ALAA Newsletter
Jay Valle, Editor
1421 Latchford Avenue
Hacienda Heights, CA 91745

FIRST CLASS MAIL

AMERICAN LANDS ACCESS ASSOCIATION, INC.
Protecting the Public Lands for the Public

April-May-June 2009
AMERICAN LANDS ACCESS ASSOCIATION, INC.
Protecting the Public Lands for the Public
Please enroll me as a member of the ALAA! Annual membership fee is $25.00
Annual membership fee for clubs is $50.00

___ New ___ Renewal     Date ____/____/____

PLEASE PRINT

Name______________________________________________

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Phone______________________________________________________

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Club Affiliations______________________________________________

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Remit fees to:  ALAA
RUTH BAILEY
2857 Addison Pl
Santa Clara, CA 95051-1705

The A.L.A.A. is a 501(c4) organization. Its purpose is promoting and ensuring the right of the amateur hobby collecting, recreational prospecting and mining, and the use of public and private lands for educational and recreational purposes; and to carry the voice of all amateur collectors and hobbyists to our elected officials, government regulators and public land managers. Contributions to the A.L.A.A. are not deductible as charitable contributions for Federal Tax Purposes.
The Omnibus Public Lands Bill passed the House and the Senate, was signed by the President and is now the law. However, the exact effect on the public, on rockhounds, on our rights to access our Public Lands is still not known. And it will not be determined until each BLM District/office, each Forest Service District/office, each of the other affected governmental agencies interprets these laws, and incorporates them into their specific Management Plan. This is where we can still have a say. This is where we can still have a voice and have affect on the final implementation. How? By becoming involved in the process. By talking with the managers of our Public Lands; by participating in the meetings called for public input; by providing our ideas and wishes with letters, e-mails and telephone calls. By being involved in the process.

How do we, how do YOU get started? All of us live less than 100 miles from a BLM, FS or other agency office. Better yet go to the office that manages the land where your favorite collecting site is. The first step is to get acquainted with the office and the personnel. Get signed up to receive notices of public meetings and/or get on their general mailing list. Next get involved – attend meetings, learn how that office implements the current laws and how they propose to implement the Omnibus Laws, provide comments and get others involved with your efforts. More on this topic in future articles.

New legislation that will affect us has been introduced in Congress: S 796 Hard rock Mining and Reclamation Act and HR 699 Hard rock Mining and Reclamation Act of 2009 which propose significant changes in the Mining Law of 1872, and S868 The Fee Repeal Act and Expanded Access Act of 2009 which would revoke authority given to the FS to charge new and higher user fees. Now is the time to learn about and comment on this developing legislation; now is the time we can be proactively involved.

The American Land Access Association will hold its annual meeting during the NFMS/AFMS convention at Billings, MT. This is the business meeting for ALAA where we will elect our directors and officers, have officer reports and committee reports. The work of ALAA takes place throughout the year by our officers, directors, committees, at regional Federation conventions and the actions of our members. In addition to the election of directors and officers we will be voting on proposed Bylaw revisions and on proposed Operating Procedures. Dee Holland and Shirley Leeson spent a great deal of effort on this and the proposed Bylaw revisions and OP’s were mailed to all officers and directors. Please review these documents and come prepared to discuss and vote.

(Continued on page 4)
President Message
(Continued from page 1)

Joyce Hanshu has been carrying a double load for ALAA – Secretary and Treasurer. And she is ready to give up her jobs. Thank you Joyce for pitching in and doing this very important job after Norm passed away.

Therefore, I have appointed Ann Cook as Secretary and she will take our minutes at the annual meeting. Ann is also the secretary for the AFMS. Also, I have appointed Ruth Bailey as Treasurer. We are currently transitioning the files and duties from Joyce to Ruth. Ruth is a long time active member of ALAA and many AFMS and CFMS committees.

