

The Prospector

Come join us at our next meeting.

May 15th at 1:30pm.
Milwaukie Grange hall
12015 SE 22nd, Milwaukie, OR 97222

The Portland Gold Prospectors meetings are the third Sunday of every month beginning at 1:30pm. All interested parties are invited to attend the monthly meetings. Become a member of the Portland Gold prospectors, Inc a chapter of the Gold Prospectors of America. For information contact Jerry Johns, jerryjohns@gmail.com or visit www.portlandgoldprospectors.org.

President's Blog May 2016

We made it through the Gold Show and it was a GREAT success! Thank you everyone that helped out. We had 45 people signed up to assist from our chapter and a few more showed up impromptu. It was a lot of work, but the result was phenomenal! May 14th is our first official outing of the year, but Saturday April 30th Steve Lewin hosted an outing at Lewisville Park on short notice. Great Job Steve! We will likely have many impromptu outings, in addition to our official schedule, so make sure we have your e-mail address so you can stay informed. Join us at our Meeting May 15th and learn more about our outings to the TYROY claim. The dates on the activity calendar have been adjusted and we will talk during the meeting about dates and plans. We will also have Lucky Dog Metal Detectors at our May 15th meeting. They will be providing our education for the month.

Thanks and see you soon,
Jerry Johns
President - Portland Gold Prospectors Inc.

2016 Portland Gold Prospectors Board of Directors

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Can't get no satisfaction...from the government

An Associated Press-GfK poll finds that most Americans are happy with their friends and family, feel good about their finances and are more or less content at work. It's government, particularly the federal government, that's making them see red. Almost 8 in 10 Americans say they're dissatisfied or angry with the way the federal government is working, while about the same pro-

Portland Gold Prospectors, Inc. April Minutes

Secretary's Report April 17, 2016
Milwaukie Grange Hall, 12015 SE 22nd Milwaukie, OR
Meeting called to order by President Jerry Johns at 1:30 pm

Pledge of Allegiance conducted.

Attendance:

55 attendees at the meeting, 6 visiting guests were present

Meeting minutes:

A **Motion** was made and seconded to accept the Secretary's report as written and published in the newsletter. The motion was approved by the members present.

Treasury report: Beverly Parker

The Treasury report was read by the Treasurer to the association including receipts from items we raffled at the Portland Gold Show. More information on shared revenue will be available later.

A **Motion** was made, seconded, and approved to accept the Treasurer's report as written.

Correspondence:

The Eastern Oregon Mining Association newsletter for April 2016 was available for review. Jerry noted some members may have received a post card from DOGMI to inform them of public hearings about proposed rules in 2017 and a \$150 fee for metal placer mining operations that move less than 1,500 cu ft per year. This is new information that we need to investigate related to our TYROY claims.

Newsletter: Jerry Johns noted our association newsletter is available to read online. For members who wish to have a copy mailed to them, there is a \$15.00 annual fee to cover the cost of printing and mailing. Also the newsletter contains updates on the Senate Bill (SB) 838 that limits mining in Oregon.

Library:

Joe Weber reported the library had a good month. The Association Board approved the purchase of several new items for the library related to mining claims in Eastern Oregon, SW Oregon and help with beach mining. After you have attended the required meetings to become a regular member, the library is available to you for no cost. Books, DVD's, maps, or magazines can be checked out and returned the next month. Joe asked for information if there are additional titles you would like added to the library.

Membership:

Jerry Johns explained the requirement to become a member of Portland Gold Prospectors. No dues are charged for membership. One needs to attend 3 meetings or association events (at least 1 regular meeting) for full membership. Be sure to sign in at the front table to record your attendance. Membership cards are issued each year. Since there are no dues, the association gains funds from monthly raffles and the silent auction at the meetings.

