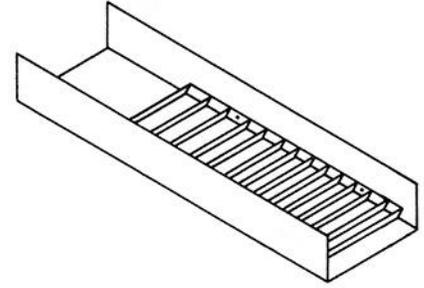


Douglas County



Prospectors Association

444 Winchester PMB 12-D,  
Roseburg, OR 97470



**THE SLUICE BOX**

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**May 2015**

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DCPA meets on the 2<sup>nd</sup> Monday of each month at the Pine Grove Community Church, 1729 Buckhorn Road, Roseburg, OR 97470 at 7:00 pm. There is an optional potluck starting at 6:30 pm. The Board of Directors meeting is at 6:00 and open to all members.

Dues are \$12 per year for single or family membership. New members need to attend at least 4 functions (meeting, outing, gold show, picnic, etc.) in order to qualify to mine our claims.

Sunshine: If you know of anyone who is ill or has had a death in the family etc., let me know so I can send them a card. Walt: 541-459-3489 or [wrevens@yahoo.com](mailto:wrevens@yahoo.com)

**From the Meeting:**

**Claims:**

We are looking for more claims to acquire through purchase or filing of paperwork. A claims committee meeting is in the works.

The road to our claims on Cow Creek is closed due to a landslide. To access the claims you'll have to go up Council Creek road and follow Middle Creek down to Cow Creek road.

**Legislature:**

There is a meeting scheduled in Salem regarding SB830 on April 16<sup>th</sup>. I have a mini-van and can take about seven people.

**Outing:**

We will be going to Whiskey Run Beach on Saturday April 18th. The rendezvous point is the Dairy Queen in Winston at 8 am.

**Camp Millennium:**

Members of Camp Millennium came to the meeting to turn in 50% of the proceeds from the Gold Show Raffle to the DCPA. It was decided they should hold on to it until June. At that time it will be decided whether they can retain the club's share of the raffle.

**Raffle:**

As usual we had lots of goodies plus the 50/50. There is a Placer Gold Mining Supplies Sluice Box up for grabs. As soon as we sell 75 tickets at \$1 each it will be raffled off. It was donated by past President, Gary Sturgill.

## Page Two

The meeting was adjourned after the raffle.

### **Outings:**

**Gold:** On April 18 five of us went to Whiskey Run. Bob Peebles did some panning. Brian Whitaker and I ran sluice boxes. You can view the photos on my Facebook page here:

[https://www.facebook.com/walter.evens.7/media\\_set?set=a.10152993392967054.1073741968.751307053&type=3](https://www.facebook.com/walter.evens.7/media_set?set=a.10152993392967054.1073741968.751307053&type=3)

There is only one outing this month. It will be Metal Detecting for Gold on Saturday May 16<sup>th</sup>. The rendezvous point is the McDonalds at the Riddle Exit 103 at 9:00 am. We will be heading south towards Glendale. Shorty Owens has invited us to hunt the "China Camp" on Sunday May 17<sup>th</sup>. We will be meeting at the same McDonalds but at 10:00 am.

The annual DCPA Picnic will be held on Saturday June 13 at Umpqua Park at the south end of the Douglas County Fairgrounds. Set up will be at 9:00. It usually starts around 10 or 11. There will be two coin hunts a couple of hours apart. I will give a brief talk before each. Other games include panning and dowsing contests. The Board supplies hamburgers, hotdogs and drinks. The rest is Pot Luck. There will be a sign up sheet at the meeting for volunteers and what to bring for food. That way we won't have a bunch of duplicates. I presume there will be a committee formed to meet and plan the event.

The Gold Outing for June will be the 27<sup>th</sup>. We will be going to the New White Quartz Claim on Middle Creek to do our annual maintenance work and some mining as well. There will be no Metal Detecting outing in June except for the coin hunt at the picnic; although folks could bring their metal detectors to New White Quartz. Rumor has it that past President Gary Sturgill buried several ounces of gold and silver there and hasn't gone back to get it yet!

July 18<sup>th</sup> we'll be going to DCPA 1 and Bottoms Up on Cow Creek for maintenance work and mining.