My initial focus as president of ALAA is membership. The AFMS has 633 societies with over 49,000 individual members. Currently ALAA has less than 100 individual members and less than 30 society members. Our growth potential, our membership potential, our financial support potential is GREAT. The potential of our Voice is great. We represent and advocate for over 49,000 AFMS members plus their families. We are significant. However, to represent them adequately we need their support. And how do we calculate/estimate the number of unaffiliated rockhounds. And how do we calculate/estimate the number of kids and families, teachers, and people that just like to pick up “pretty rocks” or participate in some other form of recreation on our public lands. We represent and advocate for these people, too. Shirley Leeson has volunteered and will be focusing on her efforts on membership. I request that all current members join the membership committee. That is become an advocate, a promoter of ALAA and our mission. Keep your society and its members informed with the news from ALAA. Encourage participation in our calls to action for response to legislation and management plans. Be involved, be an advocate and participate in the legislative and regulatory process.

We are planning to have an information table at the show to inform people about ALAA and our mission, promote the meeting and sign up new members. We could use your help in manning this table. The job is easy – be at the table tell people about ALAA and our mission, answer questions, pass out membership applications and invite people to our meeting on Saturday. Any and every member can help. Stop by the ALAA info table and sign up to take at least one 1-hour shift.

Hope to see many of you at the meetings in Billings.

ALAA Annual Meeting
By Dick Pankey, President, ALAA

The American Land Access Association will hold its annual meeting at the NWF/AFMS convention at Billings, MT on Saturday afternoon from 3:00 to 5:00 PM in the Cottonwood Room at the convention hotel. This is the business meeting for ALAA where we will elect our directors and officers, have officer and committee reports, and vote on Bylaw revisions and Operating Procedures. The work of ALAA takes place throughout the year by our officers, directors, committees, at regional Federation conventions and the actions of our members.

Featured speaker will be Greg Mumm of Blue Ribbon Coalition, the National Organization who is fighting to keep roads open on Federal Lands.

Also attending will be our Canadian friends who are experiences the same collecting problems in their Provinces.

This is an important meeting for ALAA since our 2008 meeting in Houston was canceled because of the hurricane. All officers, directors, committee people are strongly encouraged to attend. All AFMS society members are invited and welcome.
WE NEED YOU NOW, MORE THAN EVER

Shirley Leeson, ALAA Vice President

* What if, each of us, all the current ALAA members, contacted and enrolled just one new member or club?

* What if, we had a chairperson who would funnel news between officers/directors and the members in their respective states?

* What if, each of us made a concerted effort to work with our U.S. senators and representatives in each state so that they would know us when we contacted them?

* What if, each of us made a concerted effort to make contact with our State senators and representatives so that they would know us when we contacted them?

* What if, we checked to find like organizations within our own state and started a dialog with them because there is strength in numbers….

Each of these things are possible if each of us take on the responsibility for doing so. Contact your officers and offer your services.

In the next few years we will be under more stress than these past few months. Things are not in our favor right now, but maybe we can help make a difference by exerting our right to vote. In the mean time, we need all the help we can get from everyone.

We’d like to make a list by states as to those collecting areas still available to us. Who is in charge? The BLM, the Forestry Service, Indian Lands, etc. Then we need the name of that PERSON, address, email and phone of that person. We need to know what kind of a reception rock-hounds are going to receive when they gather to collect. Are you with us on this? If you are, we’re going to need what was mentioned above, a chairperson or each individual state. Will you serve?

Contact me at: shirleyleeson@cox.net and beauholland@centurytel.net Please use both emails, as some fly into outer space, never to be heard from again. If I don’t answer you within a day or two, we’re on the road, much of the time between Idaho and California. Or at many of the regional shows we attend.

We’re going to work on a clearing house for the information above, and that will have to worked out. We, at one point thought about putting it on our website, but since it’s available to everyone, that wouldn’t be a good idea unless we could encrypt it so that it would be available only to ALAA members, and not the general public.

I’d like to know your thoughts and ideas,

You are invited…

Cracker Barrel

For those of you who are attending Billings, Montana AFMS/NFMS show July 28 to Aug 2, on Friday evening the Billings Gem & Mineral Club will be hosting a “Cracker Barrel” informal meeting of the Canadian and American rock-hounds. There will be an informal agenda covering field tripping on both sides of the border and the possible consequences. An introduction of ALAA and what we are trying to accomplish will also be part of the meeting.

Please try and attend as this meeting could prove significant. This meeting is open to the public.

Shirley Leeson
ALAA BYLAWS & OPERATING PROCEDURES

Shirley Leeson & Dee Holland

By now all the officers and directors and prospective officers and directors have received a copy of:

1. Old Bylaws,
2. Changes to the Bylaws
3. Operating Procedures – this is a whole new section as we didn’t have OP’s to describe duties of the offices.

