

## Suction Dredging

The exploration for gold in California is part of the state's history. However extracting gold from the environment through suction dredge mining, which has occurred since the 1960s, has impacted the state's aquatic and riparian resources. In 1994, the Department of Fish and Game (DFG) adopted a set of comprehensive regulations to ensure that suction dredge mining would not be deleterious to fish, complying with the California Environmental Quality Act (CEQA) at the same time by preparing an environmental impact report (EIR). In May 2005, a lawsuit was filed by the Native American Karuk Tribe of California dealing with suction dredging primarily on three rivers in northern California. As part of that legal process DFG is under court order to conduct review of the existing permitting program under CEQA and, if necessary, adopt updated regulations under the Fish and Game Code. In addition, another court order and related legislation established a temporary moratorium on instream suction dredge mining throughout California, along with prohibiting DFG from issuing any new suction dredge permits, unless and until conducts the updated environmental review and, as necessary, amendments to DFG's existing regulations.

In recent years, DFG has issued about 3,500 permits annually. In the past, when gold prices increased the number of permits and suction dredgers increased to more than 12,000. Suction dredgers are a small stakeholder group, however, they are vocal and passionately supportive, and there has been much public controversy. Proponents argue that their activities continue the California heritage of gold mining, does no harm to natural resources, particularly fisheries, provide a benign recreational activity for many and generates an economic benefit to society by putting gold into the economy. Indirect economic benefits for purchases of equipment, travel, lodging, food are claimed to be substantial. They also claim the federal mining law supersedes California law.

Several non-governmental environmental organizations allege that suction dredging has significant adverse effects on fisheries, particularly coho salmon, sturgeon and lamprey, destroys riparian habitat used by other wildlife, interferes with rafting and fishing, and pollutes the water by remobilizing mercury from the bottom of streams. The State Water Resources Control Board is also concerned about the impacts of dredging as they relate to their regulatory authority.

DFG is in the process of looking at all the information in a scientific and impartial analysis on a statewide basis, and expects to receive extensive public comments on the EIR, as it already has through extensive public scoping, as well as through a technical advisory committee. Five public hearings are being scheduled from the Los Angeles area to Yreka and DFG expects to complete the updated environmental review effort and related rulemaking in September 2011. If the amended regulations are approved by the Office of Administrative Law, permitted suction dredging in California could resume in the fall of 2011 in a manner that will ensure that suction dredge mining is not deleterious to fish.