### **Kerby's Corner:**

"In the much more recent Shumway case (1999), the 9th Circuit ruled that: "The owner of a mining claim owns property, and is not a mere social guest of the Department of the Interior to be shooed out the door when the Department chooses. Rather, pursuant to the Multiple Use Act, the Department must continue to co-exist with a holder of a valid claim whose right to possession has vested".

"That being said, the states got into the "permit business" largely in the mid 1980's after numerous requests by hobby miners/weekend gold panners to open up certain state controlled for recreational mining purposes. At the time, the price of gold had reached an all-time high of \$800+ an ounce and in places like the Mother Lode, the mining areas had claims filed two and three deep and the competition for claims was so intense that it often escalated into violence. Obviously, the weekend/recreational miners wanted somewhere to mine without getting involved in all that and as a result, the states, as well as BLM and USFS opened certain areas under their jurisdiction up for them. All three began issuing permits of various types for these Public Mining Areas; especially dredge permits."

**SB830:**

Last year the governor put together a panel to look at SB838 and make recommendations to modify it. SB830 is SB838 with changes. One positive note is doing away with the proposed moratorium for 2016. One negative item is that they want the GPS co-ordinance for where you're going to mine in addition to the Township, Range and Section we use now. I don't believe that many miners have GPS units. It would add another "cost" to mining your claim. Everything else seems to be the same. Claims Director Mike Eschelman and I went to the hearing in April.

There were several testimonies from various groups such as Cascadia Wild and Trout Unlimited. There were three gentlemen in flannel shirts from Roseburg who were conservationists. We had a biologist who claimed dredging harms salmon because they can't lay their eggs on dredge tailings. Nobody bothered to ask whether he was a fish biologist or not. There was someone from the Governor's office. Also in attendance was a Fly Fishing Guide who claimed when asked that he has never stepped on fish eggs. Does he possess X-Ray vision to see underwater that the rest of us do not? Maybe he fishes with video cameras on his boots. Tom Kitchar from the Waldo Mining District and Scott Atkinson, a miner from Washington both advised the committee to table the measure until a task force could be formed to delve deeper in to the bill indicating it was flawed as written. Either the Southwest Washington Gold Prospectors or the Northwest Prospectors testified that they had been approached by government agencies to dredge rivers in Oregon and Washington to loosen the gravels and remove sediment so that fish would have better places to spawn. As a result of their efforts, the salmon runs had been the best in years. One thing I noticed, with the exception of the "camouflaged" Greenies (the guys in the flannel shirts) the Environmentalists either wore a coat or a coat and tie and could be spotted a mile away. Needless to say, those who were pro-mining wanted the bill to be changed or tabled. Those that were anti-mining wanted it passed as written.

It is my personal opinion that in spite of all our efforts, SB830 will pass without changes.

**The New DEQ 700PM:**

The application can be found here:

<http://www.deq.state.or.us/wq/wqpermit/docs/general/npdes700pm/700PMapp.pdf>

For non-motorized in water activities such as sluicing you can download a copy of the permit (which is not made out to you personally like a dredge permit) here:

<http://www.deq.state.or.us/wq/wqpermit/docs/General/npdes700pm/permit.pdf>

The new 700PM Dredge Permit covers 2015 – 2020. The \$175 surcharge ends this year. After that it should go back to \$25 per year. You can buy a five year permit for \$100.

There are many changes coming in to effect. You can find them here:

<http://www.deq.state.or.us/wq/pubs/factsheets/permits/700PMReissueFactSheet.pdf>

From what I read Highbankers and Highbanker/Dredge combos (dredges on legs) will not be allowed for dredging in the new 700PM. The response given to Tom Kitchar from the Waldo Mining District was that "If there is not enough water to float a dredge, there is not enough water to dredge". A Highbanker runs about \$840. A 2" floating dredge is about \$1595. A combo is approx. \$1430. So a Highbanker and a floating dredge would cost a miner \$2435. The combo is \$1430. The savings is \$1005. It has nothing to do with the amount of water in the stream. It has everything to do with how much money is in the miner's bank account.

## Page Four

I was part of the committee invited to participate in the permit process. Nowhere in any of the drafts did I remember reading or discussing this verbiage.

Here's what the fact sheet reads:

“Clarifies that discharges from highbanker and combination highbanker/suction dredge operations are not permitted.”

I recently attended the hearings for SB830. One of the speakers represented large scale mining operations. He felt that there were two types of miners; in water and upland. The in water was of course the dredgers and sluicers. The upland miners he was referring to were those who used heavy equipment and wash plants “100 yards above the high water mark”. The 600 permit covers the latter.

