



United States
Department of
Agriculture

Forest
Service

Tahoe
National
Forest

631 Coyote Street
Nevada City, CA
95959-2250
530-265-4531
530-478-6118 TDD
530-478-6109 FAX

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To: Sierra County Board of Supervisors and Sierra County Citizens

As many of you know, the Forest Service was involved in cleaning up a longstanding mining claim on public land along the North Yuba River early this year. In the last few weeks, there have been misleading and distorted stories in some Sierra County media. My primary purpose in writing this letter to you is to explain what actually happened and why the Forest Service took the action we did.

History of the Nixon or Dredge Claim on National Forest System Land

It is my understanding that the only time the previous claimant, Jack Nixon, was authorized to occupy the site of the cleanup (known as the Nixon mine or the Dredge Mine) was for a short time during the 1970's. This land is National Forest – it is not private property. The Forest Service has been working for decades to bring this claim under compliance or to remove the illegal occupants/structures/equipment. Our agency has worked closely with attorneys from the USDA Office of General Counsel and with the Department of Justice. In 2008, the claimants were issued notices stating that all structures and personal property at the site were unauthorized and the individuals were directed to vacate the site and remove all property by September 30, 2008. No one complied. On April 22, 2009, the Forest Service again issued the claimants notices that they were in trespass and they were instructed to leave. Government property signs were posted. They were told that if they did not remove their personal property it would be impounded. After Mr. Nixon's death, one person remained on site while the others left. Since that time, two other individuals began illegally residing there. Even after many attempts by the Forest Service to remind them verbally that they needed to vacate, none of the occupants left.

In September, 2009, the Forest Service received a letter from Sierra County Health Department identifying several electrical, septic, and water code violations on the claim and identified the Forest Service as the responsible party to insure compliance with Health and Safety codes. On October 1, 2009, the Forest Service conducted an inspection of the site. Participants in that inspection included the Forest Service Regional Environmental Engineer, Yuba River District employees, USDA Department of Justice attorneys, a sergeant with the Sierra County Sheriff's Office and Forest Service Law Enforcement. After the inspection, it was recommended that we immediately remediate the hazardous materials. Some of the hazards found included: flasks of mercury, containers of sodium cyanide and nitric acid, rat poison, and a variety of other chemicals (some known and some unknown) whose containers had eroded to the point of leakage. Other petroleum-based products were improperly stored or were leaking from the equipment. An unauthorized septic system with raw waste visible was present. Unsafe electrical hazards were identified as potential fire and public safety issues.

On January 7, 2010, several Forest Service employees, a Forest Service Law Enforcement Special Agent, Sierra County Sheriff John Evans, and the contractor, visited the site. Three occupants were present and all were told that their continued residential occupancy was considered a trespass in U.S. government structures, and they needed to find another place to reside. A brief site inspection was conducted.

