

Dear Senator

RE: SB 401 makes scenic waterways out of many gold bearing streams and SB 838 prohibits mining until 2016 or later on salmon, steelhead and bull trout streams

We have been going over some of the bills before the senate and find two that we greatly oppose. We are concerned about SB401. My wife and I have placer claims along the North Fork Burnt River, one of the mineralized waterways targeted by this bill. Prohibiting placer mining within ¼ mile of the North Fork will affect us, as well as the rest of the miners who own claims and propose mining operations this summer. Our claims only extend 300 feet on either side of the North Fork, and our water source is an off-channel pond near the river. This bill will be a takings of our private property right in the minerals. Not only will this bill have a great financial hardship on us personally, but the hardship will be felt by all Oregon miners along these waterways. The resulting litigation from taking miners' private property will also hurt the state budget.

SB838 will have similar adverse effects on miners. As we stated above, most claims, like ours, only extend 300 feet on either side of the stream. Prohibiting mining within 300 feet of the streams will be a takings. Right now, miners can only dredge 30 days during the time that there are no fish spawning and no eggs are in the gravels in anadromous streams. There are already plenty of restrictions on suction dredge mining, with the result that there are very minimal effects on the stream and the fish-and some of those effects are positive. There is simply no reason for these prohibitions on mining.

We urge you to VOTE NO on SB401 and SB838.

Sincerely;

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