Highbanking (not to be confused with Hydraulic Mining” which is illegal) usually occurs in that area between the high water mark and the stream. They are after “flood gold” which is deposited on the banks in the winter during storms that raise the water level. Many times a stream will change course leaving an area rich in gold but without water. Rather than carry buckets to a sluice box, a pump is used to provide water to the Highbanker where the gold bearing material is located. If you know anything about geology you will find that often times a river was wider in the past and over thousands of years builds up gravel deposits at many levels. Then at some point in time it becomes narrower (sometimes because of damming) and begins cutting back through the terra. If you look on the sides of the banks you will see the layers of pay gravel known as “Bench Deposits”. A Highbanker is the best and most economical way to process this material. If the 600 permit is for the “Upland” miners and the 700 permit is for the dredgers and sluicers, then there currently seems to be no actual permit for Highbankers and Powersluices.

I sent an e-mail to Jim Billings at the Department of Environmental Quality as to whether replacing the hopper with a dredge “Header” box would change anything. His response was:

“DEQ’s NPDES 700PM General Permit has always only authorized discharges from eligible suction dredge operations to state waters. Since 2010, the 700PM has also authorized in-water non-motorized equipment with no registration or fees in addition to authorizing certain suction dredges inside or outside essential salmon habitat—the 700PM has never authorized discharges from Highbankers to state waters.

DEQ writes general permits for groups of specific activities. Although there are similarities, miners often use a highbanker and combination highbanker/suction dredge differently than a suction dredge as defined in DEQ's new permit. The definition of suction dredge is necessary to prevent further confusion about highbanking or using a combination highbanker/suction dredge that are not authorized to discharge under this general permit. Permit revisions clarify highbankers and combination highbanker/suction dredges are not authorized to discharge under this permit. The permit was revised to include definitions for highbanker and combination highbanker/suction dredge.

DEQ only has the NPDES 700PM and WPCF 600 general permits for specific metal mining activities, so the individual NPDES permit is the only other option from DEQ for highbanking or combination suction dredge/highbanking below ordinary high water level on streams. The application and first annual fee total approximately \$12,500 for the individual NPDES permit and the permitting process is much more involved including public participation.

Instead of general language in the fact sheet, you need to look at the suction dredge definition in the new 700PM. Definition 15 states:

**“Suction dredge means a mechanical device with a suction nozzle and hose for conveyance of streambed material to a sluice box, where suction is created by a power source (electric motor or combustion engine) or gravity. The sluice box and power source of a suction dredge are mounted on a floating platform.”**

Changing the hopper to a dredge header does not sound like you will be eligible for the new 700PM. Miners have taken their combination suction dredge/highbankers and converted them to a suction dredge that meets the definition of a suction dredge in the new 700PM by removing the legs and adding floats to create the floating platform to support the engine/pump and sluice box. The 700PM still stipulates the maximum size of the nozzle, hose, and horsepower to be eligible under 700PM. “

The bottom line is, if you want to use your highbanker as a dredge, you must find a way to float it. You could make pontoons out of 6” plastic pipe with caps or use one of those inflatable pontoon boats they sell at Bi-Mart and Walmart. They run between \$225 and \$299 dollars for a one man which should suffice. I think the pipes would be cheaper but the pontoon boat would provide a framework to set your sluice box on.

In previous discussions with the DEQ, I asked if they knew how our equipment worked. Their answer was No! With all the information available on the Internet, especially You Tube, I am surprised that this is true. I know they’re busy but if their job is to make rules about something, they should at least have a basic knowledge of its processes.

Other changes to the permit application are having only three places you can list to mine just like on the Department of State Lands (DSL) Permit required for dredging in Essential Salmon Habitat (ESH) AND you must include the GPS co-ordinate i.e. Latitude and Longitude. I know many of you don’t have GPS units. I have a Topo Map Program for the state of Oregon and where ever I put the curser on the map, it gives me the co-ordinates. Just come down to the shop and I’ll help you figure it out. My address is 1190 S. Calapooia Street, Sutherlin, Oregon 97479. I’m two doors south of Curt’s Archery. My hours are 10 to 5, Tuesday through Friday.

