

BARRY
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Chairwoman Lafontaine,

Members of the House Natural Resources Committee,

1 Thank you for taking one of our small scale mining issues

under consideration (House Bill 5862). I am Nick Straffon, a

resident of Algonac, Michigan, a retired Army officer and

engineering manager, currently Chairman of the Michigan

Military Retiree Activities Council, board member of a local

museum, plus president of our Michigan chapter of the Gold

Prospectors Association of America. I am accompanied by Mr.

Berry Anderson, Jackson, MI, who is a chapter director, a

lifetime gold prospector, a retired General Motors employee,

current township trustee and Apiary owner, and long time gold prospecting speaker at elementary schools and libraries.

2 With us today are Shawn Willett, our Vice President; Dennis Osgood, Treasurer; and my wife, Karen Straffon, Secretary.

3 We are speaking for over 200 recreation gold prospector hobbyists; otherwise known as small scale miners. Our members represent a cross section of the state population.

We have among our rolls business owners, executives, factory workers, teachers, farmers, accountants, truck drivers, engineers, military members and many more professions.

Close to 40% are military veterans. We are also shepherds of our environment. With our families, we help clean marshes

and rivers in our local communities. We are typical MI

Residents and enjoy many outdoor sports, including fishing, hunting, hiking, snowmobile and 4-wheel trail riding, camping, metal detecting and more. In addition to our membership, there are as many as 1000 family members and possibly another 1000 state residents that engage in noncommercial recreational gold prospecting.

4 We use typical garden tools including shovels, spades and picks to hand feed most of our prospecting equipment.

5,6, 7 Small Scale Miners do not use self-propelled equipment such as skid steer, front end loaders, and back hoes.

8 We are requesting assistance in eliminating a DEQ gross overreach of power by exempting small scale gold mining equipment from the DEQ permit requirement under the general permit categories. We are lumped with economic projects that permanently change the river flow or banks: installation of culverts, building bridge abutments, and building river crossings.

9 We believe the Bill also brings into question the DNR Land Use Order, 2 March 2009, that restricts and in many places prohibits, recreational prospecting on State managed rivers and streams and the similar DEQ order for rivers and streams.

Our non-economically viable and environmentally

inconsequential legal activity in other states includes the use of all of the equipment listed in the bill. When one looks at our 78,000 miles of Michigan waterways with over 32,000 designated as trout streams, our hand fed equipment has essentially no affect on our environment and temporarily enhances the fish habitat by removing silt from gravel beds.

10 Today, other states gladly receive our vacation money.

After several meetings and many phone calls with the DNR and DEQ over the past three years, we have not made any progress in gaining relief from rules that either severely reduce commonly used equipment or totally restrict our activities.

11 Their decisions ignore US EPA and the Corps of Engineers

evidence that our hobby does not harm rivers and streams.

There are no studies based on the Scientific Method that

refutes the published reports.

12 These findings were presented to DNR and DEQ

representatives two years ago.

13 We believe there should be a well - defined protocol for

prospectors to follow but the Directors' permit requirements

and orders are an oppressive overreach of power with no

factual basis behind several of the restrictions. We ask you to

understand the serious nature of this bill and we thank you in

advance for returning some of the freedom to enjoy our Pure

Michigan. Our Chapter's military members and veterans did not pledge to defend the Constitution and then expect to have our individual rights arbitrarily stripped from us by bureaucrats doing tidings for their favorite lobbying groups.

We are not rich. We are not lobbyists. We are simply

American citizens that come to you for help in redressing an

institutional attack on our rights. We believe rivers and streams are for all environmentally inconsequential hobbies and sports. Please advance the bill to the House floor.

