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Klamath Riverkeeper Joins Suit to Stop Harmful Recreational Gold Mining

Lawsuit targets California Fish and Game for using tax dollars to fund illegal mining program

Oakland, CA – Klamath Riverkeeper has joined a recent lawsuit against California Fish and Game for using taxpayer dollars to fund an illegal recreational gold mining program.

“California is spending taxpayers’ dollars to issue permits that allow recreational gold miners to harm the Klamath’s imperiled fisheries in the name of a few flakes of gold,” says Scott Harding, the Executive Director of Klamath Riverkeeper.

Weekend and hobby gold miners once used low-impact pans, shovels, and picks to search for gold but in recent years there has been a proliferation of suction dredges on the Klamath River and its tributaries. A suction dredge is a gas or diesel-powered vacuum placed on a floating platform in the river or stream. The miner uses the vacuum to suck up the river bottom, sort the gold out in a sluice, and dump the leftover gravel, sand, and silt back into the river.

The practice of suction dredging has been shown to disrupt spawning beds, force fish into areas of dangerously warm water, muddy river water, alter the course of stream channels, and hurt or kill aquatic organisms living in the river bottom. At times, ten or more suction dredges can be found in one river mile on the Klamath.

The California Department of Fish and Game has previously admitted in court that its current suction dredge mining regulations violate the California Environmental Quality Act (CEQA) and Fish and Game Codes §§5653 and 5653.9 (the statutes which authorize the Department to issue permits for suction dredging under certain, limited conditions) because the activity causes deleterious harm to fish – including endangered species, such as the coho salmon.

California’s taxpayers heavily subsidize the suction dredge mining permit program. The state spends \$1.25 million more per year on the suction dredge mining permit program than it receives in permit fees, amounting to a \$400 subsidy for each of the 3,200 miners that obtain permits.

“We find it hard to believe that the State of California is using taxpayer money to fund a recreational gold mining program during a severe fiscal crisis and during a sustained fisheries emergency. It makes no sense.” says Harding.

The lawsuit seeks to halt suction dredge mining until the Department of Fish and Game completes an existing court-ordered revision of its suction dredge regulations that brings it into compliance with CEQA and relevant Fish and Game Code provisions.

Recreational mining businesses, such as the New 49’ers in Happy Camp, CA, are bringing hundreds of suction dredgers to the Klamath and its tributaries each year. California’s regulations of the mining practice are more lax than in other states, making it a popular destination for hobby miners.

In addition to the environmental impact of this influx of miners, social tensions have emerged as well. In retaliation against the Karuk Tribe for joining this lawsuit, the New 49’ers recently petitioned the California Department of Fish and Game to eliminate the Tribe’s traditional practice of dip net fishing on the Klamath River. The Karuk have been dip-netting salmon for thousands of years.

The suit was originally filed in Alameda County Superior Court on February 5, 2009 and amended to on March 20 to add Klamath Riverkeeper as a plaintiff. Other plaintiffs include the Karuk Tribe, Center for Biological Diversity, Pacific Coast Federation of Fishermens Association, Friends of the River, Institute for Fisheries Resources, California Sportfishing Protection Alliance, Craig Tucker, David Bitts, and Leonn Hillman. Arguments for a preliminary injunction will be heard this spring.

Klamath Riverkeeper is a 501(c)(3) non-profit organization dedicated to restoring the Klamath River and its tributaries, fisheries, and communities. Klamath Riverkeeper has offices in Orleans, California and Ashland, Oregon. For more information please visit www.klamathriver.org.

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