

Sent: Wed 4/28/2010 4:37 PM

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Cc: Assemblymember.Gaines@assembly.ca.gov; JenniferMontgomery@Placer.ca.gov;

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Dear Ms Coleman:

I am scheduled to take a group of 10 Boy Scouts out to pan for gold and learn about California history on an overnight campout at Mineral Bar in California at the end of May. I now learn that you have effectively prohibited all prospecting in the Auburn Recreation Area. My Boy Scouts will be very disappointed to hear you have now cancelled their trip. They were looking forward to it very much, but I will not suggest that they do something that is now illegal. Instead, I am going to ask them to contact the elected state officials who oversee your department and express their disappointment. Small scale recreational prospecting is one of the most popular uses of the Auburn Recreation Area, attracting thousands of users each year, with a near zero environmental impact.

Seriously, this new rule is the height of irrational over-regulation. I cannot believe that you are not ashamed of your own staff for promulgating such a ridiculous thing. As your arbitrary new rule is written, if my boys dig with shovels into a bucket and play in the sand as hundreds of kids do at that location each year, that is normal and accepted. If, however, their plastic bucket is shaped like a gold pan (all my pans are plastic) and they dig with a trowel and put the material into a pan-shaped bucket, then that is illegal. This regulation is arbitrary and makes no sense. It accomplishes nothing and is simply crazy!

People are supposedly allowed to dig only with bare hands. However, the gravels at Mineral Bar are hard and the rocks sharp. Encouraging the boys to dig with their bare hands will result in cuts and injuries. Is injuring our children your goal? Hand digging without hand tools is not practical and potentially injurious to the digger. For all intents, this new rule prohibits all kinds of recreational prospecting from panning to sluicing and even metal detecting, as tools are needed to dig.

Both the BLM and the US Forest Service allow small scale prospecting, as has been previously allowed at the Auburn Recreation Area, all across the US. These agencies are happy with the level of regulation to control the impacts of small scale recreational prospecting without going over the top and delving into unjustified, irrational levels of over regulation. Why is it necessary for your agency to regulate such tiny, small scale activities?

It is also extremely unfair that this rule change was made with no notice whatsoever to the affected communities. No one who was affected was allowed to participate in the new rule or give input. This violates all concepts of open government and transparency. All levels of government from the president on down have advocated a more open government. You have ignored this, and created your new rule in a most hidden and opaque manner.

I ask that these rules be set aside for further scrutiny, examination and public hearing. We who are the users of the Auburn State Recreation Area should have a say in its management. The impacts of hand tools and recreational prospecting at the Auburn Recreation Area have been miniscule and insignificant and the rules should be designed to reflect this.

Sincerely,

Chris Ralph