



August 2016 Motherlode Monitor Newsletter

Upcoming Events

Sept. 7, 2016 Membership Meeting, 12 Noon – Elias Grant from the Bear-Yuba Land Trust.

Scheduled at 431 Crown Point Circle, Suite 150, Grass Valley. The Bear-Yuba Land Trust (BYLT) is a private 501(c3) non-profit member-supported organization working to conserve critical landscapes within the Bear and Yuba Watersheds. They accomplish this by working with willing landowners and protecting land through fee title acquisitions and conservation easements. They also work with state, federal and private organizations to enhance ecosystem functions through restoration efforts on several of their properties. Their funding for restoration projects and acquisitions is a combination of grant funding and private party support.

The BYLT have conserved 10,463 acres to date. Many of our larger properties are conservation easements, which limit resource industry work. BYLT tries to utilize the resources on the large landscapes that are owned in fee title to leverage further land management work. For example, they are applying for grant funding to create a non-industrial timber management plan on a large Preserve so that they can selectively harvest timber and manage their forests to generate income to further manage these lands. They are always open to new ideas pertaining to environmental consciousness and beneficial land management.

Elias Grant was born in Bowdoin, ME and grew up in the outdoors: hiking, biking, camping and more. He studied at Warren Wilson College in North Carolina where he majored in Sustainable Forestry. Following college, he moved to Nevada City, CA to take a position as an AmeriCorps member at BYLT. Upon

completion of his 11-month term, BYLT hired him as a Stewardship Assistant.

The Sierrans is interested in learning about the BYLT, their goals and objectives, and their projects. We would like to find out how they raise funding and explore the potential synergies between our organizations.

September 3 and 4, 2016, Foresthill Heritage Festival Celebration, 10 a.m. to 4 p.m.

This is a Labor Day weekend event that includes the California State Gold Panning and U.S. National Gold Panning Championships. Other events include:

American Legion Pig Roast (Saturday)
American Legion BBQ (Sunday)
Hands-On Gold Panning Instruction
Hands-On Metal Detecting Instruction
Pancake Breakfast
Food and Craft Vendors
Railroad Regulators Western Shows
Early California historical Displays, Demonstrations
and Old Town Walking Tours at Foresthill Museum
Kids Zone (games and fun booths)
Old-Time Costume Contest
Raffles and Drawings - cash and prizes

For more information, visit www.goldhounds.com or www.foresthillchamber.com

Sept. 7, 2016 Board of Directors Meeting.

Scheduled directly after the membership meeting above, 431 Crown Point Circle, Suite 150, Grass Valley.

Sierrans for Responsible Resource Development
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Sierrans at the Nevada County Fair

The Sierrans participated in the Nevada County Fair from August 10th to 14th and shared a booth with several forestry groups as part of the Fair's Ag-Sperience area. These groups included the Fire Safe Council of Nevada County, the Society of American Foresters, the Associated California Loggers, and the U.S. Forest Service. Each group managed the booth on certain days, with the Sierrans managing the booth on Sunday, August 14th. Special thanks to all those who helped and participated:

Jeff Petty – booth set up and tear down
Lyla Tracy – booth management
Pat Nelson – booth management
Alberto Ramirez – booth management
Eleanor Kenitzer – booth management
David Watkinson – booth management
Joseph Cochrane – Sunday "Sierrans" set up
Brandon Stauffer – donation of toys and props

A photo, showing the Sierrans display that was part of the booth, is at the end of the newsletter. Its theme, "If It Can't Be Grown, It Has To Be Mined" tied mining, forestry, and agriculture together.

Grant Writing

Pat Neslon attended a free workshop on Grant Writing put on the Sierra Nevada Conservancy on August 17th. On August 28th she submitted a Request for Invitation to submit a conservation grant application to the Joseph and Vera Long Foundation. We expect that by September 28th to learn whether or not we will be invited to submit an application for \$45,000.00 to support a stakeholder outreach program to convene agency and private land owners along the South Yuba to reach consensus about the necessary policy and cooperative agreements to achieve water quality, forest health and public safety improvements.

