

P R E S S R E L E A S E

Karuk Tribe • Pacific Coast Federation of Fishermen's Associations • Institute for Fisheries Resources • Center For Biological Diversity • Friends of the River The Sierra Fund • Environmental Law Foundation • California Sportfishing Protection Alliance • Foothills Anglers Association • North Fork American River Alliance • Central Sierra Environmental Resource Center

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TRIBE, FISHERMEN, CONSERVATIONISTS FILE SUIT AGAINST CA FISH AND GAME TO BLOCK NEW SUCTION DREDGE MINING REGULATIONS
Regulations would take effect 2016, Would Harm Fish, Wildlife, and Cultural Resources

Sacramento, CA – Today a coalition of organizations concerned about the health of California Rivers and commercially valuable salmon fisheries moved to block newly approved regulations for the controversial practice of suction dredge mining. The litigation is the latest development in the battle between fish dependent communities and recreational gold miners.

“Until the moratorium was passed, gold miners were still allowed to destroy our rivers, our fisheries, and our culture,” according to Leaf Hillman of the Karuk Tribe. “Fish and Game will let them resume the destruction in 2016 unless the new regulations are dramatically improved.”

Suction dredges are powered by gas or diesel engines that are mounted on floating pontoons in the river. Attached to the engine is a powerful vacuum hose which the dredger uses to suction up the gravel and sand (sediment) from the bottom of the river. The suctioned material is sifted in search of gold. Dredging alters fish habitat by altering the contour of the river bottom and often reintroduces mercury left over from historic mining operations to the water column threatening communities downstream. These machines can turn a clear running mountain stream into a murky watercourse unfit for swimming or fishing.

The new regulations were developed in response to a 2005 court order resulting from a lawsuit by the Karuk Tribe. The Tribe charged that the regulations failed to prevent

‘deleterious’ effects to fish as required by state law. The court agreed and ordered Fish and Game to develop new regulations. Since the 2004 suit, the California legislature approved a temporary moratorium on dredging which sunsets in 2016. This means the new regulations won’t take effect until then. However, state law requires that any legal challenges to the regulations must be filed within 30 days of their approval.

The groups’ allege that the new regulations were not developed in accordance with the California Environmental Quality Act, fail to mitigate identified impacts, and are inconsistent with existing state law. “In short, these regulations will give recreational suction dredgers a license to pollute some of the most scenic and ecologically sensitive rivers in California,” according to Steve Evans of Friends of the River.

Other regulatory agencies have urged Fish and Game to simply continue the current moratorium instead of allowing the practice to resume. The California Water Board stated that, “a continuation of the current suction dredging moratorium, would provide the best water quality protection at no cost to the State.”¹

The issue has implications for the economy as well as the environment. “For our members, this is about protecting jobs and family owned businesses which rely on healthy salmon fisheries,” said Glen Spain of the Pacific Coast Federation of Fishermen’s Associations, the west coast’s largest trade association of commercial fishing families, which is a plaintiff in the case. Under these new regulations, suction dredge mining will continue to harm fisheries, continue to stir up toxic mercury which is a human health hazard and continue degrading California’s rivers at taxpayer expense. This makes no sense.”

The case was filed in today in Alameda County Superior Court. The coalition is represented by attorneys from the Environmental Law Foundation, Center for Biological Diversity, Pacific Federation of Fisherman’s Associations, and Friends of the River.

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Editor’s note: for a picture of a suction dredge in action, email request to ctucker@karuk.us

Also see a dredge in action on Youtube: <http://www.youtube.com/watch?v=1lqwdzQ4fzI>

¹ Comments on the Department of Fish and Game’s Draft Supplemental Environmental Impact Report on Suction Dredging, State Water Resources Control Board et al., May 10, 2011.