GPAA State Director:

Steve Lewin gave a short report on the Monroe, WA Gold Show. He attended with volunteers on April 16. Brandon Johnson, President of the GPAA, relayed his thanks for those who assisted at the Gold Shows. Steve also mentioned that there are 5 or 6 GPAA claims in Washing-

ton and 21 GPAA claims in Oregon for GPAA members to explore. He said there is nearby prospecting on Copper Creek in Skamania County.

Outings:

Jerry filled in some information about the next outing to be led by Rodney Chavez at Cape Disappointment camp ground in Washington during the May 14-15 weekend. Steve Lewin explained the area currently has debris and logs that will need to be cleared from the walking trail. A beach clean up and trail work may be done at the start of the event. A sign up sheet was circulated so interested parties can be contacted.

Dave Chiara circulated a sign up sheet for those interested in prospecting at the TYROY claim during the summer, approximately 300 miles east of Portland. Our association has a plan of operation through the BLM. Several types of mining equipment were successfully used and water is expected to remain in the livestock ponds. Outing dates will be selected around times when the most people are available to attend. This year the goal is to dig deeper and work together in groups. No camping takes place on the claim, but is available near the claim. A potluck dinner is held on Saturday during the outings. Members who have not been to TYROY should expect a gravel road that is quite bumpy and very slippery when there is rainfall. A 4-wheel drive vehicle is best and Oregon Off Road Vehicle permits are required (\$10 at ATV stores). Also, any member who visits the TYROY claim outside of group events is required to notify Dave Chiara, Ken Burns, or Jerry Johns. As claim holders, we are responsible for the claim and any damage that happens.

Safety:

Jerry Johns asked for a volunteer to fill the vacant safety position. This involves giving a safety tip or topic at each meeting. Also, a volunteer who enjoys taking photos would be welcomed. Talk to Jerry if you can fill this spot.

Education:

Steve Lewin reviewed the purpose of the Gold and Fish rules for mineral prospecting and placer mining in Washington (July 2015 edition). This booklet is required to be with you (or in your vehicle) when prospecting in Washington State. The permit process is different in Oregon. The first 17 pages contain instructional material, pages 18 to 41 is a chart of rivers and the dates that mineral prospecting is allowed. The booklet can be downloaded from WA Dept of Fish and Wildlife online or requested in the mail. Steve suggested it is best to have the booklet in a sealed plastic bag with your personal equipment. He has found some police officers and/or fish and wildlife officers are not up to date on the rules and may challenge your prospecting rights. Also, for beach mining you may request a free Washington Hydraulic Permit that is good for 5 years.

Portland Gold & Treasure Show:

Jerry reviewed the success we achieved at the April Gold Show. There were three chapters working together. Jerry asked for feed back from members. Some items mentioned were:

panning booth confusion on selling snuffer bottlers vs. small vials; food for volunteers required to stay in one area; set up day map for booth locations; pre-sale tickets needed sooner; advertising poster sizes; list of lectures in advance; need for Alaska Gold Expedition prize; and start our planning sooner. Jerry said our chapter can place more

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Portland Gold Prospectors, Inc. April Minutes

emphasis on attracting new vendors or sponsors in the future.

Summer Garage Sale:

Jerry Johns reminded members to save your discarded household items and tools for the association Garage Sale on August 26-27-28th. We may hold a second sale at another location if there are enough items to sell or left over from this date. Contact Ken Burns if you need information.

Code of Conduct: Each member has a right to feel comfortable. Jerry stated we want a safe and friendly place when we gather at meetings or events. There is an official Code of Conduct.

Jerry thanked Carol Johns, Vickey Weber and Dorothy Ruth who worked in the kitchen and everyone who brought snacks today.

Canned food is donated to the Oregon food bank. For each 2 cans donated, members receive one \$1.00 ticket up to 5 raffle tickets. The first raffle ticket drawn in the five dollar group was for a nice gold nugget won by Sopa Burns.

Remember: bring your aluminum pull tabs from drink cans to assist "Dogs for the Deaf."

The meeting was adjourned at 3:40 pm.