The directors will be voting on these items at the ALAA meeting in Billings, Saturday, Aug 1, 2009 at 3pm in the Cottonwood room, at the host Hotel: Holiday Inn Grand. We need the support of all ALAA members to get this part of our operation up and running.

Since our last ALAA Newsletter, our President has had a successful Regional ALAA meeting in San Jose in April as part of the CFMS show and convention. We would like our directors to step forward and offer assistance in having a meeting at their respective regional shows. If you’re willing to take this project on, contact our President, Dick Pankey or myself and make arrangements. It will be sanctioned and you’ll get ALAA support in putting on your meeting.

We’re moving forward and with your help we’ll become a viable organization. We’re working with Blue Ribbon Coalition, but their aims are directed in keeping roads and trails open to vehicle travel. Our aims are keeping many of those same roads and trails open as a means of getting to collecting sites. If you know of like organizations that we can work with, contact an officer or director and we’ll try a dialog with them.

Until Billings, keep searching for new members, there is strength in numbers, just ask a politician.
the use of public and private lands for educational and recreational purposes; and to carry the voice of all amateur collectors and hobbyists to our elected officials, government regulators and public land managers. Involving people is what we do and how we do it. ALAA promotes legislation, responds to legislative proposals, participates in the legislative process and participates in the land management process. To accomplish these goals we attend meetings, get to know officials and get involved, and write letters and e-mails.

Shirley Leeson gave us the background and history of ALAA. In 1991, the President of the American Federation of Mineralogical Societies appointed a select committee to recommend ways to make the Federation more effectively responsive to the political challenges of increasing regulation and decreasing access to public lands that State and Federal Land Management agencies were imposing on amateur fossil and mineral collectors. The committee recommended that the AFMS form a separate 501 (c)(4) organization whose primary purpose would be to promote the amateur collectors' interests in present and proposed policies, rules, regulations and legislation with State and Federal land managers, elected officials and legislators. In compliance with that recommendation, the AFMS directors voted to establish the American Lands Access Association (ALAA) in July 1992 at their convention in Brunswick, Ohio. The Association is a 501(c)(4) (non-profit) organization which means that all moneys raised by the association can go toward lobbying activity.

Dee Holland talked about the Blue Ribbon Coalition and our association with it. The Blue Ribbon Coalition is a national non-profit organization dedicated to preserving responsible recreational access to public lands and waters. We want to keep your land open for use, whether you recreate on a mountain bike, snowmobile, motorcycle, personal watercraft, ATV, four-wheeler, horse, or your hiking boots. Today, the Blue Ribbon Coalition is a respected national recreation group that represents over 10,000 individual members and 1,200 organization and business members, for a combined total of over 600,000 recreationists nationwide. ALAA joined the BRC in 2006. The BRC has an outstanding system to monitor legislative and regulatory activity and an e-mail alert system to notify its members and call them to action.

Our webmasters John and Suzy Martin talked about the ALAA web site and plans for the future. The web site is extremely important because it can provide instant information and respond to rapid changes with the legislative or regulatory process. Our web site provides an easy way to let the public and interested people know about us and what we are doing.

We concluded the meeting by inviting individuals and societies to become members of ALAA and become involved and participate in our efforts. The easiest way to become a member is to get the membership application off of the web site or out of the AFMS Newsletter. Several people had questions about the effect of a society’s membership on the society’s tax exempt status. Mike Kokinos, the CFMS Tax Advisor, told me that the subject of lobbying is very complex. Being a member of ALAA would be so insignificant it would not affect charitable exemptions. The law does not prohibit membership in ALAA by a charitable organization. Mike is going to research and write an article addressing this in the near future.

I am personally inviting every society, in every Federation to join The American Land Access Association. The yearly dues for a society are only $50.00. I invite them to not only join but to get involved and participate in the process to keep our public lands open to the public. I am also inviting all individuals who believe and support the purpose and objectives of ALAA to join as an individual member and become involved and active. Individual membership is $25.00 per year. For more information about ALAA go to our web site www.amlands.org

This was the first meeting of ALAA at a Regional Federation meeting. I encourage ALAA directors and interested members in the other federation to plan and hold a meeting to introduce and promote ALAA during their Federation’s meeting. Contact me with questions and for details for holding a meeting of ALAA.
The Paleontological Resources Preservation Act Is Now Public Law

To the members of the Society of Vertebrate Paleontology:

On March 25, 2009 the House of Representatives passed a Public Lands Bill that contained the Paleontological Resources Preservation Act (PRPA) by a vote of 285 – 140. The bill has been signed by the president and is now public law.

