



Kim K. Yamaguchi

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Mr. Hadzi-Antich
The Pacific Legal Foundation
National Litigation Center
930 G Street
Sacramento, CA 95814
Email: tha@pacificlegal.org

Website: <http://www.pacificlegal.org/>

Dear Mr. Hadzi-Antich:

I'm writing to express my support for the Western Mining Alliance's petition for legal support. The Western Mining Alliance, a mining advocacy group, represents the rights of over 9,000 miners in the State of California and throughout the West.

The legal issue they have presented is far reaching and the issue to be decided will affect rule making in California for years into the future. At issue is the ability of a State agency to set regulations that impact private property rights, economic freedoms, the protection of Endangered Species, and the use of science in making these decisions.

The Western Mining Alliance alleges that the California Department of Fish and Game (CDFG) improperly reached conclusions in a Subsequent Environmental Impact Report (SEIR) that resulted in regulations that are severely restrictive on gold mining/dredging, with insufficient basis. The WMA alleges that significant evidence was presented to the CDFG that, had it been considered, would have reached a completely different conclusion. The results of the SEIR will close broad and general areas of the State to protect threatened and endangered species with no evidence that this ban has any impact or that the species is actually found in the areas that are closed.

I believe that these allegations are best settled by the courts and your assistance in representing the miners would be beneficial to establishing sound policy making processes for the State of California. Your favorable consideration of their petition is requested.

Sincerely,

Kim K. Yamaguchi,
5th District Supervisor

cc: WMA, Herb Miller