

From Senator Ted Gaines article

Another View: Dredging ban steals property rights

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Re "A smart budget trim will help water quality" (Editorial, June 3):

The Bee's editorial regarding the five-year moratorium on gold mining is misinformed and misguided. The temporary ban, and the budget trick that would make it permanent, are clear examples of government overreach and violations of private property rights.

Contrary to the editorial's assertion about mercury in the water as a result of gold mining, actually mercury is naturally attracted to the gold that is lifted from the riverbeds during the dredging process. Gold mining can only remove mercury from the water. And while the one- or two-man operations do stir up river bottoms a bit, the runoff from this winter's massive snowpack will dislodge and move around more sand, gravel and silt than the few thousand miners will move in a lifetime.

If the faulty claim of environmental damage were not enough to disqualify the moratorium on its own, the assault on private property rights should end the argument. A mining claim is not just a relic of California's proud gold mining history, it is a property right legally secured by every miner. The state's unfair moratorium is a taking of property in violation of the U.S. Constitution.

The private property the state is trying to snatch from the miners is significant. According to the California Department of Fish and Game, the 3,500 miners capture about \$20 million in gold each year. This is money being taken from California families who depend on it for their livelihoods or to supplement their incomes. Perhaps ending the program is not such a "smart budget trim" in light of these facts.

The effort to kill off California's foundational industry is a huge government overreach that ignores the reality of river use in California. I've visited my in-laws in Downieville dozens of times, and have seen fishermen and gold miners sharing the river with no conflict. Why all the concern now? Is it because environmental extremists have deemed gold mining politically incorrect and therefore dispensable? It is a typical response from the environmental community to disallow any use of the environment that doesn't fit their narrow definition of how humans should interact with nature.

This moratorium is an attack on rural California. It is an attack on common Americans who want to make their living from California's signature resource, and I will fight to make sure that they can chase their dreams of hitting pay dirt just like the 49ers did at the birth of this state. Don't tread on the gold miners.

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State Sen. Ted Gaines represents the 1st Senate District, which includes most of Placer County, all of El Dorado County, parts of Sacramento County and stretches north to the Oregon border.