(Respectfully submitted by Melinda Dorning, Secretary)

2016 Events Calendar

May 14th: Cape Disappointment – Joint outing; beach mining with SWWGP

May 15th: PGPI monthly meeting 1:30pm

Late May: TYROY Prep work, opening up the site for the season.

Late May/Early June: Will do at least one outing at either Day Break Park or Lewisville Park.

June 19th: PGPI monthly meeting 1:30pm

Late June/Early July: TYROY: Come to our meeting to learn exact plans and dates.

July 17th: PGPI monthly meeting 1:30pm

July 19th (Tuesday): North Fork Santiam (non-motorized) prospecting. Panning, sluicing only

July 31st: Combined meeting/BBQ with SWWGP

Aug 6th: Lewisville, WA - Dredging, high banking, sluicing and panning with SWWGP

Aug 7th: Daybreak, WA - Dredging, high banking, sluicing and panning with SWWGP

Aug 12th- 15th: Yellow jacket, WA Dredging, high banking, sluicing and panning with SWWGP

August 21st: PGPI monthly meeting 1:30pm

Aug 26th, 27th & 28th: PGPI Garage sale. (May try a 2nd location if enough items are left after initial weekend)

Sept 3rd & 4th: Copper Creek prospecting – dredging, high banking, panning. (One or both days)

September 18th: PGPI monthly meeting 1:30pm

September 25th: North Fork Santiam prospecting (Non-motorized)

September/October (TBD): TYROY trip – Reclamation work and opportunity to bring dirt back.

October (TBD): Cape Disappointment – Joint outing; beach mining with SWWGP

(Led by Rodney Chavez -we will align event date to tides as we get closer)

October 23rd: PGPI monthly meeting 1:30pm

November 20th: PGPI monthly meeting 1:30pm

December 18th: PGPI monthly meeting 1:30pm



US District Court Rules Against Oregon Miners

On March 25, 2016, Judge Mark Clarke ruled the State of Oregon can prohibit the use of motorized equipment for instream mining in the name of environmental protection. (*Bohmker v. State of Oregon*, US District Court, Medford, Oregon, 1:15-cv-01975-CL.)

Judge Clarke stated his decision is not in conflict with the 1872 Mining Act because there is no language in the Mining Act or elsewhere that requires mining to be profitable, and miners are welcome to continue mining with non-motorized equipment.

This decision follows a disturbing trend where judges defer to state and federal agencies regarding what constitutes “reasonable” regulation. And it could very well have a negative impact on the *People v. Rinehart* case, which is currently under consideration by the California Supreme Court. That case involves federal preemption of state laws and will decide whether or not California can require permits for suction gold dredging—a mining method allowed under federal law—yet refuse to issue such permits.

But before you throw your hands up in disgust and walk away, take a minute to read our “MMAC & PLP Update” in this issue. In that article we lay out the path to getting this situation fixed. We found many sympathetic ears and overwhelming support in Congress during a recent trip to Washington, D.C., and I think your spirits will be lifted again.

• Bill to halt sage grouse management plans introduced

Rob Bishop (R-Utah), Chairman of the House Natural Resources Committee, has introduced HR 4339, “The Greater Sage Grouse Protection and Recovery Act of 2016.” The bill would give governors the power to reject parts of the federal sage grouse management plans that call for mineral withdrawals or are otherwise inconsistent with state plans.

Chairman Bishop was joined by fourteen co-sponsors.

In the meantime, the Department of Interior is trying to complete their list of areas to withdraw from mineral entry so the agency can publish those withdrawals in the Federal Register in the next few months.

Back in September 2015, the Department of Interior declared that an Endangered Species listing for sage grouse was not warranted, then followed up with an announcement that millions of acres across the Western states would be considered for mineral withdrawals to set aside habitat.

Six lawsuits have already been filed against the Interior’s sage grouse plans and more are expected. The American Exploration and Mining Association stated they are working with Mountain States Legal Foundation and will add their name to the list of plaintiffs soon.