Interestingly enough, the restrictions of a four in nozzle and 16 HP engine and pump are only for ESH. I inquired to the DEQ as to the restrictions for Non-Essential Salmon Habitat. This was their response:

“This general permit provides coverage under the National Pollutant Discharge Elimination System for three kinds of discharges:

**1. Discharges from suction dredges not exceeding 30 horsepower and suction hoses with inside diameters no larger than six inches in diameter that do not operate in areas designated as essential salmon habitat.** Operators seeking coverage for this type of discharge must apply for registration under the permit and registration must be approved by DEQ.

**2. Discharges from suction dredges not exceeding 16 horsepower and suction nozzles with inside diameters no larger than four inches in diameter that operate in areas designated as essential salmon habitat.** Operators seeking coverage for this type of discharge must apply for registration under the permit and registration must be approved by DEQ.

**3. Discharges from in-water, non-motorized mining equipment or devices.** Operators seeking coverage for this type of discharge are not required to apply for registration but are required to comply with all applicable permit terms.

All other mining activities that discharge to surface waters of the state are required to apply for an individual permit, except for hand panning which is exempt from permitting requirements.

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A dredge in ESH may have up to a 4 inch nozzle and 16 hp engine but no specifics on hose diameter. Outside of ESH, a dredge may use up to 6 inch hose and 30 hp engine (*It doesn't say anything about nozzle size but I'm speculating that it is also 6 inch.*)”

### **The Sugar Pine Mine:**

Recently there has been trouble between the BLM and the owners of the Sugar Pine Mine in Josephine County. The BLM states the owners have no claim to the land. They can show ownership and chain of title since the 1800s. BLM refuses to recognize that. There has been a standoff between the owners, The Oath Keepers, Galice Mining District and the BLM. It was reported that the BLM has brought in “Contract Security” to help facilitate their actions.

### **Gold dredging situation in California is like something out of a science fiction movie!**

**By Dave Mack, New 49ers**

“In a surprising oral ruling on 30 April in San Bernardino, Judge Ochoa instructed our attorney that we could not file for injunctive relief in Siskiyou County to prevent California Department of Wildlife (DFW) wardens from enforcing the unconstitutional suction dredge moratorium. The judge instructed that our motion for injunctive relief should be decided in his own courtroom at 8:30 am on the 23rd of June. The good news is that he also suggested that he is inclined to grant us the relief we are asking for.

Therefore, the existing status quo has not changed. Prospectors believe Judge Ochoa’s Ruling allows us the right to operate our dredges. More dredgers are arriving in Happy Camp by the day to begin the 2015 season. DFW wardens warn that they will be out seizing dredging gear that is in violation of the unconstitutional moratorium. And Judge Ochoa ruled that there will be no civil remedy available for dredgers to stop the unlawful conduct of DFW wardens for another 8 weeks or so.

But in a surprising turn of events on the first of May, California Fish & Wildlife (DFW) wardens arrested two suction dredgers on the Klamath River who had recently discovered a very substantial underwater gold deposit. The arrest was because they refused to sign the citations they were being issued. The citations were written for violating the unlawful moratorium and 2012 regulations, both which have already been struck down by Judge Ochoa in San Bernardino County.

This case will allow our Siskiyou County Court to decide in early June if wardens have any authority to enforce a moratorium that has already been struck down as illegal.

This whole ever-evolving situation is like something out of a science fiction story!”

### **Miner’s Mall:**

This will be a monthly classified advertising area for members who want to sell prospecting and mining equipment. This is for members only. No retailers please. I will approach the board about selling business card size ads for vendors. However, if you’re a vendor and the item is used, I don’t see why I can’t post the ad.

E-mail them to me: [wrevens@yahoo.com](mailto:wrevens@yahoo.com) Send photos if you like. I’ll try to get them in. If you don’t have e-mail then call me at 541-459-3489.

**For Sale:** Used White’s DFX Coin & Relic Metal Detector with rechargeable battery, \$450.00  
Paul Demers @ 541 673 5625

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### Miners Mall (cont.)

**For Sale:** Slightly used Minelab 705 General Purpose Metal Detector \$625 Tom Bohmker, Cascade Mountains Gold @ 503-606-9895. email: [cascademountainsgold@gmail.com](mailto:cascademountainsgold@gmail.com).

**For Sale:** Slightly Used Desert Fox Spiral Wheel, \$250.00; Walt @ 541-315-2030 (selling this for Bob Pace)

**For Sale:** Used small Keene high banker, foldable and portable with an electric motor/pump and no hoses, \$250; Stephen Trout @ 541 391 2406 in Elkton.