would have been discovered years ago. The Indian tribes are able to take 32000 salmon a year. This is the problem. Why isn’t this stopped?
- Are 3.1 million licensed sport fishermen deleterious to fish populations? One fish per license = over 3 million fish. How many fish are documented to being hurt by responsible dredging?
- If moratorium is found illegal will those of us with current dredge permits be able to dredge the rest of the year? Do or are consultants familiar with dredging? Do they know how to dredge?
- Since at this time DFG isn’t refunding fees for people with current permits when the moratorium was put in place will the DFG give a credit for those when it is lifted?
- A recent “economic report” of suction dredging was given to the gov in August. Why not use that since it was well done – and relative.
- Given that the Karuk tribe is not a federally recognized tribe and does not have the recognized fishing rights – why is the Calif Fish and Game Commission allowing them to slaughter salmon? Are F&G employees instructed to not cite or arrest Karuk tribesmen caught or seen catching, killing, or selling salmon? If so, why? And by whom?
- What is “foreign material”?
- Why have dredgers been singled out?
- Why has there been no public awareness showing how well Fish and Game has done so far?

- Please note: page 8 of 84 “individual dredgers could ‘strike it rich.’” There were no dredgers during the gold rush. They were goldminers or 49ners!
- What is amount of sediment and boulders produced by suction dredgers in 5 mos of dredging as compared to 3 months of storms?
- When will the ad hoc committee be meeting?
- Dredging has been going on for over 40 years. The Dept of Fish and Game and the Forest Service have been governing and monitoring since its beginning. If it has ever been harmful or a danger to the fish or stream beds why hasn't something been done before now? Why did this happen now, when the economy is so poor and serious miners need the income?
- Please define “suction dredge equip”. Can I use my pontoon mounted engine and pump to run a highbanker or air system for diving? What fish hatcheries have the Indian tribes built to support or reestablish the return of spawning fish?
- I have a mining claim founded in 1940. I am a third generation miner on this federal claim. Please explain how fish and game has the right to regulate my federal claim. I am above Trinity Dam and there is no salmon or steel head. How can the state regulate federal land protected by 1872 mining laws?
- What kind of gold mining is allowed in streams and high banks?
- Does the DFG encourage and want suction dredging reimplemented?
- How do I make a living and pay my bills while this study goes on? When will you stop the nets across the river? What was wrong with the old regs? Why do we need a permit? Can we go back to bucket line dredging?
- Can we bucket line dredge?
- Who was to certify the 1997 draft?
- Why wasn't it certified?
- Why wasn't it completed?
- How can they (the State) pass a law without any proof or completed study strictly heresy.
- How long after the project will it take to implement the new regulations/amendments?
- Will the SEIR study be finished before the current deadline – 2011?

- Will suction dredging be allowed after the project is complete, is the California Supreme Court to decide?
- How can I help the project process?
- Mark, what science doctorates do you hold and in what discipline? PhD in what? At what school?
- Is mining considered the first or primary use of national forest/waterway
- According to page 16, table 2 (volume of sediment moved based on nozzle and engine size) is not practical and will overestimate the amount material move. I.e. a 5 inch dredge will move an area 6 feet deep, 15 feet wide and 21 feet long. This amount of material movement is impossible.
- Using your meta-analysis will you list all previous analysis and how they are applied to the meta analysis?
- Will Suction dredging be done to prove or disprove the impact of dredging?
- Should the DFG finish all items in both CEQA and EIR. Does this become the new regulations and law. Or will it: et all: then go to the legislature to create bills and then laws to be signed by the Governor?
- How can we make additional public comments? Why F&G is regulating digging? Why close streams and rivers where there are no salmon? E.g. North Fork of American
- Is the complete CEQA and the complete EIR totally funded through to the finish and publication of all items required to produced law for future and present use?
- Do you realistically expect to have a dredge season in 2011 or ever again? This question is in view of the potential of future lawsuits.
- What triggered the suction dredge and time when after acquiring our permits it was shut down with no refund! ? Economy DFG funding for agents
- All physical studies have already been done and no further studies are going to be done or accepted by DFG, correct?
- Why does CDFG allow the Klamath River Indians to decimate the salmon? Rod
- There are two different economic scenarios for suction dredging based on either “mining” or “no mining” baselines. Diving will likely be permitted to some degree in either scenario. The economic impacts of the “no mining” baseline are in all likelihood substantial. Since DFG dragged their feet on the court-ordered EIR resulting in the “no mining” baseline, are they accountable for the economic impact?

- What heavy metals do dredgers contaminate the environment with? What new science has been presented since the 1994 EIR?
- I would like to know why the state stopped us from mining with suction dredging in the middle of season? And not the end of year? Is mining with pots and pans next? Is mining in Calif over!?
- There is no real proof that dredging kills fish. This is a political agenda backed by the radical environmentalist. Why can anyone in California buy a fishing license for about \$40 that allows them to kill about 3,500 fish a year?
- Why do we letting the large canneries take most of the salmon before they have a chance to come back to their original spawning grounds?
- What criteria are used for assurance that scientific evidence is true science not just “opinion”?
- Why could the DFG not have the backbone to keep suction dredging open while the EIR is being done?
- CEQA Process final SEIR must feed into proposed amendments not other way around. Where can we find the 8 areas that the SEIR will address?
- How can DFG study the effects of dredging if it is not going on? How many people working for DFG have spent any time dredging? Why in the Alameda court? Is there any dredging there? Does dredging affect different waterways in the different ways?
- The parties that have taken action to close suction dredging state that is it to help endangered salmon, steelhead and eels. Some areas of the state don’t have these populations. Why are these areas closed?
- What authorities on suction dredging were consulted to determine what the mechanics of suction dredging are?
- Is anyone also identifying the benefits from dredging? Or looking at how they have used dredges in the past to create spawning beds? The river bottom is so hard packed that the fish couldn’t spawn there if they could in some areas.
- How does DFG plan to conduct “in the field” research as it is directly attributed to suction dredging? Will in-stream dredging actually be done by DFG?
- Now that dredging has been placed on hold, are any studies proposed to determine mercury concentrations in specific streams throughout the year as a basis to determine natural levels?
- Who are the consultant biased environmentalist?

- How are you going to do the study if there is no dredging going on?
- Economic impact is a part of CEQA
- How are the previous studies going to be used in this EIR? Are these studies no longer valid?
- Can the ERA started in '97 and then abandoned be used to facilitate this ERA? i.e. Reduce Redundancy?
- Am I allowed to participate in the draft amendments?
- Why no dredge committee?
- Why the 1997 failed SEIR before the ink was dry on 1994?
- Why was CEQA process violated by not utilizing the 1994 EIR as the baseline for a new EIR?
- All EIRs are predicated on new scientific evidence so why wasn't a negative declaration declared?
- Where is the science??
- Why did the Dept. not support the USGS Dredge Mercury study?
- Why is the Dept violating law by not giving proper notification?
- \$500,000 EIRs manual used cover ½ the budget to the complete EIR
- Why are the dept not using their own great biologists to complete the EIR study
- How NO PERMITS – NO FEES – NO STUDY
- Why does the dept claim not to know how many tickets were issued to dredgers in 2008
- Why are all the Cantara Spill areas closed since 1991 where all others were allowed back in
- 1994 EIR biologists specified that the spill area was ok to be reopened as required per CEQA in the 1994 EIR – why was it not reopened
- Why no longer comment period
- Does catastrophic storm damage play a role in the EIR process? (i.e. mudslides, storm surges, natural erosion, summer thunder storms, flooding)