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Minerals and Mining Advisory Committee (MMAC) & Public Lands for the People (PLP)

As we reported last issue, Clark Pearson of Public Lands for the People (PLP), and Joe Martori, founder of the Minerals and Mining Advisory Council (MMAC), travelled to Washington, D.C., for a series of meetings with members of the House Resources Committee, House Oversight Committee, Armed Services Committee, and individual legislators in Congress to see what could be done to fix many of the issues miners and other public lands users are now facing.

PLP had been attempting to raise funds to hire a lobbyist. The excessive cost made it prohibitive, so Clark and Joe packed up their bags and headed off to make this trip themselves. They managed to do it for a fraction of the cost and accomplished way more for miners and other public land users than they anticipated.



The vast majority of the legislators they met with in both the House and the Senate expressed similar frustrations with federal over-reach, restricted access and excessive regulation. As we mentioned previously, many legislators are deeply concerned about the lack of access to valuable minerals and metals, especially the rare-earth minerals needed for our technologically-driven society and for our advanced weapons systems. China controls between 95% - 98% of the market for rare-earth minerals according to the US Geological Survey and others. They can cut off our supply at any moment if they want to throw our economy or military into chaos. It's not a comfortable position to be in.

Most of the legislators they met with over the course of 36 meetings—it was actually more, but they lost count—had heard of Mining Districts but were unaware that Mining Districts are federally-recognized entities that still have power and authority related to the use of public lands.

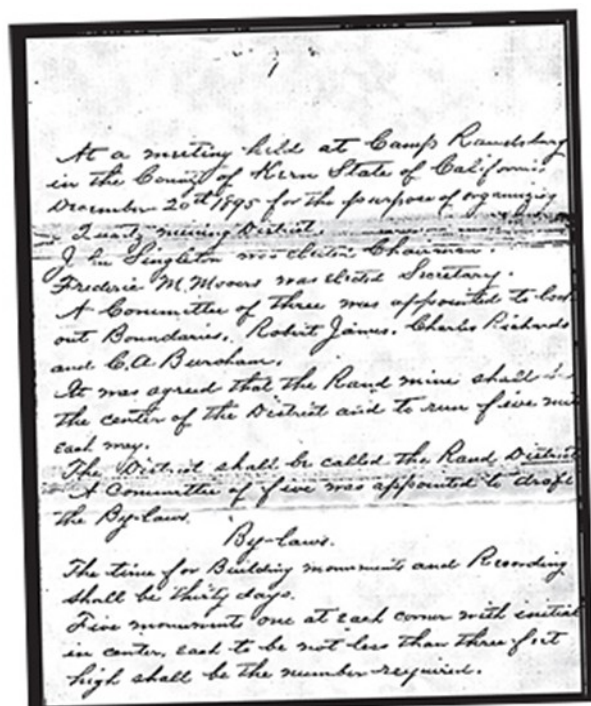
The end result was a request from Congress to come up with a series of bills to address many of the problems related to mining and public land use. We had already submitted the “Minerals and Mining Regulatory Reform Act—A Clear Path Respecting Mining Rights.” It was a bill meant to address numerous issues, but the legislators wanted something smaller to address the lack of access to public lands immediately as a first step. In fact,

