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April 2, 2018

Senator Robert Herzberg
Chair, Senate Committee on Natural Resources and Water
State Capitol, Room 5046
Sacramento, CA 95814
Via Fax Transmission

RE: Oppose SB 1222, use of vacuum or suction dredge equipment

Dear Honorable Senator Herzberg:

The Sierra Fund and our allies strongly oppose the passage of SB 1222, introduced by Senator Jeff Stone, which seeks to change the definition of suction dredge mining equipment as laid out in SB 637. SB 1222 would exclude certain small-scale mining techniques from meeting water quality standards based on the Clean Water Act permitting structure under SB 637.

The language of SB 637 was very deliberately crafted in cooperation with the CA Department of Fish and Wildlife to define suction dredging as any "mechanized or motorized system for removing or assisting in the removal of, or the processing of, material from the bed, bank, or channel of a river, stream, or lake in order to recover minerals."

The forms of small-scale mining covered under SB 637's definition of suction dredging have well documented deleterious effects to water quality, wildlife and cultural resources, including:

- Altering fish habitat by changing the river bottom
- Reintroducing mercury that is left over from historic mining operations
- Exacerbating erosion and sediment problems, and
- Damaging Native American cultural sites.

The passage of SB 1222 would relax the protections laid out under SB 637 by redefining suction dredge mining equipment, thereby allowing certain types of mining practices (such as high banking) that threaten water quality, without review by the State Water Resources Control Board.

The Sierra Fund fought hard to protect California's natural and cultural resources as sponsors of Senator Allen's SB 637. The following organizations that supported SB 637 are concerned with the potential consequences of SB 1222. Together, we ask that you oppose SB 1222 when it comes before the Senate Committee on Natural Resources and Water on Monday, April 16.

Sincerely,

Elizabeth "Izzy" Martin
CEO, The Sierra Fund

With partners,



Jonathan Evans
Environmental Health Legal Director and Senior Attorney, Center for Biological Diversity



Kim Delfino
California Program Director, Defenders of Wildlife



Bill Jennings
Executive Director, California Sportfishing Protection Alliance



ENVIRONMENTAL LAW FOUNDATION

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