

MINUTES  
JOINT MEETING

**HOUSE RESOURCES & CONSERVATION COMMITTEE  
SENATE RESOURCES & ENVIRONMENT COMMITTEE**

**DATE:** Monday, February 03, 2014

**TIME:** 1:30 P.M.

**PLACE:** Lincoln Auditorium WW02

**MEMBERS:** Chairman Denney, Vice Chairman Gibbs, Representatives Wood(35), Barrett, Moyle, Eskridge, Raybould, Andrus, Shepherd, Wood(27), Boyle, Vander Woude, Gestrin, Miller, Anderson(1), Pence, Erpelding, Rubel  
Chairman Pearce, Vice Chairman Bair, Senators Cameron, Brackett, Heider, Tippets, Stennett, Lacey

**ABSENT/  
EXCUSED:** Representative(s) Vander Woude, Senators Siddoway

**GUESTS:** The sign-in sheet will be retained with the minutes in the committee secretary's office until the end of the session. Following the end of the session, the sign-in sheet will be filed with the minutes in the Legislative Services Library.

**Chairman Pearce** called the meeting to order at 1:31 p.m.

**Chairman Pearce** welcomed the speakers of the dredge mining presentation and the large public audience in attendance.

**Joe Greene**, U.S. Environmental Protection Agency scientist (retired), has over thirty years of dredge mining experience and asserts that numerous studies on small suction dredge mining incurs less than significant damages to the environment. Mr. Greene states small suction dredge mining uses a 4, 8 or 10 inch dredge. Mr. Greene indicated that regardless of scientific studies indicating dredge mining has little or no impact on the environment, dredge mining is illegal in California. Mr. Greene said dredging removes garbage from the waterways and the movement of pollution through dredging does not constitute pollution. He said that fish were slightly affected by dredge mining through very long periods of exposure. Mr. Greene indicated the dredge miners receive threats from regulatory agencies.

**Tom Kitchar**, President of Waldo Mining District, Southwest Oregon, believes the Clean Water Act has been misinterpreted by requiring dredge miners to obtain a permit for discharge or addition of pollutant to the waterways. Mr. Kitchar stated dredge mining only disturbs the silt and does not add pollutants or discharge into the water. He referred to a study by the Army Corps of Engineers stating that four-inch suction dredge mining does not harm the environment.

**Doug Giddings**, Sheriff of Idaho County, states his primary focus is to enforce any violations of civil rights in his jurisdiction. Sheriff Giddings said the federal government can be very heavy handed and are not elected officials so they do not answer to the public. Sheriff Giddings said the federal inspectors visit the dredge mines, take pictures, and send a letter threatening costly fines. Sheriff Giddings expressed his concern about the lack of communication from the EPA and their frequent changes to the regulations. Sheriff Giddings is concerned as the situation between the dredge miners and regulating authorities are escalating.

**Jim Chmelik**, Idaho County Commissioner, represents and spoke on behalf of the citizens of Idaho County regarding dredge mining. Commissioner Chmelik believes in the rule of natural law, the Declaration of Independence, U.S. Constitution, and the protection of individual rights. Commissioner Chmelik stated the EPA operates through intimidation and fear.

**Brad Bristol**, is the fourth generation of his family living in Idaho and is a small suction dredge miner. Mr. Bristol said he abides by the law and has obtained all necessary permits for dredge mining. Mr. Bristol stated he was accused of being a criminal by the EPA regarding his dredge mining activities.

**Roger Jorstad**, is a Vietnam Veteran and believes dredge mining does not harm the river. The application for dredge mining has grown to forty-four pages since 2009 and the application process has become very cumbersome for dredge miners.

**John Stickley** is not an Idaho resident, but has a mining claim located in the vicinity of Elk City, Idaho. Through dredge mining, Mr. Stickley alleges he has removed approximately 20 pounds of lead in thirty days as a result of fishing tackle, but is puzzled by the fact that the EPA is not concerned about the lead in the water. Mr. Stickley asserted that dredge mining removes large amounts of garbage from the water. He thanked **Rep. Shepherd** for visiting his dredge mine. Mr. Stickley alleges he has received a letter from the EPA threatening a \$50,000 fine and three years in prison regarding dredge permitting. Mr. Stickley indicated he has applied and received the appropriate permitting from the Idaho Department of Water Resources.

**ADJOURN:** There being no further business to come before the joint committee, the meeting adjourned at 2:45 p.m.

---

Representative Denney  
Chair

---

Jennifer Smith  
Secretary