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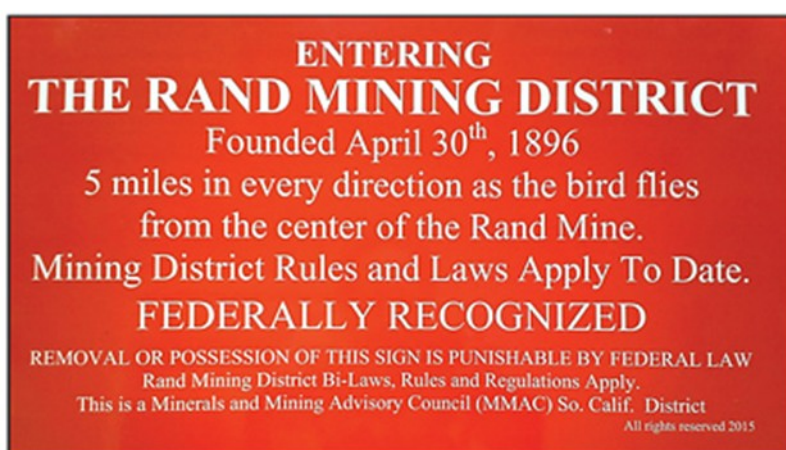
An aide to Congressman Rob Bishop (R-Utah), Chairman of the House Natural Resources Committee, greets Clark Pearson (left) and Joe Martori (right) prior to the first meeting. At the second meeting, the topic of discussion with Congressman Bishop and his senior staff centered on the original MMAC bill and Mining Districts. Congressman Bishop felt there was added value in scheduling a third meeting with his senior staff to review the legislation in depth. MMAC is looking forward to working with Representative Bishop's office.

Minerals and Mining Advisory Committee (MMAC) & Public Lands for the People (PLP) (continued)

some members of Congress wanted Clark and Joe to return on a monthly basis to help craft various public land use bills.



The original bylaws for the Rand Mining District were found hanging on the wall in the Rand Mining Museum.



This sign is posted at all major entry points of the Rand Mining District in southern California.

On March 24, 2016, I was invited to speak at the BLM Roundtable Committee meeting in Ridgecrest, California, along with Clark and Joe.

I was unable to appear in person, so I let my Power Point presentation do the speaking for me. My talk was on Mining Districts, including their history, how they were formed, Congressional approval for such districts and their current status. I also included a bit about Direct and Constructive Notice, which is the legal process used to sue a government employee in civil court for violating a miner's rights. I made it clear that we are recommending that our readers serve the public officials in their mining area (BLM, Forest Service, Fish & Game, etc.) with a Direct and

Constructive Notice, which doesn't make for many friendly relationships, but it has become a necessity because agency officials continue to ignore our rights. In the Notice, the miner spells out his rights, which are backed up by federal mining law and previous court rulings.

You can view two examples of Direct and Constructive Notice on our website (www.icmj.com) under the Resources tab. Utilizing this process does not give you a license to be disrespectful or act like a jerk, but it does allow you to sue an agency official in civil court for violating your rights. Small claims court is an option, though there are limits to the amount of compensation you seek depending on the state where your mining claims are located. The nice thing about small claims court is that each party represents themselves—no attorneys are allowed. Superior court is an alternative if you wish to seek a larger compensation amount, but both parties can utilize attorneys and it can get rather expensive.

Other presentations were on the 1955 Multiple Surface Use Act, Federal Land Policy and Management Act, related laws, the Mineral and Mining Regulatory Reform Act, and "Multiple Use Lands, Symbiotic Relations and Conflict Resolution."

There were about fifty attendees, which included members of the Desert District Advisory Council, BLM staffers, environmental attorneys, etc. The presentations were very well received and were followed by questions from attendees for clarification on the rights of miners.

One of the goals was to seek a Memorandum of Understanding (MOU) from the Bureau of Land Management to level the playing field and to establish a working relationship between the Rand Mining District and BLM. The goal is well on its way to being achieved—BLM officials asked to start working on the MOU immediately following the meeting.

Ed Waldheim of the California Trail Users Coalition was one of the many influential people present at the BLM Roundtable Committee meeting. He has been actively involved with the California Off-Road Vehicle Association and related groups for decades. The off-road community has successfully negotiated agreements with federal agencies and legislators on many occasions, but each time they lose a little more territory.

