

Case against dredge miner continued

Dan McDonald, Plumas County News, 2-28-13

The ongoing battle between the state of California and gold miners was briefly on display in Quincy last week.

About 30 miners showed up at the Plumas County Courthouse on Wednesday, Feb. 20, to support an Antioch man charged with illegally mining in the Feather River last summer.

Brandon Rinehart was cited June 16, 2012, by Fish and Wildlife officers while he was allegedly operating a suction dredge on the river within the Plumas National Forest.

Rinehart faces misdemeanor counts of operating a suction dredge in waters closed to dredges and operating without a permit.

The state currently has a moratorium on suction dredge mining and is not selling permits to operate a suction dredge within 100 yards of any California river, stream or lake.

Rinehart's appearance before Superior Court Judge Ira Kaufman was uneventful. The pre-trial conference with attorneys lasted about 90 minutes behind the closed doors of the judge's chambers.

Attorneys for both sides agreed to continue the pre-trial conference to March 7.

The Plumas County District Attorney's Office is prosecuting the case. Rinehart is defended by Portland, Ore., attorney James Buchal. Buchal is involved in a number of similar cases challenging state dredge mining regulations.

The defense has argued that the state's regulations are in conflict with federal mining laws.

The miners, who say their claims are on federal land, have called the mining ban unconstitutional. They argue that federal law trumps state law, and that the ban violates the California Environmental Quality Act.

In similar cases, suction dredge miners said that California has effectively banned the only practicable method of taking commercially significant amounts of gold from rivers.

Suction dredge miners use large hoses to suck gravel from streambeds to mechanically pan for gold. The water then flows back into the stream or river. Environmentalists claim the practice is harmful to a stream's ecology.