Although the information has always been readily available on the SVP website, we offer this reminder of what the PRPA actually does:

The Paleontological Resources Preservation Act codifies the exhausting practice of requiring that vertebrate fossils and other rare and scientifically significant fossils be collected only by qualified researchers who obtain a permit. Permittees must agree to deposit the fossils in public institutions, which will ensure their future availability to researchers and the public. The PRPA strengthen penalties and acts as deterrent for illegal collecting activity.

The PRPA greatly benefits amateur paleontologist. For instance, the BLM and Forest Service have been allowing casual collecting of common plant and invertebrate fossils for many years, but without specific statutory authority from Congress. This activity could have been taken away at any time. However, the PRPA ensures amateurs can continue to pursue their hobby on BLM and Forest Service Lands. The Savings Provision specifies that, “nothing contained in the Act shall apply to, or require a permit for, casual collecting of a rock, mineral or invertebrate or plant fossil that has is not protected under this Act.”

Over the years there has been an abundance of misinformation regarding the PRPA. Please note that the PRPA DOES NOT:

- Affect Private lands or Indian Lands in any way.
- Prosecute anyone for misidentifying a fossil unless that misidentification is made in association with a knowing criminal violation of the PRPA.
- Interfere with rock collecting.
- Restrict access to those who do not have a Ph.D.
- Interfere with mining on federal land.
- Create restrictions for public lands access.

In the days ahead, SVP’s Government Affairs Committee will offer any expertise that is required by federal agencies in regard to regulations and implementation of the PRPA. We will also take a look at new initiatives and opportunities that will greatly benefit the SVP and the science of vertebrate paleontology.

This has been a very long and arduous process that has been under consideration for almost 18 years. It is hard to imagine how many members of the Society, Congressional staffers, associated societies and friends that have contributed to the success and passage of the PRPA. We want to thank everyone who helped in a small and large way, because without your determination and support, passage of the PRPA would not have been possible.

Sincerely,

The SVP Government Affairs Committee.

Society of Vertebrate Paleontology
111 Dear Lake Road, Suite 100
Deerfield, IL. 60015 USA
E-mail: svp@vertpaleo.org
Web site: www.vertpaleo.org

Forwarded by John Martin
ALAA Internet Committee
‘HOW TO’ ARTICLE

How To Contact Your Elected Officials

There are several ways to contact your elected officials. This is only one of the ways and may be the most effective for our purpose. First of all bring up the American Lands Access Association (A.L.A.A.) Website in your internet browser. http://www.amlands.org.

On the ALAA Home Page click on the hyperlink labeled ‘Links’. Under the heading ‘Contact Information for Congress’ there two sub titles listed: House of Representatives and Senate. Decide on which branch of the Federal Government you want to contact and click on one of the links.

To contact your Senator:

On the US Senate: Senators Home page, find the ‘Choose a State’, click on the down arrow to bring up the State menu. Click on the State of interest and the two senators’ names and addresses will appear. Click on the senators’ name and their website will appear. Somewhere on their website is a menu item that says ‘Contact Us’ and that should bring up another small window with more options. Select and click on the ‘E-mail Me’ which will bring up the senators’ contact page. Just fill in the blanks and type your comments in the space provided, (you can cut and paste from other sources into the ‘Message Block’). There may be a limit on the amount characters that can be entered so you may have to be careful in the amount of information that is input.

When finished, just click on [Submit Information] and wait for your answer, it may take several days before you here from your senator.

To contact your Representative:

On the Write Your Representative Home Page:

1. Select your state,
2. Enter your Zip Code then,
3. Click the "Contact My Representative" button.

Your Representative’s Home Page will appear.

Select ‘Send a Message’ or ‘Contact Me’, if required. Fill in the blanks, make your selections and enter your message in the box provided. When finished filling in the required blanks click the [send message] or [submit button] and wait for your answer, it may take several days before you hear from your Representative. There are several other options on the Representative Home Page that may be of interest on other topics.