The most recent effort to negotiate designated areas for off-road use in Southern California failed. Senator Diane Feinstein (D-California) had introduced a bill to create three new national monuments, but ran into opposition from public land users in the area and Congress refused to consider the bill. Off-road user groups were able to get specific areas set aside for their use in negotiations with Feinstein's office, but that all changed when President Obama used the Antiquities Act to circumvent Congress. With the stroke of a pen, Obama created the monuments without any of the negotiated terms included and off-roaders were left in the dust.

It was explained to Mr. Waldheim and all the others present that Mining Districts can reopen access to historic trails and roads that have been closed by federal agencies because these roads and trails are necessary for access to valuable minerals and metals. There are literally thousands of Mining Districts located in those states where public lands are available for mineral exploration.

We've all seen what happens when the Forest Service implements a Travel Management Plan. Routes that have been open for a century or more are closed off, gates are installed, large boulders are placed at entryways to block access, and new signs go up that prohibit vehicles of any type. Mining Districts are the only viable solution to removing these obstacles, and once the gates are removed, other public land users can also enjoy the benefits. It was a very big "eye-opener" for Mr. Waldheim and others, and it appears we will gain the support of many of these groups who require access to public lands for their activities .

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Minerals and Mining Advisory Committee (MMAC) & Public Lands for the People (PLP) (continued)

Soon after the Roundtable Committee meeting, PLP was contacted by Congressman Paul Cook (R-California). His district encompasses Mono County, Inyo County, and most of San Bernardino County. Congressman Cook was in agreement with legislators contacted during the previous Washington, D.C., trip—we need to address access to public lands for miners and other public lands users right now. A bill has been crafted to remove obstructions and restore access to public lands, and that bill is already in the hands of the House Committee on Natural Resources for editing.

Mining Districts will be the arbiters when it comes to deciding whether or not a road or trail should remain open or be reopened. If you have a Mining District that is in disarray, get it organized. Here are the first steps in that process:

1. Look up or locate the name for the Mining District where your mining claims are located. Keep in mind that the name may have changed over time. You may have more than one name to research. (www.westernmininghistory.com is a decent place to start, along with historical maps and books that can be found on the Internet.)
2. Track down the original bylaws. We have the bylaws for about 190 traditional Mining Districts on our website. You can start there by looking for “Bylaws for Traditional Mining Districts” under the “Resources” tab at www.icmj.com. Other sources could include the county recorder’s office where your claims are located, local mining museums, historical societies, universities and the Internet. Many of these Mining Districts were established in the 1850s or 1860s, and county boundaries and names have changed since that time, so look for older historical documents for clues. Make copies of any original bylaws you find.
3. Attempt to contact other claimholders in your traditional Mining District. You can do this through the Bureau of Land Management office for the area where your mining claims are located.
4. Find a location in or near the Mining District where you can hold a small meeting of claimholders for that Mining District. (You’ll need five claimholders to make a quorum.)
5. Set a meeting date—preferably about two months out—to give claimholders time to make arrangements.
6. Publish a Public Notice. We here at ICMJ’s *Prospecting and Mining Journal* have offered to do this for free. (We have already done this for a few Mining Districts and you can view the Public Notice for the Slate Creek Mining District in Washington State as an example in the [Recent News section on our website](#).)
7. Conduct your meeting, elect officers, and take appropriate notes. Many of you have been a member of a club or organization and know how to conduct this process. If you don’t, find someone who can help. “Robert’s Rules of Order” is also a good reference and can be located online at www.robertsrules.org.
8. Securely post signage at all the major entry points to your district.
9. Encourage claimholders in neighboring Mining Districts to get organized if their district is in disarray.

There is no need to change the historic bylaws at the present time, though we are working on a uniform set of bylaws that all Mining Districts might want to follow.

Until we get a few more related bills through Congress to change the current oversight structure we will have to deal with the current structure. Our goal is to remove local, county and state agencies from oversight of mining-related activities, and we are continuing to work towards that goal with the help of Congress.

