

Mining Information

Weaverville & Big Bar Stations • Trinity River Management Unit
Shasta-Trinity National Forest



Early History

Gold was discovered along the Trinity River in 1848 by Major Pierson B. Reading, and the richness of the deposits vied with those of the fabled Klondike in the Yukon. Since that time countless placer, dredging, and hydraulic mining operations have been concentrated along the Trinity River and its tributaries. During the Gold Rush, the “49ers” (who came from all over the world) established mines, settlements, farms, and ranches throughout the Trinity River country. Some of those early miners and prospectors stayed on to raise families and develop the ranching and timber industry that later became the economic mainstays of the Trinity area. Evidence of the Gold Rush is scattered but lends a flavor to the Trinity area that is evident to this day in the architecture of places like Weaverville and Lewiston.

Mining Opportunities

There are numerous claims in the Weaverville and Big Bar Districts. Many of the rivers and streams having mineral potential are covered by claims. Because of the large number of claims and frequent changes affecting them, the Forest Service does not keep a record of unclaimed areas. The best sources for this information are the Trinity County Recorder's Office in Weaverville, and the Bureau of Land Management (BLM) in Sacramento. For further information, visit www.blm.gov/lr2000.

What is a Mining Claim?

A mining claim is a possessory interest in a piece of land based on a discovery of a valuable mineral deposit as required by the General Mining Law of 1872. The claim grants the locator the exclusive right to explore for and develop the locatable minerals, plus the right to use the surface resources to the extent required for mining operations. Rights under the General Mining Law are acquired by self-initiation: It is up to the claimant to prospect for and to find a valuable mineral deposit and the claimant's rights yet depend upon the existence of the valuable mineral deposit.

Locating a Mining Claim

A mining claim may be legally located only after a valuable mineral deposit has been discovered. Additionally, the parcel of land must be open to mineral entry (free from a mineral withdrawal). Furthermore, the parcel should be free from mining claims located by other claimants.

Recording a Mining Claim

To record a mining claim, the claimant must file a copy of the location notice of the claim in the recorder's office in the county which the claim lies and with the BLM State Office in Sacramento within 90 days of the location of the claim. The mining claim must be on Federally administered land open to mineral entry. Once the claim is established, the claim owner must pay an annual maintenance fee to verify active interest in the claim, or perform labor worth an amount equal to the annual maintenance fee per claim annually if they qualify for the “small miners exemption.” The notice of annual assessment work (proof of labor) must be filed with the County Recorder and the BLM. The assessment notice must be received by the BLM on or before December 30 of each year. If the assessment work is not filed in a timely manner (even 1 day late), the mining claim will be determined to be conclusively abandoned.

Mining in Harmony with Nature and Other Natural Forest Resources

Due to the proximity of many mining activities to waterways and the large number of water-oriented users, there is potential for conflicts among the users. To minimize the conflicts, we ask that the following guidelines be observed closely:

1. Dispose all litter and refuse at a county dump.
2. Use self-contained units or porta-potties, and dispose of their contents at approved dump stations.
3. Leave a clean camp.

Cables and Ropes

The use of cables or ropes which span waterways must have prior approval from the District Ranger. With approval, they must be suspended at least 6 feet above the water surface. We also suggest that they be flagged to protect rafters and kayakers from possible injury. Do not block or impede traffic on the waterways with dredge tailings. Consideration for other National Forest users will ultimately benefit the miner as well as the public.

Structures

Structures and/or improvements on unpatented claims require prior written approval in an operating plan available at and submitted to the Forest Service. The construction of UNAUTHORIZED improvements is considered a trespass and can become a very serious problem. A claimant may lose the investment on the improvement because of unauthorized action. Temporary structures, such as tents, may be approved upon submittal of a plan of operations to the District Ranger. When all mining operations are completed, ALL improvements must be removed and the area cleaned up.

Campfire Permits

When camping outside of developed campgrounds, you must have a valid campfire permit BEFORE building a fire or using a stove or grill (except in trailers and campers equipped with gas stoves). The area surrounding a campfire should be cleared to mineral soil to prevent fire escape and for camp safety. Fire prevention technicians may make periodic inspection of mining camps during the year.

