

Tahoe National Forest bats win out over miners

By Michael Doyle, Sacramento Bee

A gate meant to protect bats using a mine shaft in Tahoe National Forest also impedes the miners who have staked a claim on the site.

But now, capping a dispute that has spanned multiple courts and encompassed everything from the Fifth Amendment to federal bat-protection efforts, a judge has dismissed a \$50 million lawsuit by two Northern California men who said the gate prevents them from accessing the mine.

“The installation of the bat gates has not deprived (the men) of the ability to develop their claims,” U.S. Court of Federal Claims Judge Elaine D. Kaplan concluded, adding the men “may still develop their valid mining claims any way they see fit provided they comply with applicable government regulations.”

California’s bats, this case made clear, have friends in high places.

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