In the meantime, attend the oversight meetings for the agencies (BLM, Forest Service, State Water Resources Control Board, etc.) that oversee public lands in your area. Politely inform them you are representing the Mining District for your area and ask to be placed on the board. A Mining District representative should be able to get a voting position on the board rather than being relegated to the audience where he or she is limited to only providing public comments, and this has already been accomplished in Southern California.

I’ve had several people ask me if adjacent Mining Districts can be combined to make administration and oversight easier. Technically yes, but you don’t want to do it at this juncture. Again, we are dealing with the current structure where federal and state agencies have jurisdiction and they use unelected boards to make many of the decisions. Each separate Mining District is a federally recognized entity. There are huge advantages—picture yourself going to an oversight meeting where 2, 3, 4, or even more Mining District representatives have obtained voting positions on the board. Don’t settle for allowing them to lump all mining interests together. Your needs or concerns might be quite different than those of claimholders in an adjacent district, so politely insist on representation for your own Mining District.

And last, but not least, please support PLP. They are a non-profit, volunteer organization, and we would love to see them heading back to Washington, D.C., on a frequent basis. You can make a tax-deductible contribution at www.publiclandsforthepeople.com

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Q: Will I have any luck finding gold with just a gold pan by panning for gold in Oregon? And if so, would you happen to have any suggestions?

A: Oregon produced a lot of gold during the Gold Rush, and there is still gold being found today. I know people who have found pounds of gold in Oregon in the last few years, so there is no question it’s there to be found.

Although gold has been mined in a number of places in Oregon, the most important deposits are found in two distinct and well-separated areas—one around Baker City and the Blue Mountains in the northeast, and the other in Josephine and Jackson counties in the southwest, where it forms the northern extension of the Klamath-Trinity gold belt of California.

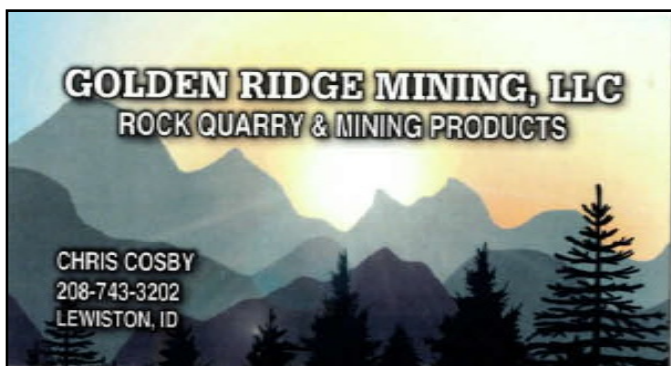
The northeast goldfield covers a considerable area, extending the length of the Blue Mountains, with a width westward from the Snake River of some 130 miles. It is associated with the great central mountain mass of Idaho, and its placers were first discovered in 1862.

The gold fields in the southwest include many different rivers and streams. Beach placers, arising from the action of waves on gravel cliffs, have been worked on many beaches south of Coos Bay, including locations near Gold Beach, Cape Blanco and Port Orford.

That all said, one cannot just put a pan in any old Oregon stream and expect to find gold, and you must avoid valid mining claims unless you have permission. The best chances by far are streams in the two main areas I’ve noted above. The best chance for a beginner is to join a club in your area where you can meet people with experience who will help you. There are also books you can read to learn more about prospecting. There is a list of Oregon clubs (small-scale mining and prospecting groups) on our website, which can be found [under the “Resources” tab](#).

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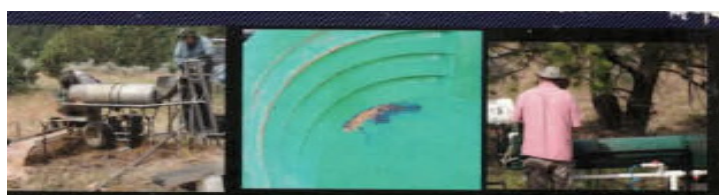
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PORTLAND GOLD PROSPECTORS

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 the month @ 1:30 PM / Grange Hall
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