David Watkinson submitted a grant application for \$7,500 to the Teichert Foundation with the goal of establishing a scholarship program for the Sierrans.

Reinhart Decision

The Supreme Court of California issued its ruling on the People v. Brandon Lance Rinehart on August 22, 2016. In 2012, Brandon Reinhart was charged with a criminal complaint of both procession and unpermitted use of a suction dredge, as he challenging the State's 2009 temporary moratorium on dredge mining in California. The State, out of concern about impacts to water quality and fish species, had temporarily banned dredge mining in 2009 until such time as regulations could be drafted to protect the environment. Reinhart's main defense was that the State ban pre-empted his federal rights to mine under the Mining Law of 1872 and the Surface Resources and Multiple Use Act of 1955. He was initially convicted and sentenced to 30 months of probation.

Reinhart subsequently appealed and the Court of Appeal reversed the lower court decision, agreeing that federal mining law should pre-empt any state law that unduly hampers mining on federal land. The Appeals Court agreed that the state scheme amounted to a de facto ban on suction dredging and this rendered mining on his claim "commercially impractical".

The State then appealed to the California Supreme Court who in turn reversed the Appeals Court decision. The Supreme Court interpreted the Mining Law of 1872 as to not guarantee the right to mine, but effectively a law to possess and develop land around a mineral claim – establishing the right of occupancy. It concluded that the environmental laws associated with the mining of the claim were left up to state and local authorities. They cited the Sawyer Decision of 1884 as a historical precedent for a case where the state similarly banned a type of mining (hydraulic mining) to prevent environmental impacts associated with that mining method.

Note that this is a brief and simplistic overview of the decision. The final ruling can be found on the Western Mining Alliance's website at www.miningalliance.com.

Sierrans for Responsible Resource Development – Officers

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Several other dredge mining case decisions are pending in court, and have been awaiting the Supreme Court's decision in this case before proceeding. This ruling should allow those cases to move forward. The question is – how long is a “temporary ban” – now in its 7th year?

Establishment of an Affiliated 501(c)(3) Organization

The Sierrans is moving forward to establish a separate affiliated 501(c)(3) tax-exempt non-profit that will have the ability to raise funds from donations, grants, and other funding sources. Articles of Incorporation have been submitted to the California Secretary of State and accepted. A Federal Employment Identification Number (FEIN) and federal tax exempt status has been obtained from the IRS (June 1st). A Statement of Information Form has been filed with the California Secretary of State. An initial Board of Directors meeting was held (May 25th) and bylaws adopted. A bank account has been established. Filings have been made with the California Registry of Charitable Trusts and the California Franchise Tax Board to gain state tax-exempt non-profit status.

Sierrans' Calendar

Pat Nelson is working on a Sierrans' Calendar for 2017 that would feature historic resource industry photos. Pat is working with a graphic artist to complete the design. Once the design is finalized, the cost of publishing it will be determined. We have funds in place for an initial printing. The calendar will be used for fundraising for the Sierrans and as a way to advertise our organization.

Robert Shoemaker Memorial Plaque

Bob Shoemaker (1925-2016) will be inducted into the National Mining Hall of Fame at the 2016 Induction Banquet in Las Vegas, NV. The Banquet will be held Saturday September 24th at Caesars

Palace coinciding with the 2016 International Mine Expo.

The Sierrans are working to place a memorial plaque in the North Star Powerhouse and Pelton Wheel Museum. If you are interested in donating to this cause, please contact info@sierrans.org.

Renew Your Membership or Join

Forms can be found online at www.sierrans.org under the “Join Us” tab. If you receive our Newsletter and would like to join the Sierrans, now is the time to do it. Help us grow our organization.

Contact Us

Contact us at info@sierrans.org or by mail at the address in the footer of Page 1 of this newsletter.



Gold Panning

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Sierrans' Display at the Nevada County Fair – August 10th to 14th, 2016