If there is any pending legislation in your state please let me know the information, The Title, Legislative number and of course the state. I will try to do some research and enter the applicable information on the ALAA Website.

John Martin
ALAA Internet Committee
CFMS PLAC South 2005-2008
Palmdale Gem and Mineral Club
smartin@antelecom.net
pgmc@antelecom.net
webmaster@amlands.org
THIS CAN HAPPEN TO YOU

On November 1, 2008 my fiancé Dori and I were criminally charged with collecting Staurolites on U.S. Forest Service land. Local collectors have been going to this location to collect Staurolites for over 30 years. Our friends Tonya and Barry informed us of the location in Blue Ridge. We visited this area four [4] times in the summer and fall of 2008. The Staurolites we found on the surface were mostly poor quality. However, just a few inches under the surface using a scraper we found much better quality ones. We used hand tools including a scraper and a small pick. I feel we were very careful not to damage the site. We did not dig more than 6 or 7 inches and completely filled in our holes and raked the dirt to ensure the site looked undisturbed.

On November 1, 2008 Officer Tipton of the USFS approached us. We did not attempt to hide ourselves because we had no idea we were doing anything wrong. He stated he had set up a video camera at the site and had been watching us. This was very alarming to us. I assured him if he had approached us that first time and explained that the Forest Service did not wish us to collect here we would have politely left and never returned. He will attest to the fact that we were cooperative. He even complimented us stating we were “not like most of the individuals he deals with”.

Officer Tipton approached us and asked us what we were looking for. We told him we were looking for Staurolites. He did not know what Staurolites were but informed us we needed a mining permit to dig for any type of mineral. He told us any Staurolites we find are government property. Next he confiscated our scraping tools, knap sack and bucket. He separated us and read me my Miranda rights. At this point he asked me if I would allow federal agents to search my home in Rome for any other federal property. When I said no my interview was over. Evidently he tried to obtain a search warrant but was unsuccessful. Officer Tipton repeatedly inquired as to whether we sold rocks. I told him I have never sold minerals and Staurolites have only intrinsic value. In the past there have been locations in Blue Ridge (Hackney Farm) that have allowed individuals to collect a bucket of them for $5.00.

On January 11, 2009 Officer Tipton gave us a courtesy call. He stated we are being charged criminally with 261.9(a) destroying a natural feature or property of the United States ($250.00 fine) and 261.9(b) removing a natural feature or property of the United States ($250.00 fine). These are criminal misdemeanor offenses and can result in a criminal record. I strongly feel the section we are being charged under is both vague and does not address the important point that we were collecting minerals. Mineral collecting is generally allowed on most U.S. Forest Service lands including public domain lands and acquired lands. Unfortunately, each individual Forest Service can now make the rules (on acquired lands) dictating the rules for rockhounding and Georgia has one of the most restrictive policies. Under this charge it appears we are vandals or even worse thieves. I told Officer Tipton I was considering going to court. 5 days later when I received my ticket it had doubled to $500.00 for each offense for a total of $2000.00.

In conclusion, I feel strongly we took the utmost care to treat this land with care. We spent at least 15-20 minutes each time to leave the ground looking undisturbed. I feel the Georgia State Forest Service is treating mineral collectors like criminals. Mineral collecting has in the past been considered a wholesome and educational activity. In other states the USFS has been much more responsive to working with mineral collectors and even encourages collecting. I am saddened that the Georgia State Forest Service is now considering it a criminal offense. Thank-you for the time you spend considering this matter.

Robert Madden, M.D.
Fossil Collecting at Gaviota

Ray and I were at the State Beach near Gaviota with Ray's sons, we were collecting fish fossils from the shale there. The Shale falls off the side of the hill and after it piles up for a while, they use a bulldozer to push it over the side of a 20 foot drop into the waves below.

We found some nice specimens for Ray's sons Geology project when a Park Ranger rolled up with his daddy in the truck with him. He got out of his truck and hitched up his pants and stuck out his chest and came over to us and looked in the bag that we had put what we collected in.

He asked what we were doing and when we told him that we were collecting fossils, he told us that it was against the law, picked up our bag and dumped it out.

He then began lecturing Ray's boys that this stuff was historical, and that they had to preserve it for future generations, and that people couldn't just come and pick it up.

When I asked him how they could preserve it by bulldozing it into the ocean, he asked me if I wanted him to write us each a ticket. I was about to tell him to go for it, when Ray told me to please don't say anything to piss the guy off. I kept my mouth shut and we left.

Park rangers in California can be real jerks. Especially when they bring their daddy to work and need to show him how important he is.

So, I would ask the local park rangers if it's okay to collect there, or find out for sure if it's illegal or not…

I found out later that the guy was full of it and that collecting fossils there was perfectly legal.

CJ Quitoriano
CFMS President 2009

Opal Canyon Encounter

On a similar note, members of our club, the American Opal Society, were recently on a field trip at Opal Canyon, 30 miles north of Mojave, to dig for precious opal. The site was the old Barnett Claim, where rockhounds and miners have dug for opal since 1910.

The field trip was halted when California State Park Rangers arrived in a rush and announced with a load speaker that no collection is allowed anymore at Opal Canyon. Basically he said you could only take one rock and that no tools were allowed.

It turned out that Opal Canyon has been annexed to Red Rock Canyon State Park, whose rules say no rockhounding.

The whole area where the opal is located can't be more than 4-5 acres. I can't believe any habitats or wildlife is threatened in an area that has basically been dug up for the last 100 years. I also can't believe that the State Parks won't allow special designated rockhound areas within the parks.

The Red Rock Canyon State Park General Plan Revision is currently being revised.

(see http://www.parks.ca.gov/?page_id=25064).

With some pressure from rockhound groups, like LA-Rocks, maybe they can include some areas that allow rockhounding.

Jim Pisani
American Opal Society

Both articles via LA-Rocks
Other Sources of Information

Ghost Town Act of 2009 (HR 699)

Last fall U.S. House of Representatives passed the draconian Rahall mining "reform" bill, "Hardrock Mining and Reclamation Act” which is the same as the current HR-699. This bill dictates 4% to 8% gross royalty on minerals produced from mining claims, and among other things, gives regulatory agencies the authority to reject proposed mines and to authorize citizen lawsuits.

If HR 699 passes, patenting a discovery is eliminated making it nearly impossible for small miners to finance a small mining enterprise. It will mean the end of mineral discovery in the West. Staking of mill sites are eliminated creating the probability that processing facilities will be built on top of ore reserves.

For more information go to  
http://www.landrights.org/

Clean Water Restoration Act (CWRA)

Congress is trying to pretend that S 787 "clarifies" the Clean Water Act and the Supreme Court cases. It does the exact opposite. It greatly expands the power of the Corps and EPA.

For more information go to  
http://www.landrights.org/

The BlueRibbon Coalition

The BlueRibbon Coalition champions responsible use of public lands and waters for the benefit of all recreationists by educating and empowering its members to:

- Secure, protect, and expand shared outdoor recreation access and use
- Work collaboratively with natural resource managers and other recreationists
- Educate the general public, media, elected officials, and other decision makers on recreation and access issues
- Promote equitable and responsible natural resource management
- Affect the political and administrative process
- Support recreation on, and promote respect for, private property
- Encourage appropriate enforcement of the law

Webpage:  http://www.sharetrails.org/

ALAA Webpage:  
http://www.amlands.org/

The Forest Service Fee Repeal Act and Expanded Access Act of 2009

Public Lands Access has a strong supporter in Congress, Senator Max Baucus (D-MT). He has just introduced a bill in the senate, that if passed would revoke authority given to the Forest Service in 2004 to institute new fees and increase existing fees at campgrounds, trailheads, and other public areas.

The bill is S868 The Fee Repeal Act and Expanded Access Act of 2009 and has currently been referred to the Senate Energy and Natural Resources Committee. He is joined in his crusade by Senators Mike Crapo (R-ID) and Jon Tester (D-MT) who are also sponsors of the bill. To find out more about this bill you can go to the following web site and track its progress through the legislative process.


Though this bill will not preserve or allow us to get access to rock collecting areas that have been withdrawn, it will make it less expensive to visit areas that we can still access for our hobby.

Please help get the word out if you can.

Thank you for your time and consideration.

John Martin
ALAA Internet Committee