Spark Arresters and Blasting Permits

All internal combustion engines, including dredges, require an approved spark arrester and an inspection prior to operation. Blasting and welding operations require special permits when EMERGENCY FIRE USE RESTRICTIONS are in effect. These restrictions are implemented in several stages and may cause some inconvenience, but they are necessary to protect the forest resources. Fire

restrictions may restrict the use of internal combustion engines, campfires, welding, and blasting. Be prepared for such emergency fire closures; it will be your responsibility to keep informed of current restrictions and closures.

Before Purchasing a Mining Claim

The ancient adage of “Buyer Beware” is certainly true because there are wide margins for errors due to general misunderstandings of the mining laws, outright schemes and fraudulent misrepresentations by those who are less than honest. To assist you, the Forest Service has a set of guidelines distributed by the Western Mining Council. It is recommended that you obtain and read a copy before making any commitment to purchase a mining claim.

When you acquire a mining claim, you are acquiring an interest in the mineral deposit only. The surface resources, such as timber, are still government property and subject to management and/or disposal by the Forest Service. Additionally, the public has the right to recreate (hunt, fish, camp, etc.) on the claim area, provided the activity does not interfere with the mining operation.

What constitutes a Valid Mining Claim?

The courts have established the prudent man and marketability test to define or determine the validity of a properly located and recorded mining claim. Requirements of the test have been met only after minerals have been found within the boundaries of the claim, and the evidence is of such a character that a person of ordinary prudence would be justified in further expenditure of his labor, time, and money in developing a valuable mine (prudent man test); and the minerals can be extracted, removed and marketed at a profit (marketability test). Mineral traces, minor indications, geological inference, or hope of a future discovery are not sufficient to satisfy the prudent man and marketability rule. All mining claimants are required to comply with the regulations governing mineral development of National Forest land, 36 CFR 228-Minerals even if the mining claim has been determined to be valid.

Before You Begin Mining Operations

Prior to initiating any mining related activities, the following items require your attention:

1. If you are going to suction dredge, contact the California Department of Fish and Game for dredging regulations.
2. 36 CFR 228.4 Plan of Operations, Notice of Intent - Requirements, detail under what conditions and when notice of intent and/or a Plan of Operations must be filed with and approved by the District Ranger. A Copy of the 36 CFR 228 Regulations are available from the Weaverville and Big Bar District Offices upon request. Contact the appropriate office to find out what information is needed before your proposed mining activities can be evaluated. The Forest Service can also advise you if you need to contact the Water Quali-

Mining in the Wilderness

The Trinity Alps Wilderness was established on September 28, 1984. Minerals management inside the wilderness area is now subject to Section 4(d)(3) of the Wilderness Act of 1964. This section provides, among other things, that, subject to valid existing rights, "the minerals in lands designated by this Act as wilderness areas are withdrawn for all forms of appropriation under all laws pertaining to mineral leasing and all amendments thereto."

The above means that no new claims may be located, no ground disturbing exploration or prospecting activities may be conducted, and all existing mining claims must contain a verifiable discovery as of September 28, 1984. Any discovery made after that date cannot be considered. If a discovery is not exposed within the limits of the claim prior to the withdrawal date, the claim is void.

Any mining done within the wilderness requires an approved plan of operations.

Mining in the National Recreation Area

The Trinity Unit of the Whiskeytown-Shasta-Trinity National Recreation Area was established by Congress in 1965 (PL 89-336-Nov. 8). Section 6 states that "The lands within the recreation area, subject to valid existing rights, are hereby withdrawn from location, entry and patent..."

Mineral leases may be applied for through the Bureau of Land Management Office.

For More Information

If you have questions that are still unanswered, ask to speak with a minerals specialist at the Weaverville Station, or write to:

US Forest Service
Trinity River Management Unit
Weaverville Station
PO Box 1190
Weaverville, CA 96093
Or call... (530) 623-